

## EXTENSIONS OF REMARKS

## PERCEPTIONS OF APARTHEID IN SOUTH AFRICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. RANGEL. Mr. Speaker, I rise to submit an article by Prof. Henry Richardson, entitled *Perceptions of Apartheid in South Africa*.

Pretoria recently announced that it will dismantle the hated influx control system, popularly known as the pass laws. We should not be deceived about the why this was done. Apartheid propagandists will say that Pretoria is revealing a new liberalism, that the principle of upholding human rights was the ultimate motivation. This is untrue.

The South African Government was faced with a fait accompli in which the so-called white areas were already surrounded by large black populations. Black workers lived near the restricted areas, and commuted to them daily. Pretoria has not loosened the pass system out of generosity; they have done so because the only other choice would have been the impossible task of removing millions of blacks away from the white areas.

Mr. Speaker, I urge my colleagues to read Professor Richardson's article. It may answer many questions we might have on this issue.

## PERCEPTIONS OF APARTHEID IN SOUTH AFRICA

(By Henry J. Richardson III)

The basic facts of South African apartheid have become well known. In a beautiful, varied and rich land on Africa's southern Cape, some 4.5 million whites—a combination of Afrikaner descendants of Dutch settlers from three centuries ago, and descendants of more recent settlers from England, plus other smaller groups—have established "apartheid". It was codified into law in 1948 to control 23 million black Africans of several tribal lineages, the 3 million "colored" population, and one million Asians. Its effectiveness rests on South Africa's being a police state, vis-à-vis its black (and increasingly its white) citizens, enforced by a repressive police, military and intelligence apparatus. Its aim is to segregate blacks from whites in all areas to prevent having to provide equal benefits, and to prevent the coalescing of black political and economic power, while retaining African labor which is crucial for South Africa's mines, farms and factories.

Black South Africans have none of the rights Americans take for granted, including that of basic citizenship. They are funneled through a pervasive administrative system of influx control into the cities, businesses and mines to work during the day, and then out at night to segregated townships or hostels. A prime method of state control is the capriciously enforced pass laws, requiring all blacks to carry their pass books giving them permission to be where they are; 700,000 blacks are arrested annually for pass book offenses.

One aim of apartheid is to export as many blacks as possible out of South Africa, though allowing them to return to work in their own country. This is the notorious "homelands" system—the creation of a series of bogus states from non-contiguous parcels of land. These "states" are ruled by designated black leaders and governments with overwhelming white South African economic underpinning and direction. None of these "homelands", four of which have been assembled from noncontiguous parcels of land, has been recognized by any outside country, yet Pretoria persists with its plan to forcibly export 73 percent of the country's people by arbitrary tribal designations, to the most barren 13 percent of the nation's land. Over the last two decades, South Africa has forcibly removed some four million Africans out of "white" areas throughout the country, with denial of even elementary rights. And the annual cost of apartheid has been estimated at \$4 billion.

About 350 American corporations are doing business in South Africa, with a total investment of \$2.3 billion. They employ about 70,000 African workers, less than 1 percent of an African workforce of over 8 million. They participate throughout the economic but are concentrated in the essential infrastructure: U.S. firms control 70 percent of the computer market (including computers necessary to coordinate the apartheid system), 24 percent of the automotive market, 44 percent of the petroleum producers market, about 33 percent of all South African gold mining shares. They have a visible share of the electronics market.

Within the last five years, a representative black trade union movement has emerged around the Council of Unions of South Africa (CUSA) and the Federation of South African Trade Unions (FOSATU) beyond the tightly controlled groups first allowed by Pretoria to prevent black workers from forming more politicized unions. This has happened in spite of severe repression from the regime. The unions may be pushing towards the capacity to call a national general strike, if necessary, a capacity long feared by Pretoria.

To protect apartheid, Pretoria's foreign policy aims to control the weaker African states on South Africa's periphery, to undermine the African National Congress, to hang on to the neighboring mineral-rich territory of Namibia which they have illegally occupied by military force since 1966, and to maintain government and business support from Western nations. One of their principal strategies—internally and externally—is to concede the public trappings of political authority to a black state or group (such as the "homelands"), while fostering severe economic dependence by that state or group on Pretoria. That dependence is then readily used to keep that state in line, for example, to prevent Botswana and Mozambique from harboring soldiers, personnel and bases of the African National Congress, the primary liberation group fighting apartheid.

South Africa's regional actions over the last decade have featured attempted destabi-

lization of governments, assassination, military and paramilitary invasion. It is sponsoring two anti-government guerrilla movements in Mozambique and Angola, each resembling the U.S.-sponsored "contras" against Nicaragua. South Africa currently occupies territory in southern Angola, and periodically invades that country. With U.S. assistance, South Africa forced Mozambique in 1984 to sign a non-aggression pact, which it now admits violating. The Reagan Administration has done little to oppose South African aggression against neighboring states. As a counterpoint to this aggression, the claim is made to the outside world that South Africa should be regarded as the economic powerhouse of the region, and the Pretoria regime should remain dominant as the best developmental hope for southern Africa. This propaganda has found its target in more than one sector of American opinion.

South Africa is now under a declared state of emergency, amid growing fears in even the white community that the police and army are out of control. Over 6,000 detentions and over 1,000 deaths of black South Africans have occurred under the emergency, and 25,000 detentions during the past year. For the first time, many whites do not believe Pretoria has a plan to control the situation. Both organized and unorganized black resistance to the regime is appearing in new national patterns. The new resistance calls upon not only present rage, but on an historical tradition of over a century of opposition to white rule, by violent and non-violent means. The African National Congress, founded in 1912, pursued non-violent strategies until the 1960 Sharpeville massacre, where police killed 60 Africans at a peaceful demonstration. Afterwards a talented young lawyer, Nelson Mandela, and his law partner Oliver Tambo, saw that official violence against blacks was so ingrained that it had to be countered on its own terms. In 1963, by then an underground hero, Mandela was arrested and sentenced to life imprisonment after a momentous trial. He remains there today, the political hero of black South Africa, with Pretoria afraid either to release him or keep him. His recent health problems raise the specter of South Africa's losing a talented, unifying leader. Under Oliver Tambo, the ANC has stepped up its guerrilla attacks within South Africa, with the silent support from millions of black people, and the more open support of the large and slightly multiracial United Democratic Front (UDF), the key above-ground resistance organization in South Africa.

South Africa apartheid as an issue is finally coming of age in American public discourse, after having been too long hidden. Jesse Jackson's run for the Presidency in 1984 provided for the first time national political exposure for a candidate who was an articulate, committed foe of apartheid, and he made the issue both national and inescapable. Subsequently, the free South Africa Movement has become a national movement encompassing churches, universities, and local governments. Temple University as of September 12, 1985, ahead of

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

many universities, divested its portfolio of \$2.5 million in stocks of all corporations doing business in South Africa.

A wave of similar actions has put the Reagan Administration and U.S. business on the defensive regarding any continuing accommodation with Pretoria. Americans have demanded corporations to divest their holdings in South Africa, a demand which has already borne fruit in city council resolutions and state laws mandating divestment. Popular Congressional action has forced a Presidential Executive Order imposing economic sanctions. Many corporations argue that it is better for black South Africa and for the United States if they remain in South Africa under the voluntary Sullivan Principles (mandating equitable working conditions for their African employees and an anti-apartheid corporate posture). But many are now leaving South Africa.

As we look towards the future in South Africa, and events in the United States in response, several issues are important to any credible analysis: law in South Africa, the international community and the United States; force and violence; "business-as-usual"; land and its control; and the relationship of South Africa to U.S. racial attitudes.

#### LAW

In southern Africa, major power and wealth decisions have long been shaped by considerations of law. Much of this stems from Pretoria's use of legal rules and institutions to run apartheid as a system, and to present itself to the world as a quintessential "law and order" nation. Its policies, however, have distorted this concept so that in the South Africa situation, it is a synonym for racist oppression. Comparisons with a similar use of legal rules in Nazi Germany are neither infrequent nor unwarranted, since a legal system is no better than its underlying values.

Pretoria has constantly played on the law and order ideal, using legal structures to refine apartheid, while claiming to be evolving into a reformist government. Thus in late 1984, the Botha regime promulgated with sham elections a new constitution featuring a tricameral parliament representing whites, Indians and "coloreds," and totally excluding black South Africans who comprise 73 percent of the population. This is the latest phase of a long pursued strategy to align Indians and "coloreds" with whites against the black majority.

Under international law, the massive illegality of apartheid has shaped not only much of modern southern African politics, but especially has served as a fulcrum for the worldwide anti-apartheid movement. Six decisions of the International Court of Justice, several treaties including the UN Charter, scores of UN General Assembly resolutions and several UN Security Council resolutions have conclusively established the illegality of apartheid and its strategies, such as the occupation of Namibia and the homelands policy. The confirmation of this illegality has been so massive that South Africa stands in the unique position of being an illegitimate, albeit recognized, government. No action by Pretoria can be assessed without passing through this conclusion of law. For example, guerrilla soldiers of the ANC cannot be designated "terrorists," notwithstanding such claims by both Pretoria and Washington.

Thus those who harbor secret sympathies for apartheid, or at least are willing to go slowly towards its abolition, have presented

to them the ideal of law and order, while those moving within and without South Africa to abolish the hated system and replace South Africa's government have impeccable authority under international law. The United States is a society deeply imbued throughout its history with the notion of the rule of law. Since the early part of this century, it has taken the lead in working to establish the rule of law in international affairs. The historical imperative is such that no U.S. administration, even should it want to do so for narrow policy reasons, could disown in the name of the United States the authority of the rule of law.

It is perhaps not surprising that the same Administration, which is unsuccessfully trying to, in effect, disown the rule of law by denouncing the International Court of Justice for ruling against it in *Nicaragua v. the United States*, also shows consistent sympathies for Pretoria's law and order claims, although verbally opposing apartheid. Intense political pressure was required for it to reluctantly produce the Executive Order on sanctions of September 9, 1985. Yet there is a visible number of political conservatives in America who, while resonating with a law and order ideal, are unwilling for this to connote support for apartheid. They have said so publicly, and their support was crucial in the recent passage of Congressional legislation on economic sanctions against South Africa. It remains to be seen whether, subsequent to the Executive Order on sanctions, their support will continue for any additional, tougher legislation.

Thus international law and American law have now made it impossible to equate action by the South African government with action against that government. The law clearly supports the right of black South Africa to be free of all racial discrimination, and to live in a society where they can exercise one-man one-vote or its equitable equivalent. The legitimacy of the Pretoria government has been called into question, in part because the distance between it and the people it purports to rule has become abusively wide. Legitimacy is a major question of the near future, both internationally and within South Africa. As long as it clings to power, Pretoria will continue to manipulate "law and order," and its claim to be a "government." But law and order is a valid ideal only so far as the society which it purports to order is perceived to be just. Such perceptions are virtually exhausted internationally, have disappeared in black South Africa, and although they continue among sectors of white South Africa, current circumstances there raise fundamental, eroding questions.

#### FORCE AND VIOLENCE

South Africa is now providing a test of beliefs about the use of force to uphold one set of values and not another. The traditional presumption of latitude in the use of force given to a national government has been called into question in South Africa. It is finally being perceived internationally how violent the South African regime has been, and is towards its own unarmed and, for the most part, peaceful black citizens. This perception lags by several years behind that of both the General Assembly and the Security Council of the United Nations, which by resolutions explicitly gave the sanction of international law uniquely to liberation movements using force to combat this established government. The unrestrained actions of Pretoria's police and

army in the current state of emergency only erode any remaining legitimacy.

But the phenomenon of black-on-black violence in South Africa has also come to light. Black youths and those older, concluding that all who are employed by the Pretoria regime, such as black police and township officials, indeed help it to function, consider these actions treason to a cause far more sacred than peace and order, and have publicly and brutally killed those accused as collaborators. Moreover, government-sponsored death squads (including those with black members) are widely thought to be operating against outspoken African organizers, such as in the death in mid-1985 of Victoria Mxenge, a noted lawyer. Old tribal antagonisms, such as between Zulu and Xhosa, are rumbling, perhaps heretofore held somewhat in check by the common inhumanity of an effective apartheid system. Such antagonisms are fueled by personal animosities among some African group leaders, such as that between Chief Gatsha Buthelezi, leader of the Zulus, and the leaders of the ANC and the UDF. Those black leaders devoted to non-violent change, such as Nobel Laureate Desmond Tutu and Rev. Allan Boesak of the UDF, are being steadily hemmed in by the refusal of Pretoria to negotiate with any but those blacks already ensnared by the system and therefore lacking any significant constituency. Pretoria's insistence on detaining and torturing all effective local and national black leaders who can be located only worsens the problem.

Neither historically nor existentially can black-on-black violence be separated from the violence of the Pretoria regime which surrounds it, no more than could the violence among the French against collaborators during the French Resistance of World War II against German occupation be separated from the conquering Nazi violence. Any explanation of events must escape the racist conclusion that South African black-on-black violence is to be viewed as special evidence of primitive unfitness, as compared to other human beings in similar struggles against an occupying military force for their dignity, freedom, and lives.

Most sectors of black South Africa consider themselves in some phase of a war against Pretoria and its officials. The evidence is overwhelming that they have good reason to think as they do. Whatever social contract existed between governors and governed has here been fundamentally breached by the white minority regime. Normal expectations of a citizen's duty to uphold peace and order and to give the benefit of the doubt on such questions to the government, are not applicable here owing to the continuity, sophisticated deadly intensity, and blatantly racial basis of the oppression by Pretoria against black South Africa. Imposing such expectations from the United States simply shows the bias of the imposer.

Part of the immediate reason for black-on-black violence lies in the intuitive fear by many blacks now on the front lines on this battle that what they win politically and by liberation activities could well be taken away in the phases towards a new society by Pretoria/business/western government cooption of susceptible black leaders. Divide-and-conquer strategies have been long-practiced standard tactics of Pretoria, and such fears are well-founded.

Thus one such possibility is that Chief Gatsha Buthelezi is being held in reserve, by tacit collusion between Pretoria and



Washington and perhaps other western capitals, to be pushed forward at the opportune moment as the black leader for South Africa. He would be acceptable to white and Western interests, under this scheme, while commanding enough support to split black loyalties relative to more mass-based representative "radical" black leaders, and while serving as a plausible focus for the international acceptability of a new South African government. Buthelezi is the unquestioned leader of the Zulus, the largest single tribal heritage in South Africa, and chief minister of KwaZulu, a South African bantustan headed for homeland status but for Buthelezi's staunch opposition. He has managed for some years to be simultaneously an internationally visible opponent of apartheid and a government official. He has formed Inkatha, a Zulu-based, somewhat multiracial political organization whose effectiveness is generally limited to the province of Natal, and he recently has called upon the proud warrior tradition of the 6 million Zulus; the latter has been a factor in conflicts and deaths of UDF supporters. The UDF is a larger, more national federation of organizations with close ties to the ANC, but there are also even more radical groups in the black political spectrum.

Moreover, a recent respected newspaper poll among urban black South Africans indicated that Buthelezi placed well behind Nelson Mandela and Bishop Tutu, with only six percent support, in their choice for a national leader. It is thus doubtful that Buthelezi can emerge as a national black leader. But there is also the curious circumstance of Pretoria's apparently permitting him to exist and travel, free from the repression, house arrest, detention, torture and death that it has visited on so many other black leaders. Buthelezi must be still counted, however, as one possible element, however remote, to produce a multiracial future government for South Africa.

Black-on-black violence does indicate potential difficulties in black South Africa of groups forming workable alliances for an effective national government, should the Pretoria regime fall or step down. Notwithstanding Pretoria's consistently brutal efforts to destroy effective black leadership, and divide black groups from their allies, there is sufficient talented leadership (albeit some of it is imprisoned or in exile) to govern effectively. Tribal divisions exist, but much of any friction here has been generated by Pretoria under apartheid doctrine. Much depends on the severity of Pretoria's violence to protect white domination—and one can only be pessimistic—and also on the fortitude by which the emerging genuine black leadership holds to the goal of a unitary state and national majority rule.

Finally, the generation gap in black South Africa is pertinent. Many, but by no means all, of the black shock troops in this war are school children or slightly older, a reality dating back to the 1976 protests following the murder by Pretoria of Steve Biko. They have led, or split with, or taught many more hesitant parents. But now, since Pretoria under its state of emergency has directly assaulted and detained eight and nine-year-old school children in the schools, the parents are increasingly mobilized. The role of the relatively young as political teachers of liberation is increasingly accepted. The generation gap is a factor in black South Africa's political development, but it does not make a national black majority government impossible.

## NATIONAL ENDOWMENT FOR DEMOCRACY

HON. JOHN McCAIN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. McCAIN. Mr. Speaker, today the International Operations Subcommittee of the Foreign Affairs Committee held another in a series of oversight hearings on the national endowment for democracy. The endowment has been the topic of great debate for the last few years, and many Members have expressed concern. I would like to submit for the RECORD an article from the Sunday, June 1, New York Times, and I would appreciate my colleagues' interest:

### MISSIONARIES FOR DEMOCRACY: U.S. AID FOR GLOBAL PLURALISM

(By David K. Shieler)

WASHINGTON, May 31.—For several years after Soviet troops entered Afghanistan in 1979, a former editor and Information Minister in Kabul tried to get money to restore the village school system destroyed in rebel-held areas of his country.

The Afghan, Sabahuddin Kushkaki, applied unsuccessfully to the United States Agency for International Development and to major American private foundations. Every one turned him down, thinking the war would be short.

Then, as the fighting continued, he and some friends happened upon an organization with the right combination of Government money, bureaucratic flexibility and anti-Communist commitment—the National Endowment for Democracy.

Using Federal money, it provided \$180,845 to train teachers, conduct literacy courses for rebel fighters, reopen some schools and publish new textbooks with unflattering accounts of the Soviet role in Afghan history. "They have been giving us help without any strings attached," Mr. Kushkaki said on a recent visit to Washington.

### PUBLIC MONEY, PRIVATE INTERESTS

This is part of an unusual worldwide campaign, billed as a promotion of democracy and free enterprise, which mixes public funds and private interests. Conceived in a new spirit of ideological confidence in the United States, the effort is described by some of those involved as an expression of the "Reagan Doctrine," which envisions an aggressive American policy in fostering a move toward democracy in the third world. After three years, the program has now taken a clear shape.

The National Endowment for Democracy, a private group created for the purpose, has channeled a total of \$53.7 million in Government money to foreign political parties, labor unions, newspapers, magazines, book publishers and other institutions in countries where democracy is deemed fragile or nonexistent.

The Federal money is being used for such undertakings as helping the Solidarity labor union print underground publications in Poland, buying materials for an opposition newspaper in Nicaragua, bolstering the opposition in South Korea, aiding a party in Northern Ireland that is a member of the Socialist International and getting out the vote in Grenada and Latin American countries.

Money is also going to monitor and publicize human-rights abuses by Vietnam, for

union-organizing in the Philippines and for public-opinion surveys to help political parties opposing the right-wing dictatorship in Chile.

"We're engaged in almost missionary work," said Keith Schuette, head of the National Republican Institute for International Affairs, which conveys some of the money to foreign political parties that share the Republicans' views. "We've seen what the Socialists do for each other. We've seen what the Communists do for each other. And now we've come along, and we have a broadly democratic movement, a force for democracy."

In some respects, the program resembles the aid given by the Central Intelligence Agency in the 1950's, 60's and 70's to bolster pro-American political groups. But that aid was clandestine and, subsequent Congressional investigations found, often used planted newspaper articles and other forms of intentionally misleading information.

The current financing is largely public—despite some recipients' wish to keep some activities secret—and appears to be given with the objective of shoring up political pluralism, broader than the C.I.A.'s goals of fostering pro-Americanism. Although some grants go to unions and parties that are close to the Administration's policy line, others support groups that disagree with Washington on the danger of the Soviet threat, for instance, or on aid to the Nicaraguan rebels.

Supporters praise it for lending a novel flexibility to Government-aided efforts abroad, for doing what official agencies have never been comfortable doing in public.

Opponents in Congress have branded it as more anti-Communist than prodemocratic and have faulted it for meddling in other countries' internal affairs.

The National Endowment was created in 1983 as an amalgam of various sectors of American society, including business, labor, academic institutions and the two major political parties.

Its board of directors reflects that diversity, including such prominent figures as former Vice President, Mondale; former Secretary of State Henry A. Kissinger; Lane Kirkland, president of the A.F.L.-C.I.O.; Representative Dante B. Fascell, the Florida Democrat who heads the House Foreign Affairs Committee; Olin C. Robison, president of Middlebury College; Frank J. Fahrenkopf Jr., chairman of the Republican National Committee, and Charles T. Manatt, former chairman of the Democratic National Committee.

### CONCEPT COLLECTS PRAISE AND CRITICISM

The concept of a private group as a conduit for Government funds for such a program has drawn both praise and criticism from liberals and conservatives alike.

The endowment's chairman is John Richardson, who was president in the 1960's of Radio Free Europe, which was funded by the C.I.A. He was Assistant Secretary of State for Educational and Cultural Affairs in the 1970's, and has worked with nonprofit agencies such as Freedom House and the International Rescue Committee.

The money, disbursed to the National Endowment by the United States Information Agency, then flows through complex channels. Some is given directly by the group to those who use it. But most of it goes from the endowment to four "core grantees." They are the A.F.L.-C.I.O.'s Free Trade Union Institute; the Center for Internation-

al Private Enterprise of the Chamber of Commerce, and the National Republican and National Democratic Institutes for International Affairs, which are affiliated with the Republican and Democratic national committees. These either run programs themselves or pass the money on to others.

The concept of the endowment took shape as the country moved from the dark self-doubts after the Vietnam War into a new era of confidence in its own virtues and a conviction that democracy should be supported publicly and proudly, without the secrecy that tainted the C.I.A.'s activities.

"We should not have to do this kind of work covertly," said Carl Gershman, president of the endowment and an aide to Jeane J. Kirkpatrick when she was the chief United States delegate to the United Nations. "It would be terrible for democratic groups around the world to be seen as subsidized by the C.I.A. We saw that in the 60's, and that's why it has been discontinued. We have not had the capability of doing this, and that's why the endowment was created."

Mr. Gershman insists that there is no contact between the C.I.A. and the endowment and that before grants are made, a list of the potential recipients is sent by the endowment through the State Department to the C.I.A. to be sure none is receiving covert funds. No such case has been reported. Mr. Gershman said.

J. Brian Atwood, president of the National Democratic Institute for International Affairs, which receives some of the money, denies that the endowment's work bears any resemblance at all to earlier C.I.A. activities, which he said "did terrible damage to our own values" and "reflected a misunderstanding of what our values as a democratic society were all about."

He said that "many institutions didn't know they were receiving C.I.A. money," and that those who get money from the endowment are supposed to know where the money comes from and must agree to have the fact publicized.

Some grants seem at least superficially similar, however. La Prensa, the opposition paper in Nicaragua, is receiving \$100,000 worth of newsprint, ink and other supplies this year to help it survive. In the early 1970's, the C.I.A. gave at least \$1.6 million to El Mercurio, the major Santiago daily, which also faced economic pressure, from the Government of President Salvador Allende Gossens. Books and magazines were published with C.I.A. money, and campaigns to get out the vote were conducted, as they are now with endowment money.

The prospect of publicity causes discomfort to some who receive money. Because Congress has made the endowment subject to the Freedom of Information Act, Eugenia Kemble, head of the A.F.L.-C.I.O.'s Free Trade Union Institute, has expressed uneasiness about providing the detailed financial statements that are being required by the General Accounting Office. In a draft report, the G.A.O. criticized the endowment for inadequate monitoring of expenditures and recommended tighter procedures. Miss Kemble complained that any report going to the endowment can become public.

Since the end of the World War II, the A.F.L.-C.I.O. has funneled money from various Government agencies to build up non-Communist unions abroad. Despite its denials, the labor movement has been suspected of conveying C.I.A. money. Miss Kemble expressed worry that publicity could endanger

individuals facing dictatorial governments and involved in "sensitive" work.

"There are some grantees we are phasing out because they cannot stand this," she said. "There's a failure to empathize with the people out there in terms of the political difficulties in which they have to operate."

For example, detailed expense reports, including names and specifics of the clandestine Solidarity printing operation inside Poland, would probably give the Polish police enough information to close down the operation. Miss Kemble said one European organization had infiltrators in communist unions to report on their plans and activities; making details public would damage the effort, she said.

But Mr. Schuette, of the Republican Institute, has a different view. "We cannot be secret," he said. "There is nothing secret. Our rule is, it's going to be public. Therefore, I am not going to do anything that is going to damage people if it becomes public."

#### CONGRESSIONAL CRITICISM IS NOT UNCOMMON

Although \$53.7 million seems a small amount when compared with the \$38.3 billion allocated in foreign aid over the last three years, some members of Congress object to the grants in view of cutbacks in domestic programs. At a recent Congressional hearing, Representative Barney Frank, Democrat of Massachusetts, said, "To say that we're not going to fund public transportation or research on cancer because we've got to give money to a French union for political purposes just doesn't seem reasonable."

Representative Hank Brown, Republican of Colorado, raised questions about possible conflict of interest, noting that the endowment's board includes current or former officers of some of the major grant recipients, including the A.F.L.-C.I.O., the Democratic and Republican institutes, and the Chamber of Commerce. Although they do not vote on their own programs, he said, "The board has seen its job as one of dividing the public money among their own organizations."

Mr. Gershman and others involved counter that the input of such experienced people is essential for a wise program.

But that wisdom has also been challenged. At a Congressional hearing recently, Representative Frank chided the Democratic Institute for supporting the Social Democratic and Labor Party of Northern Ireland, which grew out of the nonviolent Catholic civil rights movement. Mr. Atwood called it "the only major party that is seeking to work through the democratic process," and said it needed help in building a structure. A total of \$85,000 has been allocated for a training institute and a seminar on financing, communications and organization, Mr. Atwood said.

#### TAXING AMERICANS TO TELL IRISH OF POLITICS

Representative Frank raised an eyebrow. "Maybe I've been in Massachusetts too long," he said, "but the notion that we have to tax the Americans to teach the Irish about politics seems to me a very strange one. If people want to help one party or another in Northern Ireland, that's fine. But I don't think the American taxpayers ought to be taxed to do that."

That is precisely what is happening, however, not only in Northern Ireland, but also in Asia, Latin America and elsewhere. Those involved argue that democracy cannot be bolstered without strengthening democratic institutions.

The Republicans and Democrats approach the task in different ways. The Democrats usually hold conferences and seminars for a variety of parties in a given country or region, while the Republicans choose a particular party that seems to share conservative American positions on foreign policy and economic issues. The two institutes worked together to monitor the recent elections in the Philippines, documenting fraud and intimidation.

The effort thus provides common ground for diverse American viewpoints. "A conservative may see it as a better way to compete with the Communists," Mr. Atwood said. "I see it as a better way to bring about human rights in the world and a better way to bring about change and development in the world."

This sometimes puts the program at odds with the Administration's policies and preferences. The Social Democratic and Labor Party of Northern Ireland, for example, is a member of the Socialist International and a supporter of the Sandinista Government of Nicaragua, which the Reagan Administration would like to see overthrown.

#### STATE DEPARTMENT OPPOSED SEOUL PROGRAM

Similarly, when the Democrat proposed a conference in Washington of the South Korean opposition, the State Department worried about adverse reaction from the Seoul Government. The endowment gave the grant anyway, the conference was held and the State Department ultimately revised its assessment.

On May 9-11, the Democrats used their money to sponsor a conference in Caracas of democratic parties from Venezuela, Chile, Argentina, Uruguay and Spain "to share ideas and experiences of party leaders" who have been through the same problem—military dictatorship," Mr. Atwood said.

This kind of activity has two longterm benefits, he says: First, to build a sense of international solidarity among those who believe in democracy; and second, to reduce the fear of some leaders in Washington that friendly military dictatorship may give way to democratically elected governments prone to Communist influence.

In Mr. Atwood's view, this can reassure "the people who are status quotient who say that we can't get on the side of change because we don't know what will happen."

"The fear of the unknown factor is less if you know the people who are pushing for change," he said.

The Republican Institute focuses more narrowly on moderate and conservative parties. "We wouldn't get involved with a Socialist Party," Mr. Schuette said. Those the Republicans have helped have often lost elections—in Portugal, Costa Rica and Bolivia, and most recently in Colombia, where the Conservative Party's Presidential candidate, Alvaro Gomez Hurtado, lost in a landslide May 26 to Virgilio Barco Vargas of the Liberal Party. The grant was intended to increase the participation of disaffected voters and party members.

"We do not fund political candidates in campaigns overseas," Mr. Schuette said. "Our programs are not designed or intended to have any affect on elections."

This was seconded by Mr. Fahrenkopf, the Republican national chairman and vice chairman of the endowment. "We feel we are accomplishing our purpose if in a country there are free elections," he declared. "It's really superfluous whether the particular parties we're helping are victorious or not."



The lines between promoting democracy and promoting a particular party's chances in an election are hard to draw, however. The A.F.L.-C.I.O.'s Free Trade Union Institute has channeled money to unions and other organizations associated with particular parties in Latin America, Africa, Asia and Western Europe.

#### FUROR OVER AID TO FRENCH RIGHTISTS

In an unpublicized move that was disclosed late last year, a \$575,000, two-year grant was authorized to an extreme right-wing French group the National Inter-University Union, known as U.N.I. its acronym in French. In 1982, a parliamentary inquiry found that U.N.I. had been created largely by a paramilitary extremist nationalists organization called Service d'Action Civique, or S.A.C., which was founded in 1947 to provide order at meetings and protection for Gen. Charles DeGaulle.

S.A.C. was infiltrated by criminal elements in the 1960's and 70's, the inquiry found, and was declared an illegal organization after a political scandal arose around the killing of six people in the southern French town of Aurio in 1981. "U.N.I. was at its beginnings, a satellite movement of S.A.C. the inquiry concluded, "and it is today closely associated with it."

U.N.I. opposed the governing Socialists before and during the last election campaign, pasting posters over subway maps declaring, "Socialism is a lie and a fraud." It has distributed pamphlets accusing a Catholic aid agency of being a Marxist-Leninist front, and has campaigned against what it sees as Marxist influence in universities.

Last November, after French journalists reported the American funding of U.N.I., the endowment suspended its grant. Mr. Gershman said, leaving \$73,000 of the \$575,000 undelivered. The board is to decide next week whether to resume payments on the current grant, but Mr. Gershman said that no further grant would be made.

It is a new process, Mr. Fahrenkopf observed, one that is bound to run into trouble in the beginning, if it is as bold as its should be. "We're going to make mistakes," he said, "If we don't make mistakes, we shouldn't exist."

### GENERAL COMPULSORY JURISDICTION OF THE WORLD COURT

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. GREEN. Mr. Speaker, I would like to share with my colleagues the following comments by Anthony D'Amato entitled, "The United States Should Accept, By A New Declaration, The General Compulsory Jurisdiction of the World Court."

These comments appeared in the American Journal of International Law, April 1986, volume 80, No. 2.

THE UNITED STATES SHOULD ACCEPT, BY A NEW DECLARATION, THE GENERAL COMPULSORY JURISDICTION OF THE WORLD COURT

April 7, 1986 marks the end of a notable 40-year experiment in international adjudication. On that date, the United States Declaration of acceptance of the general compulsory jurisdiction of the International Court of Justice terminates, according to

the 6-month notice of termination delivered by the Secretary of State to the United Nations on October 7, 1985.

Together with that notice, the State Department issued a press release emphasizing that the United States was not pulling out of the World Court, and that it would continue to participate in the adjudication of treaties containing compromissory clauses and in cases referred by both parties to the Court.<sup>1</sup> Nevertheless, these consensual matters are quite different from compulsory jurisdiction. Domestic law would collapse if defendants could only be sued when they agreed to be sued, and the proper measurement of that collapse would be not just the drastically diminished number of cases but also the necessary restructuring of a vast system of legal transactions and relations predicated on the availability of courts as a last resort. There would be talk of a return to the law of the jungle.

The jungle metaphor has been mooted as a result of the U.S. termination. The United States seems to have relinquished its leadership role in promoting world peace through world law. In 1946, the United States consciously tried to set a good example by joining the Court's compulsory jurisdiction, but according to the State Department's aforementioned press release, "Unfortunately, few other states have followed our example. Fewer than one-third of the world's states have accepted the Court's compulsory jurisdiction. . . ." <sup>2</sup> Yet the substance of that "example" could well be questioned. Professor Thomas Franck has pointed out that the Connally reservation to the United States Declaration, a self-judging provision regarding jurisdiction, led many would-be joiners of the Court's compulsory jurisdiction to conclude that the example set by the United States was a hollow one and that this country did not take the World Court seriously.<sup>3</sup>

An even more misleading item in the State Department's press release was the statement, "We have never been able to use our acceptance of compulsory jurisdiction to bring other states before the Court, but have ourselves been sued three times."<sup>4</sup> In fact, on several occasions since 1946 the United States considered bringing actions against other states in the World Court but eventually decided not to do so out of fear that those states would invoke the Connally reservation reciprocally. In no sense, however, was the United States disabled from suing.

Three major reasons, among others, argue in favor of reaccepting the general compulsory jurisdiction of the Court. First, in a precarious nuclearized world, not only does adjudication help prevent small disputes from escalating into major ones, but also its very possibility on the basis of compulsory jurisdiction helps modify conduct that otherwise could lead to a dispute. Given the enormity of the stakes and the paucity of international legal institutions, strengthening the World Court could be an extremely valuable investment. Second, the United

States stands to benefit in years to come from actively espousing the claims of its nationals against foreign states in the World Court. Many such claims arise in settings ungoverned by treaty or compromissory agreement. The more the United States reaches out to the rest of the world—whether by investments abroad, tourism or the activities of multilateral corporations—the more useful will it be to have a forum where the United States can support private claims of its nationals subjected to unjust treatment abroad. Third, on a purely cost-benefit basis, the United States, as a law-abiding nation under a progressive Constitution, should have little to fear in being brought to account before a world tribunal. And in those few cases where the United States might lose, its willingness to lose gracefully would give it the moral right to expect and demand that other nations comply with adverse judgments against them and maintain their participation in the Court's compulsory jurisdiction.

Accordingly, I would like to suggest some ideas for a new United States Declaration. However, at the outset I acknowledge the force of an argument contained in a letter to me by Judge Abraham Sofaer, the Legal Adviser to the Department of State.<sup>5</sup> He refers to the Department's perception that the Court, in the jurisdiction phase of *Nicaragua v. United States*,<sup>6</sup> in effect transgressed verbal limitations on its own competence and jurisdiction. "Unfortunately," he writes, "clever drafting" cannot insure against the risk that the Court might refuse to give jurisdictional reservations their intended effect. In response, although I do not agree with all of the Court's reasoning in that case, and although I concede that the Court gave its own jurisdiction a liberal interpretation, I see no evidence that the Court ignored the clear meaning of words. But even if there were such a risk in the future, the ambit of risk would be limited by a proposed 6-month termination provision. Finally, with respect to the jurisdictional question of greatest sensitivity—cases involving armed hostilities—I shall suggest a middle ground that may serve to reduce the strain otherwise placed on decisive linguistic delimitations of the Court's competence.

#### SUGGESTED DELETIONS

A new declaration would be materially improved if it omitted both the Connally and the Vendenberg reservations contained in the 1946 Declaration. The Connally reservation<sup>7</sup> inhibits the United States from bringing actions by giving the defendant almost unlimited power to avoid the suit. Even if the United States refrained from invoking the reservation in unreasonable contexts, as it did in the *Nicaragua* case, there is no assurance that defendant states would be so scrupulous reciprocally, as witness Bulgaria in the *Aerial Incident* case.<sup>8</sup>

<sup>1</sup> Letter of Abraham D. Sofaer, Legal adviser, Department of State, to Professor Anthony D'Amato (Dec. 3, 1985).

<sup>2</sup> Military and Paramilitary Activities in and against Nicaragua (Nicar. v. U.S.), Jurisdiction and Admissibility, 1984 ICJ Rep. 392 (Judgment of Nov. 26).

<sup>3</sup> Excepted are "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America." U.S. Declaration of Aug. 14, 1946, 61 Stat. 1218 (1947), reprinted in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 1982*, at 23-24, UN Doc. ST/LEG/SER.E/2 (1983) [hereinafter cited as *Multilateral Treaties*].

<sup>4</sup> Case concerning the *Aerial Incident* of 27 July 1955 (U.S. v. Bulgaria), 1960 ICJ REP. 146 (Order of

<sup>1</sup> Dep't of State daily news briefing, DPC No. 178, Oct. 7, 1985, at 2, reprinted in part in 80 AJIL 164, 165 (1986) (issued concurrently with the text of the note of Secretary of State Shultz delivered to the Secretary-General of the United Nations on Oct. 7, 1985).

<sup>2</sup> *Id.* at 1, 80 AJIL at 164.

<sup>3</sup> Franck & Lehrman, "Messianism and Chauvinism in America's Commitment to Peace through Law" (to be published by the Senate Comm. on Foreign Relations).

<sup>4</sup> Dep't of State, *supra* note 1, at 2, 80 AJIL at 164.

The Vandenberg reservation,<sup>9</sup> requiring that all parties to a multilateral treaty that would be affected by a decision on the treaty be parties to the case, is unnecessarily in view of the Court's intervention rules under Article 63 of its Statute, and excessively onerous considering the fact that most cases these days invariably include interpretation of provisions of that huge multilateral convention, the United Nations Charter. The Vandenberg reservation literally mandates that in all such cases where the United States is sued, the plaintiff must implead all the member states of the United Nations.

Whatever the United States might reserve in a new declaration, a bright new dawn for American support of the international rule of law would be signaled if the Connally and Vandenberg reservations were scuttled.

#### SUGGESTED ADDITIONS

An important addition to the 1946 Declaration would remove the disincentive from accepting the Court's compulsory jurisdiction that it gratuitously confers on other states. Under the old language, a state might reason that if it ever had cause to sue the United States, it could file its acceptance of compulsory jurisdiction a day or two before filing the lawsuit itself. Until then, it could remain immune to suit by the United States simply by withholding any open-ended acceptance of general compulsory jurisdiction. This disincentive could be avoided by adopting a provision, like the United Kingdom reservation<sup>10</sup> that would allow suits against the United States only if the plaintiff state had adhered to the Court's compulsory jurisdiction for at least 12 months prior to the commencement of the suit.

Clearly, the most important substantive reservation in any new U.S. declaration would regard ongoing armed hostilities, the question that has so troubled the State Department in the *Nicaragua* case. Having withdrawn from the Court's compulsory jurisdiction as a result of that case, the United States surely would not rejoin on terms that would allow lawsuits similar to *Nicaragua's*. One may well ask why nations are so concerned about excepting cases regarding armed hostilities from adjudication. Are not such cases ideal occasions for settling conflicts in court instead of on the battlefield? Moreover, when matters have reached the point of military action, how much is there to fear from a court of law? Yet nations sometimes fall prey to a strange psychology, an extreme example of which is the proviso in the United Kingdom Declaration of February 28, 1940, excepting cases originating in events of the Second World War. One wonders, with bombs dropping on London, what made lawyers and government officials in their underground shelters so frightened

May 30). See Gross, *Bulgaria Invokes the Connally Amendment*, 56 AJIL 357 (1962).

<sup>9</sup> Excepted are "disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or (2) the United States of America specially agrees to jurisdiction." *Multilateral Treaties*, supra note 7, at 24.

<sup>10</sup> Excepted are "disputes in respect of which any other Party to the dispute has accepted the compulsory jurisdiction of the International Court of Justice only in relation to or for the purposes of the dispute, or where the acceptance of the Court's compulsory jurisdiction on behalf of any other Party to the dispute was deposited or ratified less than twelve months prior to the filing of the application bringing the dispute before the Court." Declaration of the United Kingdom of Great Britain and Northern Ireland, Jan. 1, 1969, *id.* at 23.

by the prospect of a ruling on the legality of a war-related case by a court of law sitting at The Hague.

Whatever the motivational basis, the United States clearly has the right to carve out an exception for cases regarding armed hostilities. Yet if that or any other exception were unjustifiable or random, it would have a deleterious effect upon the ideal of international adjudication and thus be at odds with much of the impetus for making a new declaration in the first place. Fortunately, a principled argument can be made for an armed hostilities exception.

Suppose state X alleges that state Y has illegally commenced military hostilities against X, and obtains a judgment in the World Court that, among other things, orders the cessation of hostilities. If Y does not comply with the judgment, the Security Council may be faced with making a decision under Article 94(2) of the Charter whether to decide upon measures to be taken to give effect to the judgment. But under Article 39 of the Charter, the Security Council might decide that enforcement measures against state Y might endanger international peace and security, as compared to a policy of watchful waiting. The Security Council would thus be caught between enforcing international peace and security—its primary mission under the Charter—and enforcing a judgment of the judicial organ of the United Nations. This dilemma, arising out of the structure of the Charter itself, would normally be resolved politically by the Security Council one way or the other.

The possibility of the dilemma, however, indicates that an exception to the Court's compulsory jurisdiction that avoided the dilemma would be a principled exception. Yet simply excepting all cases of ongoing armed hostilities would be unnecessarily overbroad. The dilemma arises not because the Court has jurisdiction over the same cases that the Security Council deals with—indeed, the Charter expressly contemplates such overlaps—but because, in the case I have imagined, the Court has issued an enforceable judgment. If the Court simply declared the rights and duties of the parties, and refrained from rendering an enforceable judgment or issuing judicial orders, there would be no clash between the Court and the Security Council.

This reasoning suggests that the Court issue only declaratory judgments in ongoing hostilities cases so that there would be no further need for enforcement. The proviso might read as follows:

*Provided further*, that with respect to disputes relating to, or pleadings of any contesting Party that allege or refer to, ongoing armed hostilities or the threat or use of military force, the Court may only declare the rights and duties of the Parties under international law, and may not issue any order or enforceable judgment.

Such a proviso, falling between jurisdiction and no jurisdiction, avoids the all-or-nothing consequence of construing an armed hostilities exception, and thus may ease any pressure on the Court to strain the ordinary meaning of words. If a case involves ongoing armed hostilities, the Court will not be disabled from dealing with it, but rather will have the significant role of articulating the applicable rules of international law. Such a proceeding, as well, will give the parties a chance to air their case in the restrained atmosphere of a courtroom and to vindicate, to the extent they are able, their international legal position.

Would such a proviso be compatible with the UN Charter and the Court's Statute? Surely, if a party to the Court's compulsory jurisdiction can refuse to accept that jurisdiction altogether, it should be able to accept any lesser jurisdiction. Article 94(1) of the Charter requires parties to comply with decisions of the Court but does not say that the Court may not render a declaratory judgment that falls short of a "decision" requiring compliance. Under the Statute, Article 36(2) refers to "legal disputes" and 38(1) says that the Court's function is to "decide . . . disputes," but this language does not preclude disputes over rights and duties that could be decided by a judicial declaration on the content of those rights and duties. A similar interpretation can be made regarding Article 59: "The decision of the Court has no binding force except between the parties and in respect of that particular case." If the phrase "binding force" means that a declaratory judgment will be binding with respect to the rules and principles articulated by the Court, then it is compatible with my suggested proviso. Regardless of all these arguments, and out of an abundance of caution, the United States might provide that if the proviso on declaratory judgments is declared invalid by the Court, it is to be automatically amended to exclude cases involving ongoing armed hostilities entirely from the Court's jurisdiction.

Finally, a new declaration should have a 6-month termination clause, which, by confining judicial damage to 6 months, should ensure that Western civilization as we know it will not have enough time to come to an end. An improvement on the 1946 Declaration would provide for a shorter period on the basis of reciprocity and might read as follows:

*Provided further*, that this declaration may be terminated with effect at the moment of expiration of six months after notice has been given to the Secretary-General of the United Nations, except that in relation to any state with a shorter period between notice and modification or termination, that shorter period shall apply as well to the United States.

#### RESPONDING TO SOVIET VIOLATIONS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. BROOMFIELD. Mr. Speaker, many of my colleagues are currently engaged in discussing the President's recent decision on "Interim Restraint." Because of this, I think it would be useful to include in the RECORD the background materials provided by the White House to explain this decision. [Due to length, the materials will appear in the RECORD on consecutive days.]

There is little question in my mind that this decision will evoke controversy over the President's arms control policy. Therefore, I feel it especially important that we be able to discuss this matter in as rational and informed a way as possible.



U.S. INTERIM RESTRAINT POLICY: RESPONDING  
TO SOVIET ARMS CONTROL VIOLATIONS  
SUMMARY

The U.S. has completed a comprehensive review of its interim restraint policy and of the required response to the continuing pattern of Soviet noncompliance with arms control agreements. Based on this review, and following consultations with the Congress and key allies, we have been forced to the conclusion that the Soviet Union has not, as yet, taken those actions that would indicate a readiness to join us in an interim framework of truly *mutual* restraint.

Given the lack of Soviet reciprocity, the President has decided that in the future the United States must base decisions regarding its strategic force structure on the nature and magnitude of the threat posed by Soviet strategic forces, and not on standards contained in the SALT II Agreement of 1979 or the SALT Interim Offensive Agreement of 1972. SALT II was a flawed agreement which was never ratified, which would have expired if it had been ratified, and which continues to be seriously violated by the Soviet Union. The SALT I Interim Offensive Agreement of 1972 was unequal, has expired, and is also being violated by the Soviet Union.

After reviewing the programmatic options available to the U.S., the President has decided to retire and dismantle two older POSEIDON submarines this summer. The U.S. thus will thus remain technically in observance of the terms of the SALT II Agreement until we equip our 131st B-52 heavy bomber for cruise missile carriage near the end of this year. The President has determined that given the decision that he has been forced to make by lack of Soviet reciprocity, the U.S. will later this year continue deployment of B-52 heavy bombers with cruise missiles beyond the 131st aircraft, without dismantling additional U.S. systems as compensation under the terms of the SALT II Agreement.

The President has also called for: renewed bipartisan support for the Administration's full strategic modernization program including all 100 PEACEKEEPER ICBMs; full funding of our research under the Strategic Defense Initiative (SDI); an assessment of options on future ICBM programs, including PEACEKEEPER basing and the Small ICBM; and acceleration of the Advanced Cruise Missile (ACM) program.

The President has determined that in carrying out this policy, the United States will continue to exercise utmost restraint. We will seek to meet our strategic needs by means that minimize incentives for continuing Soviet offensive force growth. As we modernize, we will continue to retire older forces as our national security requirements permit. We do not anticipate any appreciable numerical growth in the number of U.S. strategic offensive forces. Furthermore, the President has emphasized that, assuming no significant change in the threat we face, as we implement the needed strategic modernization program, the U.S. will not deploy more strategic nuclear delivery vehicles or more strategic ballistic missile warheads than does the Soviet Union.

The President indicated that since the U.S. will remain in technical observance with the terms of the expired SALT II Agreement for some months, the Soviet Union will have even more time to change the conditions that now exist. The President hopes that the Soviet Union will use this time constructively; if they do, the United States will certainly take this into

account. (Concerning the SALT I Agreement, even without any U.S. retirement of older systems, the U.S. could remain in technical observance of its terms for several years until the 10th TRIDENT submarine begins sea trials in mid-1989.)

Finally, the President has reiterated that his highest priority in the nuclear arms control area is to obtain Soviet agreement to a new and more durable arms control framework—one built upon deep, equitable and verifiable reductions in the offensive nuclear forces of the United States and the Soviet Union. He therefore calls upon the Soviet Union to carry out in the ongoing Geneva negotiations the agreement which he and General Secretary Gorbachev reached at the November summit, calling for 50 percent reductions, appropriately applied, in U.S. and Soviet strategic nuclear forces, and an interim agreement on intermediate nuclear forces. If Moscow instructs its negotiators to apply themselves seriously and flexibly toward these goals, as the U.S. negotiators are prepared to do, we can move together now to build a safer and more stable world.

## INTRODUCTION

Over the past two and a half years, the President has sent three reports to the Congress detailing the serious realities of Soviet noncompliance with arms control agreements, including major agreements on strategic arms. The United States has unsuccessfully pressed the Soviet Union in the U.S.-Soviet Standing Consultative Commission (SCC) and through other diplomatic channels to resolve our concerns.

In spite of this pattern of Soviet noncompliance, the President decided last June to go the extra mile in dismantling a U.S. POSEIDON submarine, USS SAM RAYBURN, to give the Soviet Union adequate time to take the opportunity to join the United States in an interim framework of truly mutual restraint on strategic offensive arms. He stated that such a framework required that the Soviets correct their noncompliance, reverse their unwarranted military buildup, and make progress at the Geneva negotiations. In addition, he indicated that the United States, which has scrupulously complied with its arms control obligations and commitments, would be required to develop appropriate and proportionate responses to assure U.S. and Allied security in the face of uncorrected Soviet noncompliance. He directed that all programmatic responses be kept open, and he requested specific programmatic recommendations of the Secretary of Defense and the Joint Chiefs of Staff.

In recent months, the President has reviewed these issues in great detail with his senior advisers and has consulted extensively with Members of Congress and Allied leaders. He announced his decision in the Statement issued today. This Fact Sheet reports on the President's decision.

## BACKGROUND

1982 Decision. In 1982, on the eve of the Strategic Arms Reduction Talks (START), the President decided that the United States would not undercut the expired SALT I Agreement or the unratified SALT II Agreement as long as the Soviet Union exercised equal restraint. Despite his serious reservations about the inequities of the SALT I Agreement and the serious flaws of the SALT II Agreement, he took this action in order to foster an atmosphere of mutual restraint on force deployments conducive to serious negotiation as we entered START.

He made clear that our policy required reciprocity and that it must not adversely affect our national security interests in the face of the continuing Soviet military buildup. The Soviet Union also made a policy commitment not to undercut these agreements.

1985 Decision. In a decision reported to the Congress on June 10, 1985, the President reviewed the status of U.S. interim restraint policy concerning strategic agreements in light of the continuing pattern of the Soviet Union's noncompliance with its arms control obligations and commitments. He found that the United States had fully kept its part of the bargain and had scrupulously complied with the terms of its obligations and commitments.

By contrast, he noted with regret that the Soviet Union had repeatedly violated several of its major arms control obligations and commitments. His three reports to the Congress on Soviet noncompliance in January 1984, February 1985, and December 1985 enumerate and document in detail the serious facts and U.S. concerns about Soviet violations. The overall judgment reached by the President in his June 1985 decision was that while the Soviets had observed some provisions of existing arms control agreements, they had violated important elements of those agreements and associated legal obligations and political commitments.

The President noted that these are very crucial issues, for to be serious about effective arms control is to be serious about compliance. The pattern of Soviet violations increasingly affects our national security. But, perhaps even more significant than the near-term military consequences of the violations themselves, they raise fundamental concerns about the integrity of the arms control process, concerns that, if uncorrected, undercut the integrity and viability of arms control as an instrument to assist in ensuring a secure and stable future world.

The President also noted that the United States had repeatedly raised our serious concerns with the Soviet Union in diplomatic channels, including the U.S.-Soviet Standing Consultative Commission. His assessment was that, despite long and repeated U.S. efforts to resolve these issues, the Soviet Union had neither provided satisfactory explanations nor undertaken corrective action. Instead, Soviet violations had expanded as the Soviets continued to modernize their strategic forces. U.S. interim restraint policy has always been conditioned on Soviet reciprocity. In his June assessment, the President was consequently forced to conclude that the Soviet Union was not exercising the equal restraint upon which U.S. interim restraint policy had been conditioned, that we could not accept a double standard of unilateral U.S. compliance coupled with Soviet noncompliance, and that such Soviet behavior was fundamentally inimical to the future of arms control and to the security of our country and that of our Allies.

At the same time, given the goal of reducing the size of Soviet and U.S. nuclear arsenals, the President made the judgment that it remained in the interest of the United States to go the extra mile in seeking to persuade the Soviet Union to join us in establishing an interim framework of truly mutual restraint on strategic offensive arms, as we pursued with renewed vigor, through the negotiations in Geneva, our goal of deep, equitable, and verifiable reductions in existing U.S. and Soviet nuclear arsenals.

The President made clear, however, that the U.S. could not establish such a framework alone. Movement toward an acceptable framework required the Soviet Union to take the positive, concrete steps to correct its noncompliance, resolve our other compliance concerns, and reverse or substantially reduce its unparalleled and unwarranted military buildup. Although the Soviet Union had not demonstrated a willingness to move in this direction, the President announced that in the interest of ensuring that every opportunity to establish the secure, stable future we seek is fully explored, he was prepared to go the extra mile.

The President thus decided last June that to provide the Soviets a further opportunity to join us in establishing an interim framework of truly mutual restraint which could support ongoing negotiations, the United States would continue to refrain from undercutting existing strategic arms agreements to the extent that the Soviet Union exercised comparable restraint and provided that the Soviet Union actively pursued arms reductions agreements in the Nuclear and Space Talks in Geneva. Further, he stated that the United States would constantly review the implications of the interim policy on the long term security interests of the United States and its Allies. He indicated that in doing so, the U.S. would consider Soviet actions to resolve our concerns with the pattern of Soviet noncompliance, continued growth in the strategic force structure of the Soviet Union, and Soviet seriousness in the ongoing negotiations.

As an integral part of the implementation of this policy, the President announced that the U.S. would take those steps made necessary by Soviet noncompliance to assure U.S. national security and that of our Allies. He noted that appropriate and proportionate responses to Soviet noncompliance are called for to make it perfectly clear to Moscow that violations of arms control arrangements entail real costs. He stated clearly that the United States would therefore develop appropriate and proportionate responses and would take those actions necessary in response to, and as a hedge against, the military consequences of uncorrected Soviet violations of existing arms control agreements.

The President decided last June that to provide still more time for the Soviet Union to demonstrate by its action a commitment to join us in an interim framework of truly mutual restraint, the U.S. would deactivate and dismantle, according to agreed procedures, an existing older POSEIDON submarine as the seventh U.S. Ohio-class TRIDENT submarine put to sea in August 1985. However, the President also directed that the U.S. keep open all future programmatic options for handling such strategic deployment milestones as they occurred in the future. He made it clear that, as these later milestones were reached, he would assess the overall situation and make a final determination of the U.S. course of action on a case-by-case basis in light of Soviet actions in meeting the criteria which he cited.

#### U.S. COMPLIANCE

In accordance with U.S. interim restraint policy and our efforts to build an interim framework of truly mutual restraint, the United States has not taken any actions which would undercut existing agreements. We have continued scrupulously to live within all arms control agreements, including the SALT I and II agreements. For example, we have fully dismantled one PO-

SEIDON and eight POLARIS missile-carrying submarines, and 27 TITAN II ICBM launchers, as new TRIDENT missile-carrying submarines have been deployed. Unfortunately, while the U.S. has been attempting to hold to the structure of SALT through our policy of interim restraint, the Soviet Union, through its continued non-compliance, has undermined the very foundation of that structure.

#### SOVIET NONCOMPLIANCE

In the most recent of his three reports to the Congress on Soviet noncompliance with arms control agreements, issued on December 23, 1985, the President confirmed that the Administration's continuing studies supported the conclusion that the pattern of Soviet noncompliance continues, largely uncorrected. As documented in the President's reports, particularly the detailed classified versions, the Soviet Union has violated its legal obligations under, or political commitments to the SALT II Agreement of 1979, the SALT I Interim Offensive Agreement of 1972, the Anti-Ballistic Missile (ABM) Treaty of 1972, the Limited Test Ban Treaty of 1963, the Biological and Toxin Weapons Convention of 1972, the Geneva Protocol on Chemical Weapons of 1925, and the Helsinki Final Act of 1975. In addition, the U.S.S.R. has likely violated the Threshold Test Ban Treaty of 1974.

In his December 1985 report to the Congress, the President noted that through its noncompliance with arms control agreements, the Soviet Union has made military gains in the areas of strategic offensive arms as well as chemical, biological and toxin weapons. The President added that in the area of strategic defense, the possible extent of the Soviet Union's military gains by virtue of its noncompliance with the ABM Treaty is also of increasing importance and serious concern to the United States.

The President noted in his December report that in a fundamental sense all deliberate Soviet violations are equally important. He made clear that as violations of legal obligations or political commitments, they cause grave concern regarding Soviet commitment to arms control and darken the atmosphere in which current negotiations are being conducted in Geneva and elsewhere.

In another sense, the President noted, Soviet violations are not of equal importance. Some Soviet violations are of significant military importance—like the illegal second type of new ICBM, telemetry encryption, and the Krasnoyarsk radar. While other violations are of little apparent military significance in their own right, such violations can acquire importance if, left unaddressed, they are permitted to become precedents for future, more threatening violations. Moreover, some Soviet actions that individually have little military significance could conceivably become significant when taken in their aggregate. Finally, even if a specific violation does not contain an inherent military threat, it still undermines the viability and integrity of the arms control process.

## FAIR WORK OPPORTUNITIES PROGRAM

### HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. HAWKINS. Mr. Speaker, today I am introducing legislation to strengthen the link between welfare and work. My proposal revises the Work Incentive Program authorized under part C of title IV of the Social Security Act.

The new initiative, fair work opportunities for family self-sufficiency, strengthens education, training, and work opportunities to enable welfare recipients to obtain unsubsidized employment with income sufficient to stay off welfare. It builds on the lessons learned from innovative State programs over the past several years, and recommit the Federal Government to support the initiatives of the States. The legislation incorporates many of the features of the Employment and Training Choices Program which operates in the State of Massachusetts.

Mr. Speaker, once again there is a current sweeping across the political landscape calling for welfare reform. I, for one, believe that welfare reform is long overdue: Benefits are shamefully low, family stability is unconscionably compromised, and the dignity of human beings trampled under the present system.

Most significantly, opportunities to escape this condition of humiliation and poverty are sadly lacking. I applaud the efforts of many, both in and out of the Congress who are sincerely looking for ways to improve opportunities for welfare recipients. I do not, however, share the premise which seems to form the basis for so much of the reform discussion these days. From the President on down, the perception of welfare recipients seems to be that they are unwilling to work unless they are forced to do so: That they are a shiftless, lazy lot who must be led by the nose on the threat of denial of basic benefits to their families, and that their labor is not worth a decent wage.

In fact, the evidence is to the contrary. Welfare recipients want to work and will do so if given the opportunity. A recent evaluation of workfare programs conducted by the Manpower Demonstration Research Corp. [MDRC] found that:

The(se) results are consistent with the findings of prior studies that show that the poor want to work and are eager to take advantage of opportunities to do so . . . These workfare programs did not create the work ethic, they found it.

The majority of welfare recipients go off welfare within 2 years, and may need only job search assistance to secure employment. Their temporary dependency is a result of family circumstances such as death or divorce of spouse, loss of employment or other personal or financial misfortune over which they may have limited control. It is no coincidence that the numbers of individuals on public assistance rose sharply during the last recession. It should be noted that less than 35 percent of the unemployed currently receive unemployment compensation. For those unfortu-



nate others who may have exhausted their unemployment benefits or for some other reason did not qualify for UI, welfare is the only recourse for supporting their families. Most tragically, only 24 of the States provide benefits for families with both spouses present. Family breakups too often are the inevitable result of our misguided policies.

While the average duration on welfare is less than 2 years, for a significant number of recipients, welfare is a long-term condition from which there is little hope or opportunity of escape. Seventeen percent of AFDC mothers draw benefits for at least 8 years. This group comprises one-half of the caseload at any one time, and accounts for over one-half of the program costs. For these individuals, inadequate education, lack of training and lack of work experience constitute major barriers to obtaining productive employment. Nearly one-fourth of AFDC mothers have never been employed, and most of those who have been previously employed worked in occupations offering little skill training. Almost two-thirds of WIN clients scored below the eighth grade in math and almost half scored below that level in reading competency. Unlike those welfare recipients for whom dependency is a short-term condition, these individuals need intensive assistance and support to achieve lasting self-sufficiency.

It is shortsighted and ineffective to attempt to address rising welfare rolls with punitive measures and stringent workfare requirements that do nothing to address the fundamental deficiencies reflected in these clients' profiles. There is nothing cost-effective about reducing funds for education and training. Just the opposite is true in time.

Many of our business leaders now recognize the need for comprehensive efforts to reduce welfare dependency. In a recent issue of *Work America*, the publication of the National Alliance of Business, President William Kolberg stated:

The idea that workfare would drive large numbers of people off welfare proved to be only wishful thinking, a hope for an easy answer that isn't there. By and large, people are on welfare because they can't get a job, not because they don't want one.

Nor can we expect to achieve lasting reductions in welfare without a major commitment of time and resources. Reformers should be cautioned against unrealistic expectations of immediate savings to the Treasury. As MDRC reported:

In the short-run, these programs will often cost rather than save money. This reflects the fact that almost all the costs are incurred upfront when a person is active in the program, but most of the benefits accrue over time, as participation leads to employment and earning gains which, in turn lead to increases in the taxes the new workers pay, as well as reductions in their benefits from welfare and related transfer programs.

At the same time that "reformers" have been decrying the rise in welfare cases and calling for tough new work requirements, the Federal Government's only program to aid welfare recipients to achieve self-sufficiency, the Work Incentive Program, has been systematically reduced. In fact, the administration has reportedly called for its elimination, not-

withstanding the fact that the demonstrations which have experimented with stronger welfare-work links have been funded by WIN.

The WIN program has been reduced from \$365 million in fiscal year 1980 to \$210.5 million in fiscal year 1986. In constant dollars—adjusting for inflation—this reduction is a cut of 58 percent. Despite its limited funding, WIN has had measurable success. For every dollar invested in WIN, the program produces \$2 in savings. The most recent date fiscal year 1984—attributes \$587 million in welfare grant reductions to WIN, more than double the amount of Federal funds invested in grants to the States for that period.

Notwithstanding the measurable success of WIN under constricted funding, there are shortcomings in the WIN program which I believe need to be addressed.

First, because of the inadequate funds, significant numbers of AFDC recipients who register with WIN receive no service whatsoever, languishing for long periods in an "unassigned pool."

Second, the administrative structure is a confusing division between the Department of Labor and the Department of Health and Human Services at the Federal level and inadequate coordination between the employment agency and the welfare agency at the State level.

Third, the WIN Program providing employment and training assistance for welfare recipients is not coordinated with the Job Training Partnership Act or other education or training programs operating with the State and for which welfare clients may be eligible.

Fourth, there is no accountability for performance at the State level: Funding is based on the number of registrants, and there are no incentives for moving registrants into training or other services which may have high initial costs, but which are most likely to make lasting improvements.

Mr. Speaker, the proposal which I am introducing today is intended to address these deficiencies in the WIN Program and provide a redirection of work and training programs for welfare recipients to assure that participants will be able to achieve long-term self-sufficiency and not just be recycled in and out of welfare.

My proposal incorporates the following general principles:

First, only comprehensive programs involving education, training, employment services, and supportive services, such as child care, are likely to have a lasting impact on employability.

Second, while recipients have an obligation to take steps to reduce their dependency, in turn the Government must make available meaningful options from which recipients shall choose, not just remain in an unassigned pool.

Third, in allocating scarce resources, priority should be given to those who are most disadvantaged—those with no recent employment experience or with prior welfare dependency—and who are least likely to move off welfare dependency on their own.

Fourth, performance measures based on outcomes coupled with incentive funds will encourage States to invest in programs designed to reduce long-term dependency while

providing a measure of accountability for Federal funds.

Fifth, lack of child care is a major obstacle to employment for welfare recipients; thus all services should provide for child care necessary to enable welfare clients to participate in employment, training, or education programs.

Sixth, employment and training services under WIN must be coordinated at the State and local level with services available under other sources, including JTPA, to eliminate duplication and increase the options available to welfare clients.

Finally, programs which require recipients to work off their benefits—workfare—offer little skills development and are unlikely to lead to securing and retaining better jobs. If, after completion of job search and appropriate education or training, recipients are unable to secure unsubsidized employment, subsidized employment at wages commensurate with the job's duties should be an available option.

Mr. Speaker, the proposal I am introducing today is just one component of true welfare reform.

It is my hope that, as this legislation progresses, other proposals will be offered which address other aspects of the welfare system which are in need of reform, and that this proposal can be effectively combined with those changes to provide truly comprehensive welfare reform. It is my intention that the fair work opportunities proposal will be the subject of hearings this summer in the Committee on Education and Labor and that these hearings will produce recommendations for more effectively addressing funding needs as well as coordination with the administration of benefits.

The following is a summary of the major provisions of the fair work opportunities for family self-sufficiency proposal embodied in the Work Incentive Amendments of 1986 which I am introducing today:

#### SUMMARY OF THE FAIR WORK OPPORTUNITIES BILL

First, revises the Work Incentive Program authorized under title IV-C of the Social Security Act to strengthen work-related programs for welfare recipients at the State level and to incorporate the findings of the WIN demonstrations carried out since 1981.

Second, establishes single agency administration over State programs with the Department of Labor overseeing State-operated work and training programs at the Federal level while permitting the Governor to designate either the State employment service or the welfare agency as the administering agency at the State level.

Third, requires States to establish comprehensive services for welfare recipients required to register under title IV-A of the Social Security Act.

Fourth, comprehensive services include education, training, job search, and supportive services. Priority for service goes to those who are the most difficult to place in unsubsidized employment determined on the basis of prior work experience, duration of welfare dependency and educational attainment.

Fifth, eligible participants who are required to register for services in accordance with the provisions of title IV-A of the Social Security Act shall choose which service meets their needs based on an intake evaluation and the

availability of such service. Individuals enrolled in comprehensive services shall be provided necessary child care and transportation services.

Sixth, transitional subsidized employment may be provided for up to 1 year if individuals are unable to secure unsubsidized employment after completion of job search and other employment, training, or education services for at least 6 months. Mandatory workfare for which wages are not paid is not authorized under this act.

Seventh, provides for the establishment of performance standards as a basis for assessing the outcome of activities funded under the act. Performance standards are to take into account differing benefit levels, economic conditions in the States and factors related to targeting to those most difficult to serve. Establishes an incentive fund from 5 percent of the funds appropriated for States which meet or exceed performance standards.

Eighth, provides for coordination with the Job Training Partnership Act at State and local levels.

Ninth, authorizes \$500 million for fiscal year 1987 and such sums as may be necessary thereafter. Increases the State match from 10 to 25 percent for amounts above the 1986 appropriation.

Tenth, child care and other supportive services are enhanced both in terms of services to be provided to participants and as priority activities under transitional employment.

**THE 55-MPH LIMIT MIGHT NOT  
BE THE LIFE SAVER IT IS  
CRACKED UP TO BE**

**HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. CRANE. Mr. Speaker, I would like to bring my colleagues' attention to an article which appeared in the Wall Street Journal on April 28, 1986, that demonstrates how highway fatality rates may actually be more closely related to economics than to speed limits.

Historical evidence suggests that highway fatality rates have declined the most during economic recessions. The article cites that, for example, in 1946, as speeds went up after wartime gasoline conservation ended, the fatality rate dropped 12.7 percent, and then fell 10 percent more in 1947. During both years, we were in the middle of a recession. In 1983, the Department of Transportation [DOT] released a study confirming that, indeed, 98 percent of the variation in annual highway fatalities could be accounted for by an equation incorporating economic factors such as unemployment.

The DOT explanation unquestionably clears up the misconceptions associated with the federally mandated 55-mph speed limit. Implemented to conserve fuel during the energy crisis in 1974, the 55-mph speed limit was thought to have caused a 15.3-percent drop in the national highway fatality rate, which translates into 3.6 fatalities per 100 million miles. However, as average speeds increased in the years to come and with motorists behavior

showing immeasurable non-compliance, there were no commensurate increases in fatalities. In fact, the fatality rate dropped more than 25 percent during the same period. In view of these statistics, the correlation between lower speed limits and fewer highway fatalities is significantly diminished, if not destroyed. Safety improvements such as increased and more efficient medical service, safer highways, and improved vehicle characteristics are what really contributed most to the reduced level of highway deaths.

Raising the speed limit to 65-mph on interstate highways would not only have minimal effect on safety standards, but it would have a substantial impact on the efficiency of travelers. Presently, 75 percent of the Interstate Highway System in the United States is classified as rural, while carrying only 19 percent of travel on interstate routes. With 55-mph limit, drivers are required to spend 1 billion additional hours on the road each year, with enforcement costing \$118 million. Studies indicate that if the speed limit were to be raised by 10 miles per hour on the rural highways alone, it would save motorists 445 million hours of travel time annually, while only increasing fatalities by 500. In other words, for each extra life lost, 100 years travel time would be saved. Although 500 lives are at stake, those lives could easily be saved by alternative safety methods such as mass crackdowns on drunken driving.

As far as an energy factor, the 55-mph limit saves less than 1 percent of the fuel we use in the United States each year. You can improve fuel efficiency by 1 percent just by increasing the pressure in your tires. A 65-mph limit would approximately increase fuel consumption by 10 million barrels per year, only reducing the energy savings of the 55-mph limit by 17 percent. With present day fossil fuel reserves expected to last well into the future, the issue of the 55-mph speed limit being a conservation necessity is moot. If conservation of energy really is a concern, alternative solutions such as reducing automobile weight would prove to be more pragmatic.

It has been more than a decade since the Federal Government issued the edict that has caused enormous inconvenience and frustration among American motorists, now it is time to eradicate the error. The energy crisis has long since been over, and therefore I consider it time to return the lawful privilege to determine speed limits back to the States where it belongs. The 55-mph limit has become symbolic of Federal intrusion into State affairs and it should no longer be tolerated. Respect for the law has eroded, as evidenced by increases in average speeds and weakening of penalties by several State legislatures. There are presently 39 States with average highway speeds in excess of 55 mph, and appearances indicate that ultimately some States will be ruled in non-compliance and threatened with loss of highway funds. This could increase the pressure to remove the Federal oversight role setting maximum speed limits.

I commend the following article to my colleagues' attention:

[From the Wall Street Journal, Apr. 28, 1986]

**DOES 55-MPH SPEED LIMIT SAVE LIVES?  
MORE DRIVERS ARE DOUBTFUL**

(By Damon Darlin)

The 55 miles-per-hour speed limit, which has already lost its appeal as a fuel saver, might not be the life saver it is cracked up to be either.

That, at least, is the argument of a small but increasingly ardent group of statisticians, academics and performance-car buffs. They want to raise the speed limit, and are attracting a growing audience by contending that the correlation between lower speed limits and fewer highway fatalities is weak.

If the government really wants to cut highway deaths, they argue half-facetiously, it should foment a recession, for that's when deaths have declined most in the past. Their serious suggestions include enforcing seat-belt and drunk-driving laws, and assuring that vehicles move in traffic at a uniform speed—be it high or low. "Americans have been brainwashed into believing 55 saves lives," complains James Baxter, a Wisconsin lobbyist who is trying to form a nationwide group of anti-55ers.

Brainwashed or not, most Americans do believe that. Fully 70% of Americans want to keep 55, a Wall Street Journal/NBC News nationwide opinion poll found, and even 34% of those who admit they speed agree. Transportation Secretary Elizabeth Dole wants to keep it too; "I am in favor of retaining anything that saves lives," she says.

**MONEY IS RIDING ON IT**

Nonetheless, if ever there was a time for the anti-55 forces, it is now. Gasoline prices are lower, adjusted for inflation, than they were before the 1973 oil crisis that provoked 55. What's more, within a few months the federal government may withhold millions in federal highway funds from states that it says don't enforce the speed limit. If the threat becomes reality, the resulting outcry may carry more weight than any statistical evidence. "Normally, pointy-headed things are ignored," says Charles A. Lave, an economist at the University of California-Irvine who favors lifting the speed limit. "But this time a lot of money is riding on it."

The highway fatality rate has been trending downward since the horseless carriage began appearing on roads. In 1922 about 18 people died in accidents for every 100 million miles traveled. By the end of World War II that rate had dropped nearly in half. And although highway speeds were increasing, fatality rates continued to fall an average of 3.1% a year since then. That's because of safer highways—such as the Interstate system—safer cars, more experienced drivers and better emergency care.

But a peculiar thing happened in 1974. The fatality rate dropped 15.3% to 3.6 fatalities per 100 million miles, the sharpest drop ever. The most obvious explanation was the lower speed limit adopted nationwide in March of that year. Federal Department of Transportation (DOT) statisticians estimated that more than 9,000 lives were saved that year, and they pinned the media on 55.

Then another peculiar thing happened. Drivers started ignoring the "double nickel" and average highway speeds crept up again—but the fatality rate dropped more than 25% in the next decade. The fatality rate dropped a whopping 12.7% in 1982



alone, even though the speed limit didn't change from the year before.

Explaining this phenomena is fueling the debate between the pro-55 and anti-55 forces. Although it may sound silly at first, the sharp drop in the fatality rate may actually be more closely related to economics than to speed limits. The oil embargo of 1973-74 kept recreational drivers off the roads. Statistically, they tend to have more accidents if only because they tend to be tired and traveling unfamiliar roads.

There is substantial historic evidence. For instance, in 1946, as speeds went up after wartime gasoline conservation ended, the fatality rate dropped 12.7%, and then fell 10% more in 1947. A recession also kicked in at the same time. The great economic boom of the early 1960s also saw the highway fatality rate rise, but it dropped during the recession in 1982. In fact, a 1983 DOT study demonstrated that 98% of the variation in annual highway fatalities could be accounted for by an equation incorporating such economic factors as unemployment.

Mr. Lave of the University of California uses a different analysis to explain why states with speeding drivers can have lower fatality rates. He argues that it isn't speed that causes accidents, but cars going either much faster or slower than other traffic. "Patrolmen ought to pay as much attention to slow drivers as they do to fast ones," he says. Mr. Lave recommends that states return to an old policy of setting speed limits for a certain highway near the speed most people traverse it, what highway engineers call the 85th-percentile rule.

In 1984, the national 85th-percentile speed was 67.7 mph, which makes Mr. Lave's speed variance study unpopular with those who favor keeping the 55-mph limit. "He doesn't hesitate to talk about things he doesn't know anything about," says Patricia F. Waller, associated director for driver studies at the University of North Carolina's Highway Safety Research Center. She says it makes more sense to have fast drivers slow down than have slow drivers, who tend to be elderly, speed up, because when accidents do occur more damage is done at high speeds.

#### SLOWER DRIVERS

"It's hard to look at the data and say speed isn't a factor in highway fatalities," says Damian J. Kulash, the assistant director for special projects at the National Research Council. He says the economic speed-variance study makes sense, but adds that 55 has helped narrow the range of highway speeds. The nonprofit research group published a study of the speed limit that concluded that despite the dissenting arguments, 55 saves between 2,000 and 4,000 lives each year. And though it found that in 39 states the average speed is above 55, drivers go slower than they did before 1974. The average speed on rural interstate in 1985 was 59.6 mph, down from 65 mph in 1973.

And importantly, speeds are much lower on the primary and secondary roads that aren't designed for high-speed travel. "There has been a substantial behavior change," says Mr. Kulash.

The study also recommended that 55 could be lifted on rural interstates where driving long distances at slow speeds can be onerous. The idea, which should appeal to a government interested in turning more decisions over to the states, has drawn little reaction. Nervous about appearing to come out against safety, the DOT hasn't asked Congress to change the law making states enforce 55 at the risk of losing up to 10% of their federal highway funds.

DOT officials say it isn't their fault. "It's not that we are sticking to our guns," says Philip Haseltine, Transportation's deputy assistant secretary for policy and international affairs. "It's that there is no consensus for change." Counters Rep. Daniel Glickman of Kansas, who is leading efforts to raise the speed limits on rural interstates, "Secretary Dole has abdicated her responsibility on this issue."

The threat of losing federal money may hasten some politicians to act. Mrs. Dole is expected to decide in the next few weeks whether to withhold federal funds from Vermont and Arizona because studies show those two states have the highest portion of drivers who exceed the limit. If she does, says Mr. Haseltine, Eastern states may show less reluctance to join the cause because many, such as Maine, are just as vulnerable to the charge that 55 isn't enforced.

But few states have gone as far as Nebraska. Earlier this month, the state legislature voted to raise its interstate speed limit to 70 mph. The governor vetoed the bill because it would have cost the state \$130 million in federal funds.

#### DR. BLANCHE BOBBITT: MARCH OF DIMES HONOREE

#### HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. MOORHEAD. Mr. Speaker, on June 21, 1986, Dr. Blanche G. Bobbitt will be honored on her 85th birthday by the March of Dimes. This is not her first honor just as it is not her first year. This remarkable woman has a list of tributes, awards, and accomplishments that far exceed her birthdays. She is one of the most respected and admired individuals in my district, in the southern California community, in the State and Nation. She is esteemed as a health care professional and educator. Dr. Bobbitt is applauded for her gracious devotion to many civic causes. She is loved for here constant and easy charity.

Dr. Bobbitt is the first woman to earn a doctorate degree in sciences from the University of Southern California. She has been a valued and effective employee of the Los Angeles city school system. She has shared her skills with the State of California and the California State University system. She is the author of 180 publications and the recipient of the Diplome D'Honneur avec Coupe d'Argent and a Fellowship in the Royal Society for the Promotion of Health.

She has been active in the Glendale Symphony Orchestra Association but her first love has been the March of Dimes where she has taken to her heart the drive to eliminate birth defects and genetic diseases. In this effort, Dr. Bobbitt helped in the editing of publications from the Genetics Division of the Los Angeles County/University of Southern California Medical Center. She has raised more than \$80,000 for research for the March of Dimes through the Bobbitt Fund. At the LAC/USC Medical Center there is the Bobbitt Genetics Biochemistry Laboratory named for her.

There have been days dedicated to her, citations have come to her from Los Angeles, the City of Glendale, the State of California

and dozens of nations around the world. Special events have been named for her, plaques and scrolls have been bestowed on her and her portrait hangs in the Glendale Public Library. Now the March of Dimes will honor one of its most faithful and productive volunteers.

Mr. Speaker, I am pleased to recognize before my colleagues in the House of Representatives a special celebration of a very special woman, Dr. Blanche G. Bobbitt.

#### TRIBUTE TO FLINT SOUTHWESTERN HIGH SCHOOL RETIREES

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. KILDEE. Mr. Speaker, I would like to bring to the attention of my colleagues and the Nation a retirement ceremony that will be held Wednesday, June 18, in Flint, MI. Several members of the Flint Southwestern High School staff and faculty will be honored for their many years of dedication and extraordinary service to education in this community.

In her capacity as a retired nurse, Mrs. Marion Anderson has devoted over 30 great years to this community. Her rich and varied career as a school nurse reached one of its many peaks when the Michigan school nurse certification bill passed in 1972. Had it not been for Mrs. Anderson's direct involvement with this legislation, the school nurse certification bill would not be law today. Also being honored on this auspicious occasion are Mr. Robert Chambers, Mr. Alexander Crane, Mr. Robert Kochaney, Mr. Arthur Lokkins, Mr. Lowell Ricky, and Mrs. Virginia Sheppard. Each honoree has succeeded in helping shape the lives of many children of this community. As a former teacher, I can appreciate the awesome responsibility and acute sensitivity to each student's needs that must be maintained on a daily basis. The enormous efforts of these devoted men and women are indeed appreciated by the people of the Seventh Congressional District.

Mr. Speaker, these distinguished men and women we will honor on Wednesday have demonstrated by their actions the personification of true community service. As a result of their presence and unwavering commitment to excellence in education, this group of noteworthy individuals has succeeded in making this community a better place in which to live.

#### THE TESTAMENT OF LU HSUI-LIEN

#### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. SOLARZ. Mr. Speaker, this week Members of Congress who care deeply about the cause of democracy in Taiwan have been honored to meet Ms. Lu Hsiu-lien, a prominent leader of the island's democratic movement. Ms. Lu was recently released from prison after over 5 years of incarceration, her penalty for

having spoken out in favor of peaceful political change. This past weekend, at the 25th anniversary of Amnesty International, Ms. Lu spoke of her suffering and of her constant faith in freedom. It is a moving testament, one that I ask to be printed in the RECORD for the benefit of our colleagues.

TO SHARE THE HOPE WITH YOU  
(By Lu Hsiu-lien)

There is a saying that one man's meat is another's poison. It happened in such a way with the U.S. normalization with Mainland China. On Dec. 16, 1978 when former President Carter made a two-week advance announcement of the de-recognition with the Rep. of China in Taiwan, the Nationalist Government immediately ordered an injunction against any political activities for the on-going campaign and the election was thereupon cancelled by reason of "crisis of the Nation".

It was the first time that the opposition candidates had gotten such a good opportunity to beat the Nationalist Party members. I was one of the opposition candidates who was favored to win a seat in the National Assembly. Despite the fact that I had just returned from Harvard Law School 2½ months before the campaign started, I was overwhelmingly supported by the voters in my district.

After the election was aborted, a series of confrontations between the Taiwanese opposition and the Nationalist occurred in the course of developing democracy, the climax of which was the famous Kaohsiung Incident. It took place on Dec. 10, 1979 when the opposition group, named "Formosa Magazine", held a public rally to commemorate the International Human Rights Day in the city of Kaohsiung. All of a sudden, the peaceful assembly was surrounded by riot troops and attacked by riot trucks with tear gas. Two days later the authorities arrested virtually all active opposition members and the staff of the magazine. After two months of stressful, humiliating and even brutal interrogation in-communicado, a ten-day court-martial trial was held. Harsh sentences were finally given to eight of the key leaders on charges of "trying to overthrow the government" by "inciting" the crowd to "violence". One of them was sentenced to life, one to 14 years imprisonment and the other six to twelve years.

I was the first one among them to be arrested, not merely because I was the Deputy Director of the Magazine, but rather because I was the major speaker of the evening to comment on the national policies of the Chinese Nationalist ruling in Taiwan. Do you know how much that speech cost me? Twelve years imprisonment and ten years deprivation of civil rights with an injunction of property made the speech one of the most costly in the world!

For the first two hundred and ninety days, I was imprisoned in the Military Detention House, where living conditions were poor and the food was unsanitary. Later, I was removed with the other female co-defendant, Chen-Chu, to a Rehabilitation Center where they had built a brand new house equipped with modern security including heavily-guarded iron gates and a T.V. monitor through which our daily conversations and activities were to be taped. The living conditions were somewhat improved, yet we were totally isolated from the outside world. Correspondence was restricted to a few family members, as was the weekly visit of 30 minutes. In my case, that visit included only my sister, my brother

and their spouses and children, since I am single and my father was dead. As for my poor mother, she fainted and broke her both legs over the shock of my arrest. She lay in bed weeping and murmuring my name for one and half years until her final moment of life.

I had made every effort in vain to gain permission to see my mother before she died. As a last resort, I started a 4 day hunger strike. In order to stop the hunger strike, the authorities gave me a false medical report that showed that my mother's health was improving. Actually, she passed away within one month. Although the law in Taiwan provides prisoners 24 hour's leave for a parent's funeral, the authorities allowed me only two hours at midnight to go home. I firmly refused the offer as a protest against their inhumanity. It has given me a life-time regret that I never was able to see her after her 70 year birthday celebration which was just two days before the Kaohsiung incident. Life played a cruel joke, didn't it?

However, life seems to be a merciful joke to me today. Today is my birthday and here in front of you, members of the honorable and humanistic organization of Amnesty International, I am mourning the misery of the one who gave birth to me. Amnesty International calls itself a conspiracy of hope. Indeed, I am here today to share with you the hope that one person's sacrifice shall be rewarded by another's benefits; that the darkness of the jail shall be enlightened by the gleam sparkling from human dignity; and that the dictator's viciousness shall be overcome by massive, popular support for human rights.

Amnesty International has earned prestige for its unselfish dedication to the enhancement of human rights, as well as for the effective services provided to its adopted prisoners of conscience. For instance, efforts made by Amnesty International along with other intervention from the international community created the following results after the Kaohsiung Incident:

(1) To reveal the reality of the incident as well as the plot of political persecution of the Chinese Nationalist Government against the Taiwanese Democratic Movement by sending a delegation to Taiwan to investigate the whole story;

(2) To force the authorities in Taiwan to smooth down their harshness in suppressing the opposition by strongly demanding international attention to the progress of the case;

(3) To offer spiritual encouragement as well as substantial aid to the prisoners adopted, especially to their heart-broken families, by sending warm regards and giving effective advice;

(4) To foster the improvement of treatment in the prisons by widely publicizing their mistreatment and by lobbying against governmental violation of human rights;

(5) To help shorten the confinement of prisoners by effectively implementing the tactics of negotiation at the diplomatic bargaining table.

In front of you stands with dignity and vigor, a Feminist who has suffered from 1933 days of confinement along with 12 years suffering from thyroid carcinoma. Her dignity relies on the belief that the limits of human will shall only be defined by the individual, not by outside repression. Her vigor springs from the commitment that where there is injustice, there must be struggle. Fortunately, although she has lost her liberty, her youth and her health, she has not lost her will, nor her dignity.

Thanks to the enthusiasm of Amnesty International especially to the wisdom and endless efforts of the members of group 101 in Albuquerque, N.M., the recurrence of my illness was taken care of and my sentence was eventually commuted by more than half.

Special thanks for your impartial concern toward human rights, regardless of race, nation, fame or sex. Human rights is in itself worthy of respect. Women deserve as much concern as men. People of all colors deserve the same dignity. Citizens of small countries deserve even more concern than those of powerful countries. Small potatoes deserve more than public figures. It is only when the protection of human rights can be assured on a non-discriminatory basis that the value of human rights can be truly realized.

THE STATE OF THE PHILIPPINES

HON. CECIL (CEC) HEFTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. HEFTEL of Hawaii. Mr. Speaker, over the next 10 days I would like to share with our colleagues a series of articles on the Philippines written by George Chaplin, the editor in chief of the Honolulu Advertiser. Mr. Chaplin recently spent 8 days in the Philippines, studying the current state of the nation and its people.

These articles are particularly relevant at this time since the Congress will soon consider supplemental economic and military assistance to the Government of the Philippines. I hope that this series of articles will provide our colleagues with additional insight to the current problems confronting the Filipino people.

The first article in the Chaplin series is an interview with President Corazon Aquino on the problems the Philippines is facing as it seeks to rebuild in the aftermath of the Marcos regime. The article follows:

CORY AQUINO: NO-NONSENSE TALK ABOUT STRUGGLE HER COUNTRY FACES

(By George Chaplin)

MANILA.—Cory Aquino, at 53 an acknowledged amateur in the Philippines presidency, is calmly trying, a day at a time, to cope with the mountainous problems inherited from 20 years of Marcos misrule.

A nagging question here is whether she has the skill, the strength and the staying power—whether she can maintain the remarkable mass support which, backed by church and military in February's populist revolt, propelled her into leadership.

The groundwork is being laid for the writing of a new constitution—the one she scrapped was crafted for a Marcos dictatorship—and for electing a new parliament and local officials. The timetable calls for everything to be accomplished before or by next February, the first anniversary of victory.

Those who believe in her, and the values she symbolizes, say she's a survivor, that she'll make it. Her detractors, spurred on by Marcos from his Hawaii beachfront home, are trying to sow doubts.

Meanwhile, here's what she's up against: An economy plundered into bankruptcy by Marcos & Co.



A \$26 billion foreign debt created in part by world economic conditions, but mostly by the grand thievery of the Marcos family and favored friends.

A lack of foreign and domestic investor confidence.

Pervasive deprivation, with 70 percent of the 55 million Filipinos near or below the poverty line and with 50 percent or more under-employed. (Figures of outright unemployment mean less here than in most places because of the Filipino trait of sharing.)

A dangerous insurrection, by the New People's Army (NPA), some 15,000 to 20,000 strong, a hard core of dedicated Communist ideologues, supported by several million Filipinos reacting to years of physical and economic abuse by Marcos' military and his industrial and political overlords. The NPA is believed to be in 60 percent of the provinces, with some influence in the remainder, and is estimated to control one-fifth of the countryside, where 70 percent of the people live. This plus continuing resistance in Mindanao by Muslim separatists.

Disruptive infighting within Aquino's own coalition, representing several political parties and cause-focused organizations, with a left-to-right spectrum, and with at least three cabinet officers said to be harboring their own presidential ambitions. There are Vice President/Foreign Minister Salvador Laurel, Local Government Minister Aquilino Pimentel, and Defense Minister Juan Ponce Enrile.

And, finally, an ongoing campaign by Marcos to undermine the Aquino government and, he hopes, pave a path for his return.

How is she reacting to all this?

In a 40-minute interview, we found an aura of gentleness about her, but there's no mistaking the resolve beneath the warmth, the graciousness, the poise, the soft voice. She exudes charisma, a deep sense of purpose, a strong will.

There is a freshness about Cory Aquino that one would not usually associate with a presumably harried chief executive of a country dubbed "the sick man of Asia," the only ASEAN nation to show a negative growth rate over a span of years.

Slenderer than we'd expected, wearing a dress touched by her distinctive yellow, she sat on a sofa, above which hung the shield of the Philippines presidency. The thought crossed our minds that in her, the spirit of her husband, "Ninoy," cut down by an assassin's bullet, still lives.

She took questions in stride, answering with a facility that reflected instinctive talent and speedy on-the-job training.

Q: You were thrust suddenly into office. There was no time for planning. Now news stories are raising the question: Is President Aquino really in charge of running the government?

A: I feel comfortable enough. You'd better ask the cabinet officers who's in charge.

Q: You have remarkable popularity. How does one institutionalize that popularity?

A: What I intend to do is keep close touch with the people. I'll be visiting provinces. I'm here because people like to see and hear me. We can't yet carry out economic reforms because we lack the funds.

There is a lack of drinking water. I can tend to that right away because it doesn't take big funds. (The late president Ramon Magsaysay built "liberty wells," something I can do easily.)

I've been able to awaken the spirit of the private sector. I'd like to sustain the new-

found spirit of the citizenry: It's important for the people to know that all are concerned with problems and want to do something.

Q: Do you plan to form a political party?

A: I prefer not to comment on forming a party. Before martial law in 1972, we had only two major parties. It was a simple situation. I have not only parties (DDP/Laban, under whose banner she ran, headed by Pimentel; UNIDO, led by Laurel; the Liberal Party) but also cause-oriented groups.

Q: Do you like your job?

A: It's not a question of liking. When I accepted the draft I made up my mind that first, I would do my best to win and then, on taking on the job, would be committed to doing a job and making a success.

I'm a very private person. Enrile has been talking about security. I lost my freedom in trying to restore freedom in the country.

I'm not a traditional politician. If my husband was president, you'd be facing a man who enjoyed being president. I, of course, am gratified for this opportunity.

The first time I experienced presidential power was when I visited Camp Aguinaldo. During the incarceration of my husband (who Marcos had put in solitary for almost eight years) it was a nervous time. And there was fear because I was asking when privileges would be extended to my husband.

(The official she asked was Enrile, then Marcos' minister of defense and now, hers, because of his role in the anti-Marcos revolt in February. Enrile later told us that when Ninoy Aquino was in prison, Cory Aquino had talked to him two or three times and there'd been some letters and that she got what she requested for her husband. Neither mentioned that when she visited her husband she was strip-searched).

Aquino continued.

Times have changed. Here I come with my military escort and (Chief of Staff Fidel) Ramos and other generals are waiting for me. I felt, so this is what it's like to be president.

Q: What about President Reagan's phone call to you (before he left for Hawaii, Indonesia and the Tokyo summit). How much advance notice did you have? What time was it here?

A: I had about 15 minutes notice from the U.S. Embassy. It was 11 o'clock at night. I was in bed and very sleepy, but I was still watching a TV interview with my labor minister (Augusto Sanchez).

Q: What did you talk about?

A: He expressed admiration for the way we conducted a peaceful and bloodless revolution. He offered his good wishes, and said he was recommending to Congress an increase in U.S. aid.

He invited me to visit the United States and I told him that was dependent on my schedule, perhaps around November. I look forward to the visit. Speaker O'Neill had also invited me to address Congress.

Q: What about President Reagan calling Mr. Marcos?

A: Anyone is free to call anyone.

(The fact that President Reagan's call to her was the first in the two months since she took office and that he spoke to her for three minutes while he and Mrs. Reagan in Hawaii had an estimated 45-minute conversation with the Marcoses, doesn't sit well here—although there is appreciation that Reagan rebuffed Marcos' claims of still being president.)

Q: What about talk of cutting the new military budget?

A: We are working closely with the minister of defense, who is also aware that the solution to the insurgency here is a combination of economic and social, as well as military, factors.

Q: Neither the extreme left nor the extreme right has fully accepted your revolution. Is democracy the answer in the Third World? Can your revolution be a model?

A: So many Filipinos risked their lives for the restoration of freedom. As to whether we can be a model for the Third World. I would like to think of Filipinos as special as being a unique people. We are a peaceful people. Religion played a part here. So many who took part in the revolution knelt and prayed. Whether other countries can adopt (what happened here). I guess they could. . . . While there's a difference between nationalities, there are all kinds of ways of having a dialogue.

Q: Population is a big problem here. This is a Catholic country: you're religious yourself. How do you deal with population?

A: When my husband was governor (of Tarlac Province), he was involved in an AID project for population control. This is a Catholic country. I'm a deeply religious person. I have not yet sat down with this problem of the population explosion. I'm putting emphasis on agriculture and urging people in urban areas to go to less populated areas, and encouraging small and medium enterprises to help provide jobs.

Q: What about the U.S. bases here (Clark and Subic and some smaller installations)?

A: There are so many events possible between now and 1991 (when the current lease expires and the question of renegotiation will be on the table). I'm sure no one here thought we'd have a successful revolution. On the bases, I'd like to keep my options open.

There are proposals by some here that if and when there are negotiations for renewal of the lease, the results should be submitted to the people for approval or rejection. Aquino declined to say whether she thought such a plebiscite, if conducted now would be favorable).

Q: What about the revenues (the 40,000 Filipino workers get) from the bases?

A: There are many things that are important I'll answer when the time comes.

Q: The U.S. is worried about the increasing Soviet presence in the Pacific. You're only 600 miles from Cam Ranh Bay.

A: Regarding negotiating on the U.S. bases, we will of course be considering not only what's good for the Filipino people but also for the world.

Q: What about your reading? How much do you do?

A: I don't have much time. I read the local newspapers and I depend on my Cabinet officer to bring me up to date on international events and developments that are related to their fields.

She harked back to the Reagan call and said that fortunately, her oldest daughter wasn't home at the time—presumably because the phone would have been tied up. She added that her older children are not too happy about the family being in the limelight because they've lost their privacy too—but that the younger kids love it. One would like to be a movie star and doesn't mind being interviewed.

Q: Do you have any words for Hawaii?

A: I wish not only the people in Hawaii but all Americans the best and I want to thank the American people for assisting us."

A NEW POLICY OF THE  
SANDINISTAS: ABORTION

HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. SENSENBRENNER. Mr. Speaker, it appears from a letter, I recently received from Concerned Catholics for Religious Freedom in Nicaragua, the Sandinistas are now promoting the policy of abortion.

I am enclosing for the information of the membership, the letter from the Concerned Catholics organization and an article from Ms. magazine detailing this growing trend in Nicaragua.

FOR RELIGIOUS FREEDOM IN NICARAGUA,  
Washington, DC, May 30, 1986.

HON. JAMES SENSENBRENNER,  
House Office Building, Washington, DC.

DEAR CONGRESSMAN SENSENBRENNER: According to the enclosed article from the June 1986 issue of Ms. magazine, the Sandinistas are pursuing a pro-abortion policy. I know you would want to be aware of this latest assault on human rights by the Sandinistas.

The article quotes Milu Vargas, a government official, who says "every day, abortion is a little bit more legal." The article also states that the Chief of Police, Comandante Doris Tijerino, is no longer enforcing anti-abortion laws in Managua.

Vargas also provides a clue to the real goals of the Sandinista regime. She said, "We did not make a revolution for rice and beans. Reagan could give us rice and beans. We made a revolution for new ideas and new values."

Since coming to power in 1979, the Sandinistas have attacked basic human rights such as freedom of speech, press and assembly. It now seems that the regime is attacking the most basic human right of all—the right of life.

The Sandinista pro-abortion policy is not only a tragic consequence for the unborn, but it is certain to heighten tension with the Church and opposition groups. Internal reconciliation will become all the more difficult and the result will be a wider civil war.

I urge you to support the democratic side in the Nicaraguan struggle and to speak out against the Sandinista violations of human rights, including those directed against the unborn.

Sincerely,

HENRY J. FERRO,  
Lay Coordinator.

[From Ms. magazine, June 1986]

ABORTION IN NICARAGUA: AN EMERGING ISSUE  
(By Suzanne Sangree and Nan D. Hunter)

The demand for safe and legal abortion is growing in Nicaragua. Milu Vargas, director of the legal office of the Nicaraguan congress, gave an informal go-ahead to send a vacuum aspirator to the state-run Bertha Calderon Women's Hospital in Managua. This equipment, used throughout the United States to perform abortions, will enable the hospital to treat women suffering from illegal abortions and to expand the range of legal services. Such an event is extraordinary: abortion is still a crime in Nicaragua (as it is in every Latin American country except Cuba), punishable by up to four years in prison.

Vargas writes that "every day, abortion is a little bit more legal." Last September, 1,500 delegates at the Second National Conference of Women called for a nationwide program of sex education, access to contraceptives, and a dialogue during 1986 on abortion. In the following three months, more than 20 articles on abortion appeared in major national newspapers, including two full-page "roundtable discussions" by people with differing views, organized by the official Sandinista newspaper, *Barricada*. As did American women in the first speak-outs in the United States, Nicaraguan women recounted their harrowing experiences with illegal abortion.

MAJOR CAUSE OF DEATH

On the scientific front, four Bertha Calderon Women's Hospital employees won first prize at the Seventh National Conference on Science and Health last October for their study, "Illegally Induced Abortion: Its Costs and Consequences." Their report publicized for the first time the shocking statistics that illegal abortion is the single greatest cause of death for women of childbearing age at Bertha Calderon—deaths of otherwise healthy women.

Most illegal abortions are performed by neighborhood abortionists who have little, if any, medical training. The most common method used is to introduce a probe into the uterus, such as a piece of wire or the spine from an umbrella. The procedure is performed without anesthesia, during the twelfth or so week of pregnancy. Despite severe pain, blood loss, and infection, more than 68 percent of 109 women interviewed waited more than three days after the abortion to get treatment because of shame and fear of prosecution. More than 55 percent of these women had never used contraceptives and 33 percent used contraceptives sporadically.

The study highlights a sobering reality: "All our efforts to safeguard women's health are nullified by the consequences of illegal abortion." The report calls on the government of Nicaragua to conduct a massive campaign consisting of sex education and distribution of contraceptives and to revise the country's abortion statutes.

In the meantime, women are doing their best to minimize the effect of the current law. Chief of Police Comandante Doris Tijerino announced that no one would be prosecuted for pursuing an abortion; her remarks followed an alleged incident in which two male police officers burst into the recovery room of Bertha Calderon Hospital to arrest a woman treated for a botched abortion. The officers failed: the 20 other women in the recovery room insisted that if one was arrested, all must be, because they were all there for the same reason.

CHURCH AND STATE

The backlash in response to these efforts has already begun. Conservative party members of the Nicaraguan congress are seeking to include a "life begins at conception" clause in the national constitution, which is currently being circulated at town meetings. And although the Catholic Church hierarchy, led by the recently ordained Cardinal Miguel Obando y Bravo, has been silent on this issue so far, the cardinal presents the most powerful internal opposition to the government. Legalization of abortion risks a confrontation with conservative church forces in a nation that is 80 percent Catholic. Some speculate that the government's desire to avoid such a clash has been one of its prime reasons for not legalizing abortion.

DEBATE RAGES ON

Meanwhile, the debate on abortion has triggered a discussion of the overall status of women. Poet Rosario Murrillo, an official of the ASTC Cultural Workers Union and wife of President Daniel Ortega, in an interview in the Sandinista newspaper cautioned women to wait until the revolution is on sounder footing before pushing for women's rights.

In response, the director of the Women's Legal Services office, attorney Maria Lourdes Bolanos, published an editorial in the same paper comparing the abortion law to another antiquated law currently on the books that makes it a crime to distribute Marxist literature. She followed this up with an article—"Women's Equality: A Lie!"—delineating women's unequal status in all areas of Nicaraguan life and calling on the government for change now.

How successfully women can effect change in this fledgling government will be determined by the balance of forces in Nicaragua. Attorney Vargas said at a meeting of visiting American women lawyers last summer: "We did not make a revolution for rice and beans. Reagan could give us rice and beans. We made a revolution for new ideas and new values." If Nicaragua can survive U.S.-backed moves to overthrow its government, perhaps women in Nicaragua can create a second revolution.

THE ENGLISH LANGUAGE  
AMENDMENT

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. GARCIA. Mr. Speaker, as an original cosponsor of the English Proficiency Act, I am very concerned over the movement to make English the official language of the United States. Recently, a debate on the issue appeared in the *Stockton Record* between our colleague, NORMAN SHUMWAY and Arnoldo Torres, former director of the League of United Latin American Citizens. In the interest of informed debate on the issue, I submit the article for the RECORD.

SHOULD ENGLISH BE MADE OFFICIAL?

(Rep. Norman Shumway, R-Stockton, has introduced legislation to make English the nation's official language. His legislation, vigorously opposed by Hispanic organizations, would amend the Constitution to include the designation of English as the official language of the United States, prohibit mandatory bilingual education in public schools and eliminate requirements for multilingual ballots, driver's license applications and similar documents. Shumway's legislation has been criticized by Arnoldo Torres of Sacramento, former director of the League of United Latin American Citizens, in joint appearances with Shumway on the Phil Donahue television show in February and at Torres' alma mater, the University of the Pacific last month. The debate continues here.)

SHOULD ENGLISH BE THE OFFICIAL LANGUAGE?  
NO

(By Arnoldo Torres)

Contrary to what Rep. Norman Shumway and his sponsors would have you believe, there is no organized effort toward the



quasi-official recognition of languages other than English.

In fact, Latinos and other immigrants to the U.S. have long recognized that the English language has and will always be the official language of this country. It is regarded as indispensable for assimilation and integration into mainstream society. Command of the English language, both verbal and written, is imperative for every person, not just immigrants, with thoughts of attaining economic success.

Unfortunately, Shumway and his proponents willfully and knowingly ignore these facts and choose to carry out a campaign of exaggeration and misinformation in the name of cultural and national unity. They believe because of the high influx of Latino immigrants that there is a movement afoot in our community to make Spanish the second official language of this country. His constitutional amendment, referred to as the English Language Amendment (ELA), would make English the official language and, he contends, stop this "movement" in its tracks. This seems simple enough and no reason for alarm. This is precisely what he wants the public to believe. However, when you look beneath the veneer of his rhetoric and examine the history of previous efforts, the motivation and consequences, you can't help but conclude that the ELA will create more problems than benefits.

English-only language movements yesterday and today have not attained their stated goals of national and cultural unity. They have the effect of creating antagonism and division where they have been initiated. The efforts to mandate the speaking of English in the United States emerged during the second and third decades of the 20th century in response to the increased number of "new immigrants" coming from culturally distinct regions of eastern and southern Europe, Latin America, and the Orient. These efforts, fueled by theories of racial superiority and fear of culturally different immigrants groups increased significantly after World War I. The "new immigrants" were perceived as lacking in the assimilative qualities which the "old immigrant" groups had possessed.

These attacks upon the "new immigrants" arrested their assimilation and discouraged them from learning American ways. Immigrant groups organized themselves to challenge assumptions of superiority and to defend their own cultural and linguistic heritages from further attack. Proponents of English-only initiated efforts to Americanize all individuals who clung to their cultural heritage and who spoke a language other than English. This forceful assimilationist drive resulted in polarization and divisions in many local communities on a basis of language, culture and immigrant status. This movement continued and in some cases even accelerated during the Cold War and the McCarthy years of the 1950s.

Today's contemporary English-only movement reflects its historical counterpart. Yesterday's movement did not reach its goal of cultural and national unity.

Instead of attaining this harmony, local campaigns in Fillmore and Monterey Park, Calif., have created antagonism and divisiveness where it could have been easily avoided. In Fillmore, the antagonism has grown to the point where Latino residents have called for an economic boycott of businesses whose owners helped in the passage of the local English-only language ordinance. In Monterey Park, supporters of a local ordinance making English the official language

are running a slate of candidates for city council. The sitting city council did not approve an ordinance on its own.

The ramifications of these two English-only campaigns are prime examples of the counterproductive consequences of the English Language Amendment and this movement have had and will have if continued. They do not bring people of different backgrounds together, they do not foster understanding and unity, but rather result in having the opposite effect. People who need to assimilate and integrate into mainstream society are not doing so any faster under these circumstances. They are not learning English nor "American" ways. Instead, disharmony and division are ruling the day.

How can anyone reasonably argue that the ELA and local English ordinances assist in the acquisition of English literacy skills? How can Shumway argue that the ELA is constructive? It is simply a repetition of the ugly past being carried out and presented as being in the "best interests of America."

When Shumway and I appeared on the Phil Donahue Show to debate the ELA, the crowd was at each other's throat in the name of being American and speaking English. No one was really concerned with finding ways to have limited or non-English speaking persons speak English. They simply wanted everyone to speak English regardless of the circumstances.

The ELA provides no direction, no positive policy. It feeds upon the fear, anger, and frustration that most of us have when dealing with people unlike ourselves who don't understand us. I honestly believed that after this display, Shumway would want to pursue a more constructive approach to having people with limited English-speaking ability learn and use English.

I was wrong for it appears that the real intention of Shumway is to repeal bilingual voting materials and bilingual education. I am convinced of this after having debated Shumway twice and analyzing his amendment's potential effect.

His ELA would repeal the use of bilingual voting materials which he argues retard the use of English. He does not present any facts to support his and on its face it seems somewhat superfluous. Bilingual ballots are not for everyday use and do not provide information in Spanish for daily life necessities. Congress has dealt with amendments to repeal this section of the Voting Rights Act which calls for the use of bilingual ballots, and in its wisdom has defeated these efforts. Congress believes that these materials are vital to the participation in the democratic electoral process of this country of persons with limited English speaking ability.

With regards to bilingual education, Shumway continues to feed misinformation to the public. He argues that bilingual education has been proven ineffective and that we should not use federal funds for such purposes. It appears that he has chosen to ignore what A.C. Willig, a researcher who critiqued the studies he uses. Willig concluded that "the overwhelming message derived from these data suggests that most research conclusions regarding the effectiveness of bilingual education reflect weaknesses of the research itself rather than effects of the actual program." Most of the research community has indicated that bilingual education is superior to submersion, which Shumway favors, and that the quality of research to evaluate bilingual education must be improved.

Shumway also argues that bilingual education retards the use of English. However, most research in this area indicates that a strong foundation in native language actually serves as a support for learning English easier and faster. What one learns in the native language is readily transferred to English. Bilingual education is an attempt to transition a limited English-proficient (LEP) child to use English. It is not designed to maintain native language nor does anyone responsible advocate this. Furthermore, it is virtually impossible for native language instruction to take place because most "bilingual" teachers were found (in a recent national study by Wong Fillmore) to have limited proficiency in native languages of LEP children.

In Stockton, there are 120 teachers in Kindergarten through 6th grade who are not certified bilingual education teachers but are in the classroom on waivers due to need. If bilingual education is not working it's due to a shortage of qualified teachers and classroom sizes of 32 which are way above national average. Again, contrary to Shumway's contentions, students in bilingual education programs are not segregated for it is impractical and state law requires one-third mainstream students in these classrooms in primary grades. Perhaps what Shumway should do is to visit more bilingual classes in Stockton and develop an informed and factual opinion. If he did, he might spend his time working to correct the real problem facing bilingual education.

Lastly, Shumway argues that he resents local governments being told how to provide equal access to LEP children and that local governments should decide on their own what to do. Again, he appears to want history to repeat itself, for local governments only started providing bilingual education after the courts and the federal government passed legislation. Local governments had simply ignored the problems of LEP children and the ELA would allow the situation of sink or swim to exist once again. How can he claim that his ELA will assist persons to learn English? The ELA and the local English-only ordinances have been destructive and counter-productive. They in fact are responsible for retarding assimilation.

I would suggest that those who want people to learn English, volunteer some of their time to teaching English classes in adult education and/or support efforts which will improve bilingual education by training qualified bilingual education teachers, reducing class sizes and funding parent literacy programs which have parents of LEP children learn English.

State Sen. Art Torres, D-Los Angeles, introduced legislation entitled the English Language Opportunities Act to expand opportunities to the state linguistic minorities so they may acquire the essential English and basic literacy skills, and an orientation to civil responsibility. This type of legislation should be expanded and supported throughout this country where people who want to learn English don't have the means.

These are constructive and positive efforts for LEP persons to learn and use English. They do not bring about the division and antagonistic consequences of the ELA and local English-only drives. English-only efforts are ironically, counterproductive to their own goals of cultural and national unity.

SHOULD ENGLISH BE MADE OFFICIAL?  
SHOULD ENGLISH BE THE OFFICIAL LANGUAGE?  
YES

(By Norman Shumway)

The English Language Amendment (ELA) would provide a measure of legal protection to our common language, currently recognized only through custom, by designating English as our official language.

Even more importantly, such a designation would end the conflicting signals we are presently sending to language minorities through contradictory government policies. For example, on one hand we require those seeking to become naturalized citizens to have a working knowledge of English, but on the other, we allow citizens to exercise their right to vote in languages other than English. Our educational policies for language minorities are also contradictory. While most would agree that fluency in English is necessary if students are to become assimilated into the mainstream of our society, the government virtually forces schools desiring federal funds to use only one method of teaching—bilingual education—despite the fact that there is little evidence that the methods is effective. Indeed, bilingual education may in some cases encourage dependence upon the native tongue, discouraging the student from becoming fluent in English. I object to the federal government determining teaching policy. Individual school districts are far better able to meet local needs, and the ELA will provide them with that overdue flexibility.

Contrary to the claims of opponents to the ELA, the measure will not end bilingual education; it will simply end the government mandate that one teaching method be used to the exclusion of others.

Opponents of the ELA often seem to misunderstand its intent. In addition to claiming that the measure will end bilingual education, they also state that the ELA will curtail the study of foreign languages and the use of tongues other than English for personal reasons. That is simply not true. Today's interdependent world demands competency in languages other than English, and I strongly encourage all Americans to learn them. Every American is free to use whatever language he or she chooses for traditional, cultural, religious or ethnic preservation purposes.

America has been greatly enriched by the cultural diversity of our society; that diverse tradition must be preserved.

However, our common language has been a major factor in forging strength and unity from diversity. We need look only as far away as Canada to see what language divisiveness can do to undermine unity. Belgium and Sri Lanka, among other nations, provide additional examples of the potential rights which multilingual societies can anticipate, sometimes to the point of violence.

The purpose of the English Language Amendment is to encourage our nation's newcomers to gain proficiency in English, enabling them to participate fully in the many freedoms and opportunities which America has to offer.

The ELA will declare English our official language, yes, but it will not inhibit the use of any other language. It will simply put an end to the current short-sighted government policies which restrict choice, segregate language minorities in separate classes, and force them to remain forever on the fringes of American society.

In summary, the ELA's objective is to encourage success and enhance opportunity—what could be more American than that?

A TRIBUTE TO THE ITALIAN  
CHARITIES OF AMERICA

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. BIAGGI. Mr. Speaker, it is with great pride and pleasure that I pay tribute to the Italian Charities of America, an organization located in New York City that is celebrating its 50th anniversary. These five decades have marked a commitment to service, with special emphasis on serving Italo-Americans and those residents in need across the city. As a member of the honorary board of this organization, a fellow Italian American, and a resident of the city of New York, it is with personal pride that I offer my congratulations and commendations on this anniversary milestone.

The dream began in 1936, when a group of distinguished Italian American citizens led by State Supreme Court Judge Anthony Savarese, decided to form an organization that would attend to the social welfare needs of the large, struggling Italian-American community and make a recognizable contribution to the city as a whole. They began with a mere idea and a fierce determination to develop that idea and make it work. They have certainly succeeded.

The founders envisioned a community center centrally located in the borough of Queens from which it could serve the needs of the Italian-American community. They chartered the group and dedicated themselves to "serve youth, the underprivileged, the indigent, the juvenile and adolescent delinquent, the distressed, the aged, the sick and the disabled of Italian origin and extraction."

When the ICA opened their community center in 1951, it marked the culmination of nearly 16 years of planning and fundraising by the group and the Italian-American community of the city. This was no small feat.

In their effort to build a community center and make a permanent home for the ICA, they met and overcame such obstacles as the outbreak of World War II, with its accompanying restrictions on building materials and the uncertainty of the labor market. But the drive, determination, and hard work of the founding fathers is perhaps best illustrated in their fundraising efforts. They managed to launch a drive that took them from the initial estimate of \$25,000 to the final construction expense of \$150,000. Many Italians throughout the city donated what they could. Even the cost of one brick in order to help realize the dream, the vision of their community.

The Italian Charities of America's social welfare agenda took shape quickly in the form of programs offering legal help, care for the needy, youth activities, and educational assistance. Since that time, these programs have been supplemented by special efforts such as Italian earthquake relief. In 1980, when an earthquake devastated Italy, the Italian Charities of America raised nearly \$100,000 in contributions for relief aid and shipped tons of clothing to the disaster victims.

Perhaps its largest program has been the operation of a comprehensive senior citizens center, which has shared ICA headquarters

since 1973. The senior center provides a variety of much-needed programs and services to older residents of the area. These include nutrition services, where a hot breakfast and lunch is served daily; game rooms, offering a multitude of social activities for the elderly; dance instructions, and Italian language classes. The achievements of the center are due to the hard work and dedication of the officers and supporters of Italian charities, the staff of the center, and the involvement and commitment of the seniors at the center. As an original member of the House Select Committee on Aging, I fully recognize the importance of such centers to the millions of elderly people in New York City, and across the Nation. It is an important service provided by the Italian charities, and deserves our special attention and recognition.

Over the past five decades, this fine organization has worked to preserve and advance the rich heritage of the Italian-American community and the needs of its members and others throughout New York City. As the Italian Charities of America celebrates its golden anniversary, I wish to express my appreciation for the many worthy services you have provided to the people of our city. I also wish to pay a personal tribute to this organization which has fully recognized the importance of preserving the traditions of our rich Italian heritage, and to promote matters of common interest and needs for all people.

ENGLISH—THE LANGUAGE OF  
THE SUCCESSFUL MAINSTREAM

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. BEREUTER. Mr. Speaker, today this Member wishes to commend Congressman NORMAN SHUMWAY of California for his continuing efforts to speak out on a controversial issue. Our colleague is the sponsor of House Joint Resolution 96, a constitutional amendment which would establish English as the official language of the United States. I am proud to be a cosponsor of this important legislation, and encourage other colleagues to consider supporting it as well.

One of the proudest traditions that the United States can point to in its short history is the one that allows a man or woman to come here, seek work, put down new roots, and achieve a success that is the envy of the rest of the world. It is so very true that we are a great nation of immigrants, and the pluralism of an immigrant society creates a richness and texture to the American landscape that is unparalleled elsewhere.

Our heritage is filled with names from far-off places. But in any culture, one of the ties that binds and strengthens that culture is the tie of common tongue. The most successful individuals in any society speak in the dominant language. This, of course, is not to underestimate the value and importance of learning another language. Children who grow up in a bilingual family or learn another language in school are very fortunate, and certainly better citizens of the world. That American commerce and daily



life, however, are conducted in English is an inescapable fact. If we would protect our diversity by nurturing successful individuals, we would insist upon immersion in the language for any new arrivals.

This Member believes that there are many who are reluctant to move ahead with an effort to declare English the official language of the United States. Many fear that they will alienate potential voters. But I would caution those who oppose such a declaration that they are consigning children and individuals who are not fluent in English to a second-class economic life in the United States. A school's bilingual goal is to move a child into English-speaking classes within 3 to 7 years. In the life of a child, however, 3 to 7 years of a second-class status is formative. It amounts to disenfranchisement. We do them no favors if we maintain the bilingual approach in the form it has become today.

This Member, then urges this body to support legislation to make English our official language. In doing so, we will surely protect and enhance our traditional stance as the "land of opportunity."

I commend to my colleagues attention the following two fine editorials on this subject:

[From the Norfolk Daily News, June 2, 1986]

#### ASSIMILATION THE GOAL

Gov. Richard Lamm of Colorado made a strong appeal to Congress last week to deal with two problems destined to become more serious the longer remedial action is postponed. The immediate problem is illegal immigration, topic of a book Gov. Lamm has co-authored, "The Immigration Time Bomb: The Fragmenting of America." The other problem he cited in his testimony before a congressional committee is derived in great part from illegal immigration. It relates to that "fragmenting," an inability of immigrants to assimilate in American society.

"America can and should accept people from many lands, but we have a great stake to make sure that they eventually become Americans," Gov. Lamm said.

Emphasis on providing special rights to ethnic groups, as governmental policies have tended to do, rather than making sure that all rights rest with individuals, works against such an eventual result. So does bilingualism, not only tolerating those who do not learn English but accommodating them as if refusing to learn were somehow commendable.

On that point, Gov. Lamm points to the importance of ensuring that immigrants learn to speak the language of the majority in America. "The history of countries with two or more languages, or two or more cultures, is a history of disaster," he says, and points to Quebec, Belgium, Lebanon and Sri Lanka, among others.

The most urgent problem is posed by illegal aliens entering the United States from Mexico, and to a lesser extent, from other Latin American countries.

The goal must be to enforce immigration laws which now exist or to change them in ways which will make them fully enforceable. As a basic first step in policy changes, it ought to be made clear that all who aspire to be citizens and thus to enjoy the full rights and protection of the American government, are obligated to learn the common language, English. Anything less is an injustice to residents of this nation, for there will always be subtle discrimination and limited

opportunities for those without English language skills.

"Either we move toward a united country, which gains strength through diversity, or we move to a bitter division which will result in perpetual tension and strife," Gov. Lamm observes. It is an accurate summation of the situation faced by the products of a nation which has prided itself on being a "melting pot."

Governmental policies need to be aimed directly at assimilation, including a common language, in keeping faith with that historic concept. The melting pot remains an admirable symbol.

[From the Omaha World-Herald, June 3, 1986]

#### GOVERNOR LAMM HAS IT RIGHT ON ONE NATION, ONE LANGUAGE

Two reasons exist for every American to learn English. One is the good of the individual. The other is the good of the country. Colorado Gov. Richard Lamm, speaking to a congressional committee the other day, touched on both.

In a predominantly English-speaking society, a person is handicapped if he can't express himself in English. "Some of the discrimination against Hispanics is really a linguistic impediment, a cultural impediment," Lamm said.

A similar concern was expressed by D.L. Cuddy, a Department of Education official, in an article printed on the World-Herald's Weekend Focus page Sunday. He said people who lack a command of English not only limit their chances of being hired in certain job areas and regions of the United States but also limit how high they might rise in the work place.

Cuddy quoted a Chicago management consultant who said an inability to handle the "technical, English-language requirements of supervision and other responsible positions" keeps some people from being promoted.

Addressing the national importance of a common language, Lamm noted that the "country did not demand, nor should it demand, uniformity" of its immigrants. Wisely so, considering the principles of individual dignity on which the country was founded. But the country "should demand certain elemental levels of unity," Lamm said. One is that today's immigrants, like the immigrants of earlier years, make an effort to learn the country's language and to understand its customs and traditions.

"There has to be a social glue that holds people together," Lamm said, listing Quebec, Belgium, Lebanon and Sri Lanka as places with a "history of disaster" caused by linguistic divisions.

Lamm's statements take on added significance because of his liberal positions on some other issues. Too often, liberals have approached the language issue with a live-and-let-live attitude, advocating bilingualism in schools and government offices. Some of the principal advocates of having every American learn English, on the other hand, have been conservatives including former Sen. S.I. Hayakawa of California and Secretary of Education William Bennett.

This isn't, however, an issue on which liberals and conservatives should feel compelled to be on opposite sides. Both ought to be able to agree that it is inexcusable to send a youngster into an English-speaking world without the tools to compete; both ought to be able to see the damage that could result if linguistic enclaves were permitted to destroy the American tradition of one people, one language.

#### TRIBUTE TO VARNARD GAY

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. KILDEE. Mr. Speaker, I would like to bring to the attention of my colleagues and the Nation an award ceremony that will be held Sunday, June 15, in Flint, MI, honoring Mr. Varnard Gay. Mr. Gay is being honored as the recipient of the Community Service Award by the Bruin Club of Genesee County in recognition of over 50 years of outstanding service to his community.

In a career spanning over a half century, Mr. Gay has distinguished himself as a highly successful educator and has coached a total of three Flint-area schools to State championships. His first State title came in Mt. Morris, MI, in 1937 when he served as the coach of the St. Mary High School track team. In 1944, he coached the Kearsley High School cross-country team to its first State title. At Central High School, he was the head coach of both the cross-country team and the track team, and each team won the State championship as a result of his inspiring leadership. Although he retired in 1971, Mr. Gay is still a familiar sight at many of the major track and field events that take place each spring in the Flint area. He continues to play a vital role in many of Central High School's programs, and he continues to volunteer his talents wherever they are needed.

Mr. Speaker, the many years of hard work that Varnard Gay contributed to the community as a teacher and as a coach is an fine example of the highest degree of good citizenship. At the age of 81, he continues to distinguish himself as a human being who touches the lives of many individuals, and he inspires those of us who know him to ask more of ourselves. I am pleased to pay tribute to Varnard Gay, and would ask my colleagues to join me in congratulating him on his accomplished career.

#### THE ADMINISTRATION'S TEACHER TRAINING AND IMPROVEMENT ACT

#### HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. FAWELL. Mr. Speaker, a 1983 school reform report, "A Nation at Risk," focused on several problems plaguing public school education nationwide. One problem was the quality of the Nation's teaching force.

In response to these findings, Congress enacted several programs to improve teacher instruction. The principal legislation is title II of the Education for Economic Security Act. This program is designed to improve elementary and secondary public and private school instruction in science, math, foreign languages, and computer learning. For program-year 1986—July 1, 1986 to September 30, 1987—title II will be funded at \$43.1 million.

Today, I am introducing, at President Reagan's request, the Teacher Training and Improvement Act [TTIA]. This bill broadens the scope of title II to include more academic subjects and eliminates many of the current program's administrative redtape.

The primary objective of this legislation is to eliminate the duplication of other Federal teacher training programs. The National Science Foundation [NSF] currently spends \$82 million for math, science, and engineering training and instruction. One NSF program focuses on attracting and keeping teachers in math and science careers. Another NSF program improves math and science instructional materials and research.

Because the NSF programs are limited to meet the needs of math and science enhancement, the Department of Education's teacher training initiatives should be opened up to include all academic subjects. TTIA would allow States to give priority for improving the teaching of English, math, the physical and natural sciences, the social sciences, the humanities, foreign languages, and other critical academic subjects.

TTIA would improve teacher training by: First, providing inservice education for elementary and secondary public and private school teachers and administrators; second, recognizing outstanding teachers and administrators; third, attracting qualified persons from other professions into teaching; fourth, encouraging outstanding teachers and administrators to remain in the education profession; and fifth, improving preservice education of teachers and administrators.

The initiative also repeals two small categorical education programs: the Territorial Teacher Training Program and the Leadership in Educational Administration [Lead]. The first provides teacher training in the U.S. territories; the latter provides training for school administrators. Since these initiatives could be continued as part of TTIA, there is no need for separate programs.

The administration's bill authorizes \$75 million in fiscal year 1987—\$22.8 million more than appropriated in 1986 for the programs it replaces—and "such sums" through fiscal 1991. Of the amount appropriated, 79 percent is allocated to the States, 20 percent is reserved for the Secretary's discretionary fund, and 1 percent is earmarked for territorial and Bureau of Indian Affairs schools.

Of the State allocation, at least 90 percent must be distributed to eligible recipients—local educational agencies, higher education institutions, private schools, and other public and private institutions and organizations. Up to 5 percent of the State allocation could be used for administration, and any remaining funds would be used for teacher training and improvement activities carried out at the State level.

TTIA is a step in the right direction toward ensuring that all academic subjects are eligible for training and improvement funds. More importantly, TTIA eliminates the duplication that now exists between the Department of Education's and the NSF's math/science programs.

The text of the Teacher Training and Improvement Act follows:

## H.R. 5011

A bill to improve the quality of teaching in American secondary schools and enhance the competence of American secondary students and thereby strengthen the economic competitiveness of the United States, and for other purposes

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Education for Economic Security Amendments of 1986".*

Sec. 2. Title II of the Education for Economic Security Act (20 U.S.C. 3901 et seq.) is amended to read as follows:

**"TITLE II—TEACHER TRAINING AND IMPROVEMENT PROGRAM**

**"SHORT TITLE**

"Sec. 201. This title may be cited as the 'Teacher Training and Improvement Act'.

**"STATEMENT OF PURPOSE**

"Sec. 202. The purposes of this title are to improve the effectiveness of public and private nonprofit elementary and secondary education in the United States and thereby strengthen our economic security by—

"(1) providing opportunities for inservice education of teachers in order to enhance their mastery of the subjects they teach as well as their teaching skills, including those skills needed to maintain an orderly classroom environment conducive to learning,

"(2) providing opportunities for inservice education of school administrators in order to enhance their capacity for leadership, including those skills needed to maintain an orderly school environment conducive to learning,

"(3) recognizing teachers and school administrators for their excellent performance,

"(4) encouraging outstanding teachers and school administrators to remain in their profession,

"(5) attracting qualified persons in other professions to careers as teachers or school administrators, and

"(6) improving the preservice education of teachers and school administrators.

**"AUTHORIZATION OF APPROPRIATIONS**

"Sec. 203. For the purpose of carrying out this title, there are authorized to be appropriated \$75 million for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

**"DEFINITIONS**

"Sec. 204. For the purpose of this title—

"(1) The term 'eligible recipient' means a local educational agency, institution of higher education, cultural institution, professional association, or other public or private agency, organization, or institution capable of carrying out a local project under this title.

"(2) The term 'nonprofit' has the same meaning given that term under section 1201(c) of the Higher Education Act of 1965.

"(3) The term 'preservice education' means the education or preparation of a person who has not received a bachelor's degree to become a teacher or school administrator.

"(4) The term 'secondary school' means a school which provides secondary education as determined under State law.

**"RESERVATION AND ALLOTMENT OF FUNDS**

"Sec. 205. (a) From the funds appropriated under section 203 for any fiscal year, the Secretary may reserve up to 20 percent for national programs under section 210.

"(b)(1) From the remainder of the amount appropriated to carry out this title for each fiscal year after the application of subsection (a), the Secretary shall reserve—

"(A) one-half of one per centum for projects and activities authorized by this title in Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands and the Trust Territory of the Pacific Islands; and

"(B) one-half of one per centum for projects and activities authorized by section 206 to benefit children in elementary and secondary schools serving Indian children which are supported by the Department of the Interior.

"(2) The Secretary shall allot the funds reserved under subsection (b)(1)(A) among Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands according to their respective need for assistance under this title as determined by the Secretary.

"(c)(1) From the remainder of the amount appropriated to carry out this title for each fiscal year after the application of subsections (a) and (b), the Secretary shall allot to each State an amount which bears the same ratio to that remaining amount as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States. The number of children aged five to seventeen, inclusive, in a State and in all the States shall be determined by the Secretary on the basis of the most recent available data satisfactory to the Secretary.

"(2)(A) The Secretary may reallocate a portion of a State's allotment for any fiscal year if the State does not submit a State application under section 207, or otherwise indicates to the Secretary that it does not need or cannot use the full amount of its allotment for that fiscal year. The Secretary may fix one or more dates during a fiscal year upon which to make reallocations.

"(B) The Secretary may reallocate funds on a competitive basis to one or more States that demonstrate a current need for additional funds under this title. Any funds reallocated to another State shall be deemed to be part of its allotment for the fiscal year in which the funds are reallocated.

"(d) For the purpose of this section, the term 'State' does not include Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.

**"PROGRAMS FOR INDIAN CHILDREN**

"Sec. 206. (a) The Secretary shall allot the funds reserved under section 205(b)(1)(B) to the Department of the Interior to support activities described in subsection (b) to benefit children in elementary and secondary schools serving Indian children which are supported by the Department of the Interior.

"(b) Funds allotted under paragraph (a) shall be used to—

"(1) support inservice education for teachers and administrators in such schools, including participation in inservice training programs supported under section 208;

"(2) provide scholarships for teachers and administrators in such schools for additional training in their respective fields;

"(3) establish cooperative exchange programs between such schools and public and private employers which are designed to enhance the effectiveness of teachers and administrators in those schools; or



"(4) other activities that are consistent with the purposes of this title.

(c) The Secretary of Interior shall consult with the Secretary regarding the administration of activities under this section and shall provide whatever information is reasonably required to carry out the Secretary's responsibilities under this title.

#### "STATE APPLICATION

"Sec. 207. (a)(1) Any State desiring to receive a grant from funds allotted under section 205(c) for any fiscal year shall submit to the Secretary a State application which meets the requirements of this section.

"(b) Each State application shall—

"(1) cover a period of three fiscal years;  
 "(2) be submitted at the time and in the manner specified by the Secretary; and  
 "(3) contain whatever information the Secretary may reasonably require including—

"(A) assurances that—

"(i) the State educational agency will be responsible for the administration, including supervision, of all State and local projects supported by the State's grant and shall maintain whatever fiscal control and fund accounting procedures are necessary to ensure the proper disbursement of, and accounting for, Federal funds paid to the State under this title;

"(ii) the State educational agency will provide for continuing administrative direction and control by a public agency over funds under this title used to benefit teachers or school administrators in private nonprofit elementary and secondary schools;

"(iii) the State educational agency will distribute at least 90 per centum of its allotment to eligible recipients to carry out local projects under section 208(a);

"(iv) no more than 5 per centum of the State's allotment will be used for State administration; and

"(v) no portion of the funds under this title will be used to improve the preservice education of teachers or school administrators unless the State, with less than its full allotment, has met its needs for—

"(I) inservice education for teachers and school administrators to enhance their mastery of the subjects they teach, their teaching skills, and their administrative skills;

"(II) retraining teachers who wish to teach different subjects; and

"(III) programs to attract persons in other professions to become teachers or school administrators; and

"(B) descriptions of—

"(i) the priorities and goals the State has selected for the use of funds under this title during the period of the State application and the relationship of those priorities and goals to the State's needs for improved education of teachers and school administrators in public and private nonprofit elementary and secondary schools in the State;

"(ii) how, in establishing its priorities and goals under the State plan, the State has taken into account the needs of those public and private nonprofit elementary and secondary schools which desire to have their teachers and school administrators participate in projects under this title;

"(iii) the procedures the State will use to ensure the participation of a variety of eligible recipients under this title, including procedures to ensure that eligible recipients are informed of the availability of funds under this title;

"(iv) the procedures and criteria the State will use to select local projects to be supported under this title from among the applications received;

"(v) how local educational agencies, private schools, institutions of higher education, the State agency for higher education, cultural institutions, professional associations, private industry, and other interested public and private agencies, organizations, or institutions have been involved in the development of the State's priorities and goals under the State application;

"(vi) any projects the State will carry out with the portion of its allotment not distributed to eligible recipients; and

"(vii) the procedures the State will adopt to ensure compliance with section 209.

"(c) Each State application after the first must contain information on the State and local projects carried out under the preceding State application, including data on the number and characteristics of persons who participated, and an assessment of the degree to which those projects accomplished the goals described in that State application.

#### "STATE AND LOCAL PROJECTS

"Sec. 208. (a) An eligible recipient shall submit an application to the State educational agency to carry out a local project under this section.

"(b) The State educational agency shall use that portion of its allotment that is not distributed to eligible recipients or used for State administration for State projects under this section.

"(c) Funds under this section shall be used to—

"(1) support inservice education for teachers in order to enhance their mastery of the subject they teach as well as their teaching skills, including those skills needed to maintain an orderly classroom environment conducive to learning;

"(2) support inservice education for school administrators in order to enhance their capacity for leadership, including those skills needed to maintain an orderly school environment conducive to learning;

"(3) retrain teachers who wish to teach different subjects;

"(4) support programs, including scholarships and internships, for qualified persons in other professions who wish to become teachers or school administrators but lack coursework in education;

"(5) improve the preservice education of teachers and school administrators, particularly by assisting prospective teachers to master the subjects they will teach;

"(6) improve teacher education programs in order to attract the most academically capable secondary and postsecondary students to careers as teachers or school administrators;

"(7) recognize practicing teachers and school administrators for their excellent performance by awarding fellowships for further study or supporting opportunities for such persons to write or conduct research in their respective fields;

"(8) develop programs for the exchange of professional personnel between education and other fields; or

"(9) support other activities that are consistent with the purposes of this title.

"(d)(1) A State or eligible recipient may not use funds under this section to support activities under subsection (b)(5) or (b)(6) unless the State educational agency determines that the State's need for activities under subsections (b)(1) through (b)(4) has been met with less than the State's full allotment.

"(2) In making awards to eligible recipients, the State educational agency shall give priority to improving teaching in English,

mathematics, the natural and physical sciences, the social sciences, the humanities (including foreign languages), and other academic subjects.

"(3) Local projects under this section shall, to the extent feasible, be developed cooperatively with, and involve the combined efforts of, local educational agencies, private schools, institutions of higher education, cultural institutions, professional associations, private industry, and other interested public and private agencies, organizations, or institutions.

#### "PARTICIPATION OF PRIVATE SCHOOL TEACHERS AND ADMINISTRATORS

"Sec. 209. (a) To the extent consistent with the number of children who are enrolled in participating private nonprofit elementary and secondary schools in the area to be served by a local project, an eligible recipient shall ensure equitable participation in the purposes and benefits of local projects under this title for teachers and school administrators in such schools.

"(b) To the extent consistent with the number of children who are enrolled in participating private nonprofit elementary and secondary schools in the State, the State educational agency shall ensure equitable participation in the purposes and benefits of State projects under this title for teachers and school administrators in such schools.

"(c) To satisfy the requirements of subsection (a) or subsection (b), an eligible recipient or a State educational agency shall—

"(1) consult with appropriate private nonprofit school representatives during the design and development of the project to determine which schools desire to participate in the project and what the needs of the teachers and school administrators in those participating schools are, and

"(2) then provide, as appropriate, benefits authorized by this title for teachers and school administrators in such schools.

"(d) No funds under this title may be used—

"(1) for any religious worship, proselytization, or activity of a school or department of divinity,

"(2) to provide or improve any program of religious instruction, or

"(3) to provide benefits to teachers or school administrators in a private school which is denied a tax-exempt status section 510(c)(3) of the Internal Revenue Code of 1954.

#### "NATIONAL PROGRAMS

"Sec. 210. (a) From the amount reserved under section 205(a), the Secretary may carry out research, development, evaluation, demonstration, dissemination, and data collection activities which are of national significance and are consistent with the purposes of this title. The Secretary may carry out such activities directly or through grants, cooperative agreements, or contracts.

"(b) Activities which the Secretary may carry out under this section include—

"(1) developing centers and summer institutes for teachers and school administrators to enhance their knowledge and skills;

"(2) awarding scholarships or fellowships to pay the expenses of teachers and school administrators attending an institution of higher education for additional education in their instructional areas or related fields;

"(3) developing exchange programs in which outstanding teachers or school administrators from one school district or state are temporarily assigned to another

school district or State to act as consultants or mentors;

"(4) developing model programs for the exchange of personnel between education and private industry;

"(5) making awards to institutions of highr education, professional associations, and private industry for the development and testing of teacher education programs;

"(6) recognizing practicing teachers and school administrators for their excellent performance by supporting opportunities for such persons for further study or to write or conduct research in their respective fields;

"(7) awarding Presidential teacher internships to persons in other professions and recent college graduates with excellent academic records who wish to become teachers, but lack coursework in education;

"(8) making awards to teachers for individual research projects that would enhance their mastery of the subjects they teach;

"(9) collecting and disseminating information about exemplary inservice teacher education programs, teacher shortages and surpluses, and the qualifications of teachers in elementary and secondary education;

"(10) supporting research on teaching and on improving preservice and inservice education for teachers and school administrators;

"(11) developing model programs for preservice and inservice training designed to provide teachers with the skills needed to maintain an orderly classroom environment conducive to learning; and

"(12) supporting other activities that are consistent with the purposes of this Act.

#### "USE OF FUNDS

"Sec. 211. (a) Federal funds made available to a State or local educational agency under this title shall be used to supplement and, to the extent practicable, increase the amount of non-Federal funds that would, in the absence of such Federal funds, be made available for the purposes of this title, and in no case to supplant such non-Federal funds.

"(b) No Federal funds under this title may be used to benefit teachers or school administrators in private, for-profit schools."

#### REPEALS

SEC. 3. The following are repealed—

(1) section 1525 of the Education Amendments of 1978, and

(2) title IX of the Human Services Reauthorization Act.

#### EFFECTIVE DATE

SEC. 4. The provisions of this Act shall take effect October 1, 1986.

CONGRESSIONAL SALUTE TO  
HON. MERLE FREDERICK ALLSHOUSE,  
PRESIDENT OF  
BLOOMFIELD COLLEGE,  
BLOOMFIELD, NJ

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. ROE. Mr. Speaker, on Tuesday, June 17 the people of my congressional district and the State of New Jersey will join with the board of trustees, administrators, faculty and students of Bloomfield College and the Association of Independent Colleges and Universities in New Jersey to honor the president of Bloomfield College, a most distinguished

member of our community and good friend—the Hon. Merle Frederick Allshouse—whose standards of excellence and personal extraordinary commitment to quality education have truly enriched our community, State and Nation. I know that you and our colleagues here in the Congress will want to join with me in extending our deepest appreciation to Dr. Allshouse for all of his good works and share great pride with his good wife Myrna and their children, Frederick Scott and Kimberly Dawn in the success of his achievements in seeking life's fulfillment and purpose.

Mr. Speaker, when you reflect upon the fact that the cultural, historical, and economic achievements—even the basic health, well being, and longevity of a State and Nation—depend in large measure upon how well we educate each generation charged with the trust of carrying out its responsibilities and traditions, we can indeed be proud of Dr. Allshouse's outstanding contribution to the quality of life and way of life for all of our people.

Dr. Merle F. Allshouse has served as president of Bloomfield College since 1971, after 1 year as academic dean and professor of philosophy. During his term at Bloomfield, the college has seen substantial enrollment growth, development of new academic and learning support programs which have gained national recognition, financial reorganization of the college, a doubling of the endowment and the building of cash reserves in excess of \$1 million. A new college center was constructed and major refurbishing of all the academic facilities and campus landscaping has been completed.

Under his direction the college has expanded its facilities to provide a substantive learning experience for our young people through a most comprehensive program of education which has enabled the college to be designated for the second consecutive year by the Brunswick Foundation as one of the 15 outstanding small colleges in America. The Brunswick Foundation is a highly prestigious organization with national recognition for its outstanding contributions to higher educational pursuits for our young men and women. It is especially renowned for its general giving in areas of company operations, with emphasis on higher education, including scholarship programs for children of corporation employees, civic and community funds, hospitals, minorities and youth, and business and economics.

Mr. Speaker, the quality of leadership and sincerity of purpose that Dr. Allshouse has imparted to our people are mirrored in his many accomplishments and the warmth of his friendship that have won him the confidence and support of all of us who have the good fortune to know him. This is particularly manifested in the strong support and depth of friendship that he enjoys among his colleagues in the Association of Independent Colleges and Universities in New Jersey who organized this testimonial to the many contributions he has made in the field of education. The Association of Independent Colleges and Universities in New Jersey is comprised of the following member colleges and universities: Bloomfield College; Caldwell College; Centenary College; College of Saint Elizabeth; Drew University; Fairleigh Dickinson University; Fel-

ician College; Georgian Court College; Monmouth College; Princeton University; Rider College; Saint Peter's College; Seton Hall University; Stevens Institute of Technology; Upsala College; and Westminster Choir College.

This association stresses the importance of Dr. Allshouse's achievements not only to Bloomfield College but to the entire State of New Jersey. They point with pride to the aspiring young people of New Jersey and our Nation who have been the most immediate beneficiaries of Dr. Allshouse's splendid work and applaud the benefits that are accruing as a result of the college's outstanding courses of study that have been provided under Dr. Allshouse's administration.

Dr. Merle F. Allshouse has indeed earned the highest respect and esteem of all of us. Born in Pittsburgh, PA, in 1935, Dr. Allshouse graduated from the Edgewood schools. He received his BA in 1957 from DePauw University, where he was a rector scholar, majoring in philosophy and history. He received his MA—1959—and Ph.D.—1965—from Yale University, where he received the Rockefeller theological fellowship—1957–59, the Rockefeller doctoral fellowship—1959–61, and the Bois-Kilburn fellowship. He was elected a Kent fellow in 1961.

Dr. Allshouse has a distinguished background in higher education. He served as a teaching fellow at Yale University from 1961 to 1963 before joining the faculty at Dickinson College, Carlisle, PA, in 1963. At Dickinson he taught 19th century philosophy, aesthetics, and the philosophy of religion. As associate professor of philosophy and associate dean of the college, he took an active part in curricular program development and interinstitutional planning. In 1969 he was listed as one of the "Outstanding Young Men of America."

Dr. Allshouse serves as chairman of the board of the Association of Independent Colleges and Universities in New Jersey. He serves as chairman of the Commission on Intercultural Education of the Council for the Advancement of Small Colleges and on the advisory council of presidents of the Association of Governing Boards of Colleges and Universities. He is a member of the Nexus Committee of the Presbyterian College Union, represents the United Presbyterian Church, USA on the Secretariat of the National Association of Independent Colleges and Universities, and is an elder of the Central Presbyterian Church in Upper Montclair, NJ.

He serves on the boards of the Montclair Kimberley Academy, the Independent College Fund of New Jersey, the Bloomfield Chamber of Commerce, and the Northeast region of the Boy Scouts of America. He has served as the president of the Presbyterian College Union. He serves as a member of the New Jersey State Student Assistance Board, representing the independent sector of higher education. Dr. Allshouse has authored numerous articles and reviews in the areas of philosophy, religion and higher education. He is a member of the American Philosophical Association, the Metaphysical Society of America, and the American Academy of Religion. He is a fellow of the Society for Values in Higher Education. During 1979–80 he served as an HEW fellow



in Washington, DC, with the Office of Education. Dr. Allshouse has been elected to the International Advisory Council of InterFuture. He will be leaving his high office of public trust as president of Bloomfield College to accept the presidency of the Myron Stratton Home Foundation in Colorado Springs.

Mr. Speaker, Dr. Allshouse has served our people and our country with honor and distinction. New Jersey's loss will be Colorado's gain. He is an outstanding administrator, educator, and good friend whose richness of wisdom and expertise in his daily pursuits have touched the lives of many, many people. As we gather together on June 17 in tribute to Dr. Allshouse's leadership endeavors and personal commitment dedicated to the education of our young people, we do indeed salute an esteemed educator, outstanding community leader, and great American—the Honorable Merle F. Allshouse of Upper Montclair, NJ.

#### LEGAL SERVICES CORPORATION

### HON. PHILLIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. CRANE. Mr. Speaker, insuring legal assistance to indigent citizens with legal problems is an important function of our American judicial system. However, providing one individual group—the Legal Services Corporation [LSC]—with a fiscal year 1986 budget of over \$300 million to perform this task is unnecessary. There are more efficient and cost effective ways to assist the poor requiring legal counsel.

The American taxpayer is beginning to recognize many of the failures of Government programs and turning to the private sector for solutions. We are in the first year of the Gramm-Rudman cuts, and must take this opportunity to scrutinize closely the budget of LSC.

LSC was established by a 1974 act of Congress to be an independent body that would provide assistance, advice and counseling on legal matters to those who would otherwise be unable to afford it. Although its intentions were noble, LSC has shown that the organization has far strayed from its stated original purpose. Instead of helping the poor in routine civil legal matters, legal service attorneys are more interested in promoting social and political change according to their own agenda. Although restrictions have been placed on LSC on lobbying demonstrations, and prohibiting corporation funds to be used in any campaign, throughout the years, these and other prohibitions have been repeatedly ignored. For these reasons I am strongly against funding for LSC services. Bringing about social reform in the guise of legal services is ludicrous.

While I do support legal assistance to the poor who need it, the LSC Program is fatally flawed. There is no recourse but to abolish it outright. I recommend the following article by LeaAnne Bernstein which appeared in the Chicago Tribune on May 9, 1986, entitled "Going Private With Legal Aid." It is an excellent article that I recommend as must reading to everyone, especially those who are under

the false impression that funding for the LSC is necessary and that it is the only organization providing legal services to the poor:

#### GOING PRIVATE WITH LEGAL AID

(By LeaAnne Bernstein)

As early as 1971, it was recognized that legal services for the poor should not be a government function. That year a presidential advisory council, the Ash Commission, urged President Richard Nixon to remove such legal services from the auspices of the Office of Economic Opportunity and to organize it as a quasi-government corporation "as a first step toward reprivatization of what has traditionally been a function of the private sector."

As a result of this advice, the Legal Services Corp. [LSC] was formed. But 15 years after the Ash Commission report, the LSC budget has swollen from \$61.8 million in 1971 to \$305.5 million this year, and the goal of privatization is nowhere in sight.

Paradoxically, increased government funding and involvement have come when private-sector financing alternatives have been flourishing. For one thing, direct outside funding for LSC recipients reached \$106 million in 1985, up from \$47 million in 1982. Some of this money is from other federal government programs, some from states and localities. However, much of it is also from private contributions such as the United Way and other local fund-raising agencies. In addition, *pro bono publico* [for the good of the community] services by attorneys is documented at a monetary equivalent of at least half the federal budget for the Legal Services Corp.

Interest on Lawyer Trust Accounts programs [IOLTA funds] have been a significant source of money for legal services to the poor in recent years. These funds are generated from interest earned on trust funds handled by private attorneys for their clients. The amounts involved are too small or are not held long enough to draw interest in excess of service charges if held in separate accounts. Last year IOLTA funds came to nearly \$27 million.

At a time when the failure of bureaucratic structures is being documented in many government programs, the Legal Services Corp. must be scrutinized closely. Federal funding of legal services is meant, not to support lawyers, but to resolve the legal problems of poor people. Many times, the solution need not even involve attorneys.

One such solution, Alternative Dispute Resolution, has boomed in the last 15 years. As of 1985 there were 475 full-time dispute-resolution mediators, 293 part-time ones and 5,985 program volunteers in more than 380 centers in 33 states. The average cost of a LSC case in 1984 was \$182.50 while that of an average Alternative Dispute Resolution case was \$36. And the latter gives a client a substantial role in resolving his own dispute, unlike the attorney-centered adversarial LSC system.

In addition, the legal system has become far more accessible to ordinary people. In 1964, when federal legal services were institutionalized within the Office of Economic Opportunity, there were about 300,000 lawyers nationwide; today there are more than 660,000, with starting salaries for recent attorney graduates as low as \$13,000 in some states. Since then, too, we have seen the advent of attorney advertising, self-help books and streamlined small claims procedures.

Technological advances [word processors and centralized data banks, for example]

and the loosening of restrictions on advertising have resulted in increased service at lower prices from firms providing legal services to middle- and lower-income people. High-volume legal clinics offer cut-rate prices and can have the effect of forcing competitors to do likewise.

Though market pressures have forced prices down in the legal profession generally, the bureaucratic structure of the Legal Services Corp. has allowed average case costs to rise dramatically. Since 1982, almost all increases in federal appropriations for legal services have been in higher salaries and benefits for staff attorneys while the number of case closures has remained static. Benefits alone have risen 44 percent. The lawyers, many unionized, lobby Congress to prevent a change in the structure of LSC and to forbid the use of more cost-effective modes of delivery. The client is thus made a pawn in the justification of jobs for the lawyers.

The practice of law in the United States is a state-sanctioned privilege. With this privilege comes a professional responsibility to provide legal services to those who cannot afford legal fees. Many attorneys take this responsibility seriously. Before federal funding for legal services, voluntary legal aid societies provided community-based structures to ensure access to the system. Even now, the greatest non-LSC contribution to legal aid for the poor comes from *pro bono* work of individual lawyers and firms.

Fifteen years ago, the Ash Commission told President Nixon that "while government support is still necessary [for Legal Services], the need is not as strong today. The program has generated considerable interest and support in the private sector." This is more the case now than ever. Yet, despite the boom in non-LSC legal services for the poor, Legal Services lawyers have year after year demanded and often received greater government funding. The growth of alternative services and financial resources has been ignored; instead, there has been a growing entrenchment of LSC-funded attorneys.

In this, the first year of the Gramm-Rudman cuts, we have one more reason to review the budget of the Legal Services Corp. with an eye toward releasing its lawyers into the private sector, reintegrating indigent clients into the civil justice system and allowing the Legal Services Corp. to get on the track of progress.

#### GREECE MAKES PROGRESS IN THE FIGHT AGAINST TERRORISM

### HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. BROOMFIELD. Mr. Speaker, we all know that the international community must work together in order to effectively combat the threat of terrorism. I want to commend the Greek Government for its recent decision to expel from that country a number of Libyans who may have been involved in terrorist-related activities.

I am encouraged by President Papandreu's recent comment that his country would "confront terrorism decisively and effectively."

In response to increased terrorist activities directed against airports and airlines, Greece has dramatically improved the security at Athens Airport. The security at that facility meets and exceeds the minimum recommended security standards of the International Civil Aviation Organization [CAO] and is now one of the most secure airports in Europe.

Terrorism has become a serious international problem, and it can only be resolved through concerted international cooperation. Economic, political, and diplomatic pressures must be applied on terrorist-supporting nations. International law must also be used to bring terrorist pirates to trial and, if necessary, military pressure must also be applied in order to deal with the terrorist threat. Although there are no easy solutions to eliminating the scourge of terrorism, international cooperation is a step in the right direction.

With these concerns in mind, I commend the following Washington Post article on terrorism to my colleagues in the Congress.

[From the Washington Post, May 22, 1986]  
SEVERAL LIBYANS EXPELLED BY GREECE, OFFICIAL SAYS—MOVE CALLED "SIGNAL" OF STRICTER POLICY

(By Steven J. Dryden)

ATHENS.—Greece has quietly expelled several Libyans who were suspected of recruiting other Arabs for terrorist activities, according to a senior government official here.

The expulsions were apparently carried out in line with a stricter Greek policy against Arab terrorism, western diplomats said.

The Greek official said the Libyans who were expelled were not diplomats, but he provided few other details. Greece has been the only European Community nation not to implement last month's community decision to reduce the size of Libyan diplomatic missions.

The official, who was interviewed last week on the condition that he remain unidentified, said Greece still had no plans to carry out the community's sanctions because it had not seen proof of Libyan involvement in actual terrorist acts.

The official said the expulsions took place in the past month and involved "under 10" Libyans.

"We had been following them for a long time," the official said, adding: "We wanted to give a signal" to the Libyans.

Western diplomats in Athens said the Greek government had recently stepped up surveillance of Libyans and other Arabs and increased security around American and other western installations.

"On the ground, they have shown themselves aware of the Libyan problem and willing to do something," one diplomat said.

The diplomat linked the actions at least in part to the realization by government that "they are not going to get tourism and business" unless Greece is perceived as secure. The Greek government responded to U.S. criticism last year by improving security at Athens airport.

The diplomats said they had not received confirmation of the expulsions, but one diplomat said he had recently seen four men, who police told him were Libyan, escorted to a plane at Athens airport. The diplomat also said that a school run by Libyans in his neighborhood was recently closed, apparently because some of the personnel had left.

The diplomats said that while there was evidence of a tougher Greek attitude toward Arab terrorism, Prime Minister Andreas Pa-

pandreou still believed Greece had a special role to play as a "bridge" between the Arab world and Europe, and as such would not join a western campaign against Libya.

The Papandreou government, which has maintained close ties with Libya, attempted to arrange a dialogue between the European Community and Tripoli last month when the community imposed diplomatic sanctions against Libya.

Greece agreed with the community's decision on Libya when it was made but later said it would impose the measures only after seeing convincing proof of Libyan involvement in terrorism. Other community member nations have expelled Libyan diplomats and nationals in the past month on the basis of U.S. or local intelligence.

The senior Greek official said there were four Libyan diplomats with full accreditation at the Libyan embassy in Athens. Thirty-six other Libyans were attached to the embassy but without diplomatic immunity, he said. Two other Libyans attached to the embassy recently left the country.

Papandreou, outlining his views on terrorism, said in a speech last week that "there are Arab countries and organizations who sometimes use our territory to settle their disputes."

Greece would "confront terrorism decisively and effectively," Papandreou said, but does not "wish to make the confrontation of terrorism a problem of conflict among peoples and countries."

"No one is blameless," he said adding that Greece has "traditional ties with the entire Arab world and cannot overlook basic national interests."

Diplomats said these ties would be underlined by the visit of President Hafez Assad of Syria to Greece at the end of this month. The visit is the first by Assad to a noncommunist European country since 1978.

#### THE FEDERAL GOVERNMENT MUST BECOME MORE RESPONSIVE TO THE NEEDS OF THE PEOPLE

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. YOUNG of Florida. Mr. Speaker, today I am reintroducing four measures designed to increase Government efficiency and ensure that the Federal Government responds to the needs of its citizens.

I hear from hundreds of my constituents every day who are concerned about the size of our Government, rules and regulations promulgated by Federal agencies that have a direct impact on their lives, and our Federal deficit. Because I share their concerns and remain committed to making this Government more workable, I call upon my colleagues in Congress to join in supporting new legislation.

My first bill would extend the time period between publishing a final rule and the effective date of such rule, as well as extending the time period between the publication of notice of a hearing and the beginning of the hearing. Currently, agencies are only required to give 2 weeks notice before their hearings, and allow only 30 days for comments on proposed regulations. Most individuals affected by these regulations are small businessmen,

farmers, manufacturers, and others who often find it difficult, if not impossible to meet these current deadlines. By extending the time citizens can express their thoughts and concerns, we will ensure that more people have an opportunity to participate in the Government process.

The second measure will guarantee the public's right to know how its money is being spent, by requiring recipients of Federal grants to disclose information the recipient is required to keep under the terms of the grant. Since taxpayers' dollars help provide these grants, I believe the taxpayers are entitled to a full accounting of how those funds are spent.

Some of my constituents also are concerned about agency rules or regulations that are contrary to law or inconsistent with congressional intent. Over the years, Congress has passed legislation which delegates broad regulatory powers to Federal agencies responsible for administering the laws. This legislation mandates a 60-day review period by Congress before agency rules or regulations can go into effect. If it is determined that the rule or regulation is contrary to law, inconsistent with congressional intent, or goes beyond the statute it is intended to implement, Congress must approve a joint resolution of disapproval to ensure that the rule does not become effective. Passage of this measure would ensure that our Government is lead by representative assembly instead of by executive decision.

Finally, I am introducing legislation requiring the Federal Government to publish annual consolidated financial statements using the accrual method of accounting. Accrual accounting is a method of recording costs and setting aside funds in current budgets to pay for liabilities as they are incurred. As of October 1, 1984, the Department of Defense has been utilizing the accrual method of accounting in an effort to clarify the full cost of military personnel and retirement. By showing the liability taxpayers are incurring for the future retirement costs of military personnel now on Active or Reserve duty, we can become aware of the true cost of military personnel in relationship to the cost of other defense resources. As a member of the House Appropriations Subcommittee on Defense, and strong supporter of this accounting change, I believe that similar positive results can be provided by applying the accrual method of accounting to the entire Federal budget.

The ideals our Government was founded on must be strengthened if we are to succeed as a true democracy. These bills go a long way toward ensuring that we remain a government of the people, and I would urge my colleagues to support these efforts.

CAPTAIN MIDNIGHT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. COBLE. Mr. Speaker, on April 27, at 12:30 a.m. eastern time, a video pirate, calling himself Captain Midnight, interrupted the satel-



lite transmission of the cable television service Home Box Office. The interruption lasted only 5 minutes, but it was an incident that could have long-term effects. It was a signal that all satellite transmissions—including those by Government, defense, and private satellite—are vulnerable to sabotage.

Current law is insufficient to deal with these video terrorists who seek to intercept or disrupt satellite transmissions. That is why today I am introducing the Satellite Communications Protection Act of 1986. This bill is a simple solution to a complex problem. Right now, the penalties for anyone convicted of interfering or obstructing a non-Government satellite transmission are not sufficient to act as a deterrent. My bill would amend chapter 65 of title 18 of United States Code, to increase the maximum prison term for anyone convicted of interfering with satellite communications from 1 year to 10 years. The maximum possible fine will remain at \$250,000.

I am pleased to report that Congressman BARNEY FRANK of Massachusetts has agreed to cosponsor this bill in the House. The legislation will be sent to the Judiciary Committee. Similar legislation will be introduced in the Senate.

With prison terms up to 10 years, and fines up to a quarter million dollars, we feel that we will have the proper deterrent to thwart those who seek to interrupt satellite activity. The Captain Midnight episode involving HBO is just the tip of the iceberg in possible video terrorism. The FCC has received information that deliberate interference of satellite transmission is being encouraged. There are more than two dozen commercial U.S. satellites now in orbit, along with several weather, military, and space agency satellites.

Most experts agree that the vast majority of these satellites are vulnerable to rather easy access by people using relatively inexpensive equipment. The Federal Government, which uses satellites for all types of communications, is exposed to possible tampering. Attorney General Edwin Meese has requested that the Justice Department investigate any cases of satellite interference.

In addition to the national security and commercial implications of this problem, every consumer who uses and enjoys satellite transmissions as home entertainment should be entitled to receive signals without unlawful interference. Congress should act to protect consumers' interests. The Captain Midnights of this world are no friend to the owners of satellite dishes.

While we are introducing this bill today, we would encourage the satellite industry to continue its efforts to make its product less vulnerable to disruption. Until satellites can be developed that are tamperproof, an increase in the penalties for those who do the tampering is the next best step. I am hopeful that this bill will move swiftly through Congress so that we can stop the spread of video terrorism before it becomes more of a threat to our vast system of news, weather, entertainment, broadcast networks, commercial, and military satellites.

## EXTENSIONS OF REMARKS

HONORING DR. DEAN SEEMAN

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. SCHAEFER. Mr. Speaker, I rise today to honor Dr. Dean Seeman. He is a talented and effective doctor, whom I am proud to call my friend. Because he is also an extraordinary friend of the aging and elderly, I would like to share some of Dr. Seeman's accomplishments with my colleagues in the House of Representatives.

The nearly 30 million senior citizens in our country deserve quality health care at an affordable price. The focus of several congressional hearings and reports this session has been the effect of rising health care costs on the elderly, and how to reduce this expense. We hear more and more of patients being released from hospitals prematurely, or not receiving adequate examinations or treatment. It is difficult to blame any particular program or policy for this trend. I do, however, applaud the work of Dr. Seeman in researching the causes of old-age illness, and developing a program to avoid the potentially disastrous consequences of the rationing of health services.

From extensive research over 10 years, using medical and computer technology, Dr. Seeman has concluded that many physical and emotional disorders can be traced to quasi-pathological causes. He has demonstrated that good health represents a balance of physical, mental, social and spiritual well-being, not merely the absence of symptoms or lack of obvious medical findings. He also has concluded that progress in medical technology, although important, has not eliminated the need for a one-on-one doctor-patient relationship. By focusing on these basic fundamentals, he has been able to markedly reduce the number of patients that end up in nursing homes.

By monitoring such factors as lifestyle, stress, diet, exercise and physiological conditions, Dr. Seeman has developed a health care diagnosis and treatment system which focuses on individual freedom and overall health. He stresses that the ravages of living or disease can be minimized or eliminated before they become serious or adversely affect the quality of life.

As founder of the Gerontology Research Foundation, Dr. Seeman has recognized the need for early detection and treatment. He is offering, in one clinic, free medical screenings and examinations to patients 55 years and older. The purpose is to provide a way in which senior citizens will pursue regular, routine health care without suffering the tremendous cost and usual inconvenience of having these tests.

During the past 25 years, Dr. Seeman has developed procedures that maintain a high level of personal independence, improve the quality of life, and preserve the health of older Americans. This has not only benefited many senior citizens, but has saved the Federal Government a significant amount of money. I applaud Dr. Seeman's foresight and dedication, and I urge the Congress to investigate

his ideas and innovations. I also ask my colleagues to join me in honoring this outstanding American, Dr. Dean Seeman.

CENTENNIAL BIRTHDAY OF PASADENA, CA

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. MOORHEAD. Mr. Speaker, I would like to call to the attention of the colleagues in the House of Representatives the centennial birthday celebration of the city of Pasadena, CA.

Pasadena, home of the Rose Bowl, the Tournament of Roses and California Institute of Technology, makes up an important part of the 22d Congressional District and is the home of one of my district offices.

Many people know that the settlement of Pasadena began in 1874, when a group of 27 settlers determined to establish a rural paradise where people could live contentedly in "homes neat, tasteful and luxurious."

As a peaceful and prosperous agricultural community, known for its citrus groves and vineyards, Pasadena grew rapidly, luring tourists, health seekers and speculators to take advantage of low railroad fares to come to southern California.

With growth came the need for incorporation, which Pasadena did on June 14, 1886. The city's first elected trustees were inexperienced volunteers, yet they had to deal with problems which confront all new communities namely fire protection, sanitation and street grading. The young city's major expense was for water used to keep down the streets summer dust.

This is no longer the case as Pasadena is a major city known the world over for the Rose Parade, the Rose Bowl and Caltech. It has a population of 125,000. These people represent a great cultural and economic diversity, which enriches the community.

During the last 10 years, large corporations have relocated their headquarters in Pasadena, the Conference Center was built, and the Plaza Pasadena Retail Shopping Mall was completed. Nearly 3 million square feet of new construction has been approved.

An awareness of the city's architectural treasures has come with the new growth. Existing buildings in "Old Pasadena," where the city's business district began, have been rehabilitated and returned to productive use, including the historic Pasadena Playhouse. Guided by rich historical traditions, Pasadenans are now taking a close look at where they have been and where they are going.

The Pasadena Centennial committee has planned events from Jan. 1 to July 4 to commemorate the city's 10 decades. The committee of 23 is supported by 300 volunteers. June 14-22 has been named "Super Week." The activities will include a time capsule, a commissioned work by a local composer, and naturally enough a centennial parade.

Mr. Speaker, the residents efforts, on behalf of the city, exemplify their dedication to Pasadena, and they should be commended. I am delighted to play a small part in "A Celebra-

tion" for the Pasadena Centennial. The same qualities of independence, vigor and decency that were exhibited by residents when Pasadena was young are extant in Pasadena's resident today. The character of the city and its residents will continue their dynamic success for another 100 years.

**TERRIE ANN McLAUGHLIN**

**HON. HARRIS W. FAWELL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 11, 1986*

Mr. FAWELL. Mr. Speaker, today, I would like to call the attention of my colleagues to the achievement of Terrie Ann McLaughlin. Terrie recently became the first woman in the 32-year history of the Air Force Academy to be named top cadet.

Terrie earned a 3.9 academic average on a 4.0 scale and a 3.64 military performance average. These marks ranked her at the top of a graduating class of 957 cadets. Terrie plans to continue her education at Stanford University, where she will study for a master's degree in electrical engineering.

Even though Terrie was nominated by my predecessor, former U.S. Representative John N. Erlenborn, her outstanding accomplishment has special meaning for me. Terrie is a resident of my hometown, Naperville, IL, where she was Naperville Central High School's 1982 valedictorian.

Terrie's outstanding accomplishment also speaks well for John Erlenborn's selection process for Academy nominees. He selected his nominees on the basis of merit—ACT scores. Political affiliation or connections never played any part in the nominations. John secured some 200 appointments during his tenure in Congress.

My congratulations to Terrie for her unprecedented achievement, and best wishes for the future.

**THE DOMESTIC OFFSHORE COMMERCE REGULATORY REFORM ACT OF 1986**

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 11, 1986*

Mr. JONES of North Carolina. Mr. Speaker, the domestic offshore or noncontiguous trades involve domestic ocean transportation to Alaska, Hawaii, Puerto Rico, the U.S. Virgin Islands, Guam, and other U.S. insular possessions. These trades are regulated by the Intercoastal Shipping Act of 1933, as amended.

This law permits the Federal Maritime Commission, upon complaint or on its own motion, to conduct a hearing on the lawfulness of new rate, fares, or charges filed with it by ocean common carriers in these trades. The Commission can determine if these proposed rates, fares, or charges are unjust or unreasonable; if so, the Commission can set and enforce just and reasonable maximum or minimum rates.

This regulation has been eroded by changes in technology and by court rulings in recent years. More and more, common carriers have been offering intermodal rates; that is, they will quote a shipper a single rate for transportation between an inland point and a port and inland point elsewhere. This single rate covers both land and water transportation. This contrasts with the old practice of a motor or rail carrier quoting one rate for the land portion of a journey and an ocean carrier quoting a port rate for the ocean segment.

In recent years, Federal courts ruled that single-fare intermodal rates in the domestic offshore trades are subject only to regulatory jurisdiction of the Interstate Commerce Commission. This leaves only all-water rates in these trades subject to the regulatory jurisdiction of the Federal Maritime Commission.

The ICC, pursuant to the Staggers Rail Act and the Motor Carrier Act, has substantially relaxed regulatory requirements on the trucking and rail industries generally. This lessened regulatory structure also applies to the ICC's regulation of intermodal rates in the domestic offshore trades.

Water carriers engaged in the domestic offshore trades can now choose their forum for regulation. By choosing to offer intermodal tariffs they can take advantage of the lessened regulatory framework of the ICC.

This trend means that shippers and consumers in our domestic offshore economies are effectively deprived not only of a choice between all-water or intermodal service but of any meaningful economic regulation of intermodal rates.

Is this a healthy situation? Wouldn't it make more sense to place regulation of both all-water and through intermodal rates in the domestic offshore trades in the sole jurisdiction of the FMC, the agency most familiar with balancing the interests of carriers and consumers in those trades?

To enable Congress to examine these questions, I have today introduced H.R. 4973, the Domestic Offshore Commerce Regulatory Reform Act of 1986. The bill would give the Federal Maritime Commission sole regulatory authority for the domestic offshore trades. It would also make substantive amendments to the Intercoastal Shipping Act of 1933, as amended, to provide increased regulatory flexibility and to make the act more internally coherent.

I am introducing this bill at the request of several ocean carriers in the domestic offshore trades including Crowley Maritime Corp., Sea-Land Corp., Puerto Rican Maritime Shipping Association, and Totem Ocean Trailer Express, Inc. My sponsorship is to cause the Federal Government industry, and consumers to start considering the issue; it does not imply my endorsement of all substantive provisions of the bill; in fact, my review of the Intercoastal Shipping Act of 1933, as amended, makes me wonder whether this archaically written law should not be repealed in its entirety and replaced with a coherent, simplified statute.

**THE GROWTH OF HMO'S AND THE NEED TO PROTECT SENIOR CITIZENS**

**HON. FORTNEY H. (PETE) STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 11, 1986*

Mr. STARK. Mr. Speaker, on June 7, 1986, the Washington Post carried an editorial on the Government's duty to monitor HMO's and to ensure that they are indeed providing quality care to their members, including many people who are Medicare beneficiaries.

As a recent case in Florida has demonstrated, the Federal Government has not always been on top of these programs.

Part of the problem may be due to the fact that the law does not give HHS enough tools to discipline wayward HMO operators. As chairman of the Ways and Means Health Subcommittee, I am developing ideas for improvements in the HMO law to ensure that, as the Post editorial says, "quality care is provided for this taxpayer investment." I hope that those with ideas and suggestions will contact my Washington office.

The editorial follows:

**HMO'S: PROTECTING SENIOR CITIZENS**

The government would like to see more Medicare patients enrolled in health maintenance organizations. In exchange for a fixed, per capita payment, HMOs provide a range of services that include physician's care and hospitalization. The patient must agree to use the plan's doctors and hospital facilities, but in exchange almost all costs are covered. The system is particularly efficient for the federal government, which is saved the cost of processing individual claims for service when predetermined Medicare payments for thousands of patients can be made to a single HMO each month.

The largest Medicare HMO—and the third largest HMO of any kind—has been organized in Florida by International Medical Centers. Using celebrity television commercials and newspaper ads, IMC has enrolled 147,000 Medicare patients in South Florida and the Tampa area in the last five years. But allegations about its operations have prompted a congressional hearing, an FBI fraud investigation, actions by the state to correct financial problems, an investigation by the Department of Health and Human Services and, just last week, a letter of non-compliance from HHS giving the firm 30 days to produce a plan for improvement.

Senior citizens complained of inadequate care, long delays for appointments, unsatisfactory emergency treatment and other serious deficiencies. Doctors and hospitals complain of late reimbursement. As a result, they are reluctant to care for IMC patients, who are not, the doctors point out, indigent, but supposedly covered by an HMO paid by the government. The company, whose president was paid \$1.3 million last year, employs a number of former high officials of HHS, some of whom worked on IMC matters in the government. Medicare payments to this single HMO come to \$30 million a month.

Medicare officials report that they have agreements with 130 HMOs across the country and that IMC is unique in its problems. This may stem in part from the fact that a temporary waiver was granted to IMC and one other organization in California allow-



ing them to contract with the government even though more than half their enrollees are Medicare patients. Federal officials usually require a higher percentage of younger participants in order to provide some stability to the enterprise. No additional waivers have been granted in this program, and if this experience is any indicator, none should be.

Similarly, the government has an obligation to hundreds of thousands of senior citizens enrolled in HMOs to monitor these organizations carefully, to weed out the bad ones and to see that quality care is provided for this taxpayer investment.

## PATRICK HENRY AND THE CONSTITUTION

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. RITTER. Mr. Speaker, as we conduct the business of the day, I think we should pause to consider an American who was one of the country's original patriots—Patrick Henry. Last month was the anniversary of Patrick Henry's birth. Robert Knobloch of Allentown, PA, sent me this article from the New American magazine's May 19 issue.

### PATRICK HENRY AND THE CONSTITUTION

Patrick Henry of Virginia (1736-1799), famous for his "Give Me Liberty or Give Me Death" speech, is almost unknown as one of the fathers of the Bill of Rights.

Henry was born 250 years ago this month, on May 29, 1736, in Hanover County, Virginia. He is remembered more for his fiery oratory on behalf of individual liberty than for his political statesmanship. Historian Bernard Mayo, in *Myths and Men* (see American Hero, page 57), points out that Patrick Henry exercised a profound influence on the course of the American Revolution right up to the time of his death in 1799.

It is forgotten that he helped George Mason frame Virginia's Constitution, which in style and substance influenced Thomas Jefferson's Declaration of Independence. He served six one-year terms as governor of his state during the years between the drafting of the Declaration and the signing of the U.S. Constitution.

"The historian-detective," writes Professor Mayo, "is greatly impressed by the man's tremendous power, his persuasive talents, his unequalled popularity. Again and again he finds Jefferson, Madison, Washington and others asking just how Henry stood on such and such an issue—and just how he stood often if not always meant its success or failure."

The creation and ratification of the U.S. Constitution is an illustration of this point. Patrick Henry was elected a delegate to the Constitutional Convention of 1787 but refused to serve. His refusal sent shockwaves through the States and greatly worried George Washington and James Madison. His refusal to attend was based on the belief that the Philadelphia Convention would create a new national government at the expense of personal liberties and State sovereignty. He was also fearful that the Northern States would sell out the South to Imperial Spain. The Madrid government had closed the Mississippi River to navigation and trade, and the Congress in New York,

lacking a navy, chose appeasement rather than opposition.

When the proposed Constitution was sent to the States for ratification after September 1787, the opposition of Patrick Henry in Virginia and Samuel Adams in Massachusetts proved crucial to securing a Bill of Rights. Massachusetts, by a narrow vote of 187 to 168, ratified the Constitution after it was agreed that a Bill of Rights would be added. During the 1788 Virginia ratification debate, both Henry and Mason mounted a similar campaign and the Constitution was ratified by fourteen votes, 89 to 75.

Historian Robert Douthat Meade, in his two-volume work *Patrick Henry: Practical Revolutionary*, concludes that without the statesmanship of Patrick Henry there would have been no Constitution. It was Henry's persistent campaign in the Virginia Convention and his allies' efforts later in the national Congress that secured adoption of the first ten amendments to the United States Constitution.

"Henry had spoken in the [Virginia] Convention," historian Meade wrote, "of the need for 'a firm and a solid' union, for reaching 'solid reality—the hearts and hands of the men who are to be governed.' Through passage of the Bill of Rights the American people were influenced to provide the consent needed to buttress a durable central government. From such documents as the Magna Carta, the English Bill of Rights, colonial charters, and state bills of rights, the majority of American voters had developed an ingrained belief in the importance of written guarantees of personal liberties. Without the promise of amendments to be adopted by Congress, it is doubtful that the Constitution would have been ratified. Certainly, the new government, if adopted, would have been seriously weakened and might not have survived some future stresses and strains.

Patrick Henry's powerful speeches in the Virginia Convention in June 1788 are not only eloquent but they are prophetic. For example, he described the dangerous consequences of the taxing power given to Congress in the Constitution. (See *Opinion Past*, page 59). Historian Norine Dickson Campbell, in *Patrick Henry: Patriot & Statesman*, pointed out that Henry correctly forecast the fate of the agricultural South at the hands of the industrial North. His fear in 1788 for the future of personal liberty and States' sovereignty has been prophetically borne out by subsequent actions of the federal legislative, executive, and judicial branches.

"The framers of the unamended Constitution," historian Campbell wrote, "would not be around to reap the whirlwind that Henry plainly saw: the inadequacy of checks and balances; the federal government's power of direct taxation; the unlimited power of judicial intervention, as well as that very real risk of having a President of the United States entrench himself in office. The evils of judicial usurpation disquieted him most of all, and his fears were not premature. The abuses in this department began with the injudicious and hostile Judiciary Act of 1789, written by United States Senator Oliver Ellsworth. This bill was made the basis of the federal court system and established its powers, which permit the Supreme Court to overturn state court decisions and acts of the legislatures, as well as to change federal laws. However, nowhere in the Constitution itself is the Supreme Court specifically empowered to make judicial interpretation, or to reverse the decision of the state courts."

AIR FORCE CHIEF M. SGT. SAM PARISH

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. FUQUA. Mr. Speaker, today it is my privilege and pleasure to recognize and commend one of the finest persons ever to wear the proud uniform of the U.S. Air Force, Chief M. Sgt. Sam E. Parish.

A farewell banquet is being held Thursday, June 19, 1986, at the Noncommissioned Officers Club at Andrews Air Force Base to recognize this distinguished Airman.

CMSAF Parish's home of record is in my district, Tallahassee, FL, where he began his Air Force career in December 1954. Since then he has served his Nation and the Air Force with distinction in a career of over 32 years.

Rising through the enlisted ranks, he is only the eighth person in the history of the Air Force to serve in the highest noncommissioned offer leadership position of chief master sergeant of the Air Force.

In that position, he is the adviser to the Secretary and the Chief of Staff of the Air Force on matters concerning effective utilization, welfare and progress of the enlisted members of the Air Force.

Chief Parish was born October 2, 1937, in Marianna, FL, and attended Malone (FL) High School, prior to joining the U.S. Air Force in December 1954. The chief graduated with the first class from the Senior Noncommissioned Officer Academy at Gunter Air Force Station, AL, in 1973.

Following basic military training at Lackland Air Force Base, TX, he was assigned to Chanute Air Force Base IL, for training as a ground weather equipment operator. After completing the course, as honor graduate, in August 1955, Chief Parish was assigned to the 18th Weather Squadron, Wiesbaden Air Base, Germany, as noncommissioned officer in charge of weather communications.

In January 1960 he returned to Chanute Air Force Base for the weather observer technician course and again was designated honor graduate. From August 1960 to May 1966, the chief was assigned to the Air Force Systems Command, Electronics Systems Division, Hanscom Air Force Base, MS, as noncommissioned officer in charge of operational procedures for the 433L Systems Program Office. While assigned at Hanscom Air Force Base, he attended the Air Force Systems Command Noncommissioned Officer Academy and was honor graduate of his class.

He returned to Germany as chief observer for the 7th Weather Squadron at Heidelberg, from June 1966 until June 1969. He then transferred to Headquarters Air Weather Service, Scott Air Force Base, IL, as the command's chief observer and later as chief, Observing Services and Procedures Division, Office of the Deputy Chief of Staff, Operations.

The chief attended the Senior Noncommissioned Officer Academy in January 1973 and in July 1973 was chosen senior airman advis-

er for Air Weather Service. In October 1975 Chief Parish was assigned as the weather assignments adviser for Military Airlift Command's deputy chief of staff, personnel.

In August 1976 he began his third tour of duty in Germany as sergeant major for the 36th Combat Support Group Consolidated Base Personnel Office at Bitburg Air Base. From November 1977 to August 1980, Chief Parish served as U.S. Air Forces in Europe senior enlisted adviser at Ramstein Air Base, Germany. He then became 40th Air Division senior enlisted adviser at Wurtsmith Air Force Base, MI. In November 1981 the chief was selected as the Strategic Air Command senior enlisted adviser at Offutt Air Force Base, NE. He assumed his present duties in August 1983.

His military decorations and awards include the Legion of Merit, Meritorious Service Medal with three oak leaf clusters and Air Force Commendation Medal.

Chief Parish is married to the former Ingeborg Eva-Marie Zimmerman of Wiesbaden, Germany. They have three sons: Sam Ellis II, residing in New Jersey; Steven Errol, a senior at Florida State University; and Scott Eric, a high school senior and honor student.

In tribute to this distinguished serviceman, Gen. Charles A. Gabriel, Chief of Staff of the U.S. Air Force, said in tribute:

Sam Parish has served superbly as the Chief Master Sergeant of the Air Force. As our highest ranking noncommissioned officer and my advisor on all matters concerning our 500,000 enlisted men and women, he has played a key role in shaping Air Force policy. He has had the complete confidence of the senior Air Force leadership—both military and civilian—as well as the full trust of all Air Force people. Sam and Inge Parish are a great team and the United States Air Force is much better off because of their many contributions.

Chief Master Sergeant Richard C. Schneider said:

We the enlisted people of the United States Air Force have had in our ranks an individual who has personified the role and image of a professional Noncommissioned Officer; a person who used his position to articulate the needs and concerns of people in relationship to the mission of the institution. His energy and enthusiasm have motivated the enlisted force to become warriors in the profession of arms and has inspired their growth as individuals and model citizens. This leader, the Chief Master Sergeant of the Air Force, Sam E. Parish, retires soon and leaves a rich and distinguished legacy for those of us who continue to serve our Air Force and the United States of America. Thank you Chief Parish for your countless sacrifices and truly superb leadership.

And finally, my close personal friend who was once one of my constituents, Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations) Tidal W. McCoy, had this tribute:

During my tenure as Assistant Secretary, I have had ample opportunity to observe the fierce dedication and rock-solid integrity of a great Air Force leader—Chief Master Sergeant Sam Parish. From recruiting and retention programs to quality of life improvements, he has been the driving force behind countless initiatives aimed at

strengthening the enlisted force and making life better for these professional men and women who support our mission so superbly. Chief Parish will be missed, but he is leaving behind a "legacy of excellence" that will benefit the Air Force for many years to come. Few have ever done more for those in "blue".

In paying tribute to Chief Master Sergeant Parish, I feel I join with you, the Members of Congress, in paying tribute to all of the men and women who wear the honored blue of the U.S. Air Force. Well done good and faithful servant. All of us are richer for that which you have done.

#### ABANDONMENT OF SALT WOULD DEMOLISH 15 YEARS OF ARMS CONTROL

### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. FASCELL. Mr. Speaker, in view of President Reagan's apparent decision to end U.S. adherence to the SALT agreements when the 131st bomber equipped with air-launched cruise missiles reaches deployment in late fall, I would like to inform our colleagues of an upcoming Foreign Affairs Committee hearing on "Continued Adherence to SALT." The hearing is scheduled for Thursday, June 12, 1986, at 10 a.m., in room 2172 Rayburn. We will hear testimony from administration witnesses as well as Gerard Smith, former ACDA Director and SALT I negotiator and Paul Warnke, former ACDA Director and SALT II negotiator.

In preparation for this hearing and in an effort to examine the implications of abandoning our adherence to the SALT agreements, I would like to direct the attention of our colleagues to an op-ed piece written by Robert McNamara that appeared in the New York Times of June 8, 1986.

Former Secretary of Defense in the Kennedy and Johnson administrations, McNamara explains that without the SALT limits—the only existing agreed constraints on strategic weapons—"we will face the dangers of a totally unrestricted nuclear arms race." McNamara agrees that the issue of Soviet noncompliance with SALT II is an important one, but that none of the alleged violations are of major military significance. What is the sense, then, in abandoning the entire treaty, when its major provisions are being adhered to by the Soviet Union and the alleged violations are not significant in the minds of most arms control experts? Secretary McNamara provides a very apt analogy:

Responding to Soviet violations by scrapping SALT is tantamount to reacting to an increase in the crime rate by abolishing the criminal code.

If President Reagan implements his decision to abandon SALT, there not only will be no restraints on the forces of either superpower, but the prospects for a United States-Soviet arms control agreement with further reductions would be unnecessarily diminished.

The op-ed piece follows:

#### FIFTEEN YEARS OF ARMS CONTROL DEMOLISHED

(By Robert S. McMamara)

WASHINGTON.—President Reagan's decision to abandon the second strategic arms limitation accord will, unless reversed, severely harm United States security interests. At present, the SALT limits are the only existing agreed constraints on strategic weapons. Without them, we will face the dangers of a totally unrestricted nuclear arms race.

The SALT II agreement prohibits the Russians from increasing their total number of strategic missiles and bombers. The accord also includes a limit on land-based missiles equipped with multiple warheads—the weapons most feared by the Pentagon. Since the Russians are within two missiles of reaching that limit, keeping the agreement would force them to remove older missiles and dismantle their silos as the new mobile SS-24 missile enters the field. Moscow has already removed from operation or dismantled more than 1,300 missile launchers, 45 bombers and 21 submarines to stay within the SALT limits.

If President Reagan's decision is implemented, those limits will be swept aside. The entire structure of strategic arms control, carefully laid over a period of 15 years by four Presidents—Lyndon B. Johnson, Richard Nixon, Gerald R. Ford and Jimmy Carter—will be destroyed.

Why did those Presidents negotiate on strategic arms? Not because they trusted the Russians. Not to do the Kremlin a favor. They pursued SALT for only one reason—because they believed it to be in the security interests of the United States. They were joined in that belief by their Secretaries of Defense and the Joint Chiefs of Staff. Arms control is the only means we have for containing the Soviet nuclear arsenal. Without SALT, our fears of a Soviet first-strike potential will rise, heightening the danger of nuclear war in times of crisis.

The President's repudiation of "the SALT structure" becomes more ominous when one recalls that SALT includes not only the 1972 and 1979 agreements on offensive forces but also the 1972 Anti-Ballistic Missile Treaty. Secretary of Defense Caspar W. Weinberger has never supported the ABM treaty. He now says that remaining in compliance with it, if it blocks progress on the development of the "Star Wars" anti-missile systems, "is something obviously we would be very much opposed to."

SALT was an American initiative. In November 1966, President Johnson and I first proposed to the Russians that we begin working toward limits on strategic forces. We spent a long day at Glassboro, N.J., in 1967 trying to persuade Premier Aleksei N. Kosygin that development of anti-missile weapons would fuel the arms race and increase the danger of war. Five years later, in 1972, President Nixon was successful in obtaining Soviet agreement to both the ABM accord and the interim agreement on offensive forces. Now the United States is telling Moscow that it has changed its mind. The stage is set for an all-out competition in both offensive and defensive strategic weapons.

Some in Washington perceive President Reagan's decision as yet another negotiating ploy designed to increase American leverage at Geneva. Others see it as an effort to placate hardliners in the Pentagon without completely withdrawing from the SALT agreements.



But the Soviet Union, not unexpectedly, appears to be taking the President at his word. Soviet military leaders will plan for the worst, just as Pentagon military planners would advise President Reagan to do if we were faced with Soviet renunciation of SALT. The President's decision will strengthen the hand of Soviet hardliners who believe that the United States is seeking strategic superiority. Those hardliners will insist that the Soviet Union cannot wait for the President to come around—and that Moscow must begin planning today for a huge expansion of weaponry in order to compete in the world without arms control.

The Congressional Research Service estimates that without SALT each side could more than double its strategic nuclear weapons by 1992. Some Administration spokesmen now cast doubt on such scenarios; they argue that each side can show restraint without the SALT limits. But given the current high level of mistrust between the superpowers, it is far more likely that each country, guided by worst-case assumptions about enemy intentions and capabilities, will substantially expand its forces.

The demise of SALT will also, very likely, undermine the Geneva arms talks. If we are to negotiate deep reductions in arsenals—a laudable goal affirmed by the President and Mikhail S. Gorbachev at last year's summit meeting—we need an agreed upon base line from which to reduce. The SALT limits provide such a baseline; an unrestricted arms race would not.

To justify its decision, the Administration charges that Moscow has violated the SALT accords. The issue of treaty violations is a complicated one. Both we and the Russians have accused the other of such actions. At least some of the Administration's claims appear to be justified. But none of the alleged violations are of major military significance. The correct response should be the one taken by the four previous Presidents—making full use of established diplomatic channels to resolve disputes with Moscow. Responding to Soviet violations by scrapping SALT is tantamount to reacting to an increase in the crime rate by abolishing the criminal code.

Between them, the United States and the Soviet Union already have some 50,000 nuclear warheads, including 22,000 strategic weapons. If President Reagan implements his decision to abandon SALT, the superpowers will intensify an arms race that is far worse than anyone would have dared to predict at the dawn of the atomic age. Why should we risk such a course when we can keep the lid on the competition, while seeking the substantial reductions both sides have proposed?

#### HAND IN HAND: LINKING GENERATIONS IN THE BLACK COMMUNITY

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. DOWNEY of New York. Mr. Speaker, I would like to call the attention of my colleagues to the 16th Annual Conference of the National Caucus and Center on Black Aged, which is being held this weekend in Washington. The theme of the conference is "Hand in Hand: Linking Generations in the Black Community."

As a member of the House Committee on the Budget and the Select Committee on Aging, I have been aware of the important work of NCBA for some years. This organization, which was established in 1970, has worked hard to defend the interests of elderly black people throughout the Nation. During the past 6 years, we have all seen what happens when programs that benefit the poor and the elderly are sharply reduced.

NCBA has not only acted as an effective advocate of the black elderly, but it has also been deeply involved in providing services and establishing programs at the local level. Through subsidiary organizations it has administered Federal and State grants for housing, transportation, employment training and technical assistance services. It has also successfully solicited grants from foundations, labor unions, and businesses.

I have fought to protect these programs and I am glad to know that there are organizations such as NCBA which are actively working to provide supplementary programs which help to patch up the holes in the ever shrinking safety net.

During this weekend's conference, participants will explore the ways in which the black community can channel its own resources to address the problems and challenges faced by elderly black people in the coming years.

In addition, Mr. Speaker, NCBA will hold a public hearing to examine the impact of hospital discharge regulations on the poor and elderly. As a member of the Ways and Means Committee, which has legislative responsibility for the Medicare Program, I have been acutely aware of the difficulties that the new prospective payment and DRG system in Medicare poses for health care providers and patients alike. I commend NCBA for exploring this issue and I look forward to learning the results of the hearing.

Finally, Mr. Speaker, the conference will honor 15 outstanding senior citizens at its Living Legacy Awards Banquet. NCBA polled more than 2,000 organizations and social service agencies which serve senior citizens to choose the 15 recipients. Among those receiving the Living Legacy Award are our colleague, the Honorable GEORGE CROCKETT of Detroit, and Dr. Kenneth B. Clark, from my own State of New York.

The National Caucus and Center on Black Aged is to be congratulated for their 16 years of work and for putting together such a stimulating conference.

#### THE NINTH PILLAR OF SOUND MONEY

**HON. WILLIAM E. DANNEMEYER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. DANNEMEYER. Mr. Speaker, the ninth pillar of sound money and credit is centered on debt. Some debt is not only acceptable, it can be helpful if not essential in facilitating capital acquisition. Unfortunately, we seem to have lost the capability of divining where good debt ends and bad debt begins. We are now in a stage of debt overload which threatens to

capsize the economic ship of state. This, the ninth in a series on sound money, analyzes the problem.

#### THE NINTH PILLAR OF SOUND MONEY AND CREDIT: THE PRINCIPLE OF PRODUCTIVITY OF DEBT

(By Antal E. Fekete)

A VENETIAN TALE

Once upon a time a poor gondolier of Venice who, having done a favor to the gnomes of the Piazza, was given a magic pepper-mill that would grind out anything at a word. The gondolier, a modest man, used it only to keep flour and sugar in supply. But his brother, a wealthy salt-merchant, upon learning of the mill, cajoled its secret word from the gondolier, stole the mill by night, and set out to sea for the markets in the Levant.

Eager to try his prize and fill his sacks he uttered the words, and the mill began to grind out salt. The vessel's holds were soon filled and salt began to cover the deck. The merchant now tried to stop the mill, but alas, he had forgotten to learn the other secret word. The ship began to settle, and finally sank, carrying with it the avaricious merchant along with the mill, where it still rests, at the bottom of the sea, grinding out salt.

And that, the tale concludes, is the reason why the sea is salty.

DEBT MILL ON THE POTOMAC

Most observers worry about the inordinate growth of the money supply. But the growth of the money supply is merely a symptom, concealing a far more serious condition: the uncontrollable growth of dollar-denominated debt. The magic mill of the Venetian gondolier has been commandeered by the masters of the Federal Reserve System. They uttered the word, and enjoyed the sight of the uninhibited outpourings of cheap credit. But the obverse of credit is debt, and the mill on the Potomac River started flooding the country with bad debt that can never be repaid. The new masters of the mill would like to stop it, but alas, they have forgotten to learn the other word. The nation's economy, overburdened with bad debt, has started sinking.

IN PRAISE OF DEBT

Debt is not bad per se. Debt embodies the symbiosis between the three progressive classes of people in the economy: the savers, the producers, and the inventors. Debt is the instrument facilitating the exchange of the wealth of the savers for income. Debt is the instrument facilitating the acquisition of state-of-the-art technology by the producers, in order that they may get the highest output per input of labor and capital for the benefits of everybody. Debt is the instrument facilitating the exchange of the future wealth of inventors for present income in support of research and development. Debt alone can make possible the extension of division of labor to generations that are far removed in time. Debt alone makes the emancipation of savings possible: saving is no longer anti-social as it was when the saving of a gold coin perforce meant a contraction of demand, prices, and output. Through debt as catalyst, saving is more beneficial than spending: the present wealth and income of savers find their way to the producers and inventors, and to the socially most beneficial applications.

THE DANGER OF A DEBT MELTDOWN

Debt, however, is not without its dangers. It is not unlike nuclear energy. It can be

enormously beneficial if properly harnessed and constrained—but it can also be equally destructive if the harness and constraint are removed. Bad debt is like fissionable matter. It can keep accumulating unobtrusively and without any apparent bad effects up to a point. But once this critical point is reached, a meltdown occurs. Proper safeguards in debt creation are therefore imperative.

The distinction between good and bad debt is not subjective or arbitrary. The quality of debt can be gauged by its productivity. This is the ratio of the net gain in GNP (gross national product) to the gain in debt. (The net gain in GNP is the excess of additional GNP over additional debt.) If this ratio is positive, then the new debt can be serviced out of current income, and the greater the ratio, the higher is the quality of debt. If the productivity of debt is allowed to decline significantly or, worse still, to become negative, then the debt can no longer be serviced out of income, and new debts have to be incurred to meet the maturing debt. The negative ratio is a clear signal that bad debt is now breeding more bad debt. A feed-back is in effect, short-circuiting the economic process. The debt-tower is growing out of control, and in due course it will self-destruct.

#### DEBT ACCUMULATION VERSUS CAPITAL ACCUMULATION

The Principle of Productivity of Debt asserts that the ratio of net gain in GNP to the gain in debt must never be allowed to become negative. If this principle is observed, then debt is properly harnessed and constrained, and is socially beneficial. It makes a positive contribution to economic growth and public welfare.

We have long since passed the point when debt had a positive productivity in this country. Before 1960 it took less than one dollar of new debt to produce \$1 gain in GNP. But in the 1960's, on average, it took \$2, in the 1970's it took \$3, and in the 1980's so far it took \$3.50 of new debt to produce the same \$1 gain in GNP. The growth of bad debt is accelerating.

It should be clear that this trend cannot continue indefinitely. The new debt has no economic justification. It does not produce the income to amortize it, let alone a spendable income. Sooner or later the fantastic debt tower will topple, and bury the economy that prefers debt accumulation to capital accumulation.

#### WE OWE IT TO OURSELVES

There are those economists who maintain that the public debt is just the other side of public investment and therefore its growth, far from alarming, is actually beneficial. We need not lose any sleep over the problem of repaying it. The public debt need never be repaid. "We owe it to ourselves", they say, pointing out that if a family goes bankrupt, it is never on account of internal family debts, but on account of debt owing to outsiders.

There has never been a more vicious misrepresentation of economic fact. The public debt is being serviced at the expense of the taxpayers, and if it will never be retired, then taxation can only grow worse. Moreover, the creditworthiness of the government can suddenly evaporate, if creditors lose all faith in the ability of the government to consolidate and eventually to retire the public debt.

Debt in this country is presently increasing at the annual rate of 14%. Most of this inordinate increase can be accounted for by the high rate of interest, far in excess of the

productivity of labor and capital. Interest payable on the debt must be created out of nothing, to keep the game of musical chairs moving. But the merry-go-round must stop sooner or later. The solution to the problem of debt is to bring down the rate of interest at once to the level of the productivity of labor and capital in this country. That part of the debt that can be serviced at the lower interest rate will be consolidated; the rest must be written off. Then creditors in the future will think twice before they lend to the government and businesses which bank on new credits to meet interest payments on old debts.

#### CONFIDENCE IN TECHNOLOGY

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, June 11, 1986 into the CONGRESSIONAL RECORD:

#### CONFIDENCE IN TECHNOLOGY

A series of tragic mishaps has shaken America's faith in its technology. The explosion of the space shuttle, the failure of the Titan and Delta rockets, several airplane crashes, and even the meltdown at the Chernobyl nuclear plant have raised serious questions about our ability to manage today's extremely complex systems. The importance of technology in America's past is clear. We have been the "republic of technology", as advances in farming, manufacturing, and information technology have fueled our progress. Technology is firmly entrenched in the American dream, creating new wealth and opportunities. Yet the recent spectacular failures have raised questions about the technology our modern society so often takes for granted.

Americans traditionally have exhibited an enormous confidence in science and technology. By an overwhelming margin they have believed they have done more good than harm and contributed to much of the prosperity of recent decades. A 1985 poll found that the public's confidence in the scientific community is significantly higher than its confidence in educators, corporate heads, the media, and the military. Only the medical community receives higher marks, and even that gap has narrowed. Yet Americans' confidence in the use of science has been weakened, and the recent mishaps have led many to wonder whether our faith in technology is misplaced.

Frustrated though we may be by the recent failures, most of us would agree that we should not retreat from science and abandon technology. We need to remind ourselves of the contributions science and technology have made to our society. People today live safer, healthier, and longer than in decades and centuries past. Tragic as the recent setbacks have been, they must be kept in perspective. Technology failures today are no bigger than they have been over the years. More than 1500 people perished on the "unsinkable" Titanic, and thousands died in the 1800s from early surgical techniques. If technology seems to go wrong more often today, it is because there is more of it around and its failures are more widely reported. Airplane accidents have been happening with disturbing frequency, yet there are far fewer crashes per

mile than in previous decades. We must not exaggerate the portent of spectacular failures in a world that accepts tens of thousands of deaths every year from automobile accidents or from smoking. Past failures of technology have led to periods of reflection and re-examination, but have generally led to greater commitment and improvements in the technology.

As we reassess our national policies regarding the adoption of sophisticated technology, several lessons can be learned from the recent failures. First, we must be more skeptical of the claims, from whatever source, that mistakes cannot happen. Today's technologies are not risk-free. We must greet with some skepticism flat assertions, for example, that releasing into the environment man-made organisms created through biotechnology is safe, or that the deep underground storage of radioactive nuclear waste is safe. We must keep in mind the testimony by experts only a decade ago that an accident severe enough to damage a nuclear reactor's core was likely to occur only once in 20,000 years.

Second, we must recognize that many of the recent mishaps were not failures of the technology but of the bureaucracy to manage the technology. The Challenger inquiry revealed that there were serious worries by scientists about the booster's seals, yet NASA undervalued dissent and was complacent. Modern technology is no better than the bureaucracy supporting it. We must improve channels of dissent and strengthen our federal oversight mechanisms. We must also make sure that we do not lose the best of our federal scientists and watchdogs through funding cutbacks or insufficient rewards for high performance.

Third, we must accept that when we adopt very complex technologies things will go wrong. The space shuttle worked well for several trips even though each successful flight required thousands of complicated systems to work perfectly. We cannot always expect that perfection. Accidents will happen. We need to think hard about the direction we are taking with various technologies. Does, for example, the current design of our fighter planes seek high technology at the expense of reliability? How much could we rely on the Strategic Defense Initiative, which cannot be fully tested and involves technology much more complex than anything in existence today?

Fourth, we must insist on a free and open presentation of the risks and trade-offs involved in the march of technology. U.S. nuclear power plants are generally less susceptible to the kind of problems experienced at Chernobyl in large part because of the open discussion of plant accidents and the airing of demands for precautions like containment domes. Public and media access to information on the risks and difficulties involved is essential, and so is the protection of whistle-blowers within the oversight agencies. Technology presents trade-offs as well as risks. Machines can almost always be made safer, but at some point the extra safety makes the machine useless. A car that goes only 5 miles per hour could be perfectly safe but perfectly useless.

Finally, we non-scientists must try to understand better the revolutions in science and technology and their impact. Recent polls have shown a widespread scientific illiteracy in the United States, and a lack of understanding of public policy issues involving science and technology. The complex technology systems of the modern world are far beyond the layman's ordinary under-



standing, often leading to unrealistic expectations. Members of Congress are being called on to legislate on scientific and technological matters to a degree unimagined only a few years ago. Congress must continue to improve its capacity for dealing with the explosion of new technology now occurring. We also need to do a better job of explaining to our constituents public policy issues involving sophisticated technologies.

Technology will continue as a central force in American life, but if we temper our pride in it with a little humility it will serve us better.

**SISTERS OF ST. JOSEPH OF  
CHESTNUT HILL, PA**

**HON. FRANK J. GUARINI**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 11, 1986*

Mr. GUARINI. Mr. Speaker, on Saturday evening, June 14, 1986, the alumnae and friends of Holy Family Academy in Bayonne are honoring the commitment of the Sisters of St. Joseph to the community during the occasion of Holy Family Academy's 60th anniversary.

For more than 100 years, the Sisters of St. Joseph of Chestnut Hill have enriched the lives of those with whom they have come in contact in the Bayonne and Jersey City communities. Their intellectual and spiritual example has touched the lives of the young and the old, the rich and the poor. Since their original teaching assignment at St. Mary's grammar school at Our Lady Star of the Sea Parish in Bayonne, in 1886, their work has taken them into elementary and secondary schools, hospitals, homes for the aged, shelters for the poor and religious education programs.

It was in 1925 that Mother Marcelline, then principal at St. Mary's Grammar School, foresaw a great need to build a Catholic high school in Bayonne. Despite seemingly insurmountable obstacles, Mother Marcelline, together with Sisters Pierre Julian, Marie Virginia, Madeleine de Lourdes and Mary Thomas, opened the doors of Holy Family Academy for the first time in September 1925, in the former Clark family residence at 115 West 8th Street.

From that moment on, the history of Holy Family Academy and the history of the Sisters of St. Joseph, in Bayonne, would be forever intertwined. A summation of this event is recorded in the annals of the Sisters of St. Joseph as follows:

When Holy Family Academy in Bayonne, New Jersey, was founded in 1925, the original purposes was to relieve crowded conditions in St. Mary's Parochial School . . . a four-year academic course was offered with some commercial subjects as electives; thus Holy Family Academy became the first Catholic secondary school in Bayonne.

Today, Holy Family Academy stands as the only private, Catholic, college-preparatory school exclusively for young women in Bayonne. In 1949, the academy was forced, reluctantly, to restrict its enrollment to young women because of its burgeoning enrollment and lack of classroom space. Holy Family, however, is proud of the traditions and accom-

plishments of its graduates, both male and female.

It has educated men and women who have entered a variety of careers and professions. Graduates include corporate executives, medical doctors, lawyers, judges, mayors, Senators, State officials, bank presidents and vice presidents, scientists, chemists, editors, publishers, administrators and more. Most important of all, Holy Family Academy and the Sisters of St. Joseph are proud of the fact that its graduates are men and women of fine character, irrespective of their role in life. They are also proud to be able to maintain the true perspective of Catholic education: to send forth graduates who are good mathematicians and good persons, good scientists and good Christians, good humanists and good Catholics.

Although in today's terminology the Sisters of St. Joseph's work can be classified as a form of social services, when their order was founded in France in 1650 the sisters considered their work as simply the practice of Christian charity. Indeed, Christian charity is at the very heart and soul of the Sisters of St. Joseph. Their aim has been, from the beginning, "to turn their hand to any good work that was needed."

And needed they have been. In 1836, Bishop Joseph Rosati, the first bishop of St. Louis, requested Mother St. John Fortbonne, superior of the Sisters of St. Joseph in Le Puy, France, to send sisters to work in the schools of Missouri. Eight sisters were chosen for this missionary enterprise. One of these sisters, then a pupil, was destined to become Mother St. John Fournier, the first superior-general of the Sisters of St. Joseph of Chestnut Hill, PA.

The United States was just at the beginning of a period of extraordinary national growth and expansion when Mother St. John Fournier was called to establish the motherhouse of the Sisters of St. Joseph of Chestnut Hill in 1847. She and her small group of young sisters dedicated themselves to the work at hand and set about caring for orphans, teaching the children of emigrants, teaching the deaf and caring for the sick in hospitals.

When the Civil War broke out in 1861, it was the Sisters of St. Joseph who were called into the battlefields to nurse the sick and wounded. It was during this same time period that the Sisters of St. Joseph of Chestnut Hill were simultaneously laying the groundwork for every major type of social service that they would become identified with in the future.

Education became the focal point of the sisters' work, as the needs of the times called for parochial education to counteract the bigotry and chaos of the mid-19th century.

In 1871, Mother St. John Fournier formally committed the community to a teaching career which would culminate eventually in the opening of Chestnut Hill College in September 1924. Today, the Sisters of St. Joseph of Chestnut Hill, PA, own and operate one college, three high school-level academies, two elementary academies and two preschool centers. In addition, the Sisters of St. Joseph of Chestnut Hill provide service in the Eastern United States to six colleges and universities, 43 high schools, 148 elementary schools, four special education schools, two deaf education

schools, 27 social service agencies, 27 health care agencies, and 212 parish ministries which convents in 6 States and the District of Columbia.

Most remarkable of all is that, besides the tangible and physical growth of the Sisters of St. Joseph, they have managed to preserve, to this day, the great spirit of the pioneer sisters of the early 1800's.

This same pioneer spirit that earlier led the Sisters of St. Joseph of Chestnut Hill to serve the needs of the people of Philadelphia continues today to inspire them to serve a diverse population in a variety of geographic locations.

Hand in hand, with all the good people of God, the Sisters of St. Joseph strives to remain true to Christ's gospel and honor His invitation to serve in a capacity that will create unity for all of humankind.

For the Sisters of St. Joseph, the familiar quote, "Hope sees the invisible, feels the intangible, and achieves the impossible" seems very apt. It is that very same philosophy which embodies the very spirit and meaning of their commitment.

I am deeply indebted to Loreeta Gallagher Harris, director of development of Holy Family Academy, for providing the assistance which has resulted in this tribute.

I am sure that all Members of the House of Representatives here present will join in this salute to this fine institution which has been an outstanding example of excellence in education for the past 60 years.

**A JOB WELL DONE**

**HON. MARY ROSE OAKAR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 11, 1986*

Ms. OAKAR. Mr. Speaker, on January 3, 1985, I introduced a joint resolution that would establish a memorial in honor of the thousands of women who have served in or with the armed services of our Nation. Subsequently, on November 6, 1985, House Joint Resolution 36 passed unanimously in the House of Representatives. During that time, I had the distinguished honor to meet Col. Sandra Perry, Director of Plans, Policy and Programming for the Assistant Chief of Staff, Systems, Communications and Computers, Headquarters, U.S. Air Force in Washington, DC.

Today, Mr. Speaker, I would like to pay special tribute to Colonel Perry, who is now retiring after serving more than 25 years in the Air Force. I would like to share with you, my colleagues, some interesting highlights in Col. Sandra Perry's outstanding career.

Colonel Perry was born August 28, 1937, in Atherdale, WV. After graduating from high school in 1955, she majored in mathematics at the University of Buffalo, Buffalo, NY, earning a bachelor of arts degree. She attended the University of Southern California and graduated with a master of science degree in systems management in 1970. She is a 1978 graduate of the Industrial College of the Air Forces [ICAF], Ft. McNair, Washington, DC.

She entered the Air Force in November 1959, a member of the first class of Officer

Training School, Lackland Air Force Base, TX, and was commissioned as a second lieutenant on February 9, 1960. Her initial assignment was as a programmer analyst at Headquarters, Air Force Logistics Command, Wright Patterson Air Force Base, OH.

In October, 1962, Colonel Perry transferred to her first Washington, DC assignment as a programmer analyst, developing and maintaining simulation models for the Air Battle Analysis Center, Deputy Chief of Staff, Plans and Operations, Headquarters, U.S. Air Force. In 1967, she moved to her first joint tour with the Commander in Chief, Pacific command [CINCPAC] at the Kuniwa Installation, Oahu, HI, serving as the programmer analyst for CINCPAC's role in the single integrated operations plan. In 1970, she was transferred to the Washington DC area as a senior analyst on the Assistant Chief of Staff, Studies and Analysis Staff, Headquarters, U.S. Air Force. Transferring to the Space and Missile Systems Organization, Los Angeles, Air Force Station, CA. In 1974, she was the Program Director of the Attack Assessment Program and several other related space efforts.

After her ICAF tour in 1978, she became the Director of Data Systems Division, Headquarters, Air Training Command, Randolph Air Force Base, TX. Selected for colonel, she moved to become the Director of Personnel Data Systems Development, Manpower and Personnel Center, Randolph Air Force Base, TX, in 1980.

Her second joint tour began in 1981 as the Director of the Automated Services Division at the White House Communications Agency, Washington, DC. In 1983, she became the last automation data processing single manager of the Air Force Systems Command, Andrews Air Force Base, MD. In March, 1984, she moved to her present position. She was promoted to colonel October 1, 1980, with a date of rank of August 27, 1980.

The colonel's military decorations include the Defense Meritorious Service Medal, the Air Force Meritorious Service Medal with 2 oak leaf clusters, the Joint Commendation Medal and the Air Force Commendation Medal.

Congratulations, Col. Sandra Perry upon your retirement and thank you for a job well done.

IN MEMORY, JANUARY 28, 1986

### HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. SCHULZE. Mr. Speaker, on January 29, 1986, the day following the devastating *Challenger* space shuttle explosion that killed all seven crew members, the students of East High School in West Chester, PA, wrote condolences to the mourning families and friends of the crew members through the genre of poetry. The following five poems are a selection from the 45 poems submitted to me by English teacher, Dr. Rosemary Powers, for publication in the CONGRESSIONAL RECORD, I am deeply moved by the student's heartfelt feelings of sorrow for and pride in the space

shuttle's crew and I am honored to present these works to the public for all to share.

America is feeling so much sorrow and anguish.

The pride and bravery of those seven crew members is infinite.

People like them have helped America grow. People like them have made America what it is today.

People like Gregory Jarvis, Christa McAuliffe, Ronald McNair, Ellison Onizuka, Judith Resnik, Francis Scobee, Michael Smith.

Are so concerned with the benefit of others That they are willing to risk their lives.

If there was one thing all of us could Say or do to ease the pain, we would do so

Without any second thoughts.

Hopefully, knowing how much

We all care, will help.

Our deepest sympathy goes out

To you, their loved ones.

MICHELLE ZUCCARELLO.

January 28, 1986 was to be a great day for America.

Another launching of the shuttle

Was about to take place.

Seven Americans were ready to venture out Into the unknown—space.

People cheered as the crew

Boarded the shuttle that would take

Them beyond the clouds.

The lift-off was beautiful,

Such a magnificent and awesome sight—

Until the tragedy struck.

The sky filled with smoke and debris,

As tears rolled down thousands of faces.

America will always remember that day

And what those people did for us.

We will continue to pursue their dreams.

STACY DIMEDIO.

Cry not, for they live on

Exploring the heavens above;

Not working for the hawk,

But living for the dove.

DOUGLAS M. WALKER.

#### THE JOURNEY

Aerodynamic bird of grace,

Waiting to launch across time and space.

Aqua sky, the phoenix rises in the air;

Seven who lived, knowing no worry or care.

Up to the place where ancient gods roam,

Through the barrier, making clouds of

foam,

Knowing not the danger, in it their lives

Journey bound: heaven, going above the

skies.

The phoenix rises its fiery wings;

Helpless we watch as the cobra stings.

Burning across the sky with debris and

flashes,

The phoenix will reborn, rising up from the

ashes.

DAMON OLIVER.

It is not enough for us to dream about the future,

We must reach out for it

And turn dreams into reality.

We call it progress.

The environment of progress includes both

Triumph and tragedy.

Those on the leading edge experience both.

Whether one lives in triumph or dies in

tragedy

The effect on other lives is enormous:

We all feel both the high and the lows,

And we become better because of it.

Triumphs and tragedies occur for a purpose:

The triumphs give us new highs to reach for;

The tragedies strengthen our resolve to Reach for them.

We must strive on toward the future

And show that our friends did not die in

tragedy

Without reason,

But that they lived in triumph for a purpose \* \* \*

They live to lead.

BRAD GORHAM.

### CANTOR AND MRS. AVSHALOM KATZ HONORED

#### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. WAXMAN. Mr. Speaker, I am proud to bring to your attention and the attention of our colleagues the community involvement and professional excellence demonstrated by two very special residents of the city of Los Angeles, Cantor and Mrs. Avshalom Katz.

Cantor Avshalom Katz, a native of Argentina, has brought music to the Los Angeles Orthodox Jewish Community in more ways than one. Fully aware that the future of Orthodox Judaism depends upon instilling in children a love for their faith, Cantor Katz has organized the youth of Congregation Sha'arei Tefila and made them an integral part of synagogue life. He also teaches and leads children by serving the Hillel Hebrew Academy and Yavneh Hebrew Academy in the capacity of music and cultural director. All this work comes like frosting on a cake to those like Rabbi Jack Simcha Cohen and Congregation President Allan Goldstein who know well the beautiful voice of Cantor Katz, a voice that comforts and inspires many who come regularly to pray in the synagogue. Thanks to his recently produced album, "K'Shoshanah: Avshalom Katz," in his own style, thousands more throughout the world now have the opportunity to listen to the Cantor's lovely renditions of both new and classical pieces.

Sharon Katz, the Cantor's wife of 7 years, has earned the respect and admiration of the community in her own right. From her early involvement in the National Council of Young Israel to her 2 years of participation in kibbutzim in Israel to her current position as administration assistant at the Yavneh Hebrew Academy, Mrs. Katz has shown a consistent dedication to community activity. Before moving to Los Angeles, she served as administration assistant at the United Jewish Appeal-Federation and the Jewish National Fund in New York.

With all their commitment to community life, Cantor and Mrs. Katz have not neglected to rear a family besides. Their four children—Shlomo, Eitan, Tali, and Michal—already show their eagerness to follow their parents in the traditions of a Jewish life which is both pious and joyful.

On June 24, 1986, Congregation Sha'arei Tefila will hold its 52d annual banquet at the Beverly Hilton Hotel. Cantor Avshalom and Sharon Katz have been chosen as the guests of honor at that occasion. I ask my fellow



Members of the House of Representatives to join me in a hearty salute to this outstanding young couple.

THE HUNGER RELIEF ACT OF  
1986

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. PANETTA. Mr. Speaker, I rise to announce the introduction of the Hunger Relief Act of 1986. This bill is cosponsored by 52 of my colleagues in the House.

I am submitting the bill, explanatory material, and a list of the 41 national religious and philanthropic organizations which have endorsed the bill to be included in the CONGRESSIONAL RECORD at the conclusion of these remarks.

The Hunger Relief Act of 1986 is a 12-point proposal to address the serious problem of hunger that remains in our society. This proposal does not establish new Federal programs. Instead, this proposal strengthens the network of services already in place.

The Hunger Relief Act of 1986 will make a meaningful contribution toward the elimination of hunger within the severe budgetary constraints which we now face. For that reason the cost for next year is kept at \$1 billion.

The bill strengthens the network of services already available through the major nutrition assistance programs—food stamps, school breakfast and lunches, child care food programs, and elderly nutrition. In addition, the bill strengthens the nutrition education programs and also creates a national nutrition monitoring system.

The original bill was introduced on May 21, 1986, by the senior Senator from Massachusetts and myself. This bill is a revision of the original bill to include the nutrition monitoring provisions approved by the Committee on Agriculture on June 5, 1986, and some minor technical changes.

A joint hearing on this bill is scheduled for June 25, 1986. Participating in this hearing will be the House subcommittees with jurisdiction over the bill: The Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition of the Committee on Agriculture, the Subcommittees on Elementary and Secondary Education and Human Resources of the Committee on Education and Labor and the Subcommittee on Science, Research, and Technology of the Committee on Science and Technology. Also participating in the hearing will be the Select Committee on Hunger whose field hearings on the hunger issue over the last several years have made us aware of the reality of the problem of hunger across America.

It is our intention that this hearing not be the classic Washington set-piece in which national organizations testify in favor of the bill, and administration witnesses defend the President's budget. For nutrition programs, this would guarantee a contentious hearing because the President's request would reduce nutrition programs below the CBO baseline by as much as the Hunger Relief Act of 1986 would increase them. Instead, we are seeking

witnesses from across our Nation—both participants in nutrition programs as well as local program directors who will give first-hand testimony why the program improvements included in the Hunger Relief Act of 1986 are needed.

We are not proposing new programs but we do try to make existing programs more meaningful and effective. We must do this because despite our efforts over the past two decades, there is still hunger in America. The question is no longer whether there is hunger in America but why is there hunger, and what can be done about it.

Why is there still hunger in America? Why does hunger exist in a land of overwhelming agricultural bounty, with the storage of surpluses costing over \$1 million a day? Why does hunger exist when our Department of Agriculture must store 600 million pounds of surplus cheese? Why does hunger exist in a nation which has forged a network of food assistance programs designed to assure every man, woman, and child a nutritious diet? Why does hunger exist in a country renowned for its charity and compassion and good will in helping the needy both here and abroad? Why hunger in America?

It is here. Its existence has been substantiated by countless studies—from the hearings of the Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition, which I have the honor to chair, Senate hearings, the Select Committee on Hunger, the GAO, the Governors' Conference, the Mayors' Conference, even the President's own Task Force on Hunger. The evidence is there. The consequences are frightening.

Increases in nutrition-related health problems in children; the existence of severe undernutrition usually found in Third World countries.

Doubling and tripling of those resorting to soup kitchens and food pantries—one food pantry in Detroit, Focus: HOPE, has some 16,000 senior citizens waiting to get benefits.

Increasing anemia among young children, and the list goes on and on and on.

Why is there hunger in America? The causes are complex. Part of the cause of hunger is the legacy of the recession—families left behind with no jobs. Part of the cause is lack of access—nearly 14 million or 41 percent of those eligible for food stamps on the basis of income alone do not receive this needed nutrition assistance. Part of it is lack of funds—more than 7 million women and infants eligible for WIC do not receive this crucial nutrition assistance. More than 3 million poor children do not get breakfast. Part of the cause is related to the trap of poverty itself—in 1984, the most recent year for which poverty statistics are available, the poverty rate was higher than any year since 1966, excluding the poverty surge during the 1982-83 recession. Currently in America, one of every four children lives below the poverty line.

Why should we be concerned about hunger in America? After all, that's another side of America that most do not see, do not touch, do not know. But we are a compassionate people—and we should care for our fellow human beings—that is inherent in our moral fiber. Thank God for the charities, the churches, the Salvation Army, the private sector that

cares about this problem and tries to provide help. But surely hunger is not just a private sector problem. Hunger eats away at the very fabric of our society. And we pay a huge human and financial cost for hunger. Hunger is not cheap. The low-weight infant or the child born with a birth defect becomes both tomorrow's human and financial cost to society. The elderly couple forced into a nursing home becomes a cost. The child too hungry to learn in school becomes a cost. We pay a high price for hunger in America. And the price is our future.

It's for all of these reasons that it must be attacked—on a broad scale by the private and public sector. The Hunger Relief Acts of the past few years tried to address this problem. The reforms in the farm bill tried to help meet the need. But more is needed.

The Hunger Relief Act of 1986 will make a meaningful addition to our arsenal aimed at eliminating hunger in America.

Hands Across America demonstrated that we are indeed a compassionate society that is unwilling to tolerate hunger. One event can focus on the promise of America to end hunger. But it takes a solid program and commitment enacted at the national level to deliver on that promise. Let us combine the spirit of Hands Across America and action on this bill into ending this national shame once and for all.

Enclosed is a summary description of the Hunger Relief Act of 1986, H.R. 4990. This is a comprehensive antihunger initiative which includes needed improvements to food stamps, child nutrition programs, WIC, nutrition education, elderly feeding, commodity distribution, and nutrition research and monitoring.

The Hunger Relief Act of 1986 is a 12-point program which has a fiscal year 1987 outlay of less than \$1 billion.

FISCAL YEAR 1987 OUTLAYS

FOOD STAMPS

1. Move toward a policy to base Food Stamp benefits on the average cost of the Department of Agriculture's Low Cost Food Plan Rather than the Thrifty Food Plan, \$400 million.

This represents a commitment to move toward a guarantee of actual rather than theoretical nutritional adequacy under the Food Stamp program. Although a skilled shopper can purchase a nutritionally adequate diet under the Thrifty Food Plan which is currently used to determine benefits, the reality is that most low-income persons do not have the nutritional knowledge to purchase a nutritionally adequate diet within the budgetary constraints of the Thrifty Food Plan. Because of budgetary constraints, the initial step would be a Fiscal Year 1987 benefit increase of 2.5 percent above the CBO baseline. Over the following three years, there would be additional increments above the baseline of 2.5 percent. At the end of four years, the Congress would reassess the appropriate level of nutritional adequacy under the Food Stamp program.

2. Raise the cap on the shelter deduction from \$147 to \$175. The cap is already scheduled to increase to \$152 in October 1986, \$75 million.

This proposal is designed to address the "heat or eat" dilemma faced by many poor families.

3. Liberalize the medical deduction for the elderly (as passed by the House last year) to set the threshold at 5% of gross income or \$35, whichever is less, \$11 million.

The proposal responds to increasing co-payments and deductions in both private medical insurance and medicare. The 5 percent threshold is the same as the level in the Federal income tax for medical deductions.

4. Asset Limits, \$42 million.

Raise asset limits to \$2,250 for non-elderly households and \$3,500 for elderly households. Raise the limit for automobile to \$5,500 as recommended by President's Task Force on Food Assistance. The cost estimate is based on half year implementation in fiscal year 1987. The Department of Agriculture would also be directed to submit a report to the Congress on the administrative feasibility and budgetary implications of making the asset test for both automobiles and other assets based on net asset value.

5. Outreach, \$1 million.

The matching funding would be restored to give States the option to inform elderly, unemployed, or disabled persons about the availability of Food Stamp benefits. This restoration would complement an excellent outreach campaign which is being conducted by the Advertising Council.

6. Child Support Payments, \$75 million.

Exempt the first \$50 a month paid in child support from counting against food stamps. This would make food stamps consistent with AFDC and would increase the incentive for a parent with children to get child support from the absent parent. The proposal can be defended as a measure to help children. Under current law, states have to pay the cost of the \$50 disregard if they elect to allow the \$50 a month exemption for food stamps.

#### CHILD NUTRITION

7. School Meals Programs, \$116 million.

Defray the increased costs of maintaining and improving the nutritional quality of school breakfasts by increasing the reimbursement rate by 5 cents for all breakfasts and by an additional 5 cents for "severe need" schools (defined by current law as schools that serve 40% or more of their meals to students whose family income is below 185% of poverty).

Increase Federal reimbursement for reduced-price lunches and breakfasts and thereby lower the maximum price that children pay for a reduced-price lunch from 40 cents to 25 cents and 30 cents to 15 cents for a reduced-price breakfast. This provision will assist the children of low income working poor families (families whose income is between \$13,645 and \$19,703). This category of participation suffered a 16.6% drop in school lunch and a 34.4% drop in school breakfast as a result of the cut in reimbursement required by the Omnibus Reconciliation Act of 1981.

8. Child Care Food Programs, \$32 million.

Increase the reimbursement rate by 5 cents for breakfasts served in both day care centers and family and group day care homes. Allow reimbursement for either one additional snack a day or meal a day in the Child Care Feeding Program.

9. WIC, \$127 million.

Increase funding for WIC over the fiscal year 1987 baseline by \$0.15 billion in budget authority in fiscal year 1987, \$0.20 billion in fiscal year 1988, and \$0.30 billion in fiscal

year 1989. This would allow participation to increase by an estimated 280,000 in fiscal year 1987, increasing to 380,000 by fiscal year 1989. The current caseload is just under 3.3 million, and the fiscal year 1987 baseline level is \$1.6 billion.

10. Elderly Nutrition and Commodity Assistance, \$99 million.

Increase the authorization levels for congregate meals, home-delivered meals, and nutrition education for the elderly. The specific authorizations levels would be as follows:

Congregate Meals—From \$395 million to \$410 million.

Home-Delivered Meals—From \$75.6 million to \$95.6 million. Currently, 225 million meals a year are served in the Congregate and Home-Delivered Meal Programs. This increase would provide an additional 10.2 million meals.

Commodities for Elderly Feeding Programs—From \$144 to \$149 million.

Temporary Emergency Food Assistance Program (TEFAP)—From \$50 to \$70 million in Fiscal Year 1987 and an increase of \$5 million in Fiscal Year 1986.

Allow the utilized caseload for which funds have been appropriated in the Commodity Supplemental Food Program (CFSP) to be used either to serve additional elderly persons at existing projects or to fund additional projects which would serve elderly persons.

11. Nutrition Education \$24 million.

Increase the authorization levels for the major nutrition education programs as follows:

Expanded Food and Nutrition Program (EFNEP)—From \$60 to \$75 million.

Community Food and Nutrition Program—An authorization level of \$5 million would be specified.

Authorize \$10 million in Fiscal Year 1987 for Nutrition Education Training in schools.

12. The National Nutrition Monitoring and Related Research Act of 1986 (H.R. 2436) as reported by the Committee on Science and Technology. This authorization is not scored by the Congressional Budget Office as having a direct cost.

#### ORGANIZATIONS SUPPORTING THE HUNGER RELIEF ACT OF 1986

Bread for the World; Interfaith Action for Economic Justice; Church Women United; United Church of Christ Office for Church in Society; Mennonite Central Committee U.S./Peach Section Washington Office; Church of the Brethren Washington Office; American Baptist Churches U.S.A.; Washington Office Presbyterian Church (U.S.A.); Friends Committee on National Legislation; Lutheran Church for Governmental Affairs.

Union of American Hebrew Congregations; Episcopal Church National Hunger Committee; Presiding Bishop's Fund for World Relief/The Episcopal Church; Unitarian Universalist Association of Congregations in North America; Catholic Charities, U.S.A.; Food Research and Action Center; National Anti-Hunger Coalition; RESULTS; National Council of Senior Citizens; American Association of Retired Persons.

Community Nutrition Institute; Coalition on Human Needs; Public Voice for Food and Health Policy; National PTA; American Federation of State, County, and Municipal Employees; The Rural Coalition; National Rural Housing Coalition; World Hunger Year; American Public Health Association; The Villers Advocacy Associates.

American Public Welfare Association; National Education Association; National

Black Child Development Institute; American Women's Political Caucus; National Farmers Union; National Council of Churches of Christ Washington Office; Children's Defense Fund; Mental Health Law Project; American School Food Service Association, Child Nutrition Programs; World Hunger Education Service; D.C. Hunger Action.

#### H.R. 4990

A bill to amend the Food Stamp Act of 1977, the Child Nutrition Act of 1966, and the National School Lunch Act to improve the availability of benefits under such Acts; to provide for a program for nutrition monitoring and research; and for other purposes.

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

#### SECTION 1. SHORT TITLE

This Act may be cited as the "Hunger Relief Act of 1986".

#### TITLE I—GENERAL FOOD AND NUTRITION PROGRAMS

#### SEC. 101. AMENDMENTS TO THE FOOD STAMP ACT OF 1977.

(a) ADJUSTMENT OF COST OF THRIFTY FOOD PLAN.—The second sentence of section 3(o) of the Food Stamp Act of 1977 (7 U.S.C. 2012(o)) is amended—

(1) by striking out "and (8) on October 1, 1985, and each October 1 thereafter", and inserting "(8) on October 1, 1985,";

(2) by inserting after "size" the last place it appears the following:

"; and (9) on October 1, 1986, and each October 1 thereafter, increase the cost of such diet by the sum of the percentage (if any) specified in the last sentence of this subsection and any increase in the cost of the thrifty food plan for the twelve months ending the preceding June 30, and round the result to the nearest lower dollar increment for each household size"; and

(3) by adding at the end thereof the following: "For purposes of clause (9), the percentage shall be 2.5 percent for the increase determined on October 1, 1986; 5 percent for the increase determined on October 1, 1987; 7.5 percent for the increase determined on October 1, 1988; and 10 percent for the increase determined on October 1, 1989."

(b) EXCLUSION OF CERTAIN CHILD SUPPORT PAYMENTS FROM INCOME.—Section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014) is amended—

(1) in subsection (d) by amending clause (13) to read as follows: "(13) any child support payments received with respect to one or more dependent children, but not in excess of \$50 per month"; and

(2) by striking out subsection (m).

(c) EXCESS SHELGER EXPENSE.—The proviso to the fourth sentence of section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)) is amended—

(1) by striking out "\$147" and inserting "\$175"; and

(2) by striking out "\$246, \$210, \$179, and \$109 a month, respectively, adjusted October 1, 1986" and inserting "\$305, \$250, \$213, and \$130 a month, respectively, adjusted October 1, 1987".

(d) DEDUCTION FOR EXCESS MEDICAL EXPENSES OF THE ELDERLY AND DISABLED.—Clause (A) of the last sentence of section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended by striking out "\$35 a month" and inserting "the lesser of \$35 a month or 5 per centum of monthly house-



hold income after any exclusions and before any deductions provided for in this section".

(e) **LIMITATION ON RESOURCES.**—Section 5(g) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)) is amended—

(1) in the first sentence by striking out "\$2,000" and all that follows through "\$3,000" and inserting "\$2,250 or, in the case of a household that consists of or includes a member who is 60 years of age or older, \$3,500"; and

(2) in the second sentence by striking out "\$4,500" and inserting "\$5,500".

(f)(1) **PUBLIC INFORMATION.**—Section 11(e)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(1)) is amended by inserting after "funds provided under this Act" the following: "except for activities, implemented at the discretion of the State agency, that provide program information (including program eligibility and benefit guidelines) to unemployed, disabled, or elderly persons who apply, or may be eligible, for participation in the program".

(2) **ADMINISTRATIVE COSTS.**—The first sentence of section 16(a) of the Food Stamp Act of 1977 (7 U.S.C. 2025(a)) is amended by striking out "and (4) fair hearings" and inserting "(4) fair hearings, and (5) activities providing program information to unemployed, disabled, or elderly persons".

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Section 18 of the Food Stamp Act of 1977 (7 U.S.C. 2027) is amended in subsection (a)(1) in the second sentence by striking out "\$13,936,000,000" and all that follows through "1990", and inserting "\$14,700,000,000 for the fiscal year ending September 30, 1987; \$15,500,000,000 for the fiscal year ending September 30, 1988; \$16,300,000,000 for the fiscal year ending September 30, 1989; and \$16,900,000,000 for the fiscal year ending September 30, 1990".

(h) **REPORTS REGARDING EVALUATION OF FINANCIAL RESOURCES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit, to the Speaker of the House of Representatives and the President pro tempore of the Senate—

(1) a report containing an evaluation of the budgetary and administrative consequences under the food stamp program that would result from calculating the value of the financial resources (including licensed vehicles) of households solely on the basis of the amount of equity such households have in such resources; and

(2) a report containing an evaluation of the rules applied under the food stamp program to calculate the business earnings and financial resources of farmers, to determine how such rules might be changed to assess more accurately the needs of farmers for assistance under such program.

**SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR EXPANDED PROGRAM OF FOOD, NUTRITION, AND CONSUMER EDUCATION.**

Section 1588(a) of the Food Security Act of 1985 (7 U.S.C. 3175e(a)) is amended—

(1) by striking out "\$6,000,000" and inserting "\$15,000,000"; and

(2) by striking out "\$8,000,000" and inserting "\$17,000,000".

**SEC. 103. FUNDS AUTHORIZED FOR COMMODITY DISTRIBUTION UNDER THE TEMPORARY EMERGENCY FOOD ASSISTANCE ACT OF 1983.**

Section 204(c)(1) of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended—

(1) by striking out "\$50,000,000 for each of the fiscal years" and inserting "\$55,000,000 for the fiscal year"; and

(2) by inserting "\$70,000,000 for the fiscal year" after "1986, and".

**TITLE II—SPECIAL FOOD AND NUTRITION PROGRAMS FOR CHILDREN, WOMEN, AND THE ELDERLY**

**SEC. 201. SCHOOL BREAKFAST PROGRAM.**

(a) **ADDITIONAL FUNDING TO IMPROVE SCHOOL BREAKFAST PROGRAM MEAL PATTERN.**—Section 4(b) of the Child Nutrition Act of 1966 is amended by inserting at the end the following paragraph:

"(3)(A) Except as provided in subparagraph (B), the Secretary shall increase by 5 cents the annual adjusted payment for each breakfast served under this Act and section 17 of the National School Lunch Act to assist States in improving the nutritional quality of such breakfasts, to the extent feasible.

"(B) The Secretary shall increase by 10 cents the annual adjusted payment for each breakfast served to a child qualifying for a free or reduced-price breakfast at schools that are in severe need."

(b) **REDUCED PRICE BREAKFAST.**—Section 4(b) of the Child Nutrition Act of 1966 is amended—

(1) in paragraphs (1)(B) and (1)(C) by striking "30" and inserting "15"; and

(2) in paragraph (2)(C) by striking "thirty" and inserting "fifteen".

(d) **REVIEW OF NUTRITION REQUIREMENTS.**—The Secretary of Agriculture shall review and revise the nutrition requirements for meals served under the school breakfast program to improve the nutritional quality of such meals, taking into consideration both the findings of the National Evaluation of School Nutrition Programs and the need to provide increased flexibility in meal planning to local school food service authorities. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall promulgate regulations to implement such revisions.

**SEC. 202. SCHOOL LUNCH PROGRAM.**

(a) **INCREASE IN FEDERAL REIMBURSEMENT FOR REDUCED PRICE MEALS.**—Section 11(a)(2) of the National School Lunch Act is amended by striking "40" and inserting "25".

(b) **CONFORMING AMENDMENT.**—Section 9(b)(3) of the National School Lunch Act is amended in the third sentence by striking "40" and inserting "25".

**SEC. 203. ADDITION OF ONE SNACK OR ONE MEAL TO THE CHILD CARE FOOD PROGRAM.**

Section 17(f)(2)(B) of the National School Lunch Act is amended by striking out "two meals and one supplement" and inserting "two meals and two supplements or three meals and one supplement".

**SEC. 204. THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC).**

(a) **LIMITED STATE ENTITLEMENT.**—Section 17(g) of the Child Nutrition Act of 1966 is amended—

(1) by inserting "(1)" after "(g)";

(2) in paragraph (1) (as so designated) by striking out the first sentence and inserting "For fiscal years 1987, 1988, and 1989, there are authorized to be appropriated, and the Secretary shall pay to each State agency, such sums as may be necessary to provide supplemental foods, nutrition services, administration, and such other programs, services, and activities as are authorized for eligible women, infants, and children under this section, but in no event shall the amount appropriated be greater than \$1,750,000,000 for fiscal year 1987, \$1,850,000,000 for fiscal year 1988, and \$1,950,000,000 for fiscal year 1989."; and

(3) by inserting after paragraph (1) (as so designated) the following new paragraph:

"(2) Each State agency shall be entitled to payment under this section for each fiscal year in an amount equal to such State agency's allocation (as determined under subsections (h)(2) and (i) of the authorization levels specified in paragraph (1))."

(b) **CONFORMING AMENDMENT.**—Section 17(a) of the Child Nutrition Act of 1966 is amended in the second sentence by striking "up to the authorization levels set forth in subsection (g) of this section,".

**SEC. 205. INCREASE IN AUTHORIZATION FOR NUTRITION EDUCATION AND TRAINING.**

Section 19(j)(2) of the Child Nutrition Act of 1966 is amended—

(1) in the first sentence by striking "ending on or before September 30, 1984,"; and

(2) in the second sentence by striking "\$5,000,000" and inserting "\$15,000,000".

**SEC. 206. AMENDMENTS TO OLDER AMERICANS ACT OF 1965.**

(a) **CONGREGATE NUTRITION SERVICES.**—Section 303(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3023(b)(1)) is amended by striking out "\$395,000,000" and inserting "\$410,000,000".

(b) **HOME DELIVERED NUTRITION SERVICES.**—Section 303(b)(2) of the Older Americans Act of 1965 (42 U.S.C. 3023(b)(2)) is amended by striking out "\$75,600,000" and inserting "\$95,600,000".

(c) **AVAILABILITY OF SURPLUS COMMODITIES.**—Section 311(c)(1)(A) of the Older Americans Act of 1965 (42 U.S.C. 3030a(c)(1)(A)) is amended by striking out "\$144,000,000" the last place it appears and inserting "\$149,000,000".

**SEC. 207. PARTICIPATION OF ELDERLY PERSONS IN COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

Section 5(f) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended by inserting "for mothers, infants, and children and for low-income elderly persons" after "sites for the program".

**SEC. 208. COMMUNITY FOOD AND NUTRITION.**

Section 681A(b) of the Community Services Block Grant Act (42 U.S.C. 9910a(b)) is amended by inserting "and \$5,000,000 for fiscal year 1987" after "1986".

**TITLE III—NUTRITION MONITORING AND RELATED RESEARCH**

Subtitle A—General Provisions

**SEC. 301. SHORT TITLE.**

This title may be cited as the "National Nutrition Monitoring and Related Research Act of 1986".

**SEC. 302. PURPOSE.**

It is the purpose of this title—

(1) to make more effective use of Federal and State expenditures for nutrition monitoring and to enhance the performance and benefits of current Federal nutrition monitoring and related research activities;

(2) to establish and facilitate the timely implementation of a coordinated National Nutrition Monitoring and Related Research Program and thereby establish a scientific basis for the maintenance and improvement of the nutritional status of the United States population and the nutritional quality of the United States food supply;

(3) to establish and implement a comprehensive National Nutrition Monitoring and Related Research Plan to assess on a continuing basis the dietary and nutritional status and trends of the United States population, the state-of-the-art, future monitor-

ing and related research priorities, and the relevant policy implications;

(4) to establish and improve national nutritional and health status data and related data bases and networks, and to stimulate research necessary to develop uniform indicators, standards, methodologies, technologies, and procedures for nutrition monitoring;

(5) to establish a central Federal focus for the coordination, management, and direction of Federal nutritional monitoring activities;

(6) to establish mechanisms for addressing the nutrition monitoring needs of Federal, State, and local governments, the private sector, scientific and engineering communities, health care professionals, and the public in support of the objectives described in paragraphs (1), (2), (3), (4), and (5); and

(7) to provide for the conduct of such scientific research and development as may be necessary or appropriate in support of such objectives.

#### SEC. 303. DEFINITIONS.

As used in this title—

(1) the term "nutrition monitoring and related research" means the set of activities necessary to provide timely information about the role and status of factors which bear upon the contribution that nutrition makes to the health of the United States population, including (A) dietary, nutritional, and health status measurements, (B) food consumption measurements, (C) food composition measurements and nutrition data banks, (D) dietary knowledge and attitude measurements, and (E) food supply and demand determinations;

(2) the terms "National Nutrition Monitoring and Related Research Program" and "coordinated program" mean the coordinated program established by section 310(a);

(3) the terms "Interagency Board for Nutrition Monitoring and Related Research" and "Board" mean the Federal coordinating body established by section 310(c);

(4) the terms "National Nutrition Monitoring and Related Research Plan" and "comprehensive plan" mean the comprehensive plan established by section 312;

(5) the term "Joint Implementation Plan for a Comprehensive National Nutrition Monitoring System" means the plan of that title submitted to the Congress in September 1981 by the Department of Agriculture and the Department of Health and Human Services, pursuant to section 1428 of Public Law 95-113;

(6) the terms "National Nutrition Monitoring Advisory Council" and "Council" mean the advisory body established by section 320;

(7) the term "Secretaries" means the Secretary of Agriculture and the Secretary of Health and Human Services acting jointly; and

(8) the term "local government" means a local general unit of government or local educational unit.

#### Subtitle B—Nutrition Monitoring and Related Research

#### SEC. 310. ESTABLISHMENT OF THE COORDINATED PROGRAM.

(a) There is hereby established a ten-year coordinated program, to be known as the National Nutrition Monitoring and Related Research Program, to carry out the purpose of this title.

(b) The Secretaries shall be responsible for the implementation of the coordinated program.

(c) To assist in implementing the coordinated program, there is hereby established

an Interagency Board for Nutrition Monitoring and Related Research, of which an Assistant Secretary in the Department of Agriculture (designated by the Secretary of Agriculture) and an Assistant Secretary in the Department of Health and Human Services (designated by the Secretary of Health and Human Services) shall be joint chairpersons. The remaining membership of the Board shall consist of additional representatives of Federal agencies, as deemed appropriate by the joint chairpersons of the Board. The Board shall meet no less often than once every three months.

(d) To establish a central focus and coordinator for the Nutrition Monitoring and Related Research Program, the Secretaries may appoint a full-time Administrator of Nutrition Monitoring and Related Research. The Administrator—

(1) shall be an individual who is eminent in the field of nutrition monitoring and related areas, and shall be selected on the basis of his or her established record of expertise and distinguished service; and

(2) shall administer the coordinated program with the advice and counsel of the joint chairpersons of the Board, shall serve as the focal point for the coordinated program, and shall serve as the Executive Secretary for the National Nutrition Monitoring Advisory Council.

#### SEC. 311. FUNCTIONS OF THE SECRETARIES.

(a) The Secretaries, with the advice of the Board, shall—

(1) establish the goals of the coordinated program and identify the activities required to meet such goals, and identify the responsible agencies;

(2) update and integrate the Joint Implementation Plan for a Comprehensive National Nutrition Monitoring System into the coordinated program;

(3) assure the timely implementation of the coordinated program and the comprehensive plan established by section 312;

(4) include in the coordinated program and the comprehensive plan a competitive grants program, in accordance with the provisions of this title, to encourage and assist the conduct, by Federal and non-Federal entities on an appropriate matching funds basis, of research (including research described in section 312(a)(3)) which will accelerate the development of uniform and cost-effective standards and indicators for the assessment and monitoring of nutritional and dietary status and for relating food consumption patterns to nutritional and health status;

(5) include in the coordinated program and the comprehensive plan a grants program, in accordance with the provisions of this title, to encourage and assist State and local governments in developing the capacity to conduct monitoring and surveillance of nutritional status, food consumption, and nutrition knowledge and in using such capacity to enhance nutrition services (including activities described in sections 312(a)(5) and 312(b)(9));

(6) include in the coordinated program an annual interagency budget for each fiscal year of program;

(7) foster productive interaction between Federal efforts, State and local governments, the private sector, scientific communities, health professionals, and the public;

(8) contract with a scientific body, such as the National Academy of Sciences or the Federation of American Societies for Experimental Biology, to interpret available data analyses and to publish every two years, or more frequently if appropriate, a report on

the dietary, nutritional and health-related status of the population of the United States and the nutritional quality of the national food supply; and

(9)(A) foster cost recovery management techniques, and (B) impose appropriate charges and fees for publications of the coordinated program, including print and electronic forms of data and analysis, and utilize the proceeds of such charges and fees for purposes of the program (except that no such charge or fee imposed upon an educational or other nonprofit organization shall exceed the actual costs incurred by the program in providing the publication or publications involved).

(b) the Secretaries shall submit to the President for transmittal to the Congress by January 15 of each year an annual report which shall—

(1) evaluate the progress of the program under this title;

(2) summarize the results of such program components as are developed under section 312;

(3) analyze the dietary, nutritional and related health status of the United States population, the nutritional quality of the national food supply, the relevant policy implications of the findings, and future nutrition monitoring and related research priorities;

(4) include in full the annual report of the Council as specified in section 321; and

(5) include an executive summary of the report most recently published by the scientific body specified in subsection (a)(8).

#### SEC. 312. DEVELOPMENT OF THE COMPREHENSIVE NATIONAL NUTRITION MONITORING AND RELATED RESEARCH PLAN.

(a) The Secretaries, with the advice of the Board, shall prepare and implement a comprehensive plan for the coordinated program which shall be designed—

(1) to assess, collate, analyze, and report on a continuous basis the dietary and nutritional status and trends of the United States population (dealing with such status and trends separately in the case of preschool and school-age children, pregnant and lactating women, elderly individuals, low income populations, Blacks, Hispanics, and other minorities as appropriate), the state-of-the-art, future monitoring and related research priorities, and relevant policy implications of the findings;

(2) to assess, analyze, and report on a continuous basis, for a representative sample of the low income population, food and household expenditures, participation in food assistance programs, and periods experienced when resources were not sufficient to provide an adequate diet;

(3) to sponsor or conduct research necessary to develop uniform indicators, standards, methodologies, technologies, and procedures for conducting and reporting nutrition monitoring and surveillance;

(4) to develop and update a national dietary and nutritional status data bank, a nutrient data bank, and other data resources as required;

(5) to assist State and local agencies in developing procedures and networks for nutrition monitoring and surveillance; and

(6) to focus the activities of the Federal agencies.

(b) The comprehensive plan shall, as a minimum, include components to—

(1) maintain and coordinate the National Health and Nutrition Examination Survey (NHANES) and the Nationwide Food Consumption Survey (NFCS);



(2) provide by 1990 for the continuous collection, processing, and analysis of nutritional and dietary status data through a stratified probability sample of the United States population designed to permit statistically reliable estimates of high-risk groups and geopolitical and geographic areas and to permit accelerated data analysis (including annual analysis, as appropriate);

(3) maintain and enhance other Federal nutrition monitoring efforts such as the Centers for Disease Control Nutrition Surveillance Program and the Food and Drug Administration Total Diet Study, and, to the extent possible, coordinate such efforts with the surveys described in paragraphs (1) and (2);

(4) incorporate, in the survey design, military and (where appropriate) institutionalized populations;

(5) complete the analysis and interpretation of NHANES and NFCS data sets collected prior to 1984 within the first year of the comprehensive plan;

(6) improve the methodologies and technologies, including those suitable for use by States and localities, available for the assessment of nutritional and dietary status and trends;

(7) develop uniform standards and indicators for the assessment and monitoring of nutritional and dietary status, for relating food consumption patterns to nutritional and health status, and for use in the evaluation of Federal food and nutrition intervention programs;

(8) establish national baseline data and procedures for nutrition monitoring;

(9) provide scientific and technical assistance, training, and consultation to State and local governments for the purpose of obtaining dietary and nutritional status data and developing related data bases and networks to promote the development of regional, State, and local data collection services to become an integral component of a national nutritional status network;

(10) establish mechanisms to identify the needs of users of nutrition monitoring data and to encourage the private sector and the academic community to participate in the development and implementation of the comprehensive plan and contribute relevant data from non-Federal sources to promote the development of a national nutritional status network;

(11) compile an inventory of Federal, State, and non-government activities related to nutrition monitoring and related research;

(12) focus on national nutrition monitoring needs while building on the responsibilities and expertise of the individual membership of the Board;

(13) administer the coordinated program, define program objectives, priorities, oversight, responsibilities, outcomes, and resources, and define the organization and management of the Board and the Council; and

(14) provide a mechanism for periodically evaluating and refining the coordinated program and the comprehensive plan which facilitates cooperation and interaction by State and local governments, the private sector, scientific communities, and health care professionals, and which facilitates coordination with non-Federal activities.

(c) The comprehensive plan shall allocate all of the projected functions and activities under the coordinated program among the various Federal agencies and offices that will be involved, and shall contain an affirmative statement and description of the

function to be performed and activities to be undertaken by each of such agencies and offices in carrying out the coordinated program.

(d) The comprehensive plan—  
(1) shall be submitted in draft form to the President for submission to the Congress, and for public review, within twelve months after the date of the enactment of this title;

(2) shall be available for public comment for a period of sixty days after its submission in draft form under paragraph (1) by means of publication in the Federal Register;

(3) shall be submitted in final form, incorporating such needed revisions as may arise from comments received during the review period, to the President for submission to the Congress within sixty days after the close of the period allowed for comments on the draft comprehensive plan under paragraph (2); and

(4) shall constitute the basis on which each agency participating in the coordinated program requests authorizations and appropriations for nutrition monitoring and related research during the ten-year period of the program.

(e) Nothing in this section shall be construed as modifying, or as authorizing the Secretaries or the comprehensive plan to modify, any provision of an appropriation title (or any other provision of law relating to the use of appropriated funds) which specifies (1) the department or agency to which funds are appropriated, or (2) the obligations of such department or agency with respect to the use of such funds.

#### SEC. 313. IMPLEMENTATION OF THE COMPREHENSIVE PLAN.

(a) The comprehensive plan shall be carried out during the period ending with the close of the ninth fiscal year following the fiscal year in which the comprehensive plan is submitted in its final form under section 312(d)(3) and—

(1) shall be carried out in accord with, and meet the program objectives specified in, section 312(a) and paragraphs (1) through (11) of section 312(b);

(2) shall be managed in accord with paragraphs (12) through (14) of section 312(b);

(3) shall be carried out, by the Federal agencies involved, in accord with the allocation of functions and activities under section 312(c); and

(4) shall be funded by appropriations which shall be made to such agencies pursuant to section 315 for each fiscal year of the program.

The Congress through its appropriate authorizing committees shall exercise continuing oversight over the coordinated program, taking into account the Secretaries' annual reports and such other information and data as may be developed.

(b) Nothing in this subtitle shall be deemed to grant any new regulatory authority or to limit, expand, or otherwise modify any regulatory authority under existing law, or to establish new criteria, standards, or requirements for regulation under existing law.

#### SEC. 314. SCIENTIFIC RESEARCH AND DEVELOPMENT IN SUPPORT OF COORDINATED PROGRAM AND COMPREHENSIVE PLAN.

The Secretaries shall provide for and coordinate the conduct, by the National Science Foundation, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, the National Bureau of Standards, and other suitable Federal agencies, of such sci-

entific research and development as may be necessary or appropriate in support of the coordinated program and the comprehensive plan and in furtherance of the purpose and objectives of this title.

#### SEC. 315. AUTHORIZATION OF APPROPRIATIONS.

(a) Authorizations and appropriations for the fiscal year in which the comprehensive plan is submitted in final form under section 312(d)(3) and for the nine succeeding fiscal years, for purposes of carrying out the coordinated program and implementing the comprehensive plan, shall be requested by the Secretaries and by each of the agencies which are allocated responsibilities under the coordinated program pursuant to section 312(c), in a separate line item of the budget of the agency involved and consistent with the interagency budget for the coordinated program; and to the maximum extent feasible such appropriations shall be provided on a three-year basis, subject to annual authorization Acts hereafter enacted.

(b) Nothing in this subtitle is intended either (1) to authorize the appropriation or require the expenditure of any funds in excess of the amount of funds which would be authorized or expended for the same purposes in the absence of the coordinated program, or (2) to limit the authority of any of the participating agencies to request and receive funds for those purposes (for use in the coordinated program) under other laws.

#### Subtitle C—National Nutrition Monitoring Advisory Council

#### SEC. 320. ESTABLISHMENT OF THE COUNCIL.

(a)(1) The President shall establish, within 90 days after the date of the enactment of this Act, a National Nutrition Monitoring Advisory Council. The Council shall assist in carrying out the purpose of this title, shall provide scientific and technical advice on the development and implementation of the coordinated program and comprehensive plan, and shall serve in an advisory capacity to the Secretaries.

(2) The Council shall consist of eleven voting members, of whom—

(A) seven members shall be appointed by the President; and

(B) four members shall be appointed by the Congress—one by the Speaker of the House of Representatives, one by the minority leader of the House of Representatives, one by the President pro tempore of the Senate, and one by the minority leader of the Senate.

(3) The Council shall also include the joint chairpersons of the Board as ex officio nonvoting members.

(b) The persons appointed to the Council—

(1) shall be eminent in the fields of administrative dietetics, clinical dietetics, community nutrition research, public health nutrition, nutrition monitoring and surveillance, nutritional biochemistry, food composition and nutrient analysis, health statistics management, epidemiology, food technology, clinical medicine, public administration, health education, nutritional anthropology, food consumption patterns, food assistance programs, agriculture, and economics; and

(2) shall be selected solely on the basis of established records of distinguished service.

(c) The persons appointed to the Council by the President shall include—

(1) one member who is a director of a nutrition research unit which is primarily supported by Federal funds, and who has a specialized interest in nutrition monitoring;

(2) one member who is an employee of a State government and who has a specialized interest in nutrition monitoring;

(3) one member who is an employee of a local government and who has a specialized interest in nutrition monitoring; and

(4) one member who is an appointed representative of the Food and Nutrition Board, National Academy of Sciences.

(d) The Council membership shall at all times have representatives from various geographic areas, the private sector, academia, scientific and professional societies, minority organizations, and public interest organizations.

(e) The Chairperson of the Council shall be elected from and by the Council membership. The term of office of the Chairperson shall not exceed five years. In case a vacancy occurs in the Chairpersonship, the Council shall elect a member to fill such vacancy.

(f) The term of office of each of the voting members of the Council shall be five years; except that of the seven members first appointed by the President, one shall be appointed for a term of two years, three for terms of three years, and three for terms of four years, as designated by the President at the time of appointment. Any member elected to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be elected for the remainder of such term. No member shall be eligible to serve continuously for more than two consecutive terms.

(g) The Council members shall be appointed or designated (without regard to the requirements of the Federal Advisory Committee Act) not later than ninety days after the date of the enactment of this Act.

(h) The Council shall meet on a regular basis at the call of the Chairperson, or upon the written request of one-third of the members. A majority of the appointed members of the Council shall constitute a quorum.

(i) Appointed members of the Council shall not be employed by the Federal Government, and shall be allowed travel expenses as authorized by section 5703 of title 5, United States Code.

(j) The Administrator of Nutrition Monitoring and Related Research (if appointed under section 310(d)) shall serve as the Executive Secretary of the Council.

#### SEC. 321. FUNCTIONS OF THE COUNCIL.

The Council shall—

(1) provide scientific and technical advice on the development and implementation of all components of the coordinated program and the comprehensive plan;

(2) evaluate the scientific and technical quality of the comprehensive plan and the effectiveness of the coordinated program;

(3) recommend to the Secretaries, on an annual basis, means of enhancing the comprehensive plan and the coordinated program; and

(4) submit to the Secretaries an annual report which shall contain the components specified in paragraphs (2) and (3), and which shall be included in full in the Secretaries' annual report to the President for transmittal to the Congress as specified in section 311(b).

#### Subtitle D—Dietary Guidance

#### SEC. 330. ESTABLISHMENT OF DIETARY GUIDELINES.

(a) The Secretaries shall issue and publish basic dietary guidelines for the general population based on scientific knowledge and the dietary patterns and nutritional status of the population.

(b)(1) Any Federal agency planning to issue dietary guidance shall submit the text of the proposed guidance to the Secretaries for review prior to release. The Secretaries shall determine within 30 days from the date such proposed guidance is submitted whether the proposed guidance is basic dietary guidance for the general population.

(2) If the Secretaries determine that any proposed dietary guidance is basic dietary guidance for the general population the Secretaries shall within a period of 180 days from the date such determination is made review such proposed guidance; and the guidance shall not be issued until the Secretaries have theretofore approved the proposed materials and notified the head of the agency of such approval. If the Secretaries fail to express any objection within that 180-day period, the submitting agency may release the dietary guidance.

#### TITLE IV—EFFECTIVE DATE

##### SEC. 401. EFFECTIVE DATE.

This Act shall take effect on October 1, 1986.

#### TRIBUTE TO LOWELL TOOLEY

##### HON. JOSEPH J. DiOGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. DiOGUARDI. Mr. Speaker, I wish to rise today to pay tribute to Mr. Lowell Tooley, an outstanding public servant whose dedicated service will be acknowledged on June 18, 1986, at a recognition dinner being held in his honor by the village of Scarsdale.

Mr. Tooley has dedicated the past 37 years of his life toward public service. Currently, Mr. Tooley is in his 26th year as the village manager of Scarsdale. Previously, he served 5 years as the assistant manager of Scarsdale and 7 years as municipal manager in Wisconsin. His entire career in municipal government has been dedicated to the advancement of professionalism in local government.

During his tenure as Scarsdale Village manager, he has seen the responsibilities of his position evolve significantly. Mr. Tooley's integrity and efficiency have made him a fundamental and distinguished leader in initiating the development of municipal manager into an integral position in local government. With the increasing complexities that challenge local municipalities of over 10,000 people, the manager system has developed to be the most common form of local government.

Mr. Tooley has substantially contributed in achieving professional excellence of government administration wherever he has served. He has accomplished this largely through his success in recruiting and mentoring high quality employees. He credits his staff for the positive achievements that have occurred in Scarsdale during his tenure. Mr. Tooley and his qualified staff and employees have been instrumental in maintaining a low tax rate while providing a high level of services. In addition, he has overseen escalating real estate growth and increased public facility development.

Mr. Tooley has found the opportunity to improve the performance of local government and develop young, efficient administrators to be a most rewarding part of his job. His ad-

ministrative intern program serves as an exemplary opportunity for several young, talented individuals. Many graduates of this program have gone on to become successful administrators or managers in the Westchester vicinity.

His significant contributions to enhancing the quality of local government were recognized by the Lower Hudson Valley Chapter of the American Society for Public Administration in 1979. They selected him as "Man of the Year" for his efforts to "promote professionalism in the field of public affairs."

His efforts at strengthening the performance of local government are further advanced by his active involvement in numerous committees and organizations. The diverse objectives that these groups have pursued in the field of public administration reflect Mr. Tooley's broad-based efforts to improve the level of efficiency and effectiveness in government.

Mr. Tooley's outstanding performance has served to establish a precedence of excellence, an ideal role model, and an invaluable mentor for this vanguard position. Lowell Tooley represents all that government should be, and I salute him.

#### A CONGRESSIONAL SALUTE TO EDWARD LEE DAHLENBURG

##### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Edward Lee Dahlenburg, who will be honored for his many contributions to our community at a dinner to be held in his honor on June 21 aboard the *Queen Mary*. At that time, Lee Dahlenburg will be named the Southern California Ports Council "Man of the Year."

Lee Dahlenburg settled in San Pedro following a tour of duty with the U.S. Navy. While working for various tire and trucking companies in San Pedro, Lee married and became the proud father of twin daughters, Vicky and Kathy, and a son, Ed.

It was while working for the Lamb Transportation Co. that Lee began to shape the path of his career. There, Lee became involved with the union, representing the workers as a shop steward and later as a trustee for the Teamsters Local 88. His efforts on behalf of the members of Local 88 were recognized by then Secretary-Treasurer Richard Flynn, and Lee was subsequently hired as a business representative in 1963. In the following years, Lee Dahlenburg unselfishly served in the capacities of secretary-treasurer, vice president, and president of Local 88. Upon his retirement in February of this year, Lee merged Local 88 into its mother organization, Local 495.

Lee Dahlenburg has also contributed a great deal of his time and talents to various local, State, and national organizations. This past April marked Lee's 27th year as a member of the Elks Lodge No. 888. A life member of both the National Rifle Association and the California Rifle and Pistol Association, Lee also belongs to American Legion Post 51



in Lebanon, OR, and the Signal Hills Police Officers Association. Additionally, Lee has served as a commissioner of the Long Beach Airport and is a director of the Long Beach Boys' Clubs. He continues to serve the unions in his capacity as a trustee for the Joint Council 42 Welfare Trust and as a trustee for the Teamsters Training and Upgrading Trust, and he has served as secretary-treasurer of the Maritime Trades Department.

Mr. Speaker, it is with great pride that my wife, Lee, joins me in congratulating Lee Dahlenburg on this special occasion. Lee is truly deserving of this special recognition by the Southern California Ports Council, and we wish Lee, his wife, Betty, and their children, Vicki, Kathy, Ed, Michael, Larry, Brian, and Tish, continued success and all the best in the years ahead.

#### HELP FOR THE HANDICAPPED

### HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. COURTER. Mr. Speaker, the Daily Record, which serves northwest New Jersey, is beginning a special column devoted exclusively to the disabled, their needs, and the people who are concerned about them. The column is to be written by Winston Cone, an expert in issues of concern to the disabled. Mr. Cone worked with the Morris County Board of Freeholders to develop a volunteer task force on accessibility for the disabled. Last year he helped start and was elected president of a private, nonprofit organization called Morris County ACCESS, Inc. The group seeks to give persons with disabilities equal access to buildings and services.

Mainstream will try to answer particular questions about different types of disabilities and provide interviews with noted persons in the field. Not only will this column prove to be a resource for the disabled, but it will also provide an opportunity for nonhandicapped individuals to ask any questions they might have about different conditions. Hopefully, this will lead to a greater understanding and, eventually, a greater sensitivity to the barriers which confront the disabled every day. I highly recommend this column as a model for similar efforts on behalf of the disabled.

DISABLED PERSONS ENCOUNTER ACCESS,  
ATTITUDE PROBLEMS  
(By Winston G. Cone)

You have just been told that your child is hearing impaired, maybe deaf, and as you ask yourself "Why me? What did we do to deserve this?", your husband turns to you with the question, "Now what to do we do?"

Or, you have just been turned away from a movie theater because there was no way to get your wheelchair into the building. As you apologize to your friends you wonder how long it will take before these friends, like so many others, stop inviting you out.

Or, you have just found out that although your wife survived being hit by a drunk driver she will probably never walk again, and as you try to figure what to do next, you realize the children are at home waiting. Or, you have just tried to convince your husband that you still love him even though

his heart attack has left him with only partial use of his left side and he feels that he is not a "man" anymore.

Or, the bad news may be about diabetes, multiple sclerosis, mental retardation, a birth defect, blindness, cerebral palsy, muscular dystrophy, spina bifida, a learning disability, spinal cord injury, Alzheimer's disease, or any one of an almost unlimited list of ways a person can be born with or become suddenly affected by a physical or mental impairment.

The person affected may be you, a member of your family, a friend, a co-worker, an employee, or someone who lives in the next apartment or down the street, since handicaps can and do affect anybody.

It may take a lifetime, or it may take only moments, to become a person with a disability or a handicap. In the United States it has been estimated that 1,000 people become severely injured every hour, and of these, 350,000 remain permanently impaired. It has also been estimated that there are nearly 30 million persons, or 12 percent of the population, in the United States who have some form of disabling condition. This means that there are approximately 50,000 residents of Morris County who have a disability. These statistics also mean that nearly one out of every two adults is directly related to a person with a disability.

But if there are so many people with disabilities, why is it that you don't know more about them or have more contact with them? Because our society has often pushed them aside with architectural barriers and cultural attitudes that isolate them from the mainstream of society. This is why those persons with disabilities are often called "the hidden minority," even though handicaps affect all ages, races, religions, countries and both sexes.

This column is going to try to remove some of the mystery, some of the fear, some of the lack of knowledge which surrounds handicaps, disabilities and the people who have them. It will talk about the many kinds of disabilities, how each affects people differently and how able-bodied people (those persons who are not disabled) and disabled people can comfortably relate to those with a handicap or a handicap different than their own.

An attempt will be made to explore problems and issues facing today's society which are proving difficult to solve. One major issue is total accessibility and freedom of movement within our society. This is not a new problem; it first arose in the 1870s when a blind man sued his town for negligence when he suffered injuries after falling off a bridge with a missing railing. The town argued that he was negligent since he had not been accompanied by a sighted person. Even though this occurred over one hundred years ago, our society is still trying to decide if it is society's fault or the disabled individual's fault when accessibility and freedom of movement is denied. Should society change to accommodate the disabled person? Or should the disabled person change to fit into society? What is your opinion?

This column invites you to write, to comment, to send in questions on this subject or other topics you want to see discussed. Do you want to know more about the disability of someone with whom you work? Do you have a question about your own disability? What does being deaf really mean? Being blind? What does Alzheimer's disease mean and how old do you have to be to get it?

What about transportation needs? Where do you live after you are injured and you

have to use a wheelchair but your apartment only has stairs?

These are the types of questions which this column will try to answer. If it can not, it will refer you to an agency that can. Interviews will be featured with persons and agencies that service the needs of those who have disabilities.

This column welcomes your comments, reactions and any information you have which you feel would be useful for others.

Address your letters to Winston G. Cone, c/o Daily Record, Features Department, 55 Park Place, Morristown, N.J. 07960.

Note: A state public hearing about services for persons with disabilities will be held June 10 2-5 p.m. and 6-8:30 p.m. at the Morris View Nursing Home, Building No. 3, West Hanover Avenue, Morris Plains.

#### PORTUGUESE NATIONAL DAY— DIA DE PORTUGAL, CAMOES E COMUNIDADES PORTUGUESAS

### HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. COELHO. Mr. Speaker, yesterday, June 10th, the people of Portugal and of the Portuguese communities overseas celebrated their national day.

Portugal is perhaps unique among the countries of the world for taking as its national day the anniversary of a poet, Luis de Camoes, author of "The Lusads," Portugal's national epic poem. This work relates the history of the nation from its founding—850 years ago—through the epoch of the discoveries when Portuguese navigators discovered two-thirds of the world known today. The Portuguese were fishing off the east coast of the United States in the 15th century. The first European to reach California was Portuguese.

In contrast to the United States, a country whose universality derives from the fact that it has welcomed immigrants from all races, nationalities and religions, and whose culture has been influenced by the diverse origins of its people, Portugal is a country whose people, language, and culture have spread to all parts of the world. The Portuguese left behind, scattered throughout the world, the symbols of their presence which can still be seen in fortifications, churches, monuments, geographic names, vocabulary, art, religion, and customs in all five continents. Portuguese ranks fifth among the world's languages and is the official language of seven countries in Europe, South America, and Africa, in addition to being spoken in several regions of Asia and the Pacific.

Portugal's universality is also revealed in the presence of Portuguese communities in various countries of the world. Here, in the United States, the major concentrations are found in New England, New Jersey, and California. Newer communities have been founded in Pennsylvania and Florida. Traces of early Portuguese contact are particularly visible in Hawaii.

Immigrants from Portugal and Portuguese Americans are proud to be living and working in the United States, but they are also proud of the traditions brought from their homeland.

Several States and cities having large Portuguese communities designate June 10 as "Portuguese American Day" and plan major events to celebrate the Portuguese heritage.

As a Portuguese American, I am naturally extremely proud of my heritage, and proud of the contributions of so many of our fellow citizens of Portuguese ancestry to this great Nation.

**A CALL TO CONSCIENCE FOR  
EDUCATION**

**HON. JOE MOAKLEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. MOAKLEY. Mr. Speaker, I am pleased to inform you that I support the vital role of higher education in American society and our society's future. Certainly there is no greater investment in our future than the higher education of our youth. It makes no sense to pour billions of dollars into the defense budget while the youth of our Nation are denied a quality education. If our country is to remain strong and productive in the future, we must have a well educated population.

Recently, I received a document, "Call to Conscience" from a number of college and university presidents in my district. I am pleased to share with my colleagues this document which was endorsed by 62 distinguished college and university presidents throughout the Nation. I urge you to give this important issue your full attention:

**A CALL TO CONSCIENCE**

Proposed reductions in federal support seriously threaten American higher education. Its future for decades to come will be affected by the decisions Congress makes in this budget and appropriations cycle. But the issue is greater than the future of higher education; the issue is the future of the nation.

America's best hope for economic prosperity is education. Growing competition in the international market place can only be met through more—not less—educational opportunity. Research and technological developments are needed to produce the jobs of the future, and quality education is needed to develop the talents of all our young people to meet the challenges of the future.

And yet, education is being held accountable for deficits which it did not create. From 1980 to 1986 the federal deficit doubled in constant dollars while education expenditures declined by 16 percent. Reductions in student aid including the elimination of social security education benefits, and the decline of veterans' educational benefits.

We are troubled by the notion that the national defense can be strengthened while education is weakened. We remind the nation that education is an essential component of the national defense: there would be no military force without educated manpower, no technical military superiority without engineers and scientists trained on the nation's campuses.

Proposed federal cutbacks would affect an estimated 3 million out of 5 million students presently receiving aid, forcing them to drop out or change their college plans. Such cuts strike particularly hard at minority enrollments, which already have been losing ground: while more blacks and hispanics are

completing high school, fewer are attending college.

Such losses are unacceptable to a nation committed for the last thirty years to making higher education available to every young person who has the ability and desire to pursue it. Such losses are unconscionable for a nation committed to racial equality and equal opportunity. Educational excellence is not possible without equal access: the federal role in guaranteeing that access is paramount, representing 75 percent of total national expenditures for student aid.

As college and university presidents and leaders of higher education, we represent millions of American students whose futures hang in the balance of federal budget and appropriations decisions. It is time we spoke out for them—clearly and forcefully.

It is time, too, that we remind the nation that education is fundamental to the quality of life in our democratic society, as well as to our economic security and our national defense. It is time to bring education back to the forefront of our national priorities.

We call for a reordering of federal responsibilities to recognize education as our best hope for the future.

This is nothing less than a call to conscience.

**AGRICULTURAL SHIPPERS  
PROTECTION ACT**

**HON. JIM SLATTERY**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. SLATTERY. Mr. Speaker with the sponsorship of my distinguished colleagues from Kansas, Mr. GLICKMAN, Mr. WHITTAKER, Mr. ROBERTS, and Mrs. MEYERS, I am today introducing the Agricultural Shippers Protection Act. This legislation also has been introduced in the other body by Senator KASSEBAUM.

In 1980, Congress enacted landmark legislation that effectively deregulated the railroad industry. In most instances, railroads were freed from rate regulation. The level of scrutiny exercised by the Interstate Commerce Commission was reduced in virtually every phase of rail regulation.

When the Staggers Rail Act was considered by Congress, however, special consideration was given at that time to a regulatory problem that still persists today.

Section 208 of Staggers authorized railroads and shippers to enter into contracts for product and commodity shipments. This was a critical step in permitting railroads and shippers the flexibility to meet the transportation demands of today's business. Contracting, in terms of the number of contracts filed with the ICC, has to be considered a success. Tens of thousands of contracts have been entered into by shippers and railroads.

Congress did not, however, sanction all contracts in all situations. In response to the specific concerns of small agricultural shippers, including forest products and paper shippers, special protections were provided in the statute to ensure fair competition in contract rates. Railroads could not engage in unfair discrimination among shippers, nor could railroads and shippers engage in destructive competitive practices.

To carry out these special protections for small grain shippers, Congress mandated the disclosure of "essential terms" of rail contracts. This disclosure was intended to allow agricultural shippers the opportunity to discover contracts which could potentially affect them and to challenge those contracts before the ICC. By granting this unique measure of protection, Congress sought to provide a particular remedy for discrimination or unfair competition.

Despite this congressional mandate, however, because of the ICC's twisted definition of "essential terms" and its narrow interpretation of this small shipper protection, no shippers have had a realistic chance to make their case at the ICC. After 6 years, it is time to realize that small shippers are still at the mercy of larger competitors and yet have been denied by the ICC the chance to prove their case.

This bill would mandate the disclosure of certain terms which I believe Congress, in 1980, considered to be essential. The identity of the shipper party to the contract, the specific origins, transit points and other shipper facilities, the duration of the contract, and the actual volume requirements, if any would be disclosed in the nonconfidential contract summary published by the ICC. The ICC would have 60 days to issue regulations providing for the nonconfidential publication of this information. In addition the ICC would be directed to interpret liberally the disclosure provisions to provide for necessary discovery by shippers.

The bill would treat substantive amendments to any contract, which may remain effectively undiscoverable today, as separate contracts, subject to the same disclosure rules as the initial contract. This would ensure that a contract, once approved by the ICC, could not be changed substantially without some notice to competing shippers.

In order to give potentially affected shippers the opportunity to challenge a contract rate before it becomes effective, the bill would prohibit transportation at the contract rate until after ICC approval of the contract. This would eliminate cases where a shipment occurs before the contract rate can be challenged and before ICC approval of the contract.

Finally, the bill would require the ICC to conduct a study assessing the impact on grain shippers of variations between contract rates and published tariff rates. In September of last year, the Department of Agriculture and Kansas State University published a study entitled "Impacts of Rail Deregulation on Marketing of Kansas Wheat." I believe that the study was helpful in determining the need for implementing the intent of the Staggers Act disclosure provisions. A broader study by the ICC would improve our understanding of the problems faced by grain shippers.

Enactment of this legislation simply will provide the information necessary for free and fair competition. It will signal that Congress was serious in 1980 when it passed specific protections for small agricultural shippers. With this bill, we will finally grant the small shippers the day in court that Congress promised them 6 years ago. I urge my colleagues from the other 49 States to join with the



Kansas delegation in cosponsoring this important proposal.

RICK AND DEBBIE  
RICCIARDELLI

HON. JOSEPH J. DiOGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. DiOGUARDI. Mr. Speaker, enough cannot be said about Rick and Debbie Ricciardelli. For that reason, I rise today to honor this dynamic couple, who to me symbolize the American dream.

Although the "American dream" has become cliché, there is no better way to describe Rick and Debbie. After serving as a staff sergeant in the U.S. Marine Corps during World War II, Rick began his career in the life insurance business. In 1947, he moved from Pittsburgh to Miami. Sixteen years later, Rick, with the help of his secretary, Debbie, established the Specialty Insurance Underwriters, Inc. In the beginning, Debbie handled all the paperwork while Rick logged hundreds of thousands of miles driving around Florida trying to convince insurance agents to sell his policies. As the son of a ditch digger and plumber's helper who could not afford to send him to college, Rick has both literally and figuratively, driven himself to become a successful businessman.

Today, the Ricciardelli companies include Specialty Insurance Underwriters, Inc., Underwriters Financial of Florida, Inc., and Insurance Underwriters Unlimited, Inc. Each of these companies has flourished under Rick's guidance. Rick always enjoys new challenges. Accordingly, this summer, Rick and his partners Charles Dahdah and Ed Sirkin plan to break ground on a \$6 million shopping center.

For 35 years, Rick has been dedicating as many as 14 hours per day to business. For many people, the other 10 hours of the day would have to be spent sleeping. Rick scoffs at the thought. Among other organizations, Rick gives generously of himself to the Boys Towns of Italy and the Greek Orthodox Church of North Miami in an effort to better the community.

Rick's business and community activities have not gone unnoticed. His companies, Underwriters Financial of Florida and Specialty Insurance Underwriters, were ranked 480th and 485th respectively, on the INC. magazine list of the fastest-growing private companies. In the past, Rick has received the Outstanding Citizens Award from the Italian-American Civic League of Dade County and was nominated by B'nai B'rith as the "Outstanding Man" in Dade County. In addition, he has earned the AMVETS' National Award of Merit and the AMVETS' State Certificate of Merit.

Not only are Rick and Debbie successful in business and prominent in community activities, but they are also excellent parents. They have provided each of their five children with undying love and affection. Mr. Speaker, Rick and Debbie are model citizens, but more importantly, they are model people and I am very fortunate to claim them as my friends. Please join me in applauding Rick and Debbie Ricciardelli.

## EXTENSIONS OF REMARKS

A CONGRESSIONAL SALUTE TO  
THE COMMUNITY REHABILITATION  
INDUSTRIES OF LONG  
BEACH

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to the Community Rehabilitation Industries (CRI) of Long Beach, CA, which will be celebrating its 30th anniversary on June 24, 1986, at the International City Club.

Established in April 1956, CRI has faithfully served our community for three decades as a private, nonprofit, industrial training center for the physically and mentally handicapped, the emotionally disturbed, and the socially and economically deprived. From its small beginning as a neighborhood center, CRI has blossomed into an organization which serves the needs of the residents of the entire Los Angeles basin and the northwest Orange County area. Operating under the philosophy that "Employment is nature's best physician and is essential to human happiness and well-being," CRI has successfully trained and placed several thousand disabled persons over the years, many of whom would not be self-supporting without the services and skills offered at CRI. Today, CRI operates as a self-supporting agency acquiring revenues from subcontract work, fees for services, and public charitable donations.

In the 5 years since I last recognized this organization for its fine work and contributions to our community, CRI has expanded a great deal of its programs involving developmentally disabled persons. In fact, CRI operates a full-fledged employment program through the Federal Government and continues with its intense efforts in regard to job placement and enrolling unskilled disabled persons. Additionally, CRI has developed successful programs to retrain injured workers in order to return them to the work force. Providing our environment with a needed lift and disabled workers with employment, CRI is in the process of establishing a recycling center of cans, bottles, and paper products. Finally, CRI has established a half-marathon held in Long Beach each November. Last year, 124 wheelchair participants wheeled their way through the event.

Mr. Speaker, it is with great pride that my wife, Lee, joins me in saluting Community Rehabilitation Industries of Long Beach for its efforts to make handicapped individuals a valuable asset to our community through programs which enable them to pursue productive and fulfilling careers. We wish CRI's executive director, Ernest Faulkner, and the entire staff at CRI, continued success and all the best in the years ahead.

## THE END OF AN ERA

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. CLAY. Mr. Speaker, I rise to pay tribute to a professional and community leader who will be honored on Sunday, June 15, 1986, in my hometown, St. Louis, MO, Mrs. Odessa Taylor Bush.

I would like to share with you the following article that appeared in the St. Louis American newspaper this past April:

### END OF AN ERA AT PHARMACY

When Odessa Taylor Bush walks away from the Compton-Chouteau Pharmacy for the last time at the end of this week, her departure will mark the end of the oldest black pharmacy business in St. Louis. Established in 1922 by her father, Dr. Eugene T. Taylor, the original store was housed in the same building with his medical office at the intersection of the downtown streets for which it was named. In the early days, a succession of pharmacist-managers operated the business successfully with little more than minimal supervision by the busy physician. It was only when a \$4,000 deficit was discovered in the ledger some forty years ago that Dr. Taylor asked his elder daughter to abandon her social work career to become a business woman.

A graduate of the Simmons College School of Social Work, Mrs. Bush had been employed soon after graduation in 1938 as a caseworker for the St. Louis Welfare association and briefly for the St. Louis Red Cross before she agreed to make the business a completely family-oriented operation. Making the change however, was not too difficult with the help of her husband, James C. Bush, a promising young lawyer, and her social work skills served her well in attracting the kind of clientele that kept the neighborhood establishment viable through the years.

In 1962, the Mill Creek renovation project (called "the Negro Removal" by residents of the area) resulted in the relocation of the business which maintained its original name in spite of its new corner at Union and Highland. Once again, Dr. Taylor, at the age of 79 still actively practicing medicine, occupied offices adjacent to the pharmacy, and as in the old area, neighborhood support was strong, and friendly ties were established. "People would come in for medicine and often to discuss family problems as well, and as we wind down the closing-out process, customers are coming in daily just to say goodbye," said Mrs. Bush, the end of an institution.

The social worker-turned proprietor has no regrets about the leave-taking, however. Her father, who died at age 92 in 1975, outlived her husband who suffered a fatal heart attack in 1968. Even before her father's death, the burglaries that have become more frequent in recent years had begun, and in the past five years, she has been robbed at gunpoint four times. "Our profits certainly wouldn't support hiring a guard, and I never owned a gun. I'm afraid of them. When a gun was pointed at me, even with shaking hands, I willingly obeyed the burglar's orders. Now I am looking forward to a more peaceful existence." M.A.S.

It is indeed a privilege and an honor for me to rise and pay tribute to Mrs. Bush on her

many accomplishments and I ask that my colleagues join me in commending her for the many contributions that she has made to generations of St. Louisians. We wish her well in her future retirement.

**HONORING THE GREGORIAN  
FESTIVAL IN BELLEROSE, NY**

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. ACKERMAN. Mr. Speaker, I rise today to call the attention of the House of Representatives to the Seventh Annual Gregorian Festival, sponsored by the parish of St. Gregory the Great of Bellerose, Queens County, NY.

Mr. Speaker, the Gregorian Festival has been an outstanding success ever since it was first established 7 years ago. At its start, over 28,000 people from Queens County and the entire New York City area took part in the 10-day event. Now, the festival has been extended to 11 days of religious, cultural, and ethnic activities, this year beginning on June 12 and running through June 22.

The festival includes special nights that honor the Bellerose area's various ethnic groups, including Irish-, Italian-, and German-Americans. Each of these tributes to New York's cultural diversity features activities designed to expose the folklore and history of one group of Americans to the entire community. As we continue to celebrate the 100th anniversary of the Statue of Liberty this year, it is events such as the Gregorian Festival that remind us of the unique immigrant heritage of the American people.

Mr. Speaker, as it celebrates its jubilee, St. Gregory the Great deserves our recognition for its sponsorship of this monumental undertaking. Over 500 volunteers are needed to plan, staff, and clean up the festival. Funds raised are put to work educating the children of the parish school. I would particularly like to take this opportunity to congratulate the Reverend Monsignor Eugene A. Feldhaus, Ph.D., pastor and the festival moderator; and Carmine Persico and Vincent Montemarano, the cochairman of the festival. Their year-long commitment to a successful event is the kind of community involvement that makes a difference in our local neighborhoods.

Mr. Speaker, I call now on all my colleagues in the U.S. House of Representatives to join me in honoring the parish of St. Gregory the Great, and in wishing them a healthy and successful Gregorian Festival.

**NATIONAL BRICK WEEK RECOGNIZES THE VITAL ROLE OF  
BRICK IN THE U.S. CONSTRUCTION INDUSTRY**

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. WOLF. Mr. Speaker, this week, June 8-14, 1986, is being observed in the United

States as "National Brick Week." On behalf of the Brick Institute of America, the national authority on brick construction, which is located in Reston, VA, in the 10th Congressional District, which I represent, I would like to call to the attention of my colleagues the vital role that brick has played in building America, from our Nation's birth to the present.

The Brick Institute of America, on behalf of the U.S. brick manufacturing industry, established "National Brick Week" to focus public attention on the qualities of brick as a versatile construction material, as well as its significance in history.

Brick has been a part of American architecture and construction from the start of the Nation's history. Brick manufacturing was the first industry to take shape in the Colonies and most plantations of the 17th century had brickmaking facilities on the property. Brick masons were on the first three ships that arrived in Virginia in 1607 and sturdy structures built of red brick in the first colonies are still standing and being used today.

Bricks that Pilgrims loaded into the dank hold of the Mayflower for ballast were used for the foundation of buildings that stand today in Plymouth, MA. And in 1611, 9 years before the first Pilgrims arrived, Virginia settlers had already built the first brick plant in North America.

St. Luke's Church, the first church of English foundation to be erected in America, was constructed of brick in 1632 in Smithfield, VA. Later, Thomas Jefferson influenced the use of brick in America when designing Monticello with such embellishments as a brick serpentine wall. In 1815, the first section of the U.S. Capitol was built with brick that was manufactured to order right on the Capitol Grounds.

Brick's solid reputation in residential construction has also perpetuated throughout the years. According to a recent national survey, "Decisions for the 90's," conducted by the National Association of Home Builders, homebuyers continue to prefer homes made of brick. Other industry surveys indicate that brick is preferred for its permanence and durability, low maintenance, attractiveness, resistance to fire, and energy conservation properties.

Today, some 200 companies manufacture brick in plants located in 44 States and produce about 10 billion bricks of various colors, shapes, textures, and sizes. There are approximately 300,000 brick masons in the country, and altogether, more than 1 million Americans depend upon the manufacture, sale, or installation of brick for their employment.

Mr. Speaker, I urge my colleagues to join with me in recognizing during "National Brick Week" the brick manufacturing industry and its important economic role, providing both jobs and tax revenue in communities across our Nation.

**NATIONAL HOMELESSNESS  
AWARENESS WEEK**

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. LEVIN of Michigan. Mr. Speaker, I rise today in support of the Senate Joint Resolution 347, as amended by Representative GARCIA, designating the week of June 22, 1986, as "National Homelessness Awareness Week."

On May 25, millions of people joined hands across this country to bring attention and raise funds to fight homelessness and hunger in America. Homelessness is a national problem. Advocates estimate that there are between 1 and 2 million people who don't have a place to live. The Coalition for the Homeless estimates there are 60,000 homeless in New York, 50,000 homeless in Los Angeles, 5,000 homeless in Oklahoma City, and 27,000 homeless in Detroit. The U.S. Conference of Mayors Report on the Homeless reported that Detroit has just 800 beds in various shelters to service its homeless population. Detroit is not alone, many cities and towns all across this country do not have enough beds for these homeless citizens.

It is not just the numbers of people which makes the problem critical, it is the fact that in Detroit, like other cities, shelters are filled to capacity and are finding it harder and harder to operate in the face of domestic budget cuts. To date, the administration has only paid "lip service" to the needs of the homeless. The time for talk is over and the time for the administration, Congress, and the private sector to act, is now.

Contrary to the administration's belief, the homeless are not homeless because they want to be, and the hungry are not hungry because they are ignorant. These people find themselves in these situations for a variety of reasons, some as a result of Federal policies and economic conditions. Since 1981, the number of people living in poverty increased by 4 million. The closing of factories and the loss of jobs in the rust belt have led to a new type of homeless. Homeless people are no longer just deinstitutionalized mental patients; they are families, divorced women with children, and the elderly.

In some parts of this country, children make up the largest and fastest growing proportion of the homeless. Granted, we still do not know what the effects of homelessness will be on the children, but whatever are the effects, they will be less severe if we take steps now to address this issue.

The homeless will not go away. Even in this time of fiscal restraint, we cannot ignore this very real social problem. The first step in solving homelessness is public awareness. This resolution takes this first important step.



## TRADE REFORM BILL

**HON. MIKE LOWRY**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. LOWRY of Washington. Mr. Speaker, our Nation faces a deadly serious economic challenge in world markets. Workers, businesses, and local communities throughout America pay the price when we fail to respond aggressively and with common sense. Unfortunately, this body recently passed a trade reform bill which was long on aggressiveness—even if sometimes misdirected—and short on common sense.

I voted against final passage of this bill. It was my judgment that, despite the good intentions of its authors, this legislation would do more harm than good. Although it has some constructive provisions, H.R. 4800 will only heighten trade tensions and increase the likelihood of potentially destructive retaliation and counterretaliation. It betrays a lack of confidence in our Nation's ability to compete; pits workers in uncompetitive industries against consumers and workers in industries that are vulnerable to retaliation; and, ultimately, threatens the very future of our economy.

My comments today, however, are intended to commend those Members who worked hard to make this measure more responsible. In particular, I would like to draw attention to my colleague from the State of Washington, DON BONKER, who contributed key provisions intended, not to artificially shield Americans from competition, but to open up new markets and enhance our ability to compete.

DON BONKER deserves credit for those provisions designed to promote exports, ease unreasonable export controls, and restore our ability to compete. These provisions, coupled with important trade adjustment initiatives and greater attention to labor rights violations by some of our trading partners, should be in the centerpiece of an alternative and constructive trade policy.

The bill taken as a whole was unacceptable and defeatist. I will, however, continue to support commonsense contributions to trade policy as we work with the administration to enhance our ability to compete, abide by our international obligations, and ease the adjustment to import competition.

**A CONGRESSIONAL SALUTE TO  
THE LONG BEACH AREA CHAMBER  
OF COMMERCE**

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to the Long Beach Area Chamber of Commerce on the occasion of its 95th inaugural celebration on June 20, 1986. The chamber, with its mission statement—"to make Long Beach a better place to work, live, shop, play and do business," has been a positive force in improving the quality of life for people in Long Beach and throughout southern California.

The Long Beach Area Chamber of Commerce, with its membership of about 2,700 individuals and firms, has been central to the growth of Long Beach's business community. One of the most active chambers in the Nation, the Long Beach Area Chamber of Commerce is the fifth largest chamber of commerce in the State of California.

The chamber's scope of activities is virtually unlimited, depending on community needs and the necessary resources to carry them out. By targeting international trade-related business and high-technology companies, the chamber is aggressively pursuing firms that will make a commitment to both the economic development and the quality of life in Long Beach. With more than 20 task forces and committees working toward improving these two important aspects of a great city-economic development and quality of life, the success of the chamber has been quite impressive.

One need only go to downtown Long Beach and view the development, which will soon include both a Federal building and a world trade center, to see the tremendous positive impact that the Long Beach Area Chamber of Commerce has had in contributing to the improvement of Long Beach from both a business and community viewpoint. It has been my sincere pleasure to work with the leadership of the Long Beach Area Chamber of Commerce throughout my many years of public service toward a shared goal of making Long Beach a better place to work, live, shop, play and do business.

My wife, Lee, joins me in saluting the Long Beach Area Chamber of Commerce for their many years of fine work and in pledging to continue to work with the Long Beach Area Chamber of Commerce in order to benefit the people of Long Beach and the surrounding communities throughout southern California.

**DAVID J. AMES—SCOUT MASTER****HON. TED WEISS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. WEISS. Mr. Speaker, I am pleased to join my constituents of the Fort Tryon Community in honoring David J. Ames who has contributed significantly to the enrichment of the scouting movement in Manhattan.

David's wholehearted commitment to his family, community, and especially its children, has been steady and of long duration. His contributions have spanned three decades, including many positions of service and leadership to groups such as the Hendrik Hudson District, Manhattan Councils, Boy Scouts of America, the Ten Mile River Scout Camps, Woodbadge Training, the Order of the Arrow, and the six national jamborees and one international jamboree. He has been a devoted scoutmaster of Troop 780, Manhattan since 1977. Today's accolade is just one among many of the awards this Eagle Scout has earned. Such awards include the Silver Beaver, a District Award of Merit, the Vigil Honor in the Order of the Arrow, the Scouter's Key, and the Scouter's Training Award. Troop and Pack 780 have proclaimed June 13,

"David Ames Day" to acknowledge the love and respect the community has for David.

I wish to congratulate David J. Ames and am happy to have this opportunity to report his good works to my colleagues. I commend David for his accomplishments and continued efforts in making his community a better place for us all.

**RETIREMENT OF HELEN RENZI****HON. SILVIO O. CONTE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. CONTE. Mr. Speaker, I rise today to mark the retirement of Helen Renzi, long time educator in the Williamstown public schools. A quarter of a century ago, the First Congressional District of Massachusetts was fortunate enough to acquire Helen from our brothers in Pennsylvania when she first took a position as a reading teacher in the Williamstown Elementary School. From that point, she made her presence known not only by affecting the lives of 6,500 students during her tenure as instructor, principal, and superintendent, but also through an almost compulsive devotion to her community. In the early sixties, she was publicity chairman for the League of Women Voters in the area, vice president of the Women's Faculty Club at Williams College, and chairman of the Grant-Mitchell PTA Program. Later, she founded a children's museum in the area, and more recently, has served on the board of directors for the First Agricultural Bank, and on the Mount Greylock Regional Study Group and Search Committee.

I am particularly proud of Helen, as a constituent and an educator, because she is much more than just an interpreter of text, or a conductor of facts. She exemplifies education as it was first intended. That is, not by merely passing on information as it has been passed to her, but by experiencing things for herself. She has been able to teach most effectively by learning for herself, by seeing for herself, then allowing her students to see through her eyes.

Helen has always possessed a certain amount of intensity. Shortly after her graduation from Westchester State in 1945, she became a laboratory technician for Sharpe & Dohme Pharmaceuticals in Pennsylvania. Even after she settled into a promising career, she never became content with the comfort of status quo. Between graduate work at the University of Maine, Penn State, Williams College, and North Adams State, she has accumulated a total of 42 academic credits. At Williams in 1965, she teamed with George Cross to discover a new math theorem, and in 1971, received the "Francis V. Grant Award" along with Marsha Elder for their team teaching approach.

However, it is not just from the world of academia that Helen has come to draw her expertise, her knowledge, and her experience. She is happily married with four grown children, has toured Europe, and has enjoyed the occasions she has had to relax on Cape Cod and the waters off its coast. Over the years, adventures like her trip in a hot air balloon

have served not only to enrich her own life, but through her teaching methods, to enrich the lives of her students.

I salute Helen Renzi for a successful career as an educator, a citizen, and as a truly remarkable human being. However, as much as I am glad to have been given this opportunity to speak on her behalf, the pleasure is diluted in the knowledge that Mrs. Renzi will leave a void in the public school system of Williams-town and the surrounding hilltowns that will not be easily filled.

TRIBUTE TO LT. COL. PHILLIP D. NEWSOM

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. McEWEN. Mr. Speaker, in all the debate regarding America's defense requirements, little mention is made of one of the most important factors in America's defense, regardless, the morale of our fighting people. There is little more important to the people of our Nation than those human factors which determine whether our Armed Forces can meet the challenges presented them.

Over the last 22 years and 8 months, the U.S. Air Force has enjoyed the faithful and dedicated service of one of my constituents, Lt. Col. Phillip D. Newsom. Colonel Newsom received his commission in February 1964. Since that time, his responsibilities have been at major air commands, joint service assignment and the Pentagon. He spent time as a personnel staff and planning officer at Headquarters, Air Force, student at Air Force Institute of Technology, Wright-Patterson AFB, OH, chief of programs at Headquarters, Air Force Manpower and Personnel Center at Randolph AFB, TX, chief, labor branch, Air Force element at Yokota AB, Japan, and in August 1984 as director of personnel plans at Wright-Patterson AFB, OH.

Make no mistake, Mr. Speaker, Colonel Newsom has had most demanding assignments. His devotion to service has won him numerous awards including the Defense Meritorious Service Medal, Meritorious Service Medal with one Oak Leaf Cluster, and the Air Force Commendation Medal. I join Colonel Newsom's many friends and colleagues in saluting him for his dedicated support to our Nation's defense. His contributions exemplify the mission of the U.S. Air Force and will be missed. Thank you, Colonel Newsom, for serving your country so well.

ALL AMERICAN VFW DISTRICT  
COMMANDER AWARD

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mrs. BENTLEY. Mr. Speaker, it was recently brought to my attention that the National Veterans of Foreign Wars of the United States will honor the 14th Veterans of Foreign Wars

District of Maryland. The 14th VFW District is located in the Second Congressional District of Maryland.

During the second week of August of this year, the 87th National Convention of Veterans of Foreign Wars of the United States will hold its annual meeting in Minneapolis, MN. At the national convention, VFW District Commander David Clark of the 14th VFW District, Maryland, will receive the "All-American District Commander Award." Because of his leadership of three VFW posts in his district he has been chosen to receive this prestigious award.

The Parkville Memorial VFW Post, 9083, Commander Nick Bassetti; Charles Evering Memorial VFW Post, 6506, Commander Elbert Ribdleberger; and Dundalk Memorial VFW Post, 6694, Commander Albert Walsh are the three VFW posts of the honored 14th VFW District. The members of this district have demonstrated acts of charity, community service and countless hours of volunteer service. As a result of the member's spirit, disabled and elderly veterans have received financial assistance and help in time of need. Countless hours of volunteer service in VA hospitals and donation of funds to make necessary medical operations possible were made by the members of the distinguished 14th VFW District.

It is a privilege to have within my congressional district VFW members such as these. For this reason, Mr. Speaker, I now commend the lives of all who are members of the 14th VFW district. Their contributions to our Nation in time of war have undoubtedly inspired them to works of mercy. As I stand in our Nation's Capital, I am ever mindful of the contributions made by the men and women of the Veterans of Foreign Wars.

I wish the VFW membership a successful 87th national convention and anticipate even greater meritorious acts of community service.

MANAGEMENT WEEK

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mrs. LLOYD. Mr. Speaker, following the national observance of Management Week in America, which is set aside for the first week in June, my hometown of Chattanooga has named and outstanding member of our community as its first manager of the year.

Management Week in America recognizes management as a profession and the crucial contribution and decisive dedication that millions of managers offer in support of the American enterprise system.

It is extremely fitting, therefore, that H. Carey Hanlin, president and chief executive officer of Provident Life Insurance Co., be selected as Chattanooga's first Manager of the Year.

My friend for many years, Carey Hanlin is not only a leader in provident management, he is also the epitome of a community leader. He has long been active in community affairs and graciously offers his experience and advice to all who seek it. His efforts on behalf of his community are endless and tireless.

From an early age, Carey Hanlin has set himself apart as a leader. During his youth, as a Boy Scout, he participated in a program which allowed him to serve as president of Provident for a day. Although only 10 or 12 years old at the time, he was destined for leadership even then.

Carey Hanlin did not forget that experience—in fact, he must have liked being president of the corporation very much, because he came back to claim it as his own. He was served as president of Provident Life since 1977 and CEO since 1979.

However, one presidency was not enough for him. He has also served as president of the local Rotary Club, the Allied Arts of greater Chattanooga, the Cherokee Council of Boy Scouts, and is also a member of the board of Directors for Third National Bank in Tennessee.

Currently, Carey Hanlin is busy at work as chairman of Rivercity Corp., the firm developing Chattanooga's riverfront into a riverport.

Provident Life Insurance Co. has 2,700 employees in Chattanooga alone. The company also has some 10,000 agents across the country.

Many of you, my colleagues, are familiar with Provident as the company is licensed to do business in all 50 United States and every Canadian Province. The business has assets of \$6 billion. It is one of the top 10 insurance concerns writing health insurance and one of the top 50 writing life insurance.

I applaud the Chattanooga business and industry leaders for their choice of Carey Hanlin as Chattanooga's Manager of the Year. His selection will set an example of sound leadership, commitment to community and dedication of service for all following managers to come.

A TRIBUTE TO A MOST DISTINGUISHED  
EDUCATOR: MR.  
JOHN D. PARR

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. TRAXLER. Mr. Speaker, I rise to pay tribute to a most distinguished individual, John D. Parr, who has been a dedicated teacher, principal and public servant for the past 34 years. I am honored to recognize Mr. Parr as he prepares to retire from his position as vocational director of the Averill Career Opportunities Center in Saginaw, MI.

I would like to take this opportunity to share with my colleagues some information about John Parr and his service to the community of Saginaw. Mr. Parr was born and raised in Michigan, and received both a bachelor's and a master's degree from Michigan State University. He spent 5 years as a high school teacher, and went on to become a junior high school principal. In 1972 Mr. Parr became the principal and director of vocational education of the school district of Saginaw, and has been dedicated to this important position since then.

In addition to his teaching and administrative roles, Mr. Parr has had a variety of indus-



trial experience, working as a machinist, draftsman, and tool and die designer. He also served in the U.S. Army Air Force for 37 months.

Aside from his busy work schedule, John Parr has found time to participate as both a member and leader of numerous civic groups, including the PTA, Michigan Association of Area School Administrators, the Saginaw Board of Education, and the Michigan Industrial Education Society, of which he was president, to name just a few. In all of these activities, Mr. Parr has outdone himself in trying to better his community by providing valuable and important services.

John Parr is greatly respected by his colleagues and students alike, and I am certain he has left a special mark on each of those he has taught and guided and befriended throughout his career. His commitment to the vocational and educational systems, as well as to his community, will long be appreciated and remembered. I ask my colleagues to join with me today in honoring a very special individual, and to wish him continued success and happiness in his retirement.

#### UNDERSTANDING THE HANDICAPPED: LEARNING BY DOING

##### HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. COURTER. Mr. Speaker, last month the Piscataway Civil Rights Advisory Commission sponsored a week-long project aimed at raising the consciousness of the public. I believe my colleagues should be aware of this unique approach to educating the nondisabled, known in Piscataway, NJ, as "Human Potential Week."

This project was based on the concept that nonhandicapped individuals will not understand what it's like to be handicapped, unless they actually experience physical limitations. Consequently, during a special day known as Can-Do Day participants played volleyball in wheelchairs and signed their names with pencils in their mouths.

By participating in these activities, and placing themselves literally in another person's shoes or, in some cases, another person's wheelchair, handicap-free individuals came to realize not only what limitations there are for the disabled, but, more importantly, how much they are able to overcome. The week served to improve understanding and appreciation for the way in which so many handicapped individuals have fulfilled their potential despite physical or mental impediments.

In addition to the recreational activities, classes in sign language and a performance by the Woodbridge Developmental Center Performing Arts Group fostered new feelings and improved relationships with the disabled.

I commend the Piscataway Civil Rights Advisory Commission, the Middlesex County Office of the Handicapped and all other individuals and organizations who took part in this important enterprise. Education is our most important tool in understanding one another, and, through its awareness activities, "Human

Potential Week" has helped significantly to erode interpersonal and physical barriers to the handicapped.

#### FLAG DAY

##### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Ms. KAPTUR. Mr. Speaker, on June 14, Americans will join together for our annual celebration of Flag Day. It is the one day of the year when each American stops, if only for a moment, to reflect on the meaning of the American flag—freedom, security, and our way of life. We also take time to remember all of those Americans who have died in battle under the banner of the American flag.

One of the most inspiring sights in all of our land is the American flag proudly flying over the U.S. Capitol. Each time that I walk from my office to the floor of Congress and see that flag, I am reminded of how fortunate we are to live in the world's greatest democracy.

This year, I will have the pleasure of joining Elks Lodge 53 in my district for their 100th Flag Day ceremonies. For 100 years, Elks Lodge 53 has been providing valuable community services. The members of Lodge 53 have helped generations of Toledoans in need. Elks Lodge 53 epitomizes the best that fraternal organizations can be. I will be proud to celebrate this wonderful holiday with some of the finest Americans in our Nation's industrial and agricultural heartland.

#### A CALL TO CONSCIENCE

##### HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 11, 1986

Mr. BOEHLERT. Mr. Speaker, I would like to call to the attention of every Member of the House of Representatives a statement sent to me by Lansing G. Baker, president of Utica College in Utica, NY. "A Call to Conscience," produced by college and university leaders at a meeting here in Washington, addresses the problems of reducing Federal support to higher education.

As the statement notes, education is the lifeblood of economic prosperity and, indeed, our Nation as a whole. I urge my colleagues to read and consider the following.

#### A CALL TO CONSCIENCE

Proposed reductions in federal support seriously threaten American higher education. Its future for decades to come will be affected by the decisions Congress makes in this budget and appropriations cycle. But the issue is greater than the future of higher education; the issue is the future of the nation.

America's best hope for economic prosperity is education. Growing competition in the international market place can only be met through more—not less—educational opportunity. Research and technological developments are needed to produce the jobs of the future, and quality education is needed to

develop the talents of all our young people to meet the challenges of the future.

And yet, education is being held accountable for deficits which it did not create. From 1980 to 1986 the federal deficit doubled in constant dollars while education expenditures declined by 16 percent. Reductions in student aid include the elimination of social security education benefits, and the decline of veterans' educational benefits.

We are troubled by the notion that the national defense can be strengthened while education is weakened. We remind the nation that education is an essential component of the national defense; there would be no military force without educated manpower, no technical military superiority without engineers and scientists trained on the nation's campuses.

Proposed federal cutbacks would affect an estimated 3 million out of 5 million students presently receiving aid, forcing them to drop out or change their college plans. Such cuts strike particularly hard at minority enrollments, which already have been losing ground: while more blacks and hispanics are completing high school, fewer are attending college.

Such losses are unacceptable to a nation committed for the last thirty years to making higher education available to every young person who has the ability and desire to pursue it. Such losses are unconscionable for a nation committed to racial equality and equal opportunity. Educational excellence is not possible without equal access: the federal role in guaranteeing that access is paramount, representing 75 percent of total national expenditures for student aid.

As college and university presidents and leaders of higher education, we represent millions of American students whose futures hang in the balance of federal budget and appropriations decisions. It is time we spoke out for them—clearly and forcefully.

It is time, too, that we remind the nation that education is fundamental to the quality of life in our democratic society, as well as to our economic security and our national defense. It is time to bring education back to the forefront of our national priorities.

We call for a reordering of federal responsibilities to recognize education as our best hope for the future.

This is nothing less than a call to conscience.

Robert Atwell, American Council on Education

Martin Abegg, Bradley University (IL)  
Duane Acker, Kansas State University  
Mirron Alexandroff, Columbia College (IL)

Philip Austin, Colorado State University  
Dallas Beal, Connecticut State University  
Mike Blouin, Kirkwood CC (IA)  
Derek Bok, Harvard University (MA)  
Stanford Cazier, Utah State University  
Lattie Coor, University of Vermont  
Robert Corrigan, University of Massachusetts, Boston

Rev. Charles Currie, Georgetown University (DC)

John DiBiaggio, Michigan State University

Dr. Theodore Drahmman, Christian Brothers College (TN)

Joseph Duffey, University of Massachusetts, Amherst

Lloyd Elliott, George Washington University (DC)

Br. Patrick Ellis, La Salle University (PA)  
Sandra Featherman, Community College of Philadelphia

John Frazer, Council of Independent Kentucky Colleges & Universities  
 Ivan Frick, Elmhurst College (IL)  
 Phillip Gannon, Lansing Community College (MI)  
 Gordon Haaland, University of New Hampshire  
 Evelyn Handler, Brandeis University (MA)  
 Robert Hardesty, Southwest Texas State University  
 George Harmon, Millsaps College (MS)  
 William Harris, Paine College (GA)  
 Rev. Timothy Healy, Georgetown University (DC)  
 Frederick Humphries, Florida A & M University  
 Herman James, Glassboro State College (NJ)  
 Philip Jordan, Kenyon College (OH)  
 Donald Langenberg, University of Illinois, Chicago  
 Laurel Loftsgard, North Dakota State University  
 James Lyons, Bowie State College (MD)  
 Mary-Linda Merriam, Wilson College (PA)  
 Rev. Donald Monan, Boston College (MA)  
 Joseph Murphy, City University of New York (System Office)  
 Patti Peterson, Wells College (NY)  
 James Ream, Pennsylvania Association of Colleges & Universities  
 Sr. Janice Ryan, Trinity College (VT)  
 Kenneth Ryder, Northwestern University (MA)  
 Steven Sample, State University of New York at Buffalo  
 Gilbert Sanchez, New Mexico Highlands University  
 Natale Sicuro, Southern Oregon State College  
 Frederick Starr, Oberlin College  
 Donald Stewart, Spelman College (GA)  
 Rev. William Sullivan, Seattle University (WA)  
 Donald Swain, University of Louisville (KY)  
 Michael Timpane, Teachers College of Columbia University (NY)  
 John Toll, University of Maryland  
 Rev. Robert Weiss, Rockhurst College (MO)  
 Donald W. Zacharias, Mississippi St. U.

#### DEFENSE VS. TAXES

### HON. JIM COURTER

OF NEW JERSEY  
 IN THE HOUSE OF REPRESENTATIVES  
 Wednesday, June 11, 1986

Mr. COURTER. Mr. Speaker, a false argument has been injected into the budget debate this year: the argument goes, if the President wants a strong defense, he will have to raise taxes. If he wants economic growth, on the other hand, he'll have to accept a small defense budget. This argument, I am sorry to say, is not confined to one side of the aisle.

I would never want to say that America can be defended on the cheap and without sacrifice. But the trouble with today's version of the "guns or butter" approach is that we won't be able to afford the best defense unless we keep the economy expanding. Holding tax rates as low as possible and reforming the Income Tax Code will have many substantive benefits, but one of the greatest is that it will generate the broad economic base to fund the defense modernization program

which President Reagan was reelected to complete.

Following is an editorial from New Jersey Success magazine which I commend to my colleagues.

The article follows:

[From the New Jersey Success, April 1986]  
**DEFENSE VS. TAXES**

President Reagan has told the country and, indeed, the world, that cuts in his proposed defense spending will seriously jeopardize the security of the United States.

It's likely to jeopardize the economy of the country, too. It's impossible to remove billions of dollars from the economy without it showing on the bottom line somewhere.

More and more we hear of Republicans who are abandoning the President in favor of increasing taxes. Will we never learn? Every increase in taxes, if it hasn't produced a recession, has certainly helped one along. Remove billions of dollars from the national economy in defense spending reductions and raise taxes at the same time and business will suffer. It's difficult to imagine either the President or Congress doing such a thing with an election coming in 1986.

Most likely they'll cut defense but less than the amount threatened. They'll pass some kind of tax increase, but they'll call it something else.

#### THE PENNSYLVANIA ROUTE 33 CONNECTION

### HON. DON RITTER

OF PENNSYLVANIA  
 IN THE HOUSE OF REPRESENTATIVES  
 Wednesday, June 11, 1986

Mr. RITTER. Mr. Speaker, today I introduced H.R. 5006, to carry out a highway demonstration project to extend Pennsylvania State Route 33 which will provide a limited access highway to connect Interstate Routes I-78 and I-80. As far as I am aware, no demonstration project has ever been funded to show the economic, environmental, and transportation benefits that would flow from a connecting link between two major interstate highways.

Linking these two interstate highways—I-78 and I-80—would foster economic development and job creation because it would give high-speed, limited access motor vehicle transportation to an area that is ideal for new activity, if only it had greater access. The "Connection Coalition" of Pennsylvania and New Jersey officials have convinced me this project would confirm that we can get such projects done through a partnership among Federal, State, and local governments.

Earlier this year, the Department of Transportation sent to Congress a multiyear surface transportation reauthorization proposal which would extend highway user fees, the highway trust fund, and the highway construction program for 4 years. I know my colleagues are anxious to enact a reauthorization bill by October 1, 1986.

Mr. Speaker, the link-up of I-78 and I-80 would foster significant economic development and job creation by providing high-speed, limited access motor vehicle transportation to an area with unemployment rates substantially above national and regional

levels; it would appreciably decrease the use of local roads by through traffic, particularly by heavy-duty trucks and vans and thereby promote highway safety; it would reduce intra-regional and interregional travel time, promote energy conservation, reduce transportation costs, improve air quality; and most importantly it would increase the efficiency and optimize the value of two major east-west interstate routes passing through our Lehigh Valley region.

Mr. Speaker, the Joint Planning Commission of Lehigh-Northampton Counties recommended construction of the Route 33 connection as early as 1964. The Lehigh Valley Transportation Study's first transportation plan also recognized the need for the connection and identified the road as a "high priority" four-lane expressway in 1972. In 1984, PennDOT hired the firm of McCormick, Taylor & Associates to update the studies and present a final report, due this fall. Preliminary data confirms the prospects for a high cost/benefit ratio and should be available to the Public Works Committee when the Committee evaluates the various criteria concerning the many demonstration projects now under consideration.

As evidence of the continuing interest of the local governments, I include at this point recent correspondence and resolutions from Warren County, NJ, and Lehigh County, PA, as well as a copy of my bill.

The material follows:

COUNTY PLANNING OFFICE,  
 FOR WARREN COUNTY,  
 Belvidere, NJ, May 2, 1986.

Congressman DON L. RITTER,  
 Cannon Building,  
 Washington, DC

DEAR CONGRESSMAN RITTER: The enclosed resolution was passed by the Warren County Planning Board at its April 28, 1986 meeting requesting the Pennsylvania Department of Transportation transfer the Route 33 project south of U.S. Route 22 to Interstate Route 78 from its Long Range Plan to its Short Range Plan and expedite the project.

Your cooperation in this matter will be greatly appreciated.

Very truly yours,

BERNARD T. ROONEY,  
 Senior Planner/Transportation.

Enclosed.

#### RESOLUTION

On motion by Mrs. Schmidt, seconded by Mr. Kisselbach, the following resolution was adopted by the Warren County Planning Board at a meeting held on April 28, 1986.

A Resolution Requesting the Pennsylvania Department of Transportation Transfer the Route 33 Project South of U.S. Route 22 to Interstate Route 78 From its Long Range Plan to its Short Range Plan and Expedite the Project

Whereas, US Route 22 in Lehigh and Northampton Counties, in Pennsylvania and in Warren County, New Jersey is a major east/west traffic corridor running through the highly industrialized Lehigh Valley, serving both Interstate and local traffic; and

Whereas, a substantial proportion of the traffic volume consists of Interstate and local trucking; and

Whereas, the section of US Route 22 serves as one of two missing links to Inter-



state Highway 78 in Pennsylvania and New Jersey linking Interstate Highway 81 and Harrisburg to the New Jersey Turnpike, Newark and the New York/New Jersey Metropolitan area; and

Whereas, the second missing link in Union County will be completed in 1986; and

Whereas, the I-78/US 22 corridor is a major growth corridor in both New Jersey and Pennsylvania; and

Whereas, as a major growth corridor, traffic volumes will increase drastically, having a negative impact on US Route 22 through Warren County and the Lehigh Valley, especially Memorial Parkway in Phillipsburg and Cemetery Curve in Easton; and

Whereas, as part of the Pennsylvania highways systems, Penn DOT has designed a north/south highway link, PA Route 33, linking I-78 and the Lehigh Valley with I-80 and the Poconos, and I-81 and Scranton via I-380; and

Whereas, PA Route 33 has been completed between I-80 and Route 22; and

Whereas, the final design and completion of Route 33, south of Route 22, was based on the final approval and design of I-78 through the Lehigh Valley; and

Whereas, as a result of the final approval and design of I-78, in which the Route 33 interchange was eliminated, Penn DOT dropped the Route 33 project south of Route 22; and

Whereas, upon request of Lehigh Valley officials, Penn DOT has reinstated the Route 22 project under its long range plan; and

Whereas, Route 33 is now a major highway corridor for north/south traffic to and from the Lehigh Valley and central/western New Jersey and to and from the Poconos, I-80, and I-81 and Scranton via I-81E for traffic originating in and designated for the Lehigh Valley and central/western New Jersey; and

Whereas, the final link of I-78 through the Lehigh Valley and Warren County is now under construction; and

Whereas the project is scheduled for completion by 1990; and

Whereas, one of the major purposes of the I-78 project is to remove the bulk of the interstate traffic from the Route 22 corridor and elevate some of the congestion along the corridor especially in Easton and Phillipsburg, along Cemetery Curve and Memorial Parkway; and

Whereas, without the extension and interchange of Route 33 with I-78, all traffic designated to and originating from central/western New Jersey via Route 33, will have to continue to use the Route 22 corridor, congesting the corridor and continuing to endanger the lives of those using the corridor;

Now, therefore, *be it resolved*, the Warren County Planning Board request the Pennsylvania Department of Transportation transfer the Route 33 project south of US Route 22 to I-78 from its Long Range Plan and place it on its Short Range Plan and give it top priority status in order to expedite the project so it can be completed in conjunction with or as close as possible with the completion of the I-78 project through the Lehigh Valley;

*Be it further resolved*, the Warren County Planning Board urges the New Jersey Department of Transportation, the United States Department of Transportation, the Federal Highway Administration and the Urban Mass Transit Administration, request the Pennsylvania Department of Transportation expedite this project and Federal Au-

thorities cooperate in expediting the project design approvals and providing financial assistance;

*Be it further resolved* That copies of this resolution be sent to Governor Thomas T. Kean, New Jersey, Governor Richard Thornburg, Pennsylvania, NJDOT Commissioner, Roger A. Bodman, PENN DOT Secretary, Thomas Larson, US DOT Secretary Elizabeth Dole, Federal Highway Administration, Warren County Board of Chosen Freeholders, County Commissioners of Lehigh and Northampton Counties, Joint Planning Commission, Lehigh-Northampton Counties, Lehigh Valley Transportation Study, Metropolitan Planning Organization, Mayors of Easton and Phillipsburg, Easton Planning Commission, Phillipsburg Planning Board, U.S. and State Legislators representing Lehigh, Northampton and Warren Counties, and the Chamber of Commerce of Easton and Phillipsburg.

I hereby certify the above to be a true copy of a resolution adopted by the Warren County Planning Board on the date above mentioned.

\_\_\_\_\_  
Planning Director.

COUNTY OF LEHIGH,  
OFFICE OF THE COMMISSIONERS,  
Allentown, PA, June 2, 1986.

HON. DON L. RITTER,  
Cannon House Office Building,  
Washington, DC.

DEAR MR. RITTER: Enclosed please find a copy of Resolution 1986, No. 11 recently passed by unanimous vote of the Lehigh County Board of Commissioners. This legislative action was taken to demonstrate the support of the Board for the expeditious connection of Pennsylvania Route 33 between U.S. Rte 22 and Interstate 78.

Long identified as a "high priority" project in regional land use studies, the linkage of Route 33 with Interstate 78 has now assumed critical timeliness with the imminent completion of the final link of the new I-78 corridor. It is of particular importance presently because of its potential for maximizing the benefit of the new I-78 corridor by reducing traffic and heavy truck travel on U.S. Route 22. While this project is included in the Pennsylvania Department of Transportation long-range planning document, it is not scheduled early enough to arrest the ever-worsening conditions on U.S. Route 22.

The intent of our message to you to make you aware of the urgency of this project and to ask your assistance in whatever way your office allows in moving it forward for the betterment of Pennsylvanians as well as the millions of citizens from other states who use our highway network and particularly, U.S. Route 22, annually.

Thank you for your attention to this matter.

Sincerely yours,

MARY T. HANEY,  
Clerk to the Board.

Enclosure.

COUNTY OF LEHIGH, PENNSYLVANIA RESOLUTION 1986—No. 11, SPONSORED BY COMMISSIONER MOHR, REQUESTED MAY 15, 1986

A RESOLUTION SUPPORTING THE CONNECTION OF PA. RTE 33 BETWEEN U.S. RTE 22 AND I-78

Whereas, Rte. 33 is now a major highway corridor for north/south traffic to and from the Lehigh Valley, central/western New Jersey, and the Poconos I-80 and I-81; and

Whereas, the final link of I-78 through the Lehigh Valley and Warren County is now under construction; and

Whereas, the project is scheduled for completion by 1990; and

Whereas, regional land use development policies recognize the need for the Rte. 33 extension between U.S. Rte. 22 and I-78; and

Whereas, without the extension and interchange of Rte. 33 with I-78, traffic to and from New Jersey via Rte. 33 will be forced to use the presently congested Rte. 22, continuing to endanger the lives of those using the corridor; and

Whereas, the extension would maximize the benefit of the new I-78 corridor by reducing traffic and heavy truck travel on U.S. Rte. 22.

Now, therefore, *it is hereby resolved by the Lehigh County Board of Commissioners That:*

1. The Lehigh County Board of Commissioners does hereby request the Pennsylvania Department of Transportation to transfer the Rte. 33 extension project from its long-range plan to its short range plan, and give it top priority status so that it can be synchronized with the completion of the I-78 project through the Lehigh Valley.

2. The Board urges the Pennsylvania Department of Transportation, the Federal Highway Administration and the Urban Mass Transit Administration to cooperate in expediting the project-designed approvals and providing financial assistance for the project.

3. The Clerk to the Board will forward copies of this resolution to: Governor Thomas T. Kean of New Jersey; Governor Richard Thornburgh of Pennsylvania; New Jersey Department of Transportation Commissioner Roger A. Bodman; Pennsylvania Department of Transportation Secretary Thomas D. Larson; U.S. Department of Transportation Secretary Elizabeth Dole; the Federal Highway Administration; the Warren County Board of Chosen Freeholders; the Northampton County Council; the Joint Planning Commission of Lehigh and Northampton Counties; the Lehigh Valley Transportation Study Group and all federal and state legislators from Lehigh County.

4. Any resolution or part of a resolution conflicting with the provisions of this resolution is hereby repealed insofar as the same affects this resolution.

5. The County Executive shall distribute copies of this resolution to the proper officers and other personnel of Lehigh County whose further action is required to achieve the purpose of this resolution.

Adopted by the Board of Commissioners of Lehigh County on the 28th day of May, 1986, by the following vote:

AYE

Jane S. Baker (absent), John W. Brosious, Donald H. Davies, Judith R. Diehl, Leon W. Eisenhard, John F. McHugh, Kenneth E. Mohr, Jr., Sterling H. Raber, Donald E. Wieand, Jr.

Attest:

MARY P. HANEY,  
Clerk to the Board of Commissioners.

CERTIFICATION

I, Mary Haney, Clerk to the Board of Commissioners do hereby certify that the attached is a true and correct copy of the resolution duly presented and adopted at a regular meeting of the County Commissioners of Lehigh County held on May 28th, 1986.

MARY HANEY,  
Clerk to the Board of Commissioners.

H.R. 5006

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

## SECTION 1. PENNSYLVANIA DEMONSTRATION PROJECT.

(a) PROJECT DESCRIPTION.—The Secretary of Transportation shall carry out a highway project in the vicinity of Bethlehem, Pennsylvania, of approximately 3 miles to extend Pennsylvania Route 33 on the Federal-aid primary system from its terminus at United States Route 22 to Interstate Route I-78 for the purpose of providing a four-lane limited access highway connecting Interstate Routes I-78 and I-80 and demonstrating methods by which connection of 2 interstate routes will—

(1) foster significant economic development and job creation by providing high speed, limited access motor vehicle transportation to an area in transition with unemployment rates substantially above national and regional levels;

(2) appreciably decrease the use of local roads by through traffic particularly by heavy trucks and thereby promote highway safety;

(3) reduce intraregional and interregional traveltime, promote energy conservation, reduce transportation costs, and improve air quality; and

(4) increase the efficiency and optimize the value of such interstate routes.

(b) REPORT.—Not later than January 31, 1992, the Secretary of Transportation shall submit to Congress a report on the results of the project authorized by subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, out of the Highway Trust Fund (other than the Mass Transit Account), to carry out subsection (a) \$500,000 for fiscal year 1987, \$1,000,000 for fiscal year 1988, \$2,000,000 for fiscal year 1989, \$20,500,000 for fiscal year 1990, and \$30,000,000 for fiscal year 1991.

(d) APPLICABILITY OF TITLE 23.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be 100 percent and such funds shall remain available until expended and shall not be subject to any obligation limitation.

## 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, June 12, 1986, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## JUNE 13

9:30 a.m.

## Armed Services

To hold hearings on the nominations of Admiral Carlisle A.H. Trost, USN, to be Chief of Naval Operations, General Larry D. Welch, USAF, to be Chief of Staff of the U.S. Air Force, and other pending military nominations.

SR-222

## JUNE 16

10:00 a.m.

## Labor and Human Resources

To hold hearings on the nomination of George R. Salem, of Virginia, to be Solicitor, Department of Labor.

SD-430

1:00 p.m.

## Energy and Natural Resources

## Energy Research and Development Subcommittee

To hold oversight hearings on the second waste repository site selection under the Department of Energy's Office of Civilian Radioactive Waste Management.

SD-366

1:30 p.m.

## Judiciary

## Criminal Law Subcommittee

Business meeting, to mark up S. 1203, to grant railroad police and private college or university police departments access to Federal criminal identification records, and S. 2312, to expand the coverage of the Armed Career Criminal Act of 1984 by broadening the class of predicated crimes that make an armed person a career criminal.

SD-226

## JUNE 17

9:00 a.m.

## Environment and Public Works

## Nuclear Regulation Subcommittee

To hold hearings on S. 1235 and S. 2291, bills to promote more effective and efficient nuclear licensing and regulation.

SD-406

9:30 a.m.

## Agriculture, Nutrition, and Forestry

## Foreign Agricultural Policy Subcommittee

To resume hearings to review agricultural trade issues.

SR-332

Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee

To resume hearings on the final report of the Presidential Commission on the Space Shuttle Challenger Accident.

SR-253

## Energy and Natural Resources

## Public Lands, Reserved Water and Resource Conservation Subcommittee

To hold hearings on S. 2055, to establish the Columbia Gorge National Scenic Area.

SD-366

## Finance

## International Trade Subcommittee

To resume hearings on S. 1860, proposed Trade Enhancement Act, and a related measure S. 1867, to require the President to submit legislation withdrawing trade benefits provided under the Generalized System of Preferences (GSP) from certain developing countries, including Taiwan, Hong Kong, and Korea.

SD-215

10:00 a.m.

## Governmental Affairs

## Energy, Nuclear Proliferation and Government Processes Subcommittee

To hold hearings on S. 525, to provide the Secretary of Health and Human Services the authority to conduct epidemiological studies of the health effects of radiation in places of employment.

SD-342

## Judiciary

## Constitution Subcommittee

Business meeting, to consider S. 1580, S. 1794, and S. 1795, bills to revise Federally mandated attorneys fees applicable to civil, criminal, and administrative proceedings involving the United States and civil proceedings involving State and local governments, S. 1581, to revise provisions concerning the appointment of counsel in Federal criminal proceedings, S. 1853, to establish a program to facilitate the use of certified interpreters in judicial proceedings instituted by the United States, S. 436, relating to civil actions for the deprivation of rights, and S. 1421, to allow the Susquehanna River Basin Commission to determine the rate of interest on bonds issued by the Commission.

SD-226

## Select on Indian Affairs

To resume hearings on S. 902 and H.R. 1920, bills to establish Federal standards for gaming activities on Indian lands.

SD-106

11: a.m.

## Judiciary

To hold hearings to review the establishment of civil penalties for false claims and statements made to the United States or to recipients of property, services, or money from the United States or to parties to contracts with the United States.

SD-226

## JUNE 18

9:00 a.m.

Commerce, Science, and Transportation  
\*Aviation Subcommittee

To hold hearings on general aviation product liability.

SR-253

## Environment and Public Works

## Nuclear Regulation Subcommittee

To continue hearings on S. 1235 and S. 2291, bills to promote more effective and efficient nuclear licensing and regulation, and to begin hearings on section 2 of S. 2471, to establish an Office of Inspector General in the Nuclear Regulatory Commission.

SD-406



June 11, 1986

EXTENSIONS OF REMARKS

13431

9:30 a.m.  
Select on Intelligence  
To hold closed hearings on intelligence matters.  
SH-219

4:00 p.m.  
Select on Intelligence  
To hold closed hearings on intelligence matters.  
SH-219

10:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings on pending nominations.  
SR-332

JUNE 20

Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
SD-366

9:30 a.m.  
Energy and Natural Resources  
Public Lands, Reserved Water and Resource Conservation Subcommittee  
To hold hearings on S. 2266, to establish a ski area permit system on national forest lands established from the public domain, S. 2287, to designate a certain portion of the Great Egg Harbor River in the State of New Jersey for potential addition to the Wild and Scenic Rivers System, S. 2320, to add certain lands on the Island of Hawaii to Hawaii Volcanoes National Park, S. 2351, to revise the boundaries of Olympic National Park and Olympic National Forest in the State of Washington, S. 2466, to designate a segment of the Saline Bayou in Louisiana as a component of the National Wild and Scenic Rivers System, S. 1019 and H.R. 2182, bills to include certain additional lands within the Apostle Islands National Lakeshore in Wisconsin, and S. 2483, to reaffirm that regulation of private property within the Fire Island National Seashore in New York remain a joint activity between the Federal Government and the local government.  
SD-366

Governmental Affairs  
Civil Service, Post Office, and General Services Subcommittee  
To hold joint hearings with the House Committee on Post Office and Civil Service on a Postal Rate Commission report on the use and abuse of the preferred mail rate.  
SD-342

Labor and Human Resources  
Business meeting, to consider pending calendar business.  
SD-430

1:00 p.m.  
Judiciary  
Security and Terrorism Subcommittee  
To resume hearings in closed session on legal mechanisms to combat terrorism.  
S-407, Capitol

2:00 p.m.  
Judiciary  
To hold hearings on pending nominations.  
SD-226

JUNE 19

9:30 a.m.  
Energy and Natural Resources  
To hold oversight hearings to review the impact of the explosion of the Soviet nuclear powerplant at Chernobyl on the domestic nuclear industry.  
SD-366

10:00 a.m.  
Finance  
Oversight of the Internal Revenue Service Subcommittee  
To continue oversight hearings to review activities of the Internal Revenue Service and the Department of Justice relating to the investigation and prosecution of certain tax cases.  
SD-215

JUNE 23

10:00 a.m.  
Appropriations  
Defense Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1987 for the Department of Defense.  
SD-192

10:00 a.m.  
Finance  
Oversight of the Internal Revenue Service Subcommittee  
To resume oversight hearings to review activities of the Internal Revenue Service and the Department of Justice relating to the investigation and prosecution of certain tax cases.  
SD-215

Finance  
Oversight of the Internal Revenue Service Subcommittee  
To hold oversight hearings to review activities of the Internal Revenue Service and the Department of Justice relating to the investigation and prosecution of certain tax cases.  
SD-215

Small Business  
To hold oversight hearings on the implementation of the Prompt Payment Act (P.L. 97-177).  
SR-428A

2:00 p.m.  
Energy and Natural Resources  
Energy Research and Development Subcommittee  
To hold oversight hearings to review budget requests for the Department of Energy's Office of Energy Research and the Office of Environment, Health and Safety.  
SD-366

JUNE 24

11:00 a.m.  
Environment and Public Works  
Toxic Substances and Environmental Oversight Subcommittee  
Business meeting, to mark up S. 2083, to promulgate regulations for asbestos hazard abatement in the Nation's schools, and S. 2300, to set standards for identification and abatement of hazardous asbestos in Federal and other buildings.  
SD-406

9:30 a.m.  
Commerce, Science, and Transportation  
To hold hearings on S. 1903, and a related measure to improve the safe operations of commercial motor vehicles.  
SR-253

10:00 a.m.  
Energy and Natural Resources  
Water and Power Subcommittee  
To hold hearings on S. 1149, to allow State commissions to determine whether to exclude all or part of a

rate set by the Federal Energy Regulatory Commission based on construction cost, and related matters.  
SD-366

Judiciary  
Administrative Practice and Procedure Subcommittee  
To hold hearings on S. 489 and H.R. 3174, bills to allow members of the Armed Forces to bring claims for damages against the United States for personal injury or death arising out of medical, psychological, or dental care furnished by a Department of Defense hospital.  
SD-226

JUNE 25

9:30 a.m.  
Commerce, Science, and Transportation  
Aviation Subcommittee  
To hold hearings on proposed legislation authorizing funds for the National Transportation Safety Board.  
SR-253

Rules and Administration  
Business meeting, to mark up S. 1787, to amend the Federal Election Campaign Act of 1971 to provide for the public financing of Senate general election campaigns, and related proposals, an original bill authorizing funds for fiscal year 1987 for the Federal Election Commission, House Concurrent Resolution 288, to authorize the printing of additional copies of a certain committee print, House Concurrent Resolution 301, to authorize the printing of additional copies of a certain Presidential Message, to resume mark up of S. 2255, to prohibit the expenditure of Federal funding for congressional newsletters, and other pending legislative and administrative business.  
SR-301

Select on Intelligence  
To hold closed hearings on intelligence matters.  
SH-219

10:00 a.m.  
Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
SD-366

Labor and Human Resources  
To hold hearings on the administration of the Mine Safety and Health Review Commission.  
SD-430

Select on Indian Affairs  
To hold hearings on H.R. 1344, to provide for the restoration of Federal recognition to the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribes of Texas.  
SR-385

JUNE 26

9:30 a.m.  
Commerce, Science, and Transportation  
Surface Transportation Subcommittee  
To hold hearings on the establishment of new short-line and regional railroads.  
SR-253

Governmental Affairs  
Intergovernmental Relations Subcommittee  
To hold hearings on certain provisions of S. 2403, to improve access to health insurance coverage for Americans.  
SD-342

10:00 a.m.

Energy and Natural Resources  
Natural Resources Development and Production Subcommittee  
To hold hearings on prospects for exporting American coal.

SD-366

4:00 p.m.

Select on Intelligence  
Closed business meeting, to consider pending calendar business; to be followed by a closed hearing on intelligence matters.

SH-219

JULY 15

9:30 a.m.

Commerce, Science, and Transportation  
To resume hearings on S. 1310, Clean Campaign Act of 1985.

SR-253

JULY 16

10:00 a.m.

Labor and Human Resources  
To hold oversight hearings on barriers to children's health care.

SD-430

JULY 17

9:20 a.m.

Commerce, Science, and Transportation  
Aviation Subcommittee  
To hold hearings on S. 2417, to provide for the establishment of an independent commission to study and make recommendations regarding the management of aviation safety.

SD-562

9:30 a.m.

Finance  
Social Security and Income Maintenance Programs Subcommittee  
To hold joint hearings with the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity on work and welfare issues.

SD-430

Labor and Human Resources  
Employment and Productivity Subcommittee

To hold joint hearings with the Committee on Finance's Subcommittee on Social Security and Income Maintenance Programs on work and welfare issues.

SD-430

10:00 a.m.

Energy and Natural Resources  
Public Lands, Reserved Water and Resource Conservation Subcommittee  
To hold hearings on S. 2412, to withdraw and reserve certain public lands.

SD-366

JULY 18

10:00 a.m.

Labor and Human Resources  
To hold hearings on S. 2407, the Animal Drug Amendments and Patent Term Restoration Act of 1986.

SD-430

JULY 22

9:30 a.m.

Agriculture, Nutrition, and Forestry  
Foreign Agricultural Policy Subcommittee  
To resume hearings to review agricultural trade issues, focusing on barriers to agricultural trade.

SR-332

Finance  
Social Security and Income Maintenance Programs Subcommittee

To resume joint hearings with the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity on work and welfare issues.

SD-430

Labor and Human Resources  
Employment and Productivity Subcommittee

To resume joint hearings with the Committee on Finance's Subcommittee on Social Security and Income Maintenance Programs on work and welfare issues.

SD-430

JULY 23

9:30 a.m.

Rules and Administration  
To hold hearings on S. Res. 330, to establish within the U.S. Senate a Special Committee on Families, Youth, and Children.

SR-301

JULY 29

9:30 a.m.

Agriculture, Nutrition, and Forestry  
Foreign Agricultural Policy Subcommittee  
To resume hearings to review agricultural trade issues, focusing on the impact of the 1985 farm bill (P.L. 99-198) on world agricultural trade.

SR-332

10:00 a.m.

Labor and Human Resources  
Employment and Productivity Subcommittee  
To hold hearings to review the response for home health care services.

SD-430

JULY 30

10:00 a.m.

Labor and Human Resources  
Business meeting, to consider pending calendar business.

SD-430

JULY 31

9:00 a.m.

Commerce, Science, and Transportation  
To hold hearings on scrambling of satellite delivered video programming.

SD-253

AUGUST 5

9:30 a.m.

Agriculture, Nutrition, and Forestry  
Foreign Agricultural Policy Subcommittee  
To resume hearings to review agricultural trade issues.

SR-332

AUGUST 13

10:00 a.m.

Labor and Human Resources  
To hold hearings to review the private sector initiatives in human services.

SD-430

SEPTEMBER 10

10:00 a.m.

Labor and Human Resources  
To hold hearings to review the human resources impact on drug research and space technology.

SD-430

SEPTEMBER 16

10:00 a.m.

Labor and Human Resources  
To hold hearings on pending nominations.

SD-430

SEPTEMBER 24

10:00 a.m.

Labor and Human Resources  
Business meeting, to consider pending calendar business.

SD-430

## CANCELLATIONS

JUNE 12

9:30 a.m.

Commerce, Science, and Transportation  
Surface Transportation Subcommittee  
To hold hearings on proposed legislation authorizing funds for programs of the Hazardous Materials Transportation Act.

SR-253

JUNE 17

10:00 a.m.

Labor and Human Resources  
To resume hearings on S. 1804, to establish a program to provide development and incentive grants to States for enacting medical malpractice liability reforms.

SD-430