

## EXTENSIONS OF REMARKS

INDUSTRIALIST ADVOCATES  
THAT BUSINESS, GOVERNMENT  
APPLY BASIC VALUE—JOHN  
LUKE ADDRESSES THE BOY  
SCOUTS OF AMERICA

## HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, May 20, 1981

● Mr. RANDOLPH. Mr. President, it is perhaps too easy these days to be pessimistic about the future. The repeated shock of headlines describing our inhumanity dampens the human spirit. It is necessary for us to keep a proper perspective on our daily lives, and to remember that many millions of people perform good deeds each day. Their performance does not secure headlines; their inherent goodness is unheralded and, too often, unappreciated.

We accept general conformance with society's code of conduct. There are many interpretations of what the unwritten code requires, but most of us intuitively recognize the difference between good and evil.

These points were clearly set forth in a challenging address recently by John A. Luke, president of Westvaco Corp. Speaking to the Potomac Council of the Boy Scouts of America at Cumberland, Md.

Mr. President, John Luke is one of our Nation's leading industrialists. He retains a love for the land and its people and a reverence for the nobility of nature. Westvaco owns more than 350,000 acres of West Virginia woodlands, and employs about 3,000 West Virginians in its operations.

Mr. President, I submit excerpts from Mr. Luke's remarks concerning the Boy Scouts of America and the new commitment to traditional values in America.

REMARKS BY JOHN A. LUKE, PRESIDENT,  
WESTVACO CORP.

I appreciate the opportunity you have given me to journey once again into the world of scouting. While my heart has never been far from scouting, as my children have grown and as other activities have captured my attention, I have not had as intimate a relationship with it as would have been my pleasure. But, in preparing my comments for this evening, I have had the chance to immerse myself in scouting—to reminisce and to get reacquainted. And, this has really been great.

I've thought about the days when my children were scouts right here in the Potomac Council and what that meant to them then and what that experience gave them for later life.

I've thought about the honor I had in serving with the Tri-Valley District of this council.

I've thought, too, about the many ways in which scouting is so important to a community and how fortunate this council is to have such outstanding volunteer involvement. Twelve hundred adult volunteers for 2,000 scouts is magnificent support. I am full of very sincere admiration.

I've also thought about how deeply interested Westvaco has always been in scouting and how very dedicated so many members of its organization have been—ever since scouting came to the Tri-Towns some 57 years ago, and beyond the Tri-Towns, wherever Westvaco has been located. Scouting and Westvaco seem to have a very special, mutual chemistry. And that genuinely pleases us.

We are proud that 26 of our Luke mill people are active in scouting today. Six are scout masters. Eight are present Tri-Valley District or former District chairmen, and four of the 26 have been accorded your highest honor to volunteers in scouting—the Silver Beaver Award. They are Pete Woy, Bill Gardner, Dave Young and Bob Bess. Westvaco stands taller because of these men and their three Luke mill predecessors—Julian Patrick, Harry Biggs, Alton Fortney. I am very proud to have known and worked closely with each of these seven men. As I journeyed back into scouting, I found the opportunity to look through four dog-eared, obviously well read copies of the Official Boy Scout Handbook—each from a different decade of the last 40 years—the war years of the forties, the growth years of the fifties, the years of turbulence and unrest in the sixties and seventies, and now the eighties. The thing that really struck me was how very little the manual has changed in its fundamentals and how constant its values have been. The campaign hat may be gone, but the real stuff of scouting is right there—as a source of strength for our time and for generations to follow.

Each of you is here tonight because you are doing something of very great importance for America. The traditions and values of scouting are truly foursquare with what has made our country great. You are perpetuating that American spirit for many years to come through what you are giving to today's youth. In my view, there is very little else which is more important in life than that.

Over the last 20 years, our society has gone through an exceedingly difficult period. We subjected ourselves and our institutions to a period of tremendous internal testing. In retrospect, it was a sort of intensified experience in evolution to see just which of our institutions and traditions were fit to survive.

We challenged almost everything—from family life to our flag, from our traditions of discipline and individual responsibility to free enterprise and business and labor and government, from our respect for the law to our role and responsibility in the free world. Nothing was overlooked.

Scouting was tested, too. Even the very elements of its spirit—duty, honor, God and country—came under question in various parts of the country and in various sectors of society. But all during this period, scouting stood resolute, doing a magnificent and very sensitive job of preserving the basic

values which are at the heart of both its traditions and our country's heritage. Scouting was a tower of strength for the youth of this period when so many of the accepted values of earlier days appeared quite uncertain, when a whole array of new causes and choices abounded, and when conflicting views on right and wrong seemed to be the norm. We challenged ourselves as families and as a society to think very deeply about what we believed and what we were determined to preserve. In fact, we really put our national conscience through the wringer.

However, from this period of internal testing two conclusions seem to have emerged. The first, is simply that those institutions which have stood for high standards of integrity and which have kept faith with the principles on which this country was built—in reality, the principles of scouting interpreted for later life—have emerged stronger and even more highly respected by the very society which put them to their test.

The second conclusion is that out of the testing has developed a new national consensus as to our directions and our responsibilities. Our electorate sent a very strong message last fall—indeed a popular mandate for action and for change. And here I want to emphasize that, at least to me, the strength and conviction of that mandate is far more important than the political result itself.

This mandate for change appears to have more conviction than any we have seen in almost 50 years. It reflects the depth and consequence of our internal testing and our value analysis. It reflects a clear determination to once again put the traditional, basic, American values back into place—and that includes squarely facing up to our problems and doing something about them.

## MANDATE FOR CHANGE

The mandate called for securing our national defenses and rebuilding a staunch leadership position in support of the free world. It called for less government and more individual and local responsibility and initiative. It called for action on the economy and on inflation.

If this interpretation of last fall's message is accurate, I believe it would then also be accurate to say that the mandate is not only fully consistent with the basic values of scouting, but that it also very eloquently reaffirms them. Scouting values are very much an ingrained part of our national character.

The mandate is very timely and appropriate, because just as we have gone through an extended period of predominantly self-imposed internal testing, we are now in a period which will be characterized predominantly by externally imposed testing. The stakes are, at the least, our country's economic well being and, at the most, the very security of the free world—our very way of life.

I'd like to talk a bit about the mandate and the new period of external testing.

First, our national security and our leadership position in the free world—the most basic external test. Without dwelling on this, I will just say that, in my view, the Soviet march and menace continues relentlessly. Its military arsenal is vast, and it is

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

growing. It is operative directly, or through surrogates, throughout the world and increasingly in this hemisphere. It is active in covert intelligence operations, in fomenting revolution and in teaching terrorism. Its basic objective has not changed. It remains, very simply, world domination.

The United States is the world's only country with the potential to confront this Communist thrust. I believe we need to develop this potential into reality—in our own self interest as well as that of the free world. Moscow respects only determination and strength. World peace will be preserved only as long as our national will and our military might are strong enough that they never need to be used.

It is very reassuring to me to see the priority and the determination being given to this fundamental issue by the new administration. It is fulfilling its pledge to the electorate. A new respect for America is being created abroad as well as at home. There is a growing readiness to believe that our policies will be consistent, and that we will once again be a reliable ally and friend.

Next, less government, the second part of the mandate. On the surface, this might not appear directly related to external testing, but in fact, it very much is. To the extent that a society burdens itself with a heavy yoke of government, it diminishes its competitive strength in direct proportion. Its initiatives, its efficiencies, and its productivity are suppressed. One of America's very great strengths has always been the innovative and self-reliant determination of its people. For our society to be most effective this national characteristic must be free to act, limited only by the modest constraints of a confident democracy. America cannot long afford either the cost or the regulatory power that feeds a voracious bureaucracy under the guise that government has wisdom and common sense beyond that of its citizens.

Scouting is a superb example of what we as citizens, on our own, can do for the very great good of the country. It presents a wonderful blend of community and national purpose, completely free of governmental support and influence. There is no way that government participation could improve upon this program. In fact, one could reasonably predict the exact opposite.

The new administration is off to a fast start in the reduction of Federal regulation and bureaucracy. It clearly means to make the progress which was promised and for which it was elected. Its consistent determination deserves the continued support of all who endorsed its proposals last fall.

#### MAJOR CHALLENGES AHEAD

This brings me to the third part of the mandate—the economy and inflation. This, obviously, is not solely a domestic problem. The day is gone when the United States was the world's most efficient and lowest cost producer—when it could readily protect its own—the largest market in the world. In that day, external competition was not a major factor. By and large, other industrial countries just couldn't compete with their products within our borders. Now they are major competitors, despite the immense natural advantages which we enjoy. We are faced with major economic challenges from the rest of the world—from countries such as Japan and Germany, which were flat on their backs industrially only 35 years ago, from the OPEC countries and, increasingly from other developing countries.

I believe that the essence of our economic challenge lies in the area of productivity—

from first rate plants incorporating advanced technology and the best of organizational practice. Industrial productivity has been declining in this country while it has been increasing in countries with which we compete.

This does not reflect on either the will or the ability of the American worker. Rather, it is primarily the result of our tax laws which have not given high enough priority to investment in new plant so that full advantage could be taken of today's technology by the American work force. This cannot continue if we are to meet our external economic challenges.

Other countries have invested heavily in a modern industrial base in the last 35 years—putting a higher percentage of their national income to work in this area than we have. We have invested a larger share of our dollar in government and its programs with proportionately less in our country's productive base. The tax rates required to fund our out of control government spending, and inflation, which has been one of its most cruel consequences, have encouraged the flow of the taxpayers' remaining dollars into consumption and into nonproductive tax sheltered programs instead of into savings and investment in our country's productive base.

As with other parts of last fall's mandate, the new administration, has put forward a forceful and responsive program based on both reduced spending and reduced tax rates. It is a strong and determined plan and also a socially conscious one. It is the very program clearly spelled out before the election and then overwhelmingly adopted. It contains the basic elements necessary to direct the nation's activities toward investment and productivity, job creation, real growth in the standard of living and greater competitiveness abroad—and these are just exactly the ingredients required to meet both our external economic challenges and our internal inflation.

We need, as examples, only to look at autos, steel, televisions, baseball gloves and apparel to see the extent of the world's economic challenge. We may never, as a county, regain our former economic preeminence, but there is absolutely no reason why we can't regain the lion's share of it. The ability and the resources required to do so lie clearly within our borders—within our hearts.

As an encouraging contrast to some of our other industries, I'd like to comment on the paper industry—in part because I know it first hand and, in part, because our company's Luke mill has been a major factor in this area's economy for almost 100 years. But, most importantly, because it is an impressive story.

I am very happy to report that the paper industry is able to compete very effectively in the four corners of the world. It may be the only one of the country's basic industries that can do this. It is a major exporter to the world, and as such, it is a very valuable national asset.

#### COMPETITIVE STRENGTHS

Despite the burden of governmental regulation, the paper industry has achieved this position for several reasons: First, our country has vast natural resources; and, second, it has a very large domestic market. This market's growing demand for low cost, high quality paper products has, through fierce competition, developed the largest, lowest cost and most efficient manufacturing base in the world. The companies which are able to compete most successfully in this market

are also able to compete anywhere in the world.

In summary, our country has undergone a period of severe internal testing out of which has come a powerful national consensus for action and change. This consensus is very timely as we are challenged by vigorous external world forces, and also very American as it reaffirms the traditional values on which this country was built. It cries out that we are regaining our national pride and confidence. It also tells the world that, once again, we're proud of our pride in America.

I'd like to close my remarks this evening by saying very sincerely, that I do not know of any institution that better represents the value system on which our country has been built, and on which its future rests, than does scouting. All Americans should be deeply grateful to each of you for your part in this very proud tradition.

Thank you.

WESTVACO,  
New York, N.Y., May 13, 1981.

HON. JENNINGS RANDOLPH,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR RANDOLPH: I thought you might be interested in the enclosed copy of recent remarks by Westvaco President John L. Luke before the Potomac Council of the Boy Scouts of America in Cumberland, Maryland.

His comments are timely and reflect a businessman's point of view regarding traditional values important to us as a nation, the need for less government and our country's national security and leadership position in the free world.

Sincerely,

WILLIAM L. DAVIS,  
Government Relations Manager.●

#### THE TIME BOMB IN THE GOVERNMENT'S RETIREMENT PROGRAM

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. CONABLE. Mr. Speaker, I recently discussed in the House (April 30) the enormous problems emanating from our national pension policies, particularly the retirement program for civil service employees. I pointed out that the cost of the system threatened to overwhelm the American taxpayers if we failed to make some basic changes in the program.

One of our former colleagues, Hastings Keith of Massachusetts, writing this month in *Enterprise*, the publication of the National Association of Manufacturers, has drawn upon his own experience to demonstrate the magnitude of this problem. He declares that the retirement system we have jerry built for Government retirees is far more costly than anyone imagines. He calls it a time bomb which could cause the cost of supporting Government to price us out of world markets.

Congressman Keith warns that Congress and the public ignore this issue at our peril. Mr. Speaker, it is a rapidly expanding burden which demands our attention; I hope we will not flinch from the unpleasant task. I recognize that we in Congress are happy at giving people benefits but recoil at imposing disadvantages. The crunch is real, however, and the consequences of the easy excesses of the past must be faced.

I submit for the information of all of us the article by former Congressman Hasting Keith, "Why Exempt Federal Pensions from the Anti-Inflation Drive?"

A "TROUBLED" GOVERNMENT RETIREE ASKS . . . WHY EXEMPT FEDERAL PENSIONS FROM THE ANTI-INFLATION DRIVE?

(By Hastings Keith)

President Reagan's budget revisions of March 10 indicated for the first time that his budget analysts were beginning to comprehend the potentially disastrous nature of cost-of-living adjustments (COLA) for federal retirees.

Administration officials are now asking Congress to replace the twice-a-year COLA for civil service and other federal pension beneficiaries with a single annual adjustment, at a savings approximately a whopping \$900 million in 1982.

But Office of Management and Budget (OMB) Director David Stockman's budgeteers have thus far only scratched the surface of the federal pay problem. They have yet to confront the totality of the extraordinarily costly and exorbitantly generous federal pension systems. The long-range implications of these pensions may portend for the nation what New York's financial crisis was to that city and what Studebaker's and now Chrysler's crises are to the auto industry.

The federal pension systems are unique when contrasted with retirement systems for the rest of the nation's work force. We federal retirees are treated as sacred cows—protected by the same safety net that, properly for the most part, shelters Social Security beneficiaries.

#### FROM ONE WHO KNOWS

I am a prime example. I am one of more than 2.5 million federal retirees whose benefits have been increased as the result of cost-of-living adjustments. My federal pensions now total \$1,000 a week.

Specifically, my pension as a retired congressman with both civil and military service has gone from \$1,560 a month in 1973 to \$3,420 as of March 1, 1981. I also get a military (reservist) pension which has gone up from about \$600 per month in 1975 to \$900 as of March 1, 1981. And, as of my 65th birthday, I am eligible for a tax-free Social Security check of about \$600 per month. Because my military time counts twice—for both military and civil service pensions—I am what is known as a "double dipper." My pensions may not be typical but they are illustrative of flaws in the benefit formulas that are widespread in the civil service. They also reflect some of the logic behind the conclusions I have reached.

Frankly, my conscience troubles me. It troubles me because, as George Will implied in a recent syndicated column, we in the Congress, in voting for unlimited indexation of pensions—and then passing these costs on to future generations—have, in effect,

been "mugging" our children and our grandchildren. Most of us did this innocently, thinking that our 7 or 8 percent contribution, when matched by the government, would be sufficient to support the benefits we would eventually get. This is not the case. Few members of Congress have such a sweet arrangement as I do. Reform could be helpful to those who will be bypassed by the present rules of eligibility, specifically five years of service.

The civil service retirement plan started off as a good plan but the increasingly liberal benefit formula ruined it. The early retirements, the double-dipper credits for military service in both military and civil service retirements, the liberal definition of disability (accounting for more than 30 percent of all civil service retirements), the twice-a-year indexation of the total annuity to the cost of living—all of these things, together with the unanticipated high rates of inflation, have had an explosive impact on costs. At the same time, the generous benefits are actually inducing civil servants to leave government early and take jobs in the private sector, thereby becoming eligible for Social Security benefits and often another pension as well.

Civil service pensions alone take from the taxpayer \$4.50 for every dollar the civil servant puts in. Even so, the contributions for these two sources fall far short of funding the eventual benefits that the plan promises.

The unfunded liabilities for the civil service, according to the working papers of the President's Commission on Pension Policy, published in January 1981, were \$403.1 billion as of Sept. 30, 1979. For the foreign service they were an additional \$3.8 billion and for the military \$444.6 billion. All three bring the total federal liability to close to a trillion dollars—in effect almost doubling the national debt! (These projections reflect the cost of pensions for those already retired and for the service to date of present employees.)

Another way to look at it is that for each participant, active and retired, there are unfunded liabilities of \$237,000 for the foreign service, \$103,000 for the military and \$89,000 for the civil service.

And so I am extremely concerned that our economic recovery efforts will be flawed unless and until this most important issue of federal employee pensions is confronted.

#### SAVINGS IN THE BILLIONS

Modest reforms in the federal pension benefit formula—in addition to the once-a-year COLA—could, by the end of President Reagan's first term, save the nation's taxpayers as much as several billions of dollars a year. Such reforms would: (1) establish a ceiling beyond which the pension would not be indexed; (2) change the definition of civil service disability to conform to that of Social Security; (3) cut out from the civil service benefit formula all credit for years of service in the military; (4) provide, in the case of military retirees, a retirement supplement until Social Security begins, as is the case with many private plans (military retirees now get gratuitous add-ons to their regular pensions); and (5) remove the "socially-weighted" benefit portion of any Social Security pension paid to federal retirees whose pensions are above a specified minimum.

The federal employee with a relatively short Social Security earnings record gets a "socially weighted" benefit that was intended to take care of the poorer segments of our society. If the Social Security pension

were actuarially computed, one would find many federal employees' contributions would be minimal, providing in most cases only a very small percentage of the funds required.

But major restructuring—integrating the three largest federal pension systems with Social Security—would lift many more billions from the backs of taxpayers of today and for generations yet unborn.

Fortunately, there are several federal systems that have gone this route. One, the Tennessee Valley Authority (TVA), is an excellent model in that its total benefits—except for early retirements—are quite comparable with those of the civil service. One difference is that, because of a belief that there should be an "incentive for continued work and contribution to society," the plan does permit long-service retirees to receive benefits that amount to more than 100 percent of final pay.

The TVA plan is unique among federal plans in that it funds benefits as they are earned. Also, its disability provisions, following the pattern imposed by the Social Security Administration, are more strictly administered. It gives no credit for military service; it discourages early retirements; and its pension plan costs only 11.5 percent of payroll. (To comply with the Employee Retirement Income Security Act—ERISA—would require 14.7 percent of payroll.) Adding the cost to the government of the Social Security pension benefit increases these totals another 5.35 percent.

What a difference it would make in the 1985 federal budget if the Congress would agree with the concept of the TVA plan and would require the civil service to integrate with Social Security. With a projected payroll of \$74.4 billion in 1985, the savings in pension costs for the civil service alone would be \$12.239 billion.

But that is not all. Rita Ricardo-Campbell, chairman of President Reagan's Task Force on Social Security, testified in February before the House Ways and Means Committee that mandatory coverage of all federal employees would yield an additional \$11 billion for the Social Security funds next year and progressively higher amounts each successive year.

It is no surprise to me that Reps. J. J. Pickle (D-Tex.) and Barber Conable (R-N.Y.) have put these facts together, have seen the savings to the taxpayer of \$25 billion, and are sponsoring bills calling for Social Security coverage for members of Congress and their staff and, in the case of Conable, all federal employees. They know that universal coverage must come, and that the question of the solvency of Social Security will loom as a big issue and come up for resolution perhaps later this year. They want their constituents and their colleagues to be thinking about it and be ready for it.

#### NO WAY TO MATCH

There is no way that private sector retirement plans can be brought up to the levels of the civil service pensions—it's just too costly. Adding the cost of such pensions to the cost of production would price us out of the world market and subject us to a flood of imports. As a matter of fact, if one considers that taxes are part of the cost of doing business in this country, we have already, in the civil service pension programs alone, an overhead that is bound to adversely affect our ability to compete on the world scene.

And so reform of the civil service, foreign service and military pension systems is imperative if we are to save the entire nation from a fate similar to that which befell New York City. The essential difference between the situation in New York City in 1975 and the federal government's problems in 1981, of course, is that New York City had to balance its budget whereas the federal government, in effect, prints more money. It's a classic case of more money chasing fewer goods.

Although the president did not directly state or suggest that he had such reforms in mind, he did set the stage for pension reform when he said that the nation would no longer continue to subsidize individuals where real need could not be demonstrated, adding that only programs for the highly deserving would remain untouched. In all logic, I believe that the president should not ignore the clear evidence that the pension benefits of most federal employees far exceed the norm of private sector pension plans and that large numbers of public employees are getting what amounts to transfer payments. There is every reason for OMB's Stockman to set his budgeteers to researching this area. It is, as I have said, fertile ground.

Only a handful of members of Congress—or industry or labor leaders for that matter—are prepared to get out in front on this issue. Congressmen often find it difficult to vote for something that might appear to affect the federal pension systems adversely. But we know that the vast majority of the Members of Congress and the civil service place the public interest above personal interest and would support pension reform if they and their constituents had the facts.

In the final analysis, of course, it is the president who must take the lead in federal pension reform. My basic feeling is that Ronald Reagan was elected because the American people felt he stood for basic values, including the value of a healthy, stable currency. The best way to safeguard the dollar is to attack the psychology that breeds inflation, a psychology nurtured by the present federal pensions situation.

#### CAUSE TO RENEGE

President Reagan may feel constrained by campaign statements that indicated his administration would not tamper with federal pensions, especially as regards the twice-a-year indexing. However, new evidence has come to light which, in my view, frees the administration from any "commitment" not to act.

Included in this new evidence is a study by the Joint Economic Committee of Congress which warned that, based on 1975-78 projected inflationary growth rates, federal costs of the civil service pensions alone could reach a mind-boggling \$80 billion a year by 1990, less than nine years away. Other evidence was provided by the President's Commission on Pension Policy. The commission noted that expected 1980 federal contributions were 30.8 percent of payroll for the civil service pension system and 83.5 percent for the foreign service systems. It went on to say that if these systems were funded on the same basis as private pension plans (according to ERISA minimum standards), costs last year would have been 79.8 percent and 107.1 percent of payroll respectively!

As these costs sink into the consciousness of those who only have Social Security,

there will be strong public support for pension reform for the federal work force. This will be particularly true as arguments are advanced to have these taxpayers postpone their retirement to age 68 to allow the average civil servant to retire at 55.

Fresh data such as this has prompted distinguished citizens to organize for action. John Macy, the former Civil Service Commission chairman, and I are recruiting other former civil servants to rally around a "common sense in public compensation" banner that could lead to effective reforms. Former Undersecretary of Commerce Joseph Bartlett, who served as chairman of the Universal Social Security Study Group, strongly endorses Social Security for federal employees and joins Macy and me in this effort.

A similar response by the Reagan administration to the overwhelming and increasingly obvious case for federal pension reform would be a clear signal that the federal government is determined to put its own house in order and thereby honor commitments implied in the election sweep of last November. As longtime U.S. Comptroller General Elmer Staats wrote in a letter to the president, "Although congressional action will be required to effect most of the needed reforms, strong presidential support will be needed to bring them to fruition."

When the president acts, he will find many allies across the country, including rank-and-file federal civil servants, who will support the effort to restore common sense in public compensation through responsible reform of the present extravagant and inflation-fueling federal pensions system.●

#### HOLOCAUST

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. MAZZOLI. Mr. Speaker, I welcome this opportunity to join my colleagues in commemorating the holocaust.

To remember the holocaust is painful but necessary.

It is painful to realize that so heinous a crime against humanity could have been perpetrated in modern times.

It is painful to realize that the rest of the world stood by and did nothing.

Maybe because the holocaust was an atrocity so far beyond human comprehension even decent and compassionate people of the world would not believe such villainy and outrage could take place.

But, indeed, it did. And, to help insure that such a monstrous deed cannot take place again, we recognize the holocaust despite the pain this brings to each of us.●

#### INTRODUCING CREDIT UNION LEGISLATION

### HON. DAVID W. EVANS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. EVANS of Indiana. Mr. Speaker, today I am introducing a bill which, when enacted, will become the Credit Union Modernization Act of 1981. The bill is technical in nature and clarifies several sections of the Federal Credit Union Act while making strides toward our ultimate goal of deregulation of the financial industry.

I expect my bill to readily win the support of my colleagues for several reasons. First, many of my ideas are supported by the credit union regulatory agency which is the National Credit Union Administration. Second, the bill is fully supported by the Credit Union National Association which represents 22,000 of this Nation's 23,000 credit unions. Third, my bill addresses the internal operational aspects of credit unions, and these changes have no competitive impact on the other segments of the financial community.

There is a fourth and possibly more important reason why I expect broad support. It is simply that many of the changes I proposed will reduce the constrictions of Government which have been imposed upon the daily operation of credit unions. I am sure that you share my interest in moving America's business community away from constraints imposed by Government, and it is my opinion that no entity should be more free from legislative or regulatory construction than the cooperative community.

America's credit unions have always been a pure example of democracy. Credit union members with excess capital invest in the shares of the credit union which are reinvested in the current needs of the members or in mediums which help meet the capital growth demands of this country. The depository members then share "pro rata" in the returns of the cooperative.

Throughout this entire process, each member who is a depositor or borrower influences the direction of the credit union through the elective process and often as a volunteer responsible for the implementation of the direction-setting policy of the elected board which represents the membership.

It is unwise for us to unduly constrict that process, for who knows better than the using member how the services of the credit union should be offered. Moreover, who knows better what policy and practices will best serve the needs of this select group.

Unquestionably, Congress recognizes its responsibility to provide for the uniform disclosure to the members of the policies selected and of the financial condition of the credit union, but our responsibility stops there; and it is with this in mind that some of my changes have been proposed.

My proposals are not dramatic. They are drafted to allow the members to decide how to set in motion the mechanics which best serve their needs.

This bill will allow credit union members, through the democratic process, to decide when to hold the annual meeting of shareholders, will allow them to decide whether a formal credit committee best meets their needs and will allow the members to decide what titles best befit their officers.

The bill also makes some other small changes which are needed to ease regulatory burdens, and it also makes numerous technical changes which, overall, improve the draftmanship of the Credit Union Act. Most importantly, this legislation will take some of Government out of the life of the cooperative members of Federal credit unions.

I ask the support of the leadership and my colleagues for this proposal.●

#### TAXATION OF EMPLOYEE FRINGE BENEFITS

**HON. JOHN H. ROUSSELOT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. ROUSSELOT. Mr. Speaker, the Congress acted in 1978 to prohibit the Department of the Treasury from issuing final regulations that would relate to the tax treatment of employee fringe benefits and through Public Law 96-167, subsequently extended this moratorium to June 1, 1981.

As we draw near to the expiration date of May 31, controversy and emotions run rampant amidst various stories that rulings and proposed regulations are presently under consideration by the Internal Revenue Service to tax employee fringe benefits. It is essential that this dispute be settled as to whether a person's taxable income should properly include compensation for services paid for other than with money.

Mr. Speaker, I maintain, however, that now is not the proper time to address this issue by simply allowing the Congress to fail to act to extend the present moratorium. That is why today I am introducing legislation to extend the ban on taxation of employee fringe benefits through December 31, 1982. At a time when the Congress is attempting to address major tax revisions, I feel that an issue such as this should be postponed for a more com-

plete review at a later, less hectic date.●

#### THE FUTURE OF SOCIAL SECURITY

**HON. NICK JOE RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. RAHALL. Mr. Speaker, recently the bipartisan, National Commission on Social Security completed its study. After a total review and investigation of all aspects of the social security system, the Commission concluded:

The social security system is sound in principle and, of all alternatives, is the best structure of income support for the United States.

The report went on to observe:

Of all sources of retirement, disability, or survivorship income, social security has the best potential for stable real income, especially in times of economic adversity.

On May 12, the Reagan administration announced its proposals to revise the social security system. The major elements of this plan would reduce benefits for those retiring before age 65, phase out current limitations on outside earnings, tighten up disability requirements, place a cap on benefits for families of retired and deceased workers, and delay the annual cost-of-living allowance scheduled for July 1982.

Now we all realize that it is imperative that the social security system be strengthened. Methods have been suggested to make the system solvent, without having to reduce benefits. However at the present time, the administration seems to want to take advantage of its victories in Congress, and push through a proposal that shakes the foundation of aid to America's older citizens.

"I pledge you, I pledge myself, to a new deal for the American people;" with these words Franklin Delano Roosevelt made a contract with this Nation, a contract which included a social security system.

I have no intention of breaching that contract, Mr. Speaker, and I am sure many of my colleagues will fight to maintain the principal and the integrity of the social security system. We will work to make it strong, we will work to make it effective, but we will not axe it.

From the beginning, social security has been an integral part of an American plan under which the Government and the private sector cooperate to replace lost income. Since the 1930's social security, private pension plans, and personal savings have, in concert, achieved an ever-increasing high level of security for the citizens of this Nation, while preserving its incentive for a productive life.

This concept must be maintained, for the good of this country, and for the good of its people.●

#### PULSE OF THE FUTURE

**HON. LEON E. PANETTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. PANETTA. Mr. Speaker, I would like to insert in the RECORD an article written last year by a resident of the 16th District of California, Jeff Nelligan, Mr. Nelligan, who resides in Cambria, expresses concern about the drift in our Nation away from concern for the community and toward excessive self-interest. He points out the danger this holds for our future but also expresses confidence in the strength of the American people to cope with whatever the future may bring. I hope that my colleagues will take a moment to read this very interesting article:

#### PULSE OF THE FUTURE

(By Jeff Nelligan)

The passage of one decade into the next provides a convenient pause for speculation on what the past was, the present means, and above all, what the future will bring. Americans are impatient to know where they are going and what they're getting before they arrive.

One group of people who might better understand what the future brings are those who have influenced, commented upon, or analyzed the past. These would include journalists who have reported on unfolding past events, writers who have tried to interpret past events, statesmen who have helped shape past events, and other public figures who, through action or words, profoundly affected the times.

It was a myriad of men and women who responded to questions put to them by a young journalist concerning problems, values, and past mirrors of the next two decades in America. The respondents differed vastly in terms of their personal ideologies, principles, backgrounds, and professions. But it was astonishing that despite the diversity of the figures, several themes ran through nearly every response, indicating perhaps that the American Experience, while not the same for everyone, has provided many with a singular view of the future.

Understandably, and no doubt owing to present jittery financial swings, domestic and global economics were a universal concern. Ezra Vogel, Harvard professor and author of the controversial book "Japan as No. 1" detailing the ascendancy of Japanese lifestyle and financial management over the once presumably invincible Americans, states that "the worst problem in the next decade is that the United States is going to find that it is not competitive in the international field and that America's declining industries, like steel and automobiles, will create such unemployment, political pressure from labor and pressures for protectionism that we will have very serious difficulties." George Bush, Republican Vice-Presidential nominee, writes that "the

greatest problem facing the U.S. is how to maintain economic progress at home."

The story is not new. For the first time in 50 years, this country faces serious economic difficulty, not easily solved by a healthy yanking on economic levers. Decreased productivity, government regulation, foreign competition and U.S. dependency, and disastrous short-term profit maximizing mind-set management as opposed to more balanced long term investment, are some of the factors causing the turmoil. The result? "Future presidents," says Kennedy chronicler James MacGregor Burns, "will have the nearly impossible task of persuading Americans to have less and want less."

A second concern was America's role in the world. Alluding to the strength of American democracy in the past, many felt that America as a world power was in steady decline. Hedley Donovan, former Time Magazine editor and present White House aide, observed, "America lost—it had to happen—the virtual monopoly of military and financial power we held in the first years after World War II." Vogel believes that in the 1980s, America "for the first time as a declining power . . . will be overtaken by another power." TRB, the venerable columnist for the New Republic and the dean of American political writers, shares the same feeling but is fearful of something closer to home. "I have a pet private worry: That in about ten years some gang of terrorists will get an atomic bomb and blackmail the country, as the Iranians are doing now with the hostages."

Just as important to people as America abroad, was America at home. Barbara Tuchman, historian and author of "The Distant Mirror," a tract on 14th Century Europe, believes that the "salient issue for America in the next twenty years is retaining democracy according to American principles—and making it work—work better than it has in the last twenty." TRB was equally emphatic. "I am worried about the structure of our government . . . and I think our political system picks mediocre men for President rather than great leaders." H.R. "Bob" Haldeman, former Nixon aide, agrees: "The primary issue before America for the balance of this century will be leadership . . . internally in our own political affairs . . ."

Though the forces moving society, economics and politics, were seen to be changing, very few thought that present American attitudes and values would be altered in the next few decades. Respondents pointed to growing voter apathy and material accumulation as evidence of what Thomas Wolfe and Peter Marin identified as the indulgent 1970s "Me" decade. David Reisman, the eminent American sociologist, sees this "egocentrism" as he terms it, as a bastardization of American individualism, and drawing upon De Tocqueville (the 19th century French writer on America), Reisman explains that an ever-inward turning public lacks the voluntary association, comparative scarcity, and social controls that balanced the maverick, yet communal, American public that De Tocqueville saw.

Says Reisman, "in other words, without this associative tendency, Americans could become a collection of unrelated anomic persons or a homogenous and demagogically controlled superstate." What has happened now, observes Reisman, is that American society has grown to accept and even embrace egocentrism, the cult of candor, and that sadly, "people today lack a sense of curiosity and wonder about the world."

Reverend Billy Graham, internationally known evangelist, believes that the last few decades have seen a decline in moral standards, a growing disregard for the rights and privileges of other people, and a self-satisfaction of personal desires. "This has resulted in the weakening of the foundation on which the lifestyle of America has been built . . . (and) this trend will probably continue." Haldeman felt that although the basic values of Americans wouldn't change much, "the surface manifestations may—especially as distorted by the press."

Last, when asked about earlier decades possibly mirroring what the '80s will be like, most believe that our history follows an undulating pattern—each period reacts to the inadequacies of the previous period. Says Hedrick Smith, Washington Bureau Chief of the New York Times and Pulitzer Prize winner, "The rise of Ronald Reagan, for example, reflects a widespread disillusionment with the kinds of socio-political policies we pursued in the 1960s and tried to carry on into the 1970s, with the heavy use of federal funds to cope with urban or welfare problems. The new swing to the right on foreign policy and defense reflects a reaction to the neo-isolationism of the post-Vietnam period which was itself a reaction to the mistaken and excessive American intervention in Vietnam . . ."

TRB wrote that the "speed of change is accelerating." Ezra Vogel, noting America's only experience as a declining power, stated that to get a better view of such a transformation, "One should search, rather, for decades in English history when England when being overtaken by Germany or the United States."

Viewed together, the projections of these men and women are strikingly similar, as though the problems—while not easily solved are at least easily identified.

A single thread running throughout the responses was that of pessimism, not in America's ability to persevere, but in the bleak outlook of the future. Gradual long-term ailments, substantive and spiritual, have affected some of the foundations of American democracy: government credibility, competing pressures of productivity, changing social relationships between races, sexes, and age groups—the list goes on for a long time. Like American business, whose short term mentality has doomed survivability over the long haul, so is the American public guilty of a "here and now" attitude, sacrificing the future for today.

In human terms, the saddest and most poignant aspect of the Three Mile Island episode was not the lesson in the apocalyptic prophecy of nuclear power, but the reactions of those living near the plant when told their community would remain permanently radioactive for generations to come. Despite warnings about their health, and the health of their offspring, most people decided to stay where they lived and continue working rather than move somewhere else. These people were unable to look past the immediacy of their world—to even consider the long term agony of radiation poisoning.

"Decline," "retrenchment," "lowered expectations,"—these are words many Americans in the post-WWII era do not know. But these words make up the message we carry into the 80s. The idealistic "Lost Generation" of the 1960s fighting society's good fight was replaced by the over-materialistic "Me" generation of the 1970s. Both promised to be tempered by the 1980s. Says Cyra McFadden, author of *The Serial*, a parody

of the modish, self-indulged hip lifestyle in golden ghetto Marin County, "The future will force upon us some retreat from the way we have lived, and some new austerity, both material and in terms of the obsessive search for perfect happiness I wrote about in my book. I mean self-actualizing isn't cheap, man, check out the price of a week-end seminar in the New Age Yellow Pages."

The "American Character," a combination of fortitude, resourcefulness, and compassion—though today perhaps muted—has shown great resiliency under fire. It is that gray netherworld between increasing discomfort and profound crisis that gives rise to the apathy and egocentrism we see today in the American public. It is ironic that only when plunged into a national nightmare do the American people awaken to shoulder the burden of responsible citizenship; that catastrophe builds consensus.

Everyone is a prophet. And maybe it's good that self-actualizing isn't cheap. We've looked at ourselves long enough. Time now to care for the good of the Republic. It's a healthy sign that although our commentators questioned the strength of almost every aspect of American life—government, institutions, the economy, our world role, our leaders—no one doubted the strength of our people. ●

## THE SAVING OF A WHALE

### HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. JONES of North Carolina. Mr. Speaker, the United States has been a member of the International Convention for the Regulation of Whaling since December 2, 1946. As many of you know, the International Whaling Commission, which has the responsibility of carrying out the commitment of the convention—to protect the Earth's great whales from extinction—will meet this summer in Brighton, England. Recently on Fire Island, New York State barrier island protecting the southern shore of Long Island, a 25,000-pound sperm whale beached. Now, the beaching of a great whale is not itself newsworthy and would not be a matter of great moment to the International Whaling Commission. But on this occasion, due to the intervention of knowledgeable and concerned scientists, this beached leviathan was taken into a nearby boat basin and was there observed, cared for, and treated to full recovery. For those of you who remember Herman Melville's "Moby Dick," that story of an earlier great sperm whale, and would like to know more about what happened to Physty, the sperm whale which survived beaching on Fire Island, I recommend the reading of the following news article by Colman McCarthy:

[From the Washington Post, May 3, 1981]  
**THE SAVING OF A WHALE—FOR THE TIME  
 BEING, AT LEAST**

(By Colman McCarthy)

**FIRE ISLAND, N.Y.**—As drafts of steamy breath wafted up from the blowhole of Physty, a beached 25,000-pound sperm whale who was in its sixth day of sick leave, caring hands caressed the mammal's immense snout. Physty—pronounced "feisty" and taken from physeter macrocephalus, the Greek term for sperm whale—lay ill in the shallow waters of a boat basin at the western tip of this barrier island that protects the southern shore of Long Island.

After the mammal had been towed in, some marine veterinarians, whale lovers and citizens with secret reverence for God's largest creature convened as an amateur lifesaving crew. This was a moment not to be missed. Here was one whale, blessed by Jonah for sure, whose meeting with man would be through the laying on of hands, not the bloodying of harpoons. Although sperms are the best known of whales—Moby Dick was one—they are still creatures of Leviathan mystery. Herman Melville wrote that the sperm "lives not complete in any literature. Far above all other hunted whales, his is an unwritten life."

On the afternoon I stopped by to catch Physty's rescue attempt, hope itself seemed to be drowning. The medicine—penicillin, injected with seven-inch needles and 100 times the dosage for a human being—was not taking. The whale floated motionless, listing on its left side. Among the several hundred spectators lining the dock, a sense emerged that this whale watch was becoming a death watch.

Despite that, the scientists were grateful: First, no other beached whale in America had ever been kept alive this long and, second, a fair amount of new information had been gathered.

One of the gatherers was Richard Ellis, the world-known artist who paints whales and travels the earth—Patagonia, Newfoundland, Hawaii, Japan—to dive into oceans to observe them close-up. Ellis, wearing a red diving suit, hovered over Physty and regularly placed his ear on the mammal's immense head.

He was taking soundings. The sperm whale has a highly developed internal sonar system known as echo-location. At times, Ellis reported a few days later, "the sounds were so strong that they literally popped my hands off the whale. This is important because we are still trying to learn about their biology to determine what we should do to protect them . . . All we've known about sperms in the past has been how to kill them."

With the outlook bleak and everyone far out to sea on how to cure a sick whale, no one was ready for Physty's sudden and amazing recovery. But even as plans were being made for an autopsy, the giant cetacean regained its health. After nine days, Physty, with a brain more complex than man's and perhaps a tougher spirit as well, returned to the open seas of the Atlantic.

Unless this sociable, intelligent and peaceful creature beaches itself again, this is a man-and-whale story that ends happily. Most others are the opposite. According to Save the Whales, a Washington group, "every day 50 whales die, their backs blown open by 150-lb. harpoons fired by cannons from high-speed catcher boats." Japanese whalers, subsidized by their government, are the high sea's most fanatic killers. "There are cheap, plentiful substitutes for

## EXTENSIONS OF REMARKS

all whale products," reports Save the Whales. "Several whale species have already been driven to the brink of extinction."

For a time in the early 1970s, the United States made some halting progress in becoming a world leader against the slaughter of whales. At home, the Marine Mammal Protection Act was enacted. Eight kinds of whales were put on the endangered species list. Abroad, Americans tried—with no success—to get the International Whaling Commission to impose a 10-year moratorium on all commercial whaling.

But now, the United States has backed off. At a recent meeting in India of 67 nations that had signed a 1973 treaty to protect endangered species, West Germany proposed to ban whale products from the international market. The U.S. delegation, along with the Soviet Union, objected.

As Physty eased out to sea after its miraculous recovery, an ominous question was raised: Was this gentle creature saved only to be blown apart one day by harpoonists?●

## A SALUTE TO JOHN ELSWORTH

### HON. JAMES A. COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. COURTER. Mr. Speaker, on behalf of his many close friends and associates, I have been asked to say a few words in honor of Mr. John R. Elsworth, who retired March 31 as the court administrator for Morris, Sussex, and Warren Counties after 10 years of dedicated service.

John Elsworth was appointed to his position as court administrator in 1971 by then Assignment Judge Alexander Waugh. As a lawyer by profession, I can appreciate the hard work and responsibility that comes with this important position. John Elsworth supervised court personnel, budgets, court assignments, and all administrative aspects of the three counties court systems. He was effective and widely respected as court administrator.

From 1961 to 1971, he also worked in conjunction with State and county judicial authorities to lend his expertise in special studies of various aspects of the court systems.

As a corporate employee of Prudential Insurance Co. in Newark for 36 years, John Elsworth functioned in an administrative capacity, specializing in systems and procedures analysis. In all his endeavors, he sought to do the best job possible.

John Elsworth has lived in Morris County for many years. He has made a meaningful contribution to the betterment of county and State court systems in New Jersey. And he has proved to be an outstanding and loyal citizen for whom we have much appreciation and affection.

I think it is appropriate now to take a moment to thank John Elsworth from all his friends, family, and col-

leagues. May the coming years be full of health and happiness for him.●

AUDIE L. MURPHY

### HON. EUGENE V. ATKINSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. ATKINSON. Mr. Speaker, perhaps the most decorated military hero of our time was the late Maj. Audie L. Murphy. Major Murphy enlisted in World War II in the U.S. Army as a private. He then distinguished himself in numerous campaigns throughout World War II as one of the greatest heroes our country as ever known. Major Murphy reluctantly rose through the ranks collecting awards and battlefield commissions along the way. His career was marked by a humble, soft spoken patriotism and courage that every serviceman and civilian would do well to emulate. Major Murphy's modesty and views toward heroism were perhaps best expressed by him when he stated, "The only true heroes that I knew were those decorated with the wooden cross," never making mention of the countless lives he himself saved through his courageous actions.

The Maj. Audie L. Murphy National Memorial Tribute Committee was originally set up in New Castle, Pa., to remind people of the work of Audie Murphy and to uphold the values that he stood for: love of country and fellow man, courage, dedication, and service. As part of their efforts the Memorial Tribute Committee has over the years given out 15 ALM Patriotism Portrait Awards to individuals and organizations who they feel have reflected the values that Major Murphy stood for. Some of the past recipients have included: Gen. William C. Westmoreland, Gen. Louis H. Wilson, Gen. Omar Bradley, the Fourth Marine Division, the First Army, and the U.S. Army Parachute Team.

As part of each year's memorial tribute the various branches of the military have provided special parachute and drill teams, bands, honor guards, special flyovers, and distinguished representatives of each of the branches of the military.

This year for the 10th and final tribute to Maj. Audie L. Murphy the ALM National Memorial Tribute Committee is presenting its ALM Patriotism Portrait Award to those in the Department of Defense who have helped them over the years. The awardees are as follows:

The members of the Joint Chiefs of Staff; the U.S. Army; the U.S. Navy; the U.S. Air Force; and the U.S. Marine Corps.

Mr. Speaker, in recent years we have heard a great deal of criticism of those

who serve in our Armed Forces. We are told by their critics that our fighting men are illiterate, unmotivated, and poorly prepared to defend our country. I, for one, must differ with this view. From time to time I have the opportunity to meet with young men in the military and I am confident that when called to serve we will find that among our tens of thousands of volunteers there are many just like Audie Murphy. Quiet and soft spoken, not anxious to go to war but prepared none the less to do what must be done to keep this country free, asking no honors, just proud to serve this great Nation. That truly is what Maj. Audie L. Murphy represented and what being a hero is all about.●

#### HOW I WOULD HAVE VOTED

##### HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. DIXON. Mr. Speaker, due to previous commitments in my congressional district, I was unable to be present during consideration of the conference report on House Concurrent Resolution 115, the first budget resolution. Had I been present, I would have voted "no" on the adoption of the conference report.●

#### ANDREI SAKHAROV'S BIRTHDAY

##### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mrs. HECKLER. Mr. Speaker, tomorrow marks the 60th birthday of one of this century's most extraordinary men—a man whose mind and strength and voice have helped to change the world we live in.

We should pause to reflect on this anniversary, because now it is up to us to help change the world he must live in.

Andrei Sakharov—the Soviet physicist and dissident who will mark his 60th birthday in exile tomorrow—has led a difficult yet extraordinary life.

He has earned undying fame by working to unlock the secrets of science, to revolutionize the lives of all men and women in this era.

He has earned undying honor by working to advance the doctrine of truth and freedom in a society that tries to deny those most basic concepts.

And he has earned the undying respect of all those who cherish peace

and dignity: All who know that the message of peace for which he received his Nobel laurels, cannot be stilled even by his cruel forced exile in Gorky.

We know the ideal for which Andrei Sakharov has sacrificed and struggled—for we live each day in the freedom that he knows only in his heart.

And we know that this cause of freedom, for which he has offered of himself, is the cause that has the true momentum of history behind it. The dynamics of truth and justice are at work across the world, and ultimately freedom will triumph.

But we must work to continue that momentum. We must make sure that the message of Andrei Sakharov, and the thousands imprisoned with him, is heard in every land. Not only here—where freedom is a way of life—but especially in those nations where freedom is most rare.

Twenty-four centuries ago the great Athenian, Pericles, delivered a message that echoes today as we remember Andrei Sakharov, and those who share his plight:

Their story is not graven only on stone over their native Earth, but lives on far away, without visible symbol, woven into the stuff of other men's lives. For you now it remains to rival what they have done and—knowing the secret of happiness to be freedom and the secret of freedom a brave heart—not idly to stand aside from the enemy's onset.

It is up to us now to match the bravery of Andrei Sakharov, and to stand fast against the enemies of freedom.

We must send a message to the Government of the Soviet Union, which for 60 years has tried to deny the ideal of freedom:

That in these Halls of Congress, and across the United States, concerned Americans—regardless of their cultural or religious heritage—know that the denial of Andrei Sakharov's freedom is a denial of our own.

We will not forget Andrei Sakharov, and those who share his fate.

And we will constantly remind the Soviet leaders that they cannot forever ignore the conscience of their own nation. And if they believe they can, we must confront them with the conscience of the world, and haunt them with the voice of all humanity.

We who have been part of this fight in the Congress—and indeed, Americans of all walks of life—must redouble our efforts now.

Mr. Speaker, we have no other choice. We cannot afford to stand idly by as Andrei Sakharov languishes; we must stand strong against the path of injustice, and lend strength to the beating of that one brave heart.

Thank you.●

#### A TRIBUTE TO RADIO STATION KALW(FM) ON ITS 40TH ANNIVERSARY

##### HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. JOHN L. BURTON. Mr. Speaker, I am very pleased today to salute radio station KALW(FM) as it celebrates this month its 40th anniversary on the air. KALW is one of the oldest FM stations in the country. Its roots go back to a demonstration FM station which was on display at the 1939-40 San Francisco International Exposition on Treasure Island.

When the exposition closed in 1940, the San Francisco Unified School District purchased the equipment, moved it to the Samuel Gompers Trades School at 110 Bartlett Street in San Francisco and applied to the Federal Communications Commission for a license to broadcast at 42.1 megahertz.

The station then went on the air in 1941, bringing to it the following distinctions: The first FM station in San Francisco, the first educational FM station in the United States, the second noncommercial FM station in the Nation and the first noncommercial FM station west of the Mississippi River.

In 1953, the station's transmitter and studio equipment was moved to the John O'Connell School, where the FCC authorized it to broadcast on what was then called the new FM band at 91.7 megahertz, the frequency which the station continues to use today.

In 1954, the television training facilities at the station became the first broadcast studios of KQED-TV. The KALW staff and the students in the training program were an important part of the KQED operation until KQED moved to its own facility in 1956. From this solid foundation, KQED-TV has since gone on to become one of the finest and most widely acclaimed member stations of the Public Broadcasting System.

From 1956 to 1971, the training of students for careers in broadcasting remained the primary concern of KALW. However, by 1971, FM broadcasting in the San Francisco Bay area had reached a point where the operation of an FM station primarily to train students was no longer sufficient to maintain a license to broadcast.

The San Francisco Board of Education, therefore, added staff and other resources to KALW so that the station was able to meet all FCC requirements for an educational, noncommercial FM station.

In 1972, the staff and broadcast schedule of KALW had increased to a level which met the minimum grant



qualification criteria of the Corporation for Public Broadcasting (CPB). The station thus became a qualified public radio station.

In addition, the station also met the membership requirements of National Public Radio (NPR). With financial assistance from CPB and with access to programs from NPR, KALW took a major step toward becoming the quality, noncommercial broadcast service which it is today.

Until 1975, an unfavorable transmitter location handicapped KALW, in effect, limiting the coverage of the station. In December 1975, KALW purchased a new transmitter with funds from the Department of Health, Education, and Welfare and installed a new transmitter on Christmas Tree Point, Twin Peaks. Even though the station reduced its authorized power, the actual area covered more than doubled.

In 1980, construction of a satellite receive terminal by CPB was completed at KALW. This terminal is part of a national satellite distribution system which permits NPR and other radio producers to transmit multiple programs from as many as 16 locations around the United States to some 200 NPR member stations, with outstanding technical quality. KALW was the first noncommercial station in San Francisco to receive programs via the NPR satellite system.

Currently, the station is on the air 18 hours daily from 6:15 in the morning until 12:15 at night. During its broadcast day, KALW carries a number of excellent programs, including NPR's award-winning news and information program "All Things Considered," which is celebrating its 10th birthday this month.

This program, which I believe is the finest news broadcast in this Nation on radio or television, is aired on KALW from 6:30 to 8 p.m., Monday through Friday. Due to the great popularity of the program, KALW rebroadcasts "All Things Considered" from 6:30 to 8 a.m., Tuesday through Saturday.

On Monday, the station carries the tape-delayed 1-hour Sunday edition of "All Things Considered" from 6:30 to 7:30 a.m., followed by 1½ hours of another outstanding NPR news and information program "Morning Edition" from 7:30 to 9 a.m. From Tuesday through Friday, KALW airs 1 hour of "Morning Edition" from 8 to 9 a.m.

Beyond carrying these and other quality NPR programs, KALW also encourages students in the public schools to produce programs for broadcasting while at the same time carrying out a strong public access policy. The station provides its listeners with live coverage of San Francisco prep sports, thus giving these activities a measure of well deserved publicity.

KALW pioneered in live radio coverage of public boards and continues to broadcast in full all meetings of the board of education. In short, KALW remains a valuable source of quality, noncommercial, educational, informational, and cultural programs.

From its very inception, the station has been an important technical training center for persons interested in providing service in the technical aspects of broadcasting. To this day, the KALW training program is considered exemplary by members of the broadcast industry.

Mr. Speaker, I believe KALW has a 40-year record of distinguished service to the San Francisco public schools and the bay area community at large. Therefore, it is with great pleasure that I take this opportunity to recognize the achievements of KALW, which will be honored during its 40th anniversary week, May 25 through 31. Since 1941, KALW has remained a pioneer FM radio station.●

#### STUDENTS TOUR NATION'S CAPITAL

#### HON. CLARENCE D. LONG

OF MARYLAND  
IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, May 20, 1981*

● Mr. LONG of Maryland. Mr. Speaker, on Wednesday, May 20, 1981, 45 young women from the Bais Yakov School for Girls in Baltimore, Md., journeyed to Washington for a firsthand look at their Nation's Capitol. Included in this group are several Russian students who have recently arrived in the United States.

These students, led by their principal, Rabbi Mendel Freeman, and teachers and parents, Mrs. Gilda Shapiro, Mrs. June Soud, Mrs. Irene Haendler, Mrs. Kristt, Mrs. Rubin Stein, and Mr. Mikhael Fisher, toured the Capitol Building and the Smithsonian National Air and Space Museum.

I am delighted they have taken this opportunity to visit with us, and hope their interest in our Nation's political process will continue.

Students recently arrived from Russia are: Susanna Cheryakhovsky, Alla Krutnik, Alexandra Gorelik, Svetlana Gorelik, Julia Gimelshteyn, Sima Kostovetsky, Sofia Teferi, Alya Ibadov, and Alexandra Schvarts.

Other students are: Aviva Goldstein, Melissa Hammond, Nechama Heine-mann, Peshah Herskowitz, Alisa Kristt, Devorah Lichtman, Shoshana Mandelbaum, Neshie Nudell, Chaya Oberstein, Leah Roth, Randi Shimoff, and Frumi Shuman.

Also, Rochel Skaist, Sarah Tapper, Elka Verschleisser, Shterna Wolk, Michelle Baron, Yanina Benumov, Aviva Blass, Mariam Blumberg, Nova Cern,

Devorah Firestone, Ilona Fisher, Rivka Fleischman, and Devra Glazer.

Chani Goldsein, Karen Lebovits, Judy Martsinovski, Marlene Messafi, Ali Newmark, Lisa Rosenbluth, Zina Sanders, Mariam Sher, Sara Shindman, Shifra Simon, Debra Wolpert, and Alana Jacobson.●

#### CRIMINAL PENALTIES

#### HON. GERALDINE A. FERRARO

OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1981*

● Ms. FERRARO. Mr. Speaker, today I am introducing legislation which would make it a Federal crime to assault a Federal employee who is engaged in official duties. Currently, it is a Federal crime to assault certain Federal employees. In some cases entire agencies are covered, and in some cases only certain employees within those agencies. Surprisingly, some agencies are not covered at all.

This hodgepodge coverage could cause confusion in the aftermath of tragic attacks on Federal employees, and jurisdiction squabbles could interfere with prompt justice for the perpetrators of violent crimes.

My bill would provide an important protection for the many Federal employees who deal with the public on a daily basis, and who may be subjected to the violent acts of deranged individuals. Many times the claims examiner employed by the Veterans' Administration or Social Security Administration could be viewed as the one responsible for changes in eligibility criteria resulting in a claim denial. Although the employee is only administering a program according to the established rules, the frustration of a denied claimant is often directed toward the individual who processes the claim.

I believe that much crime can be deterred by clear warnings and swift justice. My bill would clear the way to post warnings at Federal facilities indicating that assaults on Federal employees would be investigated and prosecuted as Federal offenses. It would also eliminate the maze of jurisdictions which could frustrate investigations and prosecutions of criminal activities.

I believe it is the duty of the Federal Government to afford protection to all individuals who act officially on its behalf, and to insure that criminals are dealt with swiftly and efficiently. My bill would do exactly that.●

## MX MISSILE BASING

## HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1981

● Mr. DASCHLE. Mr. Speaker, I am inserting an article recently published in the New York Times that I believe highlights the need for a final decision to be reached as expeditiously as possible on the basing mode for the MX missile. There is considerable opposition to the present proposal adopted by former President Carter, which would deploy the MX missile in a series of multiple protective structures (MPS) or racetracks in the Nevada-Utah desert. His decision to advance the MPS basing mode was based on ratification of a SALT II treaty which is by all accounts now many months away from Senate approval. A number of Government research groups have recently come forward and voiced skepticism of the MPS basing mode. The Congressional Budget Office analyzed the cost implications of maintaining MX/MPS survivability without SALT II. CBO predicted that if the Soviets increase the number of missiles and warheads to keep pace with the development of the MX, the total cost to insure that the United States would retain an MX land force capable of retaliation could climb to \$106 billion. The Office of Technology Assessment in a recent report reiterated these concerns about likely Soviet intentions and stated that the small-sub undersea mobile force (SUM) is more survivable, less expensive, and a less environmentally damaging alternative to the MPS. All things considered, the current administration has made a prudent move in delaying final approval of the MPS. It is essential in my opinion that the Department of Defense look further to the SUM system as an alternative and I am encouraged that a formal recommendation will be made by July. But as this article points out so well, time is of the essence and a decision cannot be delayed long as institutional factors are already taking hold which with every delay will make it all the more difficult to extricate ourselves from the MPS boondoggle. Following is the text of the article:

**WORK ON MX SYSTEM SPEEDS ON THOUGH ITS  
BASE ISN'T YET PICKED**  
(By Philip Taubman)

VANDENBERG AIR FORCE BASE, CALIF.—FOR the construction crews pouring cement and erecting steel girders on this windswept strip of the Pacific Coast, there is no debate about the MX missile. They are building a complex that will be used for 20 test flights beginning in 1983.

At the Northrop Corporation in Los Angeles, executives are not concerned about where the new mobile missile should be based. They are too busy hiring new em-

ployees and expanding facilities to produce a key part of the MX guidance system.

At the Air Force's Ballistic Missile Office in San Bernardino, Calif., headquarters for the MX project, hundreds of officials are plunging ahead with development of the missile and a multiple-shelter basing system in Nevada and Utah.

## 10,000 WORKERS INVOLVED NOW

These and similar scenes from Massachusetts to California are evidence that while the Reagan Administration is reviewing the MX program, and Congress is debating how best to base the new missile, the Air Force and American industry have mobilizing to build the system approved by President Carter.

The need for the missile itself, divorced from consideration of where to base it, is generally accepted by defense planners. But the question of basing remains live.

The Federal Government, which has already invested more than \$2 billion in the program, is spending \$4 million a day to create that system. More than 10,000 workers employed at nearly 1,000 companies are involved.

"The MX program as approved by the last Administration has significant momentum," said Maj. Gen. Forrest S. McCartney, commander of the Ballistic Missile Office. He noted that the system that was approved was one designed to be launched from land.

The momentum he senses, judging from interviews with more than two dozen senior Government and industry officials involved, presents President Reagan and Congress with a difficult choice.

If they decide to change the plan and base the missile at sea or even base it on land in a system other than the one currently planned, much of the money and effort expended so far will be wasted. The program would also be delayed at least a year.

If they choose to proceed with the plan as it is, they will have to overlook a growing body of scientific, political and environmental opinion opposed to a land-based multiple-shelter system.

## HOW THE SITUATION DEVELOPED

The choice, officials said, was not a product of poor management, cost overruns or some of the other problems that have plagued defense projects in the past. Rather, the MX dilemma appears to stem from the confluence of apparently benign institutional forces.

These include the Government's ways of making decisions about weapons development and procurement, the compromises that often develop between political and strategic interests when major weapons systems are proposed, and the traditional ways of doing business when the military and industrial sectors combined resources.

Defense Secretary Caspar W. Weinberger has ordered a high-level review of the plan and has told Congress he expects to make a final decision on where to base the missile by July.

Mr. Weinberger has privately expressed concern about the plan as it is, fearing that opposition from environmental groups in Nevada and Utah could mire the project in long litigation.

Senior Defense Department officials said Mr. Weinberger had an open mind on the basing issue, and was determined to give alternative basing proposals serious consideration, including one to put the missile out to sea in a new class of submarines.

The submarine option was supported in a Congressional report released earlier this

month by the Office of Technology Assessment. Noting that the current land-basing plan could leave the MX missiles vulnerable to Soviet attack while also causing environmental and economic dislocation in Nevada and Utah, the report suggested basing the new missiles aboard submarines.

## IMPACT ON ALLIES IS A FACTOR

Other top Administration officials, including Secretary of State Alexander M. Haig, Jr., support the current plan. They fear that yielding to the opponents of land-basing would undermine efforts to sustain NATO support for placing new medium-range missiles in Italy, West Germany and Britain.

Mr. Weinberger, among other defense planners and political leaders from both parties, concur that the missile itself is necessary.

A rapid improvement in the accuracy of Soviet missiles, combined with a Soviet advantage in missile size and the number of nuclear warheads each can carry, is considered to have made American land-based missiles vulnerable to attack, officials said. The ability to survive a first strike by the Soviet Union is considered essential to deterring that nation from launching such an attack.

The two other legs of the so-called triad of American nuclear forces are the B-52 bomber fleet and the Polaris and Poseidon missiles carried aboard submarines. Those systems are not considered as reliable or as accurate as the land-based ICBM's, or intercontinental ballistic missiles.

The MX missile was designed to reverse the apparent imbalance by giving the United States a new generation of ICBM's more powerful and more accurate than its predecessors, the liquid-fuel Titan and the solid-fuel Minuteman. The MX was designed to carry 10 to 12 independently targeted warheads rather than the maximum of three that existing missiles can deliver.

## NETWORK OF SHELTERS ENVISIONED

To reduce the vulnerability of a land-based missile system, the Defense Department recommended basing the MX in a vast network of shelters in Nevada and Utah. By scattering 200 missiles among 4,600 shelters, the United States would theoretically leave the Soviet Union guessing which shelters contained missiles.

In June 1979, President Carter approved full-scale engineering and development of the missile. Three months later he approved basing the MX in a multiple-shelter system in Utah and Nevada.

The Defense Department estimated the cost at \$33.8 billion. Accounting for inflation, the General Accounting Office said it could go as high as \$70 billion. Opponents of the plan have predicted that it could go as high as \$100 billion.

President Carter's decisions set in motion the military and industrial machinery that is now moving relentlessly toward the shelter system.

Parts of the MX system, such as launching technology, the missile itself and missile guidance, would be affected differently by a Reagan Administration decision to alter the basing, according to Air Force and industry officials.

Clearly, the basing engineering and development work would have to be abandoned if the Administration moved to a sea-based system. The work, involving design of the 4,600 horizontal shelters, a 7,800-mile network of roads connecting them and development of a vehicle to transport the missiles

from shelter to shelter would be useless, they said.

According to the Air Force, roughly 30 percent of the \$2.3 billion spent on MX development through the fiscal year 1981, which ends Sept. 30, was earmarked for basing costs.

The Air Force, for example, has contracted with the Boeing Aerospace Corporation for \$155 million to design the shelter system.

A shift to basing the missile in vertical silos like those used for the Titan and Minuteman would also preclude use of most of the basing work completed to date, officials said.

#### LAUNCHING WORK SALVAGEABLE

Launching technology would not be so adversely affected. The current system calls for the MX missile to be ejected from a launching canister by a cold-gas explosion. When the missile is expelled from the canister into the air, the first-stage engine would ignite.

This technology could be transferred with some modification to either a vertical silo system or even to basing at sea, officials said.

The missile itself is reasonably adaptable, according to Air Force officials, though its size precludes many basing options.

The four-stage MX missile, considerably larger than the Minuteman, will weigh 190,000 pounds, have a 92-inch diameter, and be capable of delivering a re-entry capsule, including up to 12 warheads, that weigh 7,900 pounds. The comparable "throwweight" of a Minuteman 3 is 2,000 pounds.

Although this size and power would close the gap between American and Soviet missiles, it limits the new missiles' basing modes. The MX, for example, could not fit aboard any current American submarines.

There is little chance of scaling down the missile, officials said, both because its size is considered a critical factor and because development has passed the point at which re-designing is feasible.

The guidance system for the missile was designed for a ground-based system. Officials at Northrop said that a decision to base the missile at sea would require additional guidance equipment.

Taken together, the money, manpower and bureaucratic and corporate interests invested in building the MX missile and basing it on land in a multiple-shelter system create a formidable inertia.

#### WHICH SERVICE WOULD LOSE

The organization with the most to lose if the missile is based at sea is the Air Force. The Ballistic Missile Office, housed in a windowless former warehouse at Norton Air Force Base in San Bernardino, is a growing bureaucracy these days.

Under the direction of General McCartney, the office now employs 567 officials, divided between military personnel and civilians. Because of turnover and a shortage of engineers in the military, it took General McCartney and his predecessor several years to recruit a sufficient number of qualified people to manage the MX program.

The Ballistic Missile Office, which reports to the Air Force System Command, is broken into 36 divisions responsible for such matters as propulsion, guidance and control, financial management, contract review and safety.

All the financing for the MX program is funneled through the missile office. Its officials are, in turn, responsible for overseeing

design, engineering and eventually production.

#### WORK DIVIDED AMONG TEAMS

Instead of turning the project over to a prime contractor, the missile office has retained control over the program by parceling out the work to corporations itself. Executives from the TRW corporation work with the missile office, helping to oversee its work.

The size of the MX program has strained the resources of the missile office. For example, the division responsible for negotiating contracts for missile development and engineering consists of four contract teams, according to the division head, Donald Robert. Each team has two or three negotiators and one procurement clerk.

These teams are responsible for handling multimillion-dollar contracts. Initially, according to Mr. Robert, the division lacked the manpower and expertise to cope with the volume of contracts generated by the program. He ended up recruiting young people from other military agencies, most of whom lacked experience in missile contracts.

Mr. Robert said that his people were sometimes outnumbered at the bargaining table by corporation executives and lawyers, but he insisted that his office was not at a competitive disadvantage.

As of early March, the missile office had awarded major contracts to more than 30 corporations. The biggest, totaling \$588 million, went to Martin Marietta Aerospace in Denver for assembly and testing of the missile.

Other major recipients include: AVCO Systems Division, of Wilmington, Mass., (\$175 million for re-entry systems); the Aerojet Strategic Propulsion Company, of Sacramento, Calif., (\$152 million for stage 2); GTE Sylvania, of Waltham, Mass., (\$325 million for command control and communications); Hercules Inc., of Magna, Utah, (\$175 million for stage 3); Rockwell International Autonetics, of Anaheim, Calif., (\$389 million for guidance and control); Rockwell International Rocketdyne, of Canoga Park, Calif., (\$382 million for stage four); and the Thiokol Corporation, of Brigham City, Utah, (\$162 million for stage 1).

When the President eventually approves production of the missile, these companies will receive multibillion-dollar contracts to produce their components.

The business means major expansion for these companies. At Northrop, for example, the company's electronics division holds a \$238 million contract from the Air Force to design and engineer an inertial measurement device that will form the heart of the MX guidance system. If the missile is put into production as expected, the company will probably receive close to \$1 billion.

David N. Ferguson, general manager of the division, supervises 800 employees working on the project at division office in Hawthorne, Calif., near Los Angeles. Before the MX work is done, he expects to recruit several thousand new employees.

The electronics division plant is being expanded and modified to handle the delicate work, giving the plant the appearance of a small boom town.

To build the guidance device, Northrop must assemble more than 2,100 parts. To get some of these, the company, in turn, has subcontracted with 34 other corporations.

#### TEST LAUNCHING COMPLEX GROWING

Here at Vandenberg Air Force Base, 170 miles north of Los Angeles, construction

crews are working on a test-launching complex for the MX missile. According to Lieut. Col. Dennis Beebe, \$85 million will be spent on 15 facilities.

Three of these are rising above the sandy hills on the base, identified by signs that read "MX Construction Area." One of these, a mechanical maintenance facility, would have to be substantially modified if the current basing system is changed. The building will cost \$5 million.

Colonel Beebe said that "everything would have to be changed" if the MX's canister launching system was changed to a "hot" launching in which the missile engines fire in the shelter.

Col. Stanley D. Berry, vice commander of the missile office, said that a decision to base the MX in vertical silos would delay opening of the system by a year beyond the projected date of 1986.●

#### INTRODUCTION OF BIPARTISAN RESOLUTION DISAPPROVING THE SALE OF ARMS TO SAUDI ARABIA.

#### HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. LENT. Mr. Speaker, I have today joined with the gentleman from Maryland (Mr. LONG) in introducing a bipartisan resolution of disapproval in the matter of the sale of additional equipment for the F-15 fighter planes, and the AWACS E-3C sentry planes to Saudi Arabia. We separately introduced identical resolutions on April 27 because of our concern for the security of Israel, and peace and stability in the Middle East. Since that time, the need to block this unfortunate action by the administration has become more apparent because of the deployment of Syrian surface-to-air missiles in Lebanon's Bekaa Valley. The placement of these threatening missiles, the subsequent positions taken by the Israeli and Syrian Governments, and the heightening of tension on a global scale provide us with an important lesson as to the instability and political volatility the introduction of new weapons produces in this troubled region.

The balance of power in the Middle East is very fragile, and the introduction of new weapons system, like the Syrian missiles, or an advanced technology like the AWACS E-3CX sentry planes, can do great harm to the balance and stability we try so hard to maintain. This is the lesson of the Lebanon crisis for the United States. The sale of the AWACS and the additional equipment for the F-15 fighter planes will not guarantee the security of Saudi Arabia. On the other hand, if Saudi Arabia does acquire AWACS, the security of Israel is seriously threatened, and it is with good reason that the Israeli people oppose this sale. The delicate balance will be tilted

and stability threatened. No one nation or cause will benefit and all may well lose.

For these reasons, and because of our conviction that this sale will do great harm to the cause of peace in the Middle East, the gentleman from Maryland and I join together in offering this resolution of disapproval because we believe our joint, bipartisan effort will serve as a signal of our resolve and determination in this matter.

We encourage all Members of this House to consider this issue on merit alone. We believe that a hard, objective review of the facts in this case, particularly when considered in the light of recent developments, will lead each to conclude as we have, that this sale is not in the best interest of the United States or any of our allies. Please join us in this important effort to prevent a major foreign policy mistake.●

**THE PUBLIC LAND REFORM ACT OF 1981**

**HON. JIM SANTINI**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. SANTINI. Mr. Speaker, I am proud to again bring the Sagebrush Rebellion to the U.S. House of Representatives as it has been brought recently to the White House. Today I am introducing legislation very similar to the bill I introduced last year, which provides a mechanism for transferring 460 million acres of Western public land back to the States. The bill I propose addresses the longstanding inequity imposed on Western States by Federal ownership of 63 percent of all Western lands. In my home State, Nevada, 87 percent of the State is under the Federal Government's jurisdiction. In some counties, Uncle Sam owns 99 percent of the land. In contrast, the Federal Government averages only about 5 percent ownership in States east of the 100th meridian. This injustice can no longer be tolerated.

Inequity today has its roots in yesterday. Instead of being admitted on an equal footing with the rest of the States in the Union, Congress said that public lands States could not be admitted to statehood unless they gave up all right and title to the vast majority of land within their borders. The price of statehood came very, very high to the West.

My bill would allow for the orderly transfer of Bureau of Land Management lands back to the States. Land transfers would not be automatic, and States would be required to enact laws to insure sound management. National parks, forest lands, wildlife sanctuar-

ies, Indian reservations, and military installations would be exempt from the bill.

I feel that Secretary of Interior Watt's good neighbor policy will be a much-needed relief to the West, and we appreciate his efforts. However, we simply cannot rely on the good will of future administrations to continue his policies.

I urge my colleagues to give this bill careful consideration. Home rule for the West is long overdue. It is morally wrong for Uncle Sam to own one-third of the Nation.●

**UNITED STATES NEEDS NATIONAL DAY OF PEACE**

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. MARKEY. Mr. Speaker, we are now experiencing a period of worldwide turmoil. Conflicts have arisen in Afghanistan, the Middle East, Ireland, El Salvador, and Africa over the last year and half. In these times of turmoil around the world, it is important for Americans, regardless of their personal opinions, to reaffirm the American ideal of peace around the world.

As national pride and spirit are on the upswing and confidence in American ideals is being revitalized, it is important that each American reflect on this country's history of peace and dedication to the preservation of peace.

It is my belief that the establishment of a National Day of Peace would encourage the American people to pause and reflect on the necessity of international peace throughout the world. Not only would the National Day of Peace be a symbol to the American people, but a symbol to the rest of the world as well. Mr. Speaker, in view of the turbulence around the world, I urge your support of the House Joint Resolution to establish a National Day of Peace on August 2, 1981. This day would serve as a reminder to us all of our desire to establish peace among the peoples of the world.●

**TRIBUTE TO FATHER RAYMOND WALDRON**

**HON. MATTHEW J. RINALDO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. RINALDO. Mr. Speaker, parishioners and former members of St. Michael's Church in Union, N.J. will honor an extraordinary priest, Father Raymond Waldron, when he celebrates his 30th anniversary as a priest on May 29. The dinner also will be a

farewell tribute to Father Waldron, who has been named pastor of St. James R.C. Church in neighboring Springfield.

For 30 years, Father Waldron has labored with good humor, compassion, intelligence, and enthusiasm in the service of God and man. He has earned the respect and affection of many families whose lives he has touched and inspired with a love of Christ, their country, and their fellow man.

A graduate of Seton Hall University, Father Waldron studied for the priesthood at Immaculate Conception Seminary, and was ordained at St. Patrick's Cathedral, Newark, on May 19, 1951. His first assignment was at St. Michael's Church in Jersey City, where his vibrant personality and educational ability motivated the children in the parish school. Like so many other parochial school teachers, he gave his free time after classes to youth work.

Since 1962, Father Waldron has been assigned to St. Michael's Church in Union as assistant pastor. He is the moderator of the Catholic Physicians Guild and Council of Catholic Nurses; chaplain to Court Immaculate Heart of Mary, Catholic Daughters of America; moderator of St. Michael's Home School Association, and the Holy Name Society. He is the dean of Deanery 23, Union County North, and a fourth degree member of the Knights of Columbus. Whether it was working with a boy scout or a member of the Teamsters Union, Father Waldron demonstrated a natural gift for relating to people in all walks of life.

His fellow priests, who know him perhaps better than anyone else after years of working side by side with Father Waldron, have expressed their admiration in the following testimonials:

He has made all of us feel better. He listened to our problems and difficulties. It is encouraging to hear him say that "everything would work out".

He is always available; it is nice to know that we are always welcome. He celebrates Mass in a manner that keeps our devotion alive. He makes us sense the holiness of what we are doing. In confession, he is kind and gentle. He makes us aware of Christ's love for sinners.

He is generous of his time. With those preparing for matrimony, he fills them with hope and optimism about their future lifetime relationship.

He is a tower of strength for those who mourn. It is good for them to know that somebody understands and shares their grief.

Most faithfully, he visits the sick at home and in the hospital. He lets them know that he cares and thinks of them. Teaching the word of God, he makes his listeners feel the beauty and worthwhileness of following Christ's way.

He brings joy and laughter. He is gifted with a tremendous sense of humor and can make us laugh at our own foibles. He is a treasure house of anecdotes and jokes that

make him a most enjoyable master of ceremonies.

He has a touch of class in the way he talks, acts and dresses. He is a gentleman among priests and a priest among men and women. He has a command of the English language.

Every day he does the New York Times crossword puzzle with the greatest of ease. He dresses not with sartorial splendor, but with good taste. When standards of class are waning, he is a constant reminder of the better choice.

Because of what he brings to the priesthood, because of what he gives to the people, because of the leadership he gives to his fellow priests, he was elected the dean of this area.

This is our Father Waldron.

This is the priest we love and admire.

This is the priest that we will miss. No other priest could have done more during 19 years at St. Michael's.

Mr. Speaker, I am happy to join with our pastor, priests, and my fellow parishioners at St. Michael's in Union, N.J., in expressing my friendship and admiration for Father Waldron, and in wishing him many blessings and much success in his new assignment as pastor of St. James' Church.●

#### HIGHER INTEREST NEEDED ON FEDERAL PHONE LOANS

### HON. COOPER EVANS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. EVANS of Iowa. Mr. Speaker, in an effort to contain the carryover advantage of lower interest Rural Telephone Bank loans at subsidized interest rates, I have introduced H.R. 3604 which permits the Rural Telephone Bank to require any subsidized loan to be paid off or refinanced at a higher rate of interest whenever a small phone company is sold to a large privately held telephone company. Currently, whenever a phone company operating under a subsidized rate of interest is sold the purchasing company is permitted to continue to benefit from the subsidized interest rate on the loan.

This legislation allows the RTB governor to refinance a loan at a higher interest rate or call in the loan if that is in the public interest. The governor would be given such power when a small telephone company is acquired through purchase of stock by a larger telephone company so that control of the company is transferred to the latter.

I feel that providing low-interest loans to small phone companies in rural areas is a reasonable approach to providing service in some parts of the country. However, there is no reason to continue the low-interest rate when a larger company feels the business is lucrative enough for it to take over.

In some cases it has been the low-interest loan that has made a small com-

pany attractive. As things now stand, companies can gain control of small telephone operations and at the same time avail themselves of some very cheap money at taxpayers' expense. I think we should hold to the purpose of the RTB and that is not to provide low-interest loans to large telephone companies.●

#### H.R. 1990: REAPPORTIONMENT AND THE 1980 CENSUS

### HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. FITHIAN. Mr. Speaker, I rise to discuss the importance of H.R. 1990, a bill to reform the present method of reapportionment. The existing method of equal proportions is both difficult to understand and inherently flawed with a built-in bias toward small States. I recommend that this formula be replaced with a more objective, impartial, and unbiased method of reapportionment—the Hamilton-Vinton method.

Under the Hamilton-Vinton formula each State's population is divided by the "ideal" size congressional district. In 1980 the ideal size is 519,234 which is the U.S. population divided by 435. States with fewer than 519,234 persons receive a seat because of the constitutional requirement that each State have at least one House seat. Each State receives the whole number of seats in its quota plus a fraction indicating the people not covered in its quota. The fractions of all the States are ranked, and the remaining seats are assigned in order of the largest remaining fractions, until all 435 seats are assigned. Some have called this approach the method of highest fractions. The highest fractions used to complete the House could be major or minor fractions ( $\pm 0.5$ ).

There are many advantages to the Hamilton-Vinton method. Most importantly, it is a simple, easily understood concept. It honors the "quota" concept more often than do other apportionment methods. This method is not biased toward large or small States, as other formulas are, and has been used for more reapportionments than any other in American history. The method adheres more closely to the spirit of Baker against Carr, "one man, one vote." During the 19th century, two paradoxes were discovered—the Alabama paradox, which is irrelevant if the size of the House remains the same—and the population paradox, which rarely occurs. Under this method of apportionment Indiana and California would gain one seat each, while New Mexico and Montana would lose one seat each.

The merits of the Hamilton-Vinton formula gain importance when one

considers the inherent weaknesses of the present formula. The equal proportions method is difficult to understand and based on complicated geometric theory. This method violates the concept of the true "quota" as has been demonstrated in the recent reapportionment of Indiana and California. In the 1980 reapportionment under equal proportions, other States with smaller fractions—Colorado, 5,564; Kansas, 4,552; Nevada, 1,540; Montana, 1,516; New Mexico, 2,504—were all "rounded" up while Indiana, with a larger fraction of 10,574, and California, with 45,584, were "rounded" down. A recent study by M. L. Balinski and H. P. Young concluded that the present method has a built-in bias toward small States of 3.4 percent when computed over the course of 19 censuses. In 1980, however, the present formula exhibited a bias of 7 percent—more than twice the average rate. The use of this method over the next 2 to 3 decades could result in an unfair shift of seats from the larger States in the Northeast and Middle West, such as Michigan and Ohio, to the sparsely populated States of the South and West, such as Nevada and Arkansas.

I urge your support of H.R. 1990. This bill would insure that the Secretary would submit to Congress an annual report on budget outlays and the amount of moneys received as reimbursement for services performed. It would also provide for the Secretary to submit a report to Congress on the accuracy of the decennial census, and a statistical analysis of the social and economic conditions of the American people. A congressional data book would be published setting forth the geographic boundaries of each congressional district and an annual report on the progress of the Bureau in developing techniques to improve the accuracy of the decennial census. The bill also requires that not later than 1 year before the decennial census date, the criteria for determining residency for purposes of counting will be completed, and that the census data be submitted to the various States by March 1, not April 1, so that State legislatures could have more time for redistricting. Under this legislation the Secretary shall maintain, if practicable, the same geographic boundaries. It also requires that the Secretary shall submit a new reapportionment plan by September 30, 1981, using the Hamilton-Vinton formula for the Twentieth Decennial Census and for all subsequent decennial censuses.

I am pleased to submit to our colleagues a copy of this bill as well as a section-by-section analysis. I look forward to your support of this legislation.

H.R. 1990

A bill to amend title 13, United States Code, to require the Secretary of Commerce to prepare certain reports with respect to census activities and the decennial census, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Census Data Reform Act of 1981".

SEC. 2. (a) Subchapter I of chapter 1 of title 13, United States Code, in amended by adding at the end thereof the following:

"§ 16. Annual report

"After the end of each fiscal year, the Secretary shall submit to the Congress a report on the activities of the Secretary carried out under this title during that fiscal year, including a summary of budget outlays and the amount of moneys received as reimbursement for services performed under section 8(b) of this title."

(b) The table of sections of subchapter I of chapter 1 of such title is amended by adding at the end thereof the following:

"16. Annual report."

SEC. 3. (a) Section 141 of title 13, United States Code, is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

"(g)(1) As soon as practicable after each decennial census is conducted under subsection (a), the Secretary shall prepare and submit to the Congress—

"(A) a report evaluating the accuracy of that decennial census; and

"(B) a statistical analysis of the social and economic condition of the American people, based on the data collected in that decennial census.

"(2) As soon as practicable after all the States have established congressional districts pursuant to an apportionment of Representatives in Congress which is made on the basis of a decennial census, the Secretary shall publish a document setting forth the geographic boundaries of each such congressional district.

"(3) The Secretary shall submit to the Congress an annual report on the progress of the Bureau in developing techniques to improve the accuracy of the decennial census."

(b) Such section 141 is further amended in subsection (f)—

(1) in paragraph (2) by striking out "and" after the semicolon;

(2) in paragraph (b) by striking out the period at the end thereof and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following:

"(4) with respect to the decennial census, not later than one year before the decennial census date, the criteria which will be applied to determine the residency of persons for purposes of counting those persons in the decennial census."

(c) In order to maintain consistency when comparing and interpreting data gathered in successive decennial censuses conducted pursuant to section 141 of title 13, United States Code, the Secretary of Commerce, to the extent practicable, should define in the same manner, with the same geographic boundaries, any geographic unit established by the Secretary for purposes of conducting any decennial census as was defined for purposes of the preceding decennial census.

(d) Section 141 of title 13, United States Code, is further amended in the last sentence of subsection (c)—

(1) by striking out "one year" and inserting in lieu thereof "11 months"; and

(2) by inserting after "respective State" the following: ", and to the committees in Congress having legislative jurisdiction over the census."

(e) Section 141(b) of such title is further amended—

(1) by inserting "(1)" immediately after "(b)"; and

(2) by adding at the end thereof the following:

"(2) Not later than September 30, 1981, in the case of the twentieth decennial census, and, in the case of each subsequent decennial census, on the first day, or within one week thereafter, of the first regular session of the One hundred and second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the total population in each State, excluding Indians not taxed, in accordance with the tabulation reported by the Secretary pursuant to paragraph (1) of this subsection, and showing the number of Representatives in Congress to which each State would be entitled under an apportionment of the then existing number of Representatives by the Hamilton-Vinton formula, no State to receive less than one Member. For purposes of this paragraph, 'Hamilton-Vinton formula' means the method of apportionment, as applied to 435 seats in the House of Representatives, which is set forth in section 25 of the Act entitled 'An Act providing for the taking of the seventh and subsequent censuses of the United States, and to fix the number of the Members of the House of Representatives, and provide for their future apportionment among the several States', approved May 23, 1850."

SEC. 4. (a) Section 22 of the Act of June 18, 1929 (2 U.S.C. 2a) is amended—

(1) by striking out subsection (a); and

(2) in subsection (b)—

(A) by striking out "Eighty-third" and inserting in lieu thereof "Ninety-eighth";

(B) by striking out "under this section or subsequent statute" and inserting in lieu thereof "under section 141(b)(2) of title 13, United States Code";

(C) by striking out "subsection (a) of this section" and inserting in lieu thereof "such section"; and

(D) by striking out "under this section" and inserting in lieu thereof "under this subsection".

(b) Section 2 of the Act of November 15, 1941 (2 U.S.C. 2b), is repealed.

(c) The second paragraph (relating to congressional redistricting) of the Act of December 14, 1967 (2 U.S.C. 2c), is amended—

(1) by striking out "Ninety-first" each place it appears and inserting in lieu thereof "Ninety-eighth"; and

(2) by striking out "subsection (a)" and all that follows through "as amended," and inserting in lieu thereof "section 141(b)(2) of title 13, United States Code."

CENSUS DATA REFORM ACT OF 1981—SECTION-BY-SECTION ANALYSIS

Section 2. The Secretary shall submit to Congress an annual report on budget outlays and the amount of moneys received as reimbursement for services performed.

Section 3. Amendments to section 141 of title 13:

(1) Inserts a new subsection (g) requiring the Secretary to submit a report to Congress on the accuracy of the decennial census, and a statistical analysis of the social and economic conditions of the American people.

(2) Requires that the Secretary shall publish a Congressional Data Book setting

forth the geographic boundaries of each congressional district.

(3) Requires that the Secretary submit to the Congress an annual report on the progress of the Bureau in developing techniques to improve the accuracy of the decennial census.

(4) Requires that not later than one year before the decennial census date, the criteria for determining residency for purposes of counting will be completed.

(5) Requires that the Secretary shall maintain, if practicable, the same geographic boundaries and geographic units.

(6) Requires that the census data be submitted to the various states by March 1, not April 1, so that state legislatures have more time for redistricting.

(7) Requires that Secretary shall submit a new reapportionment plan by September 30, 1981 using the Hamilton-Vinton formula (for the 20th decennial census), and for all subsequent decennial censuses. This subsection defines the Hamilton-Vinton formula.

Section 4. Amend section 22 of Title 2 by striking out the use of the present formula of equal proportions, and makes subsequent technical changes required to implement this shift. ●

SAN PEDRO JAYCEES HONOR OUTGOING HONORARY MAYOR VINCE J. TRUDNICH

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. ANDERSON. Mr. Speaker, on May 28, 1981, the San Pedro, Calif., Jaycees will honor a longtime and outstanding leader of the Los Angeles Harbor area, former Honorary Mayor Vince J. Trudnich.

Vince was born and raised in San Pedro, and has remained so local that the house he was born in is right across the street from his present business office. After attending San Pedro High School, he entered the U.S. Air Force, where he rose to the rank of staff sergeant. He married the former Lillie Matlock in 1954, and soon after began attending courses at the University of California at Los Angeles. This education laid the foundation for an eventual career in real estate.

Vince has always had a love for his community, as is evidenced by his selfless commitment to over a dozen organizations including the Jaycees, the Retarded Children's Foundation, the Lions Club, the Elks Club, and the Boys Club. His love for young people led to his membership in the Boy Scouts of America before he even had a son. He joined the Yugoslav-American Club, where his father, Jack, was one of the charter members, because of his deep love of the customs, music, and friendship he had come to know at the Club's hall.

Vince's most unique quality is his ability to get along with people. He has an understanding for the concerns of a diverse and multiethnic communi-

ty that makes people reach out to him. But it is Vince who is the true giver: As his son puts it, "Dad, you spoil everybody."

A man who has been asked many times to run for public office, Vince has preferred his involvement with the many clubs to the sometimes confining structure of elective office. But he has been in every sense a leader, and the harbor area is lucky to receive his civic contribution.

Mr. Speaker, Vince's life has been like his love for gardening. Over the years, hard work has paid off, and many have shared in the fruits of his labor. His devotion to the growth of San Pedro clearly makes him most worthy of this occasion in his honor.

My wife, Lee, joins me in wishing continued success for Vince, his wife Lillie, and their children James, Larry David, and Mark. ●

#### TURN THE COURTS AROUND

#### HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. HUBBARD. Mr. Speaker, since the tragic attempted assassination of President Reagan, the debate over the merits of gun control has taken on increased impetus throughout the Nation and in the Halls of Congress. Mr. Lloyd E. McKinney of Calvert City, Ky., a city that I represent in Congress, has written a very timely and thoughtful letter on the subject of gun control. Mr. McKinney and I agree that efforts should be made to strengthen our court system to deal with those who use guns in the commission of a crime, but it would be unconstitutional to further limit law abiding citizens from having guns to protect and defend themselves. I feel Mr. McKinney's letter is one which should be shared with my colleagues and I wish to do so at this time.

CONGRESSMAN HUBBARD: I would like to comment on gun control, a very controversial subject since the attempted assassination of President Reagan. The news media has continually aired different opinions pro and con on this subject. My firm conviction is gun control would be acceptable if we had no other alternative.

But, we do need a complete turnaround of all our courts, judges, and attorneys, so this lawless merry-go-round can be stopped. First, we have the police officer who arrests the law breaker. Then the law breaker receives an attorney appointed by the court who, in turn, gets him off free of any charges because of some technical detail completely above the comprehension of the average citizen. And around and around it goes!

I cannot even begin to count the times I have read in the newspapers of criminals being set free because they are insane, paroled, or not even convicted, and then return to the streets to commit the same crime again.

Congressman Hubbard, can you please tell me what we must do to turn our courts around so that the law abiding citizen will be protected from the lawlessness of our courts and judges in our nation?

Furthermore, on gun control, I feel the issue is quite clear. The enforcement of gun control would only be seen as another coercive act of the federal government, therefore, probably rejected by most American citizens.

To conclude, I would like to thank you for your time. And I hope and pray that you and your staff will support every opportunity to turn our courts around so that stiffer penalties are implemented and enforced against the criminal.

Thank you,

LLOYD E. MCKINNEY,  
Calvert City, Ky. ●

#### TRIBUTE TO TEXAS TRAIL BLAZERS OF CUERO, TEX.

#### HON. ABRAHAM KAZEN, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. KAZEN. Mr. Speaker, this coming Sunday, May 24, has been proclaimed Texas Trail Blazers Day by Hon. Ben Prause, mayor of the city of Cuero, Tex. The day might have been proclaimed as American Youth Day, for the young people of the Texas Trail Blazers symbolize the very best of the younger generation of American citizens.

The measure of the group's success is that it will receive the George Washington Honor Medal from the Freedoms Foundation at Valley Forge during ceremonies next Sunday in Cuero. This signifies that the Trail Blazers is 1 of the 10 most outstanding youth organizations in the United States.

The group was organized in 1976 by John C. Hamilton of Cuero, a member of the National Committee of the Boy Scouts, who decided that the best way to attract young men and women in our area of Texas to community service was through horsemanship.

Since they began, they have been very active in their community. They sponsor an annual summer youth trail ride and an annual city-wide Halloween Carnival for all the youth of the area; they assisted various civil defense officials during Hurricane Allen last summer; they sing Christmas carols for the elderly and give horseback and buggy rides to the mentally and physically handicapped; they organized a 100-mile hike to San Antonio during the Bicentennial, and they are the official turkey racers and handlers in the annual Cuero Turkey Trot Races.

Mayor Prause has called them Cuero's good will ambassadors. I believe they are also America's youth good will ambassadors. We all take pride in their accomplishments and

wish them continued success in service to others. ●

#### ISRAEL'S 33D ANNIVERSARY

#### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. SMITH of New Jersey. Mr. Speaker, Israel has just finished celebrating its 33d anniversary as a nation. The Israelis have confounded all the doomsayers and pessimists who predicted the Jewish State would be swept into the sea long ago.

The modern State of Israel is a nation having no parallel in any time. There must be a special blessing of God on a people who recreate a nation after 2,000 years. When modern Israel was proclaimed on May 15, 1948, it was the first Jewish commonwealth to exist since the days of the Maccabees.

Several events brought this nation back into being. One was the Zionist movement, which came into being as a result of the European antisemitism that flourished after the Dreyfus case. Theodore Hertzl saw the public degradation of Alfred Dreyfus; he was horrified at the crowd that screamed "Down with the Jews." This led him to found the Zionist movement, to seek the creation of a Jewish homeland.

Another major event in the history of Israel's creation was the Holocaust, the greatest horror of this century. Suddenly the world found that 6 million men, women, and children had been murdered, not for crimes, but just for their race and religion. A great impetus was given the struggle to create a Jewish homeland.

Israel embodies the essentials of our Judeo-Christian civilization. With Lebanon caught up in civil war, Israel is the sole democracy in the Middle East. Alone among these nations Israel has a free press, free elections, and independent judiciary, and a democratically elected government. We have a great deal in common with Israel.

But Israel is more than that. The Israelis are our firm allies. They maintain their own defense. They have been willing to allow the United States to use Israeli territory to station our naval and air forces, if we wish to.

In a region of great instability, the Israelis have maintained a stable society and government. We are not faced with the violability that afflicts so much of the Islamic world—the violability that overthrew the Shah and may undermine the Saudi royal house. Israel is not threatened by coups or street violence, nor do we fear the Israelis switching sides.

Our commitment to Israel is a firm one. It is the commitment Americans

have to free societies all over the world.

Israel is faced today with many challenges. Yet we must know full well that Israel is not at the center of our problems in the Middle East.

There are many conflicts in the Middle East that have nothing to do with Israel. Iran and Iraq are not fighting because of Israel. Soviet and satellite troops are not in South Yemen because of Israel. Oman is not in danger of Soviet aggression because of Israel. The threat to Saudi Arabia has nothing to do with Israel.

Were Israel to disappear tomorrow—were the Palestinian problem to be solved—in that way, there would still be tensions in the Middle East.

This Nation will not establish respect or inspire confidence by betraying an ally. I hope we have learned that lesson.

Mr. Speaker, all of us wish Israel the greatest of blessings on this anniversary. We hope for many more years in which we can offer Israel our congratulations on its independence day. Knowing the strength and will of Israel's people, I have no doubt of her continued prosperity. ●

PIKESVILLE STUDENTS VISIT  
CAPITOL

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. LONG of Maryland. Mr. Speaker, on Friday, May 15, six young men and women from the Sudbrook Middle School in Pikesville, Md., journeyed to Washington for a firsthand look at their Nation's Capital as part of their studies of American Government.

These students, led by their teacher, Ms. Donna Sener, toured the Capitol Building, and visited my office.

I am delighted they have taken an interest in our Nation's political process, and hope their interest will continue.

Students who visited us Friday are: Darryl Gould, Floyd Brown, Carlos Callier, Anthony Holman, Michelle Everett, and LaChara Green. ●

TAX BRACKET CREEP

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. RITTER. Mr. Speaker, shortly we will be engaged in debate over the President's tax reform proposals. Many opponents of income tax rate reductions claim they are inflationary. However, if we closely look at what these rate reductions mean to the average American wage earner, we

clearly see these reductions only begin to offset past and future tax increases due to tax bracket creep.

Mr. Ernest Conine, in an editorial column for the Bethlehem Globe-Times, articulates a sound defense for the President's tax package. I urge my colleagues to carefully review the arguments posed by Mr. Conine as background for the coming debate.

[From the Bethlehem Globe-Times]

DEALING WITH BRACKET CREEP

(By Ernest Conine)

The Department of Labor reported the other day that an urban family of four that had an income of a little over \$20,000 in 1979 needed over \$23,000 last year to maintain the same intermediate standard of living.

Everything in the family budget cost more, of course. But the largest single increase in living costs for this average family was, the 25 percent jump in federal and state income taxes.

Now that members of Congress are streaming back into Washington from the Easter recess, the House Ways and Means Committee is about ready to begin drafting a tax bill.

That bill will almost certainly call for a "tax cut," but one smaller than the 10 percent across-the-board reduction proposed by President Reagan for each of the next three years.

But even if the Reagan plan was enacted as proposed, it would do little more than offset the bracket creep cited by Department of Labor. Most people would still find themselves paying out about the same proportion of their paychecks to the tax collector as they did a year earlier. Some middle-income Americans would actually pay a higher percentage.

If he keeps these realities in mind, the average citizen won't have to come down with a guilt complex over the modest, deceptively labeled tax cut likely to emerge from Congress this year.

Ronald Reagan campaigned on a promise to cut personal income taxes by 10 percent in each of the next three years. But most economists, in a refrain that was quickly picked up by the Democrats, warned that personal income tax reductions of that magnitude would be dangerously inflationary.

If people get a break in their personal income taxes, it was explained, they would only spend the money instead of saving it. That would feed inflation while holding down the amount of money available for investment in the new equipment and technology that U.S. industry needs to regain its competitive standing in the world.

For anyone who is not burdened with a Ph. D. in economics, it is a little hard to understand why a tax cut that would leave most Americans with no more buying power than a year earlier would be inflationary.

But, no, that sort of thinking is out of style among mainstream economists. They argue that a tax reduction would offset the anti-inflationary benefits of prospective cuts in government spending an perpetuate high interest rates.

Maybe they are right. Certainly inflation is the No. 1 enemy of the American people right now, and controlling it is far more important than an ephemeral tax cut.

But it wasn't tax cuts that created double-digit inflation, and the evidence is far from clear that allowing effective income-tax rates to creep up and up without relief will help get us out of it.

It's sobering to look at what will happen to the average family if the tax laws remain as they are.

According to federal data compiled by Business Week, a family with an income of \$30,000 now pays out 18.3 percent of those earnings for federal income taxes and Social Security. Assuming continued inflation and no tax relief, the effective tax rate will increase to 22.5 percent in 1984.

For a family in the \$10,000 bracket, the tax burden will jump from 9.9 percent to 13.9 percent in the same period. For the \$50,000-a-year family, the increase is from 21.8 percent to 26.8 percent.

If you look at the so-called marginal tax rate, the picture is even more dismal.

The marginal tax rate is the rate applied to the raise that you get or the extra pay that you receive for working overtime or on a second job. The higher the income, the higher the marginal tax rate, whether or not the extra income outpaces inflation.

In 1970 the marginal tax rate on a person earning \$20,000 a year was 25 percent. That same person, if his pay increases have barely kept up with inflation, now pays a marginal tax rate of 37 percent.

By 1984, under present law, the same fellow will pay 49 percent tax on each extra dollar of income, even if the purchasing power of his paycheck is no greater than when he was earning \$20,000 a year in 1970. ●

CUBAN INDEPENDENCE DAY

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. FASCELL. Mr. Speaker, 79 years ago the Cuban flag was proudly hoisted over a new nation, born of the ideals of such patriots as Jose Marti, Maximo Gomez, and Antonio Maceo, and reflective of the dream of independence shared by a proud and tenacious people for generations. This month again marks the anniversary of Cuba's triumph over Spain and its establishment as one of the world's free nations.

Independence was not easily gained. It was earned by the struggle and sacrifice of many Cuban people over a period of more than 30 years. The raising of the flag over Morro Castle, in Havana, was a stirring expression of the Cuban people's deep commitment to the principles of individual liberty and democratic government.

Never has it been so important to remember this anniversary and its meaning for the Cuban people, and indeed the free world. Hardly a day passes without further evidence of Fidel Castro's blatant attempts to undermine and destroy countries in the Caribbean and in Africa. The alliance of the Castro government with the principles of world domination espoused by the Soviet Union is a threat to national integrity around the globe.

Perhaps a more grievous crime is the open hostility of the Cuban Commu-



nist regime to the principles of human dignity and individual self-determination. This was seen dramatically just 1 year ago when thousands of Cuban nationals poured out of their country in stunning testimony to political and personal repression exercised by the Castro government. Just recently, a group of these refugees who tried to return to their families was maliciously set adrift by Castro without any provisions or apparent concern for human life. Most of them eventually were lost at sea.

Even in light of these horrors, the legacy of Marti and the thousands of Cuban patriots of 1902 lives on. The heritage of freedom, individual liberty and dignity is still seen in the Cuban people, so many of whom have had to forsake their native land to escape the tyranny of a government that exists as a direct threat to this heritage. Despite the efforts of Fidel Castro to bury the promise and the hope so kindled by the victory of the Cuban patriots 79 years ago, the future of the Cuban nation is kept alive in the hearts of her people. I join in saluting them today. ●

**WELCOME TO IOSIF  
MENDELEVICH**

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1981*

● Mr. DERWINSKI. Mr. Speaker, I am pleased to join with my colleagues in welcoming Iosif Mendelevich. For the more than 10 years that he was a prisoner in the Soviet prisons and forced labor camps, Mr. Mendelevich did not lose faith in his dream to one day enjoy the freedoms of his beloved homeland of Israel. Now it is a special honor for us to pay tribute to him on his visit to our country.

Iosif Mendelevich had the fortitude and perseverance to stand up to Soviet authorities in his efforts to gain his religious and political freedoms. Mr. Mendelevich was a key member of a group of Soviet Prisoners of Conscience who affixed their signatures to a document to draw attention to the tragic situation of the Jews in the U.S.S.R., in which they plotted to escape the country by airplane. Although this scheme failed, Mendelevich was the last of these Jewish conspirators to be released.

Mendelevich's religious fervor helped Mendelevich to live through his 12-year ordeal, and gave him added strength to speak out on behalf of the thousands of other Soviet Jews who remain separated from their families and relatives in Israel. Iosif Mendelevich stands as a symbol of an individual who made the world realize the many Soviet injustices—religious per-

secution, denial of freedom of speech, denial of freedom of press, denial of freedom of movement.

It is important that we emphasize the case of one outstanding victim who has escaped from Soviet captivity, but we must realize that there are many, many millions of people in the U.S.S.R. who are victimized day after day. The continued incarceration of Vladimir Kislik, who along with thousands of other Soviet Jews, was arrested on "hooliganism" charges and remains imprisoned in Kiev. The future of this courageous dissident is very bleak.

Expressions of concern are an important part of the effort to obtain the release of Vladimir Kislik and others who remain unjustly incarcerated for their yearning to exercise their right to choose Israel as their country of residence. This special order keeps the spotlight on our disapproval of the actions of the Soviet authorities, and reminds them that this most fundamental concern for Soviet Jews will not go away. We must continue to register our complaints against such injustices that exist in the U.S.S.R. and other countries held captive under Soviet rule. Today, we also pay tribute to the faith and courage of all Soviet Jews, whose uncompromising quest for freedom continues, despite threats, harassment, and brutal reprisals.

As we recall Iosif Mendelevich's courageous struggle, let us rededicate ourselves to the commitment of human liberty for Vladimir Kislik and all those held captive in the Soviet Union and throughout the world. ●

**CUTS THAT CRUSH HOPE**

**HON. WILLIAM (BILL) CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1981*

● Mr. CLAY. Mr. Speaker, today the House has taken action on the Federal budget for the 1982 fiscal year. I have already argued against the administration's budget plan because of its impact on vital social and domestic programs. I would like to take this opportunity to call special attention to the reduced appropriations for the National Endowment for the Arts and the National Endowment for the Humanities. In response to less public support, it can be expected that arts organizations will be forced to raise ticket prices, reduce free museum admissions and cancel special programs for the elderly, the young, and the disadvantaged. Middle-income earners will have less to do with the arts, and the rich, will be least affected. The administration appears to have left no stone unturned in their efforts to save pennies at the expense of the poor in our society.

Below are two editorials which recently appeared in the St. Louis Post Dispatch. I commend them to my colleagues as they spell out why there is no need to reduce Federal spending on the arts, and how this action will accomplish no good for our Nation.

**CUTS THAT CRUSH HOPE**

One of the results of the Reagan administration's push to slash by half the budgets for the Endowments for the Arts and for the Humanities is likely to be a prolonged dispute over what constitutes arts and humanities, and in this the proven artists, scholars and institutions will suffer less than those who might someday contribute to art and scholarship.

The great orchestras, museums and research institutions will continue to receive some assistance, as they should, for they set the standards for the nation's arts and humanities. But with less federal aid to go around, the losers will be the struggling smaller institutions and the artists and scholars who have not made a name for themselves, as well as the school programs that start children into music, the dance, plastic arts, writing and scholarship. And there will be losers in the ghettos where black and Hispanic art of varied distinction screams in often valid protest about the conditions of society.

Nobody now can tell whether those institutions, children or artists will ever reach a high plane of achievement. Perhaps nobody ever will know if the administration, in seeking to reduce the small funds given to such matters, is allowed to impose what it calls stricter "professional" standards. In order to reduce federal costs, it is taking sides in an old argument about artistic quality. But it also is reducing the opportunities to achieve quality. After the demonstrable achievements of federal assistance, that is the wrong code for government to play.

**THE REAGAN REVOLUTION: COUNTER-  
REVOLUTION FOR THE ARTS**

What we have called the Reagan Revolution, for its fiscal cutbacks in public services, comes close to a counterrevolution in the field of the arts and humanities. A burst of recent progress in federal assistance is threatened with a heavy-handed reverse.

The two National Endowments for the Arts and for the Humanities were created by Congress in 1965, marking the first time that the federal government in this country, in contrast with most in Europe, took an active role in helping to promote the nation's cultural interests. A Republican president, Richard Nixon, succeeded in getting the first big increases in funds—from \$8 million for 1970 to \$30 million for 1972. And as the programs enriched American life, they were expanded. For 1982 President Carter suggested \$173 million for the arts and \$165 million for the humanities, or a total of \$338 million.

Now President Reagan wants to cut that figure to \$172 million, or nearly in half. At the same time, he suggests reducing the budget for the Corporation for Public Broadcasting by a quarter, closing the valuable Institute for Museum Services, founded only four years ago, and eliminating some programs of the National Science Foundation.

The arts, humanities and sciences might be expected to bear a fair share of Mr. Reagan's budget-cutting effort, but 50 percent

cuts? What other agencies are targeted for such sharp reductions?

In recommending these lower amounts, the Office of Management and Budget advanced the idea of fighting inflation. Yet the sums taken from the arts and humanities would amount to only about one-tenth of 1 percent of the projected 1982 federal deficit. Their contribution to reducing inflation would be miniscule.

The OMB also contended that government support for the arts dries up private and corporate funding. That is totally untrue. American business increased its support of the arts from \$21 million in 1965 to \$469 million last year, partly in answer to the endowment's challenge to match federal grants. And OMB's other contention that corporations would take up the slack in governmental support certainly contradicts the record of corporate giving and also ignores the present discouraging effect of the sluggish economy on corporate donations.

Moreover, cutting federal spending on the humanities and arts will reverberate throughout the states, to which 20 percent of the federal funds go. The Missouri Arts Council, for example, may lose more than \$300,000 of its state appropriation in the next fiscal year because of Missouri's precarious fiscal condition. Must it also lose half of its anticipated \$442,577 federal grant? The effect would be serious for the St. Louis Symphony, Opera Theatre and Repertory Theatre here, and massive for other institutions in the state that have less private funding.

The fact of the matter is that federal funding for the arts and humanities has been a dramatic success; cultural organizations have grown, and so have the numbers of participants and audiences. More Americans are attending more theaters, concerts, museums and so on than ever before. This happened because the federal government finally recognized, as other nations had long ago, that private patronage by itself was no longer enough. And that was a real revolution in American attitudes.

Even so, where France spends \$1.83 per capita on the arts and Britain spends \$3.60, the United States spends 74 cents. That small sum hardly invites a drastic slash. The arts and humanities no doubt must share in efforts to reduce the budget, but Congress should insist on a more moderate reduction. ●

#### COAST GUARD USER FEES

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. JONES of North Carolina. Mr. Speaker, one of the actions assumed by the reconciliation instructions in the conference report raises the most serious problems for the Committee on Merchant Marine and Fisheries and for the Congress. I wish to draw the attention of this body to the problem because I believe it will be of interest and concern to members of all other authorizing committees as well.

The conference report directs the Merchant Marine and Fisheries Committee not just to cut existing programs but it also assumes enactment of an entirely new law, one that will

assess user fees for a variety of services the Coast Guard provides.

I question the authority of the Budget Committees to expect an authorizing committee to report legislation enacting a new program as part of the reconciliation process. I do not believe the authors of the Budget Act envisioned this kind of reconciliation action. I cannot find it provided for within the Budget Act nor included within the range of reconciliation actions contemplated by its legislative history. This has never been expected of any authorizing committee in the past and, to the best of my knowledge, it is not being requested of any other committee this year.

Very simply, reconciliation is intended to be used to curtail existing programs, not to create new programs.

The issue is not whether to consider user fees. At this minute the Coast Guard Subcommittee is holding a hearing on this subject—a hearing that had been scheduled long ago. We are addressing this issue not avoiding it. But full and proper consideration of user fees will be complicated and controversial. There is no way that the Merchant Marine and Fisheries Committee can draft, refine, and report out this bill by June 12, just a little over 3 weeks from today.

Incidentally, the Gramm-Latta budget proposal which was adopted by the House just a few days ago, did not contemplate Coast Guard user fees as part of the reconciliation process. This provision was contained in the Senate version and accepted by the conferees thus, up until today, the House has had no opportunity to consider the wisdom of imposing Coast Guard user fees as part of its reconciliation bill.

Legislation that is hastily drafted and hastily approved is likely to be bad legislation. It is likely to create more problems for the Congress and the public than it solves.

Including the establishment of Coast Guard user fees within reconciliation is a mistake. It is dangerous, unprecedented, and wrong. ●

#### WOMEN OF ACHIEVEMENT— SYRACUSE, N.Y.

**HON. GEORGE C. WORTLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. WORTLEY. Mr. Speaker, it is with the greatest of pleasure that I ask my colleagues to direct their attention for the next couple of minutes to the contributions of the women of achievement from Syracuse, N.Y. There are 10 of them—each very different from the other; but each has in common the desire to reach out to the community with helping hands.

Gladys McElroy, a lay minister of the Tucker Missionary Baptist

Church, works full time at the cooperative extension as a supervising staff aide. In addition, she is president of the Visiting Nurses Association, secretary of the Transitional Living Services, and a board member of HomeAides of Central New York. But perhaps most interesting is that Gladys McElroy does all this on top of caring for her seven children.

Lois Stuber Spitzer's parents, Dr. Stanley and Helen Stuber, instilled in her early in life a duty to human rights and an interest in the United Nations. As chairman of the Central New York UNICEF Committee in 1979, Lois headed the Year of the Child locally and worked to inform groups throughout the region about the plight of children around the world. Children closer to home have benefited from her efforts, too. Under her guidance on the board of the First Baptist Child Developmental Center, the center was the first day care facility in the city to volunteer to accept children with special needs. She is an active member of the First Baptist Church and serves on the church's board of Christian Education which assists the pastor in the worship service.

Thank heavens for Ann Biesemeyer or what else would Girl Scout cookie lovers do? For 23 years Ann has been a leader of the Girl Scouts. As district chairwoman, a member of the Girl Scout Council Board and trainer of leaders, she has left her mark in the community. She has also put in 17 years of work with the student exchange program, the American Field Service.

Mrs. Deeds at Carrier Foundation—Patricia Gonzales, vice president of the Carrier Foundation, has the job of giving away \$1.2 million annually to nonprofit organizations. Patricia Gonzales also was elected mayor of the village of Phoenix—the first woman to hold that post.

"A one-woman welcome wagon" is an apt description of Eunice Aikman, who is usually accompanied by her homemade peach marmalade or a casserole. Besides spreading Central New York good cooking around the neighborhood, Eunice Aikman has been involved with the New York State and Onondaga County Medical Society auxiliaries and the Girl Scouts.

Dr. Marie Blackman knows everything you would ever want to know about children since she is chief of pediatrics at Crouse Irving Memorial Hospital and chief of pediatric cardiology at the Upstate Medical Center. She has also developed an extensive pediatric cardiology research program at Upstate and established a fellowship for doctors.

Patricia Howard is the kind of teacher all parents wish their children could learn from. During her 4 years as prin-

cipal at Edward Smith Elementary School, Patricia Howard has been instrumental in developing a program for gifted children, a resource center for students and a learning disabilities team that has become a model for Syracuse city schools.

One of the six women in the United States to head a university press, Arpena Mesrobian is director and editor of the Syracuse University Press. Involved in both scholastic affairs and the community, she is acting as president of the Syracuse chapter of the Armenian Relief Society, and serves on the board of the Armenian Review.

The Florence Nightingale of Cazenovia, Orlette Vadeboncoeur worked in the victory center during World War II. Her philanthropic career includes being chairman of the women's division of the Community Chest, now the United Way; fundraiser for Van Duxy for almost 32 years; last year's chairman of Corinthian Club dinner which raised \$10,000; chairman of the tribute to Margot Northrup which raised \$100,000 for the Crouse-Irving Memorial Foundation; life member of the Community General Hospital Auxiliary; and life member of the Syracuse Boys' Club. She is indeed an alltime woman of achievement.

Ida Benderson's first career was spent at the Syracuse University library; her second career began in 1964 when she became director of adult and senior activities at the Jewish Community Center. Ida Benderson's activities have also included involvement with community development, the nurses' association, libraries, and religious classes at the temple. For her lifetime of contribution, the Ida Benderson Senior Center was given her name in 1975. Ida Benderson is an alltime woman of achievement.

I trust my colleagues will join me in saluting the myriad contributions these 10 women have made to the 32d Congressional District of New York. They have been recognized at home, but I wanted to share the personal histories of these women, a national treasure in their own right, with you today.●

**DR. TEMPLE HONORED BY  
SICKLE CELL ORGANIZATION**

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. BROWN of California. Mr. Speaker, I wish to share the inspiring story of Ruth Temple, M.D., who will be honored by the Sickle Cell Organization of Inland Counties, on May 23, 1981.

Ruth Temple moved to southern California when she was 10 years old. She graduated from Loma Linda University School of Medicine in 1918. At Loma Linda University there were several professors who made an impact on her and through her schooling she came to look upon healing as an actual ministry.

Following graduation, she joined the staff of Los Angeles City Health Department. Working in the city's poorer areas, she was the first black woman to practice medicine in the city of Los Angeles. From that experience she saw a desperate need for a program to educate the people of southeast Los Angeles in health concepts. With her husband, Otis Banks, she opened a small health clinic to attend to people's immediate physical needs and help them help themselves.

Dr. Temple began a health-study club with addresses by visiting professionals on hygiene, nutrition, family health, alcoholism, was held each month. Through the success of her clinic and health programs, Dr. Temple convinced the city fathers to sponsor a city health clinic in the southeast area of Los Angeles.

Later, Dr. Temple was appointed district health officer for the city of Los Angeles. Soon after, she left for Yale to study public health. Returning to Los Angeles as assistant city health officer, Dr. Temple expanded her health club idea to include a 9-block area around White Memorial Hospital, developing 17 health-study groups. She also coordinated continuing education classes on health for more than 250 teachers who spread the health programs to more than 11,000 students and adults.

In 1962 Dr. Temple became director of health services for the Southern California Conference of Seventh Day Adventists. From there, she began work with the Total Health Program and Community Health Association. Dr. Temple is still going strong at 88 years old, lecturing around the world for the cause of health.

Following Dr. Temple's inspired lead, I have recently formed a committee of health and nonhealth community leaders whose purpose will be to coordinate and focus the entire district's efforts in the area of health education. In this way it may be possible to extend and maintain the work begun by Dr. Temple and insure that those needing health services combine to receive them.

It is with great appreciation and admiration that I commend Dr. Temple for her dedication to health services and health education. This inspiring leader in the field of health care is a living example of God's message of love who has proven that healing truly is an actual ministry.●

**TRIBUTE TO VINCENT F.  
ALBANO**

**HON. BILL GREEN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. GREEN. Mr. Speaker, I would like a moment to express my deep sadness and sense of loss at the passing last week of a New York City political figure who has left an indelible mark upon the careers of many elected and appointed officials of all major political parties.

I speak of the death, last week, of Vincent F. Albano, for two decades the chairman of the Manhattan Republican Party.

Mr. Albano was an ardent partisan leader when necessary, but his first concern throughout his 66 years was for the people and the city of New York. During a subway strike, for example, he organized free car service for senior citizens. When residents of the Tudor City apartment complex faced loss of their parkland, Vince fought to help preserve their parks.

In the political arena, Vincent Albano provided unique leadership, with party labels a secondary concern. He was the son of a Democratic party leader, but he became a Republican. He endorsed former Congressman John Lindsay for mayor of New York when Lindsay was on the Liberal Party line. This week, just before his death, Vince voted to have his local Republican organization endorse Mayor Ed Koch, a Democrat, for reelection.

It is able, vibrant people such as Vincent Albano that have made our country's political system strong and resilient. We shall miss him.●

**DR. MILO JOHNSON RETIRES  
FROM PRESIDENCY OF MOUNT  
SAN JACINTO COMMUNITY  
COLLEGE**

**HON. JERRY LEWIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. LEWIS. Mr. Speaker, on May 29, the Mount San Jacinto Community College will hold a reception honoring Dr. Milo Johnson on the occasion of his retirement. He is the first president of the college and during his 18-year tenure has built it into a most respected educational institution. I am delighted to have the opportunity to join his many friends and admirers in wishing him well on this occasion.

Mount San Jacinto is not the first community college Dr. Johnson has founded. In fact, he was the first administrator of the Santa Monica City

College during the years 1942 to 1960. Upon leaving that post, he became the founder and first president of the Imperial Valley College, a position he held until 1963. At both Imperial Valley and Mount San Jacinto Colleges he was faced with the task of beginning a totally new institution. He pioneered the use of the lease-purchase of buildings and private sales of building bonds to accomplish that goal. Over the past almost 20 years, he has built Mount San Jacinto into an excellent educational plant.

Dr. Johnson is a respected leader within the California community college system. He served as chairman of the Committee on Instruction for the California Junior College Association from 1968 to 1972 and as president of region 9 of that association during 1972.

Neither has he been laggard about sharing his expertise with others in his field. He has participated in seminars and summer and extension class programs at several branches of the University of California, Los Angeles State College, the University of Ohio, and the University of Maryland. He has also coauthored several publications including "Polysensory Learning Through Multi Media," "Accountability in Occupational Education," and "Community College Management by Objectives." These represent truly major contributions from an educator who was, at the same time, working to build his own institution from the ground up.

During my tenure in the California Legislature and then in the Congress, I have had the opportunity to work with Dr. Johnson on a number of occasions. I have always found him both knowledgeable and able to translate his expertise into terms understandable to the layman. I am pleased to be able to wish him well on his retirement and want to express my hope that he will continue his many contributions to our community. We can ill afford to lose him.●

#### EMBARGO PROTECTION ACT

#### HON. COOPER EVANS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. EVANS of Iowa. Mr. Speaker, as the breadbasket of the world, America has enjoyed great success in exporting agricultural products. We must remember, however, that we are not the only exporter of food, and competition from other nations, particularly Argentina, Brazil, and Australia, is severe.

Embargoes of American Agricultural products such as the 1980 embargo of grain to the Soviet Union, imposed by the previous administration, have

called into question our reputation as a reliable source for agricultural commodities. When we fail to meet a commitment to supply grain we open the door to our competition, not only for the short term, but for the long term as well.

There are two types of export agreements for the sale of agricultural commodities. Those which evolve through commercial channels and those which are the result of a bilateral trade agreement. It is one thing to interrupt trade that has developed through normal commercial channels, but it is quite another to break a bilateral trade agreement. Breaking a bilateral trade agreement is much more serious and can do permanent damage to the United States as a grain exporting nation.

The most striking example of this in recent times has been the Russian grain embargo. In this instance we had given the U.S.S.R. guaranteed access to 8 million tons of grain each and agreed to an additional 17 million tons annually upon approval of our Government. Further, we had agreed that for the year 1980 the Soviets could have the additional 17 million tons and had actually approved contracts for a portion of that amount. But we then reneged on that agreement. This had been very damaging to our status as a reliable source for agricultural commodities.

Given the importance of maintaining a reputation as a reliable source, it seems appropriate that it should be much more difficult to suspend trade contrary to the terms of such a good-faith agreement.

To that end I am filing a bill which will require approval by concurrent resolution of both Houses of Congress of any proposal by the President to suspend export sales contrary to the provisions of such an agreement for a period of more than 30 days. This should do much to assure other nations that they will in fact have access to commercial sales of agricultural commodities when our Government has entered into an agreement or has approved an export arrangement with such nations.●

#### DEREGULATING THE FEDERAL BUREAUCRACY

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. DERWINSKI. Mr. Speaker, Bob Wiedrich, a feature columnist with the Chicago Tribune, is extremely knowledgeable of the Washington scene. In his column of May 13, Mr. Wiedrich discusses the problems faced by the administration in deregulating the Federal bureaucracy and takes a

first-hand look at one individual's experience within the bureaucracy. I wish to insert Bob Wiedrich's fine column as an example of the need for the streamlining of Federal departments and agencies.

#### HE'S DONE HIS CIVIC DUTY

(By Bob Wiedrich)

I recall a congressman some years ago who threw up his hands with a cry of anguish and declared, "Jesus Christ could become President tomorrow and the federal bureaucracy would frustrate him!"

Jimmy Carter found that out soon after he arrived in Washington with promises to turn the bureaucracy around. Ronald Reagan probably is on the verge of making the same discovery.

And Thomas P. Sullivan, the former United States attorney for Northern Illinois, makes no bones about the despair he suffered in dealing with some of the professional civil servants who administer the government.

"There is a serious problem in the federal bureaucracy," Sullivan said. "It has gotten too big. It is too cumbersome. And it is not subject to control of the administration."

"I'm asserting as a fact that it has become an entity unto itself. And it is seemingly impervious to criticism."

Sullivan was a highly successful defense attorney when he was appointed a federal prosecutor four years ago. He had no previous experience as a public servant. Now that he has stepped down, he intends to remain off the public payroll.

Thus, his perspective as an outsider suddenly thrust into the maelstrom of an entrenched bureaucracy is both unique and valuable. He is a trained observer, accustomed to dealing only in facts. As such, he carefully restrains his words.

But through that restraint emerges a pathetic story of people so schooled in spending tax dollars that a bloated budget is something to be treasured as an insurance policy for survival.

"As U.S. attorney, I dealt a great deal with such agencies as Housing and Urban Development, Health and Human Services, the Veterans Administration, the Federal Drug Administration, and the Social Security Administration," he explained.

"They are among the main arms of government, agencies that spend, in this region, billions of dollars and have massive numbers of people working for them. And they have extremely complicated regulations governing their operations."

"Repeatedly, it was reported to me that a great number of the people who work for these agencies have a mindset that is highly bureaucratic. They are greatly concerned about their own turf. They are not helpful. They have a negative, bureaucratic attitude."

"First of all, they represent tremendous payrolls that we should not have to support."

"In the Veterans Administration, for example, numerous violations of their own rules were discovered. When they found them out, they didn't want to report the violations to the U.S. attorney for fear of criticism of the way they were operating their administration."

"A lot of it, I believe, was not so much deliberate frustration of investigations, but sheer incompetence. There was terrible waste. These agencies have a layering of review levels and complex regulations that serve to disguise flaws in the system."

"Civil service was originally designed to protect employees from political hiring and firing. Now, it has the effect of freezing into positions a lot of people who aren't doing their jobs. For example, it is extremely difficult to terminate a person because of the whole, complicated bureaucracy that deals with such cases.

"One of the things I now have is sympathy for the businessmen who must comply with federal regulations and the people who administer them. The pendulum has swung too far. There has to be some middle ground that creates efficiency.

"There was a presidential commission some time ago that sought to analyze federal spending. The commission placed the blame on Congress for creating the programs rather than on the executive branch that administers them."

Sullivan charged that the confusing maze of internal rules and regulations is often outmoded, but has been retained because of inertia and tradition.

Federal law prohibits an Internal Revenue Service (IRS) agent from sharing information he may have developed about a non-tax crime with any agency outside the Treasury Department, Sullivan said.

Thus, an IRS agent who learns of a bribery incident is under pain of criminal penalties himself if he dares provide that information to the U.S. attorney. There is provision for achieving that end. But it is so highly involved as to impede the administration of justice, Sullivan asserted.

"There should be a free flow of information between IRS and the Justice Department," Sullivan said. "Instead, there is an iron curtain erected between the agencies in this respect."

#### TRIBUTE TO DR. RALPH RICHARDSON

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. ANDERSON. Mr. Speaker, on May 27, 1981, the Los Angeles Community College District will host a dinner at the Los Angeles Biltmore Hotel to honor its retiring board of trustees president, Dr. Ralph Richardson.

Ralph was born in Thayer, Kans., on August 8, 1918. He obtained his B.A. from the University of Kansas, then went on to earn a master's degree from Pennsylvania State University and a Ph. D. at Northwestern University. He married Mary Louise Porter, and settled in California.

Ralph became an associate professor of speech and communicative studies at the University of California at Los Angeles and continues to hold this position. Former Governor of California Edmund G. Brown appointed Ralph as his planning and research secretary; the responsibilities of this job included speechwriting, inauguration planning, and service as education secretary.

Ralph served on the Board of Education of the Los Angeles Unified School District, and was three times elected to that board's presidency. Also elected to the board of trustees of the Los

Angeles Community College District, he was eventually twice voted president of the board.

Mr. Speaker, Ralph's accomplishments listed thus far surely would make many men content. But Ralph has gone on to attain much more. He has authored a college text and several research articles, and he contributes articles to several popular magazines. In addition, he has found the time to serve on the following advisory boards and panels: The California Aviation Education Advisory Committee, the San Fernando Valley Child Guidance Clinic, the San Fernando Valley Symphony Association, and President Kennedy's Special White House Conference on Race Relations and Education.

My wife, Lee, joins me in wishing the very best in the years ahead for Dr. Richardson, his wife Mary, and their children Eric, Randy, Riley, and Roxanne.●

#### TRENDS IN LAW, THEORY GIVE SCHOOLBUSES BULLDOZER QUALITIES

#### HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. GAYDOS. Mr. Speaker, among the more noteworthy coincidences of our times is that bulldozers and federally ordered schoolbuses are about the same color and have the same capacity to leave a trail marked by devastation and disorder.

When the operator of either single-mindedly sets out from point A to point B, anything between the points can be crushed, knocked over, or shoved aside, no matter what the harm, what is disturbed, or what is broken.

This is the nature of bulldozers, but it ought not to be the nature of the law, or of the law as it is applied to schoolbuses.

Some very basic thoughts and concepts get broken when the law starts moving buses from point A to point B.

One of those concepts is the belief of people in their right to order their lives according to their judgment, and to try to influence the present and the future of their children.

But they are unfamiliar with the law, as it is developing.

The people believe in majority rule and in the wisdom of collective judgment.

But they are unschooled in the nuances of the law, as it is developing.

Moreover, their concept is that they have a say in their schools and that they support school systems to educate young people, to set for them a foundation of thought, fact, and skill on which to build productive lives.

But they are unfamiliar with the concepts that can be wrought by argument in the law, as it is developing.

We are a nation of laws, not of men. How many times does one Member or another take the floor to restate that fundamental principle?

But many of us fear that in some areas we are becoming a nation of much law and little justice, and the people do understand this: Justice ought to be the nature of the law, even as it develops.

Opposition to busing is not a matter of race or class, Mr. Speaker, and no amount of insightful analysis or intellectual repositioning will change that; poll after poll over the years has shown us that growing numbers of Americans of all races and classes reject the idea.

And the polls only reinforce what the people of the 20th Congressional District of Pennsylvania tell me firsthand in our day-to-day contact and in my congressional workshops.

The stated goal of busing is to give all Americans a good education and an equal start in life. It is a goal I support wholeheartedly, but, because the method is defective, the goal seems to have been forgotten.

Busing was in the nature of an experiment predicated in part on theories and findings put forward about 15 years ago by a University of Chicago professor, Dr. James Coleman.

Nine years later, in a scholarly re-visitation, Dr. Coleman observed that things did not seem to be working out according to his theory for a variety of reasons.

What sometimes happened, he observed, is that certain characteristics—among them a high degree of disorder—were seen in the classrooms of schools involved in busing, and the theory was thwarted.

This year, Dr. Coleman caused another educational stir by concluding that private schools do a better job than public schools, in part because they are more orderly and disciplined.

Dr. Coleman closed his circle and got back approximately to point A in a proper scholarly fashion.

But those bulldozer colored, federally ordered school buses still are rolling toward point B.

Writing in a respected magazine, the Nation, a supporter of busing, commenting on low academic achievement in some areas, stated:

The hope is that perhaps 12 years from now, when the present turmoil has subsided, black and white kindergarten children and first-graders will begin to go to school together in peace and begin to love and respect each other and to appreciate each other's diverse talents and contributions. Only then may those test scores start to improve.

Parents, black and white, are concerned about whether their children learn now, not 12 years from now.

They object because they do not want their children to be in the classes lost through the cracks during those 12 years introduced by the word "hope" and conditioned by the word "perhaps."

Theoreticians get many chances to consider and reconsider.

Kids have only one shot at school. The people understand this, so it is no wonder they do not appreciate nuances.

The 10 years or so since busing came into wide use ought to have been time enough to gather a substantial body of evidence on which to judge the theory. But apparently there has been some neglect by the Federal agencies involved.

A news magazine, U.S. News & World Report, last year asked several Government agencies some questions about busing: How many children? In how many cities? At what cost?

And U.S. News had to report: \* \* \* the Federal agencies involved—the Department of Justice, the Department of Education and the U.S. Civil Rights Commission—all assert they do not keep such records. Officials argue it is not their job to do so. Their only duty, they say, is to enforce the court orders requiring the integration of schools.

The people tell me they prefer the neighborhood school concept and in many cases have ordered their lives around it. They want to deprive no one of anything, but they want their children prepared.

They say the turmoil of busing spreads bitterness, spawns defiance, and disrespect of the law and is midwife to across-the-board tensions. They argue that money and time spent on busing—one estimate is up to \$3 million a year in some cities—is subtracted from available educational funds.

You see, in a way they never left point A, which the theoreticians are rediscovering—finally.

The people felt all along that the purpose of an education system is to educate. It is a fundamental idea. Since there is talk of going back to the basics in many areas, it is an idea we should use.

It is my duty as a public official to put on record my views on matters of public concern, and that is the reason for this discussion.

My unstinting support goes to legislation designed to improve the education and the opportunities of the disadvantaged, to eliminate ghettos by helping everyone in them move up and to provide equal, and good, education to all Americans.

In matters of busing, the courts have largely preempted Congress and are developing the law.

Yet the people, black and white, still stand at point A and do not want to climb aboard buses to leave it.

I stand with them because I represent them and because they are right.

What they feel is based on experience, reason, and the sure knowledge that one chance per child is all life allots for education.

So, where Congress can act, the neighborhood school has found no stronger advocate than I, and it will find none stronger. And the bulldozer-colored buses will have no more determined opponent. Good neighborhood schools are not theory. They are a tested, proved, and productive way of educating our young people.

And if that is not the way the law is developing, I will do what I can to move it in that direction. ●

FINANCIAL REPORT OF THE CONGRESSIONAL TEXTILE CAUCUS—QUARTERLY STATEMENT OF EXPENSES AND FUND BALANCE

HON. KEN HOLLAND

OF SOUTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. HOLLAND. Mr. Speaker, the chairman, vice chairman, and secretary-treasurer of the Congressional Textile Caucus have approved the quarterly financial statement for the quarter ending March 31, 1981. I am herewith submitting the statement for insertion into the CONGRESSIONAL RECORD so that all Members of Congress may review it.

The statement follows:

FINANCIAL REPORT OF THE CONGRESSIONAL TEXTILE CAUCUS	
Quarterly statement of expenses and fund balance for the period ending March 31, 1981	
Statement of expenses:	
Telephone.....	\$80.86
Do .....	81.27
Do .....	81.43
Total.....	243.56
Office supplies.....	78.86
Copy machine rental.....	135.00
Do .....	135.00
Do .....	135.00
Do .....	135.00
Total.....	540.00
Typewriter rental.....	174.00
Do .....	11.60
Total.....	185.60
Publications.....	56.00
Do .....	45.00
Do .....	360.00
Total.....	461.00
Total expenditures.....	1,509.02
Fund balance:	
Fund balance, December 31, 1980.....	10,003.42
Total dues deposited this quarter.....	.....
Interest on account.....	147.20
Total balance.....	10,150.62
Less expenses.....	1,509.02
Balance—March 31, 1981.....	8,641.60

HOSTILE FOREIGN ACQUISITIONS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. BROWN of Ohio. Mr. Speaker, I wish to submit a letter that I have sent to Secretary of Energy James B. Edwards concerning the hostile bid by a Canadian company for a large share of Conoco, Inc. This same message has been conveyed to Secretary James Watt of the Interior Department and Secretary Alexander Haig of the State Department. I was joined in this effort by Congressman JIM WRIGHT, of Texas, who is equally concerned over the number of takeovers by foreign firms and the effect it could have on the American economy.

Initially, the issue of hostile foreign acquisitions was brought to my attention by the Hobart Corp., of Troy, Ohio, when a Canadian interest attempted to take over control of the company. This prompted a series of hearings by the Subcommittee on Telecommunications, Consumer Protection and Finance of the House Energy and Commerce Committee regarding the effect and equity of foreign takeovers. During that time, I submitted a proposal, House Concurrent Resolution 59, that requested the Securities and Exchange Commission and the Secretary of Commerce to study the entire problem.

Because of my serious reservations regarding this matter, I have forwarded the following letter:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 19, 1981.

SECRETARY JAMES B. EDWARDS,  
Department of Energy,  
Washington, D.C.

DEAR MR. SECRETARY: We know you are aware of Canada's policy toward U.S. ownership and investment in the energy field and appreciate your concern and attention to this question during the past several months. In light of the hostile tender bid by a Canadian company for a large interest in Conoco, Inc., we respectfully urge you to give the situation renewed consideration.

Canadian policy and practice under the Foreign Investment Review Act (FIRA) clearly demonstrates the restrictions it imposes on U.S. investment. News accounts have described examples of Canadian disapproval of U.S. acquisition or investment in Canadian companies. In addition, Parliament is currently considering the proposed National Energy Program (NEP) which contains further restrictions on U.S. investor activity and ownership. Although NEP is not even enacted, its imminent passage acts to give Canadian companies an unfair advantage and its adverse impact is already apparent.

These restrictions represent a major shift in Canadian investment policy which will deny the traditional reciprocity U.S. investors have relied on in the past. If NEP contains a proposed retroactive feature, it will

be particularly onerous and penalize investors who acted in good faith.

The value of Canadian assets owned by U.S. companies has been eroded as investors are forced to adjust to the realities of the circumstances—Canadian actions clearly diminish prospects for U.S.-controlled companies in Canada. The restrictions create an economic climate wherein Canadian investors and companies can bid—almost exclusively—for those assets under less than "fair market value" circumstances.

Canadian companies, secure in their knowledge that government policy protects them by greatly limiting U.S. acquisition or operating opportunities in Canada, are becoming more aggressive in their acquisitions and takeover of U.S. companies and resources. Although unsuccessful, the Seagrams attempt to take over St. Joe Minerals is a recent example. Another current example is the present effort by Dome Petroleum of Canada to acquire what would be the largest single interest in Conoco, Inc.—the 14th largest company in the United States.

Reciprocity is essential to the open and friendly relations we enjoy with Canada. We are concerned that recent actions by Canada have violated the principle of reciprocity and disadvantaged U.S. companies and investors in the area of energy and natural resources. This is particularly disturbing in light of our lack of a coherent national minerals policy and the need to evaluate foreign ownership and control of our vital domestic resources.

We urge you to act promptly in protecting full reciprocity with our important trading partner and neighbor to the North. If swift administrative and diplomatic efforts are not successful, we will be happy to work closely with you to find a necessary and timely solution.

In view of your separate responsibilities, and concerns, and the urgency of this matter, we are sending identical letters to Secretary Watt and Secretary Haig.

Sincerely,

CLARENCE BROWN.  
JIM WRIGHT.●

#### A SALUTE TO BRUCE FOSTER

### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. STOKES. Mr. Speaker, thank you for providing me with this opportunity to salute a man who simultaneously is at the forefront of the mass transit labor movement in this country and is a leading community leader in Cleveland—Mr. Bruce Foster.

For my colleagues who are unfamiliar with him, Bruce Foster is the international vice president of the Amalgamated Transit Union and has been associated with the mass transit industry since 1944. At the same time, Bruce Foster has been a pillar of strength for the people, especially minorities and the disadvantaged, in the Cleveland metropolitan area for almost 40 years.

Mr. Speaker, as an expression of appreciation for the service Bruce Foster has rendered to both the transit union and the community, I would like to

briefly recount his achievements for my colleagues. Mr. Speaker, Bruce Foster unequivocally has made an indelible mark on the lives of people he has come in contact with.

During his 37 years of service in the transit industry, Bruce Foster has been the eye of the storm in the sometime turbulent history of labor relations. But, he also has been an aggressive player in terms of securing due compensation and benefits for his members. Never divorcing himself from the needs of his fellow transit workers or mass transit patrons, Bruce Foster has earned the respect and admiration of people from various walks of life.

Mr. Speaker, I am sure that my good friend, Bruce Foster would agree that his career in the mass transit industry has spanned the heyday and the dark days of the industry. It undoubtedly is from these experiences that Bruce Foster has acquired a unique and uncanny perspective on the relationship of mass transportation and the transit union to this country. In my opinion, this perspective joined by the diminishing availability of energy places Bruce Foster as one of the authorities on mass transportation in this Nation.

Mr. Speaker, more important than his expertise on the role of the transit industry in this Nation has been his unswerving dedication to his union members. Since his early days as a streetcar motorman, he has been keenly aware of the hard times and needs of this group of workers. He has never forgotten from whence he came. Accordingly, he has always worked for and negotiated in the best interest of his membership. His record attests to this. It is not surprising that Bruce Foster has won reelection to his various union positions by substantial margins.

Mr. Speaker, Bruce Foster's concern for the well-being of individuals extends far beyond the parameters of the union bargaining table. In addition to his active role in the Amalgamated Transit Union, he has extended his dedication to fair play and justice to the community in Cleveland where he is an active member of the NAACP and was the founder of the Black Labor Leaders Caucus.

Mr. Speaker, in summation, Bruce Foster is a hard bargainer. He is a master of bargaining techniques and uses them effectively on the local, State, and national levels in terms of securing justice and equal opportunities for the disadvantaged and minorities as well as for his union members. I know that this cadre of skills which launched his career in the transit union will hold him in good stead in the future. At the same time, the commitment and sensitivity of Bruce Foster will continue to be a tower of strength among transit union members and in the community.

Mr. Speaker, at this time, I would like my colleagues to join me in saluting Bruce Foster for his exceptional work and achievements in the transit union and the community. I would like to insert in the RECORD an article which appeared in the Cleveland Press on Bruce Foster.

#### BRUCE FOSTER: TRANSIT UNION CHIEF STILL ON TRACK

(By Barbara Weiss)

The road may have been bumpy from the coal mines of West Virginia to the trolley tracks of Cleveland to the heady atmosphere of Washington, D.C.

But Bruce Foster traveled the distance, making it as far as Blair House in December to meet President-elect Ronald Reagan.

Foster, an international vice president of the Amalgamated Transit Union, was born in Cabin Creek, W. Va., 57 years ago. The town has produced not only coal, Foster will tell you, but basketball great Jerry West.

"Before I went into the service, I worked one summer in the mines," Foster said. "I decided then that I didn't want to work that hard. Besides, it's a dangerous occupation."

While he was in the Air Force, his mother moved to Cleveland, so Foster planned to re-settle here. But first he took a train from Florida, where he had been discharged, back to Cabin Creek, where he had a girl friend.

"I met my wife-to-be for the first time on the train. It was September 1943 and she was on her way to West Virginia State College. The next time I saw her was in June 1944, when I went to Miami to marry her," Foster recalled.

He said many letters were exchanged between that first meeting and the marriage.

"We've been married 37 years, so it couldn't have been too bad," he said.

His first job in Cleveland was in a foundry. Foster was there a year, then applied for jobs with the Post Office, the police department and the old Cleveland Transit System. CTS hired him as a streetcar motorman, working out of the Woodhill Station.

"When I started with CTS in 1944, fares were a dime with a weekly pass going for \$1. A Sunday pass was 25 cents," he recalled.

"On a holiday, when I worked the E. 105th St. route, there weren't enough vehicles to haul all the people and their picnic baskets to Garfield Park. It was the same to the Euclid Beach and Puritas Springs parks."

As the times changed, so did the mode of transportation. Foster operated trackless trolleys, and then buses, until 1968 when he was elected president of Local 268 of the Amalgamated Transit Union.

"I had no aspirations to be president but I got tired of getting a penny or a nickel at contract time," he said.

In 1944, he earned 79 cents an hour. When he quit driving in 1968, he was making \$3.31. In August, he pointed out, drivers will be making \$10.50.

Foster's rise to the presidency of his local wasn't an easy one. In 1964, he ran for first vice president.

"I got only 25 votes," he said.

In 1966, when he ran for president, he lost by 100 votes.

"About that time we started having trouble with robberies," Foster said. "In March 1968, a driver was killed during a robbery. In June, I was elected president, based on

campaign promises of better security and not making change for passengers."

He kept his promise on the last score, and Cleveland became the second city in the nation to adopt an exact-fare policy.

Although minorities comprised only 30 percent of the local membership, Foster said, he garnered 85 percent of the votes in the local's 1970 primary, thus automatically retaining his post.

In 1971, he became an international vice president of the parent organization, and in 1975 a member of its executive board as well. The union's membership in the United States and Canada consists of 180,000 transit workers.

Since 1970, Foster also has served as a vice president of the Cleveland Federation of Labor, acting as its interim president from August 1980 to last January.

In addition, Foster served as a member of the Cleveland Civil Service Commission, having been appointed by Mayor Ralph Perk in 1974. He resigned as president of the commission in 1976, and shortly after was named to the Ohio Lottery Commission by Gov. James A. Rhodes.

A role that Foster didn't relish but which he accepted was that of temporary overseer of Local 268, which is in trusteeship pending the outcome of an investigation into alleged misappropriation of funds.

Foster is optimistic about the future of low-cost public transportation.

"I think the federal government won't cut back on mass transit funds. If you look at it, mass transit is something people have to have because of the escalating cost of gasoline."

He said it would be a mistake to cut operating subsidies because the old and the poor—the so-called captive riders—cannot afford high bus fares.

He cited what happened in Birmingham, Ala., when transit officials were unable to get \$800,000 that was needed to operate.

"The transit system closed down altogether on Feb. 28, affecting 34,000 regular riders, 187 operators and 50 mechanics."

Foster's job, which is to negotiate transit workers' contracts around the country, takes him away from Cleveland about one-third of the year.

But Cleveland is where his heart is. He and his wife, Lillie, have lived on Stockbridge Ave. since 1961. They are the parents of two sons, Claude and Stephen. Claude, 36, is a computer engineer in Dallas. Stephen, 33 is a drummer in Los Angeles.

"Many people who have made it leave Cleveland. But I feel I owe quite a bit to Cleveland," said Foster.

Although he hasn't driven a bus in 13 years, he said he still misses it.

"I never forget I was a bus driver first before becoming a union official," he said.

A member of the NAACP and the founder of the Black Labor Leaders Caucus, Foster was one of several black leaders who met with Reagan before his inauguration to learn about his programs.

"He was aware that people thought he would turn the clock back and he reassured us it wouldn't happen," said Foster.

If the president's programs don't work, said Foster, voters should hold him responsible at the next election.

Reagan should only fare as well as Foster ultimately did at the polls.●

## SOCIAL SECURITY BENEFITS

### HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. SCHUMER. Mr. Speaker, the administration that was mandated by the American people to eliminate wasteful spending and Federal programs of little value has abandoned that mandate in the increasing fury of its own program slashing. How else can we perceive the administration's proposals to take a knife to one of the most successful, citizen-supported programs to endure since the days of the New Deal: the social security system?

Income security for senior citizens originated as an American tradition in 1935. Since that time, the social security program has progressed and expanded to provide necessary, even life-saving benefits for 36 million Americans. Over half of all older Americans today depend on social security as their main source of income, and disabled persons and financially distressed surviving spouses have avoided economic disaster with social security income support and medical assistance.

The administration, however, in the name of saving a sinking ship, is pulling back the social security lifeline from the grasp of those most unable to stay afloat. Many older Americans today are forced from employment because of a disability or long-term illness, and they are able to receive 80 percent of the social security benefits that they would have received if they had retired at the age of 65. Can we in all conscience today tell the elderly and sickly who retire at the age of 62 after the first of next year that they will only be able to receive 55 percent of the benefits they would receive at age 65—for the rest of their lives? In a time of spiraling inflation that threatens even the most wealthy, do we have the right to ask the most economically vulnerable to wait months for the basic cost-of-living increase in their social security benefits? The administration has consistently asserted that basic social security benefits will not be reduced, but those who reach retirement age within the next several years can expect up to 9 percent less in monthly benefits than retired workers receive now. The proposed changes in disability eligibility are unduly harsh, coldly discounting the needs of those who face long-term disability of a year or longer.

Salvaging the social security system is a difficult task that the 97th Congress confronts, but denying older Americans the security that they have worked their entire lives to earn only attests to congressional inability to revitalize the system through innovative legislation. A number of alternative fi-

nancing proposals are being considered by the Subcommittee on Social Security, including the limited use of general revenues to help fund the program. Our responsibility is to examine critically these proposals, or explore viable new ones, not sacrifice the needs of the very people that the social security system was designed to protect.●

## SMALL BUSINESS WEEK

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. SMITH of New Jersey. Mr. Speaker, last week was Small Business Week. This year, in light of all the challenges small business faces, I hope it is an occasion of more than lip service to the concept of small business.

Small business creates 87.6 percent of all jobs in the private sector. Small business employs over 100 million Americans. Small business contributes more than two-fifths of the gross national product.

Yet small business is under heavy strain. The failure rate among small businesses was some 57 percent in the period 1969 to 1976. Small business loans are almost impossible to get; if someone in small business is fortunate enough to obtain such a loan, the interest rates are prohibitive.

Small business suffers heavy burdens from our tax system; it suffers heavy burdens from well-meant but ill-applied regulations; it suffers from the terrible ravages of inflation.

Mr. Speaker, our most recent census underlines what has been pretty well known. There is a movement in this country away from the great cities to the small towns of the United States. This, of course, is the reversal of an historic trend.

But what does this movement mean in economic terms? Mr. Speaker, it means small business will become more influential. Those living in the small towns and rural areas will buy and shop in smaller enterprises. This is very, very important. It may mean a small business economy.

Unhappily, we know all too well that small businesses are sometimes taken over by large businesses. According to the White House Conference on Small Business, held in January 1980, when a large corporation takes over a small business there is a severing of ties with local banks, local insurance firms, local merchants, local business. Small business is at the nexus of the small town economy. Frankly, it is healthy to have a variety of small entrepreneurs, working in their own businesses. It is healthy for the free enterprise system. We do not need giant corporate structures marching about our



economic landscape like dinosaurs. There is a role for the great corporation, but there must be a role for small business.

In this Small Business Week we should look at small business and try to determine what we can do to help. The White House conference on Small Business offered 60 recommendations, 15 of which they listed as major recommendations. Regrettably, the Carter administration, which set up this conference, did not see fit to accept many of the suggestions of its own conference. I am confident President Reagan feels differently. He has spoken, in his inaugural, of "the heroes on both sides of the counter." The President will aid the heroes of small business.

Much of what we can do for small business can be summed up in the Marriott-McDade bill, which I am co-sponsoring. As a first step in correcting some of the inequities of the tax system, under which small business labors, the Marriott-McDade bill is valuable.

I trust we will do more than just say "Small Business is terrific" this week and let it go at that. We have to do a lot more.

As a member of the Committee on Small Business I know a great deal about the problems small business men are facing. We have to help. This Congress, which is doing so much to reshape American life, is the place to start.●

#### SOME THOUGHTS ON TELEVISION AND POLITICS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. HAMILTON. Mr. Speaker, I insert my Washington Report for Wednesday, May 20, 1981, into the CONGRESSIONAL RECORD:

#### SOME THOUGHTS ON TELEVISION AND POLITICS

With each passing year in public life I am more persuaded that television has a very powerful role in shaping the political views of Americans. It has become a pervasive force in the political life of the nation. It is quite rare for me to speak to any group of constituents without hearing some questions or comments from them based on their viewing of television. The mail that comes into my office also shows the strong influence of television on people. What citizens ask me about in public meetings, or what they write about in their letters to me, are things that have recently had prominence on television.

Television in fact is beginning to dominate American politics. The men and women who mold the news—who decide who gets on the air and for how long, who choose the events to be covered or left out, and who determine what emphasis to give events—also mold the political opinions of millions of Americans. It is not television which has adapted to

politics, but politics which is adapting to television.

Since television is the medium through which the great majority of the people get their news, most political candidates know that they cannot be elected without adequate coverage. Television has certainly become an overriding factor in the election of the President. The day-to-day schedule of a candidate for the Presidency is fashioned around the effort to get him on the evening news. Campaign managers today are careful to cultivate one quality above all others in their candidate: the presidential "look" on television. There is an unwillingness to deal with the substance of problems; only the superficial aspects are touched on.

Throughout the last presidential campaign I was often distressed by the tendency of television news to feature the attack and counterattack of the candidates instead of their positions on the problems facing the nation. Several times I watched extended television interviews (four to five minutes) in which candidates were only occasionally asked questions on matters of substance. I began to wonder what the campaign was about.

In the world of television news, it is the personality that is stressed. Issues and ideas tend to be ignored. This emphasis is, of course, apparent in places other than the campaign trail. Chairmen of committees in Congress compete with one another for television coverage. The one certain device a chairman can use to ensure full attendance at a hearing is the promise to members of the committee that television will be there. Members will show up and then strive to do or say something that will draw the cameras.

Television can be quite unfair to the politician. A member of Congress will work for months on a complex bill, only to have a television newsman ask him to sum up his case for the bill in 20 seconds or less. I remember once when Senator Edward Kennedy was asked about Chappaquiddick at the end of a news program, with 40 seconds remaining. He started his response but was cut off in mid-sentence. Politicians understand that no speech can be carried for more than 30 seconds or so on a thirty-minute evening news program. He must therefore try to coin a catchy phrase. He cannot really expect to get a whole sentence in on television; a whole paragraph is out of the question. In part, the problem is that while politicians work with complex issues, television demands simple presentations. Politicians must play the game by the rules of television, so they cannot delve into the subtleties and nuances of issues.

Many politicians are critical of the tendency of television journalists to "go with the pack." At any given time a member of Congress is working with a full agenda, but the news media seem to be interested in only one or two items on it. I have never understood why all the stations follow the same handful of stories. It is hard for me to believe that they see the same stories in the same light. It is as if only one or two people are deciding at any moment what the news is. Uniformity does little more than compound the bad effect of superficiality. Many politicians also criticize the bias in television news, but my principal objection is that television is not beginning to realize its full potential as an educational instrument. Television news is so condensed that it is unable to convey much beyond the headlines.

All of this leaves me with some uneasy feelings about the impact of television on

politics. Is politics becoming too much a matter of style? Does a candidate's ability to perform on television have anything to do with his skill as a consensus-builder or a legislator? Can Americans really understand enough of the complex issues of the day to vote intelligently if their data come mainly from television? I appreciate the fact that television, which employs many skillful and talented people does many things well. But for some reason it apparently does not have the capacity to cover in any complete way the multitude of issues which make up the national agenda.

A remedy, I think, lies in recognizing the limits of television and in remembering that broadcast journalism cannot be a good substitute for print journalism. Television takes the viewer a step closer to being well informed, but it does not have the depth to impact a comprehensive understanding of the world. In a sense, what we must do is learn to use television properly.●

#### RECOGNITION OF "SKINNY" D'AMATO

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. FOGLIETTA. Mr. Speaker, on Thursday, May 21, 1981, citizens of New Jersey will honor a man who has gone too long without receiving proper recognition for outstanding service to the community.

Paul "Skinny" D'Amato never wanted recognition for his contributions, that is the type of man he is. But now, a swell of voices call out to pay tribute to a man who dedicated his life to helping others.

"Skinny" D'Amato always answered the call when a charitable group needed help. Top performers appeared at countless events, because "Skinny" D'Amato asked them to.

It never mattered to "Skinny" what race or religion might be holding the event. He organized events for blacks, Jews, and Italians, for Israel and for our own country. What mattered to "Skinny" was that the event was for a good cause.

The Jewish community had a dream. That dream was to build a Hebrew academy in Atlantic County, and they called on Paul D'Amato for help. "Skinny" held a fund raising event some 20 years ago. He paid for all the expenses and brought in Jackie Mason to perform. And although the dream has become a reality and the Hebrew academy is now a mainstay in the community, "Skinny" never received the praises he so deserves.

Paul "Skinny" D'Amato is a humanitarian beyond the call of duty. On Thursday he will be honored as Humanitarian of the Year. In the hearts of the many lives he touched, "Skinny" D'Amato will always be remembered as the humanitarian of his generation.

I consider it a privilege to sing his praises before my colleagues today. Thank you. ●

## IT TOLLS FOR THEE

## HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. PORTER. Mr. Speaker, I share with my colleagues today an important article from the May 14, 1981, New York Times on state oppression of the individual. With Anatoly Shcharansky reportedly near death and thousands of others being denied basic human freedoms in country after country around this planet, we must recall the value of those rights we enjoy as Americans and remember, too, that neither we, as individuals, nor our country can long exist as islands of liberty in a sea of human slavery.

[From the New York Times, May 14, 1981]

## IT TOLLS FOR THEE

(By Anthony Lewis)

BOSTON, May 13.—This is a column about two physicists, or more accurately about two human beings who happen to be physicists. They are from countries far apart in miles and in politics. They do not know each other. What they have in common, apart from their science, is their experience of that contemporary phenomenon: the terrorism of the state.

Vladimir Kislik comes from Kiev, in the Soviet Union. He is a Jew, and in 1973 he applied for an exit visa to emigrate to Israel. His wife and son were allowed to go. He was refused permission—and entered a nightmare life.

Mr. Kislik immediately lost his position at the Institute of Physics of the Ukrainian Academy of Sciences. He took menial jobs and was fired from them. He was arrested for vagrancy. Foreign scientists who visited him at home were assaulted by ruffians on the street.

Last July, during the Olympics, he was put in jail for 15 days. There he had a heart attack. He was sent to a psychiatric hospital, where he was put in a ward with dangerous psychotics. Friends got word to the outside world, and groups in France and the United States sent strong protests to Soviet authorities. Mr. Kislik was released.

Recently he was arrested again. According to reports from Kiev, he is about to go on trial on a charge of "hooliganism." That carries a sentence of up to five years in a labor camp.

Elena Sevilla is a physicist from Argentina. She had a baby by Caesarean section in November 1975. Five days later she was arrested in her hospital bed. No charge was made, then or afterward. In January 1976, an Argentine judge ordered her released. But the authorities did not let her go, instead placing her under indefinite detention without charge. Her child was given to her parents. She was put under a strict prison regimen: allowed almost nothing to read, kept in her cell 23 hours a day.

There were protests from groups abroad, just as in Mr. Kislik's case: from the American Physical Society, the National Academy of Sciences, Amnesty International. Elena Sevilla was luckier than Mr. Kislik. After three years she was released and allowed to leave the country. She is now studying at Cornell.

Of course these two are not the only scientists who have been victims of their governments. In the Soviet Union, Anatoly Shcharansky is wasting away in solitary prison confinement, reportedly near death. Yuri Orlov is serving a seven-year sentence in a labor camp. Andrei Sakharov is in internal exile.

The scientist victims in Argentina are less familiar to us, but their stories are no less chilling. Federico Eduardo Alvarez Rojas, a well-known physicist, and his wife Hilda Graciela were seized by armed men in 1976 in front of their three young children; though once reported to have been seen in a prison, they have never been officially accounted for. American physicists know of at least 16 other of their Argentine colleagues who have similarly "disappeared."

The stories of Vladimir Kislik and Elena Sevilla and the others make a simple but fundamental point: the indivisibility of concern for humanity. State brutality and terrorism are evils—absolute evils—whether practiced in one corner of the world or another, one political system or another.

John Donne made the point to us as individuals 350 years ago. The passage best remembered is: "Never send to know for whom the bell tolls; it tolls for thee." But he also put it another way: "Any man's death diminishes me, because I am involved in mankind."

In today's world the point is not just individual or spiritual but political. If we close our eyes to official brutality here or there—in the Soviet Union or Argentina, in Uganda or Cambodia—we risk our own civilization. Scientists have tended to understand that, supporting their threatened colleagues everywhere. Governments are another question.

The question is especially acute now, as the new American Administration proposes what amounts to a double standard for human rights. It would focus attention on the cruelties of Communist governments and wink at the horrors done by "friendly" right-wing regimes.

Ironically, victims of Soviet repression—at least some of the more prominent among them—do not seem to want a one-dimensional American policy. Pavel Litvinov, a dissident who got out, said when I asked him that his attention naturally centered on events in the Soviet bloc, "but I believe very strongly in the principle of human rights everywhere. I care about Argentina."

Five years ago this week some brave Soviet citizens set up a Moscow group to monitor observance of the rights supposedly gained in the Helsinki agreements. Most are now in prison or forced exile. Their spokesman in America, Ludmilla Alexeyeva, said: "The United States has achieved respectability and credibility in speaking out publicly and forcefully against human rights violations around the world. A continuation of this universal policy is essential to the human rights movement in the Soviet Union." ●

## OVERSIGHT GIVES INSIGHT TO WORKER CONCERNS ON OSHA LABELING ACTION

## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. GAYDOS. Mr. Speaker, insight is the primary function of oversight, and three steelworkers recently gave the Subcommittee on Health and Safety a basic understanding of the nature of one of the germinating controversies in regulation: The withdrawn labeling standards.

The insight came, as it often does, in the spontaneous exchanges that follow prepared statements, and these steelworkers were eloquent in their matter of factness and reasoned in their explanation of need.

What they said cut through the thicket of theory and penetrated the nature of the question.

"My father worked 44 years in the mill," said John Choinski, a third generation steelworker and chairman of the joint safety and health committee at his plant.

"He died of lung cancer.

"My grandfather worked 35 years. He died of lung cancer.

"I hope I don't suffer the same fate. I hope the guys that follow us don't suffer or don't die in the way my father and grandfather did, or the way I might die."

Mr. Choinski had told the subcommittee about some of the substances used in the mills, and of the difficulty of unmasking trade names to find out what is in them. He explained that miracle compounds and substances thought harmless today are being found very harmful as knowledge develops. And he gave us a case in point.

"In the early 1960's I worked with a lot of asbestos in the steel plant," he said. "We had a lot of it in there at times; at times we were covered with it; our faces, our hands, our clothing, my mustache had asbestos in it.

"We didn't know it was a hazard then.

"I know that some day down the road I can expect to have lung problems. There is no question in my mind \* \* \*

"We owe it to the ones who follow us in the industry—a strong Federal right to know law."

What do workers expect from regulation, Mr. Speaker?

Joe Odorcich, vice president for administration, United Steel Workers of America, went right to the point when questioning turned to him.

"I want to draw a parallel," he said.

"Not too long ago we saw in Washington an attempted assassination \* \* \* and it is a blot on this country's record.

"However, because we recognize there is a hazard of assassination, we provide the President and other dignitaries with protection \* \* \* with their own form of OSHA, their right to know and their protection, which is the Secret Service.

"There is not a thing wrong with that.

"Anytime we know there is a hazard, we as responsible Americans, have got to devise some method, provide some means, to see that it does not take its full force and effect.

"This is the only thing we are trying to get for the workers: protection."

Mr. Speaker, the labeling of chemical compounds is an issue of long-range occupational health, and health care, because so many of the thousands of compounds and materials used hundreds of thousands of workplaces by millions of workers contain ingredients that we know, or suspect, can cause cancer 10, 20, and 30 years after exposure.

Workers we have heard say that they want the protection of being able to keep track of what they have worked with so it can be matched against the daily developing knowledge of dangerous substances and their personal histories.

Standards to accomplish this had been put up for comment and consideration by the former administration but were withdrawn for more study by the new administration in one of its first acts relating to the Occupational Safety and Health Administration (OSHA) of the Department of Labor. It was done even before anyone had been chosen to head OSHA and before anyone heard from the Task Force on Regulatory Reform.

With characteristic incisiveness, Jack Sheehan, legislative director and assistant to the president of the United Steelworkers, pinpointed for the subcommittee how the action on labeling and the vagueness of administration regulatory reform come together.

From OSHA trial balloons will emerge periodically and trail new concepts such as widespread use of labor-management health and safety committees in place of direct enforcement.

Of this concept, Mr. Sheehan noted, "There is a great deal of emphasis being put on joint labor-management as the wave of the future. \* \* \*

"But it seems to slip one gear because the effectiveness of the system depends on information, and . . . they have pulled the information plank from under us.

"Therefore, committees are not effective."

Since labeling was one of the suggested responsibilities for OSHA when Congress passed the act over 10 years ago, the Subcommittee on Health and Safety is engaged now in oversight of

the labeling action and will be for several months to come.

I expect the oversight to provide more insight, which will be reported in the RECORD from time to time for all who are interested in worker safety and health. And all of us should be, Mr. Speaker. ●

#### FISCAL SERVICES DIRECTOR TO RETIRE

#### HON. LYLE WILLIAMS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. WILLIAMS of Ohio. Mr. Speaker, I would like to call the attention of the U.S. House of Representatives to Mr. Bernard H. Hunt. Mr. Hunt will retire next month as director of fiscal services for the Youngstown, Ohio, Hospital Association. Mr. Hunt is credited with bringing computer technology to the three fine hospitals operated by the Youngstown Hospital Association.

Mr. Hunt devoted 28 years of service to the U.S. Navy, serving in World War II and the Korean conflict. A native of Delevan, Wis., Mr. Hunt is a graduate of George Washington University in Washington, D.C.

Professionally, Mr. Hunt is a member of the American Hospital Association and the Hospital Financial Management Association.

Mr. Hunt's retirement will, it is to be hoped, be pleasant and long for him, but he will be missed by all of us who value excellence in the workplace. ●

#### CONCERN OVER CANADIAN ACQUISITION IN CONOCO STOCK

#### HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. LUJAN. Mr. Speaker, last April, I expressed my strong concern over attempts by Canadian companies to gain control of vast natural resources on our public lands. At the same time, the Canadian Government is actively restricting similar acquisition or operation by U.S. investors. I believe in the principle of reciprocity with our trading partners and neighbors and feel we should insist on the traditional investment comity we have shared with Canada.

Dome Petroleum of Canada is attempting to acquire effective control of Conoco, Inc.—the 14th largest corporation in America which has vast energy and mineral holdings on public lands. This aggressive acquisition posture is encouraged by Canadian Government policy and statute—specifically, the Foreign Investment Review Act (FIRA). In addition, Parliament is

presently considering even more restrictive legislation.

I am including in this statement a copy of the letter I have sent today to the Secretaries of Interior, State, and Energy, expressing my continued concern. I believe that timely administrative and diplomatic efforts can solve this unfortunate problem with Canada. If not, I urge my colleagues in the Congress to join me in looking for appropriate legislative remedies.

The letter follows:

WASHINGTON, D.C., May 20, 1981.

HON. ALEXANDER M. HAIG, JR.,  
Secretary of State,  
Washington, D.C.

DEAR MR. SECRETARY: I know you understand the deep concern in Congress over the restrictive trend by Canada toward U.S. investment and ownership of energy and natural resources. This is particularly disturbing when Canadian companies—apparently bolstered by their own government's protectionism—are aggressively seeking to take over and control vast energy and natural resources in the United States.

I believe the time has come to get the attention of the Canadian government and to show our clear concern over their unilateral course of economic nationalism. We must demonstrate our determination now, before they enact even more restrictive laws and policies. At a minimum, a positive action now will strengthen our posture in the ongoing, but so far unsuccessful, talks with the Canadians. I am afraid that failure to send some kind of signal of our concern will be taken as acquiescence. We need more than bureaucratic hand-wringing if we are to show our good neighbor to the North that reciprocity does mean something and that it is a two way street.

I was disturbed by the recent, and fortunately unsuccessful, attempt by Seagrams to take over St. Joe Minerals. Now Dome Petroleum of Canada has made a hostile offer to purchase a block of stock in Conoco, Inc., which would give it effective control of Conoco. I find this latest effort extremely disconcerting and repeat my call for active study of the extent and desirability of foreign ownership or control of our vast resources on lands owned by the United States. As I said on April 1, 1981:

"My concern is that Canadian investors are seeking control over vast U.S. mineral resources at a time when Canada is denying the same right to our citizens. In addition, our Government should consider the impact and effects of foreign control over our vital mineral resources. We currently have no facts on the extent of that ownership and would be unable to formulate any policy or action which may be warranted to preserve national interest." (Emphasis added.)

Canada's active policy of restricting U.S. investments is well established. I find it disappointing that Canada fosters a protective wall for its domestic energy companies and encourages economic conditions which artificially depress the value of U.S.-controlled assets in Canada. Government policies effectively "isolate" U.S. assets and give Canadian investors and companies tremendous advantages. One advantage is the almost exclusive opportunity to buy valuable foreign-held interests in Canada at depressed prices. Another is the protection Canadian companies have against foreign control while enjoying free rein to pursue aggressive acquisi-

tion efforts in the United States or elsewhere. One gets the feeling that Canadian companies are getting one last raid on the U.S. "cookie jar" before the proposed Canadian National Energy Program is enacted and we close the door for lack of reciprocity.

I do not favor any dramatic change in relations with Canada, and hope we can resolve this matter to the satisfaction of both countries. I also believe that we can take some action which will help maintain sound, reciprocal relations and allow U.S. companies to compete fairly and evenly. We are considering legislation regarding this question in the House. In the meantime, I will be happy to work with you in pursuing other constructive and timely solutions.

Sincerely,

MANUEL LUJAN, JR. ●

### CONSTITUTIONALITY OF THE HUMAN LIFE BILL

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. SEIBERLING. Mr. Speaker, the issue of abortion has been one of the most controversial, difficult, and divisive social issues to face Congress in the past decade. My own position has been one of support for the decision made by the Supreme Court in *Roe* against *Wade*. There, the Court, basing its decision on a practical synthesis of the Constitution, the common law, and scientific knowledge, recognized that in the first 3 months of pregnancy, when a properly supervised abortion is a relatively safe medical procedure, a woman has the right to choose to have an abortion free from interference by others. The Court held that in the second trimester, when an abortion can be much riskier, the State can regulate it for the sole purpose of protecting the woman's health. In the third trimester of pregnancy, when the fetus is sufficiently developed to be likely to live if separated from the mother, the Court ruled that the State may restrict abortions.

I believe that this decision was a reasonable effort to resolve a very difficult conflict between competing values, namely the protection of a potential person on the one hand, and on the other hand, the protection of the liberty of a person already fully in being.

Since that 1973 decision, antichoice activists have attempted to overturn *Roe* against *Wade* with a constitutional amendment to ban all abortions. They have had some success in restricting the availability of abortion through statutes and amendments to other legislation. However, primarily because of the continuing and increasing widespread public support of the right to obtain a legal abortion, the opponents of the right to choose have been unable to push the constitutional amendment through Congress.

But now there is a new twist in the abortion rights fight. Representatives HYDE and MAZZOLI have introduced bills, H.R. 900 and H.R. 3225, which declare, by Federal statute, that a human life begins at conception. This legislation would attempt to make aborting a fetus at any stage illegal. The woman involved, her doctor, her counselor, her friends and family could all be charged with criminal activity if these bills ever become law.

The constitutionality of such legislation is doubtful, to say the least. The crucial question is not when does human life begin but when does a fetus become a person, as that word is used in the 14th amendment. In *Roe* against *Wade*, the Supreme Court held that the word "person" as used in the 14th amendment does not include the unborn. But H.R. 900 and H.R. 3225 attempt to extend 14th amendment rights to the fetus from the moment of conception, when it is merely a developing aggregation of cells, with human potential but with no capability of existing except as a part of the woman's body. These bills try to establish rights of the unborn in direct conflict with other rights protected by the Constitution. Yet Congress cannot by legislation give to the States powers which the Court has held the Constitution prohibits them from exercising. In other words, if Congress desires to reverse a constitutional interpretation by the Supreme Court, it must do so by amending the Constitution, not by incorporating in a statute some new semantic approach to the same set of facts.

I recently received a brief constitutional law analysis of H.R. 900 released by an organization known as ARM—Abortion Rights Mobilization. While this is just a summary of the legal and policy arguments against the legislation, I think it well highlights the questions which Members of Congress ought to thoroughly consider when examining this legislation.

The analysis was prepared by Steven Delibert, Marshall Beil, and Lawrence Lader. Mr. Delibert is an attorney who is a member of ACLU's Committee on Church and State and has acted as counsel in numerous civil rights cases. Mr. Beil is an attorney who is a member of the New York Bar Association's Committee on Federal Legislation and of the ACLU's Due Process Committee. Mr. Lader is president of ARM and the author of "Abortion" and "Abortion II". He is also founding chair of the National Abortion Rights Action League (1969-75).

A copy of the analysis follows these remarks.

#### MEMORANDUM CONCERNING CONSTITUTIONALITY OF S. 158 AND H.R. 900

Two identical bills (S. 158; H.R. 900) have been introduced as attempts to overrule by statute the Supreme Court's constitutional decisions in *Roe* v. *Wade*, 410 U.S. 113

(1973), and *Doe* v. *Bolton*, 410 U.S. 179 (1973), the decision which drastically limited the power of the states to regulate abortions.

The proposed statute is clearly unconstitutional and unenforceable. It adopts standards so vague that they could not be enforced, even if a court wished to do so; it attempts by legislative fiat to overrule a constitutional decision of the Supreme Court, which is clearly beyond Congressional power; and it does so by plainly erroneous misreading of the Fourteenth Amendment and of Supreme Court precedent.

First, the bill seeks to establish a standard, of "conception," as the point from which human life begins. But there is no clear moment of "conception," nor any consensus at all in the medical community, or otherwise as to exactly when "conception" may be deemed to have occurred.<sup>1</sup> No doctor, and no patient, faced with such a standard, could know what was made illegal or what conduct was forbidden; but particularly in an area touching upon rights so sensitive as those we here consider, the courts will not enforce such a vague statute.<sup>2</sup>

Second, the proposed bill is unconstitutional because it rests upon a clear and direct misreading of what the Supreme Court has already decided in *Roe* v. *Wade*. The central assumption of the bill is that Congress may act to define the moment at which human life commences, because the Supreme Court has supposedly announced itself—and the judiciary generally—incapable of reaching such a decision.<sup>3</sup> What the Supreme Court did in *Roe* v. *Wade*, however, was quite the contrary—it held clearly that in view of the innumerable conflicting, divergent, and everchanging and shifting views on the beginning of life, scientific, theological, dogmatic and otherwise, no governmental entity, judicial or legislative, could speculate as to which was correct, or could arbitrarily adopt one theory of life over another, to "override the rights of the pregnant woman that are at stake."<sup>4</sup>

In passing the proposed statute Congress would not be merely filling a void left by judicial decisions; it would be attempting directly to overrule a constitutional decision of the Supreme Court.<sup>5</sup>

<sup>1</sup> Indeed, in *Roe* v. *Wade* itself, the Supreme Court explicitly noted the difficulties with adopting a standard of "conception" as the moment of life's beginning, noting the embryological data existing even then, suggesting "that conception is a 'process' over time, rather than an event . . ." *Roe* v. *Wade*, 410 U.S. at 161.

<sup>2</sup> The courts have made it patently clear that they will not enforce an abortion statute, which is insufficiently clear as to when in the course of a developing pregnancy it purports to become effective. See *Doe* v. *Zimmerman*, 405 F. supp. 534 (M.D. Pa. 1975) (3-Judge Court).

<sup>3</sup> The article introduced in the Congressional Record as legal support for S. 158 makes this assumption clear.

<sup>4</sup> 410 U.S. at 162. See *Doe* v. *Israel*, 358 F. Supp. 1193, 1199 (D.R.I. 1973) (Pettine, J.), cert. denied 416 U.S. 993 (1974), in which one of the most respected of District Judges considered a Rhode Island statute which purported to step into the breach allegedly left by the Supreme Court, by defining human life as beginning at conception. Such an effort, Judge Pettine held, was squarely at odds with the Supreme Court's decision, and unconstitutional.

<sup>5</sup> It could not do so, any more than a state legislature could do so. As a matter of constitutional law, Congressional fact-finding is treated in the same manner as that of the state legislatures. *Oregon* v. *Mitchell*, 400 U.S. 112, 207 (1970) (per Harlan, J., concurring in part and dissenting in part).

Finally, this legislation unconstitutionally seeks to reverse—by statute rather than constitutional amendment—a clear Supreme Court holding, in *Roe v. Wade*, that "... the word 'person' as used in the Fourteenth Amendment, does not include the unborn." 410 U.S. at 158. This direct challenge to the constitutional powers of a co-equal branch of government masquerades as a species of enforcement of the Fourteenth Amendment.

However, the proposed statute is not a means to enforce an acknowledged purpose of the Fourteenth Amendment; rather, it seeks in a wholly novel way to expand drastically the purposes of the Amendment itself, by dramatically expanding the class of "persons" whom the Amendment protects.

The Supreme Court, however, has never hesitated to review the question of whether the end sought by Congress—as opposed to the means selected—was one which was comprehended by the Constitution.\* The Court would undoubtedly review Congress' decision on the reach of the Amendment; it would undoubtedly adhere to its prior decision in *Roe v. Wade*, that the unborn are not "persons" within the Fourteenth Amendment, and would accordingly hold the proposed statute unconstitutional.

Indeed, the very action of Congress in attempting to overrule by statute, a constitutional decision of the Supreme Court, would in itself violate the Constitution—and beyond that, it would represent a radical assault on the structure of our form of government that would be both foolish and dangerous.<sup>7</sup> If Congress were able to change the meaning of the Constitution by mere majority vote, there would be no need for the Constitution's careful amending provision, requiring a two-thirds vote by Congress and approval by three-fourths of the states.<sup>8</sup>

#### UNPREDICTABLE AND BIZARRE EFFECTS OF PROPOSED STATUTE

Unlike the laws existing prior to *Roe v. Wade*, this statute would outlaw all abortions; No exception could be allowed for pregnancies resulting from rape, or incest, or statutory rape; or for those threatening the health, or even the life, of the mother; or for any other circumstance. Further, many popular methods of contraception, like the IUD and birth control pill in some cases, would likewise be outlawed.

The statute's effects would not stop here. If fetal life is indistinguishable from a living person, then its extinction must also be punished. The doctor performing an operation, no matter how compelling the need, and no matter how grave the pregnancy's threat to the mother's life would be a murderer, and his patient an accessory; the friend who

\* See *South Carolina v. Katzenbach*, 383 U.S. 301, 326 (1966); *Jones v. Bowman*, 190 U.S. 127 (1903); *United States v. Reese*, 92 U.S. 214 (1876). See also *Doe v. Israel*, supra, 358 F. Supp. at 1201, making plain that it has always been the Supreme Court which has determined the reach of the protected classes under the Fourteenth Amendment.

<sup>7</sup> The portions of the proposed bill which seek to deprive the federal courts of jurisdiction over abortion cases, and limit the precedential value of any court holdings of unconstitutionality, are not discussed here, but are plainly equally drastic and dangerous assaults upon our traditional form of government.

<sup>8</sup> The late Mr. Justice Harlan in his concurring and dissenting opinion in *Oregon v. Mitchell*, 400 U.S. 112, 204-205 (1970), wrote: To allow a simple majority of Congress to have final say on matters of constitutional interpretation is... fundamentally out of keeping with the constitutional structure.

loaned a woman the money for an abortion would be a conspirator in murder. The patient herself would be the murderer, for the simple act of using an outlawed contraceptive.

The proposed statute, moreover, would intrude the federal courts into numerous areas traditionally reserved for regulation by the states. If a fetus is deemed to be human life from conception, the federal courts would compel the states to permit tort claims by or on behalf of the unborn, in exactly the same manner as by living human beings. The structure of insurance rates would be driven drastically upward. The impact upon inheritance and estate planning would be almost inconceivable; innumerable aspects of this area of the law are contingent upon existence of lives in being at various times, almost invariably measured from birth. What additional effects the bill might have upon rights of citizenship arising from birth, or upon the census, or upon revenue sharing, or upon countless other areas which have traditionally relied upon live birth as the touchstone of rights, would clearly be both dramatic and unwelcome.

In conclusion, then, S. 158 and H.R. 900 are ill-considered legislative proposals. They are not only unenforceable; the bills would also produce a clash of constitutional dimension between the courts and Congress, which would have consequences of the most dire nature. No legislator concerned for the well-being of this nation, liberal or conservative, pro-abortion or anti, should support this legislation.●

#### BEEFING UP RESERVE CALLED MORE VITAL THAN BIG BUDGETS

HON. BERKLEY BEDELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. BEDELL. Mr. Speaker, earlier this year I introduced three bills—H.R. 1359, H.R. 1360, and H.R. 1361—to enhance the quality of recruitment and retention in our National Guard and Reserve Forces. Given the critical reliance that our Active Forces place on the Guard and Reserve units it is essential that these units have sufficient funding to meet their combat readiness goals.

The House will soon be considering administration proposals for the largest military budget increase in over a decade. I therefore wish to call my colleagues attention to an article in last Friday's Washington Post which stresses that the readiness of our Guard and Reserve units is more vital than simply the acquisition of sophisticated nuclear weaponry. This article, by Michael Getler, focuses on the views of a leading civil defense expert, William T. Kaufmann, currently at MIT and formerly the drafter of the Pentagon's annual defense posture statement to Congress.

Mr. Kaufmann argues that the primary dangers facing our military involve conventional, rather than nuclear, forces, the chief threats being in

the Persian Gulf, central Europe, Korea, and the Caribbean. Faced with simultaneous challenges in these areas, the United States would find itself short by at least four divisions of ground troops and six tactical fighter wings. Army, Marine, and Air Force Reserve units could fill this gap, but given the equipment currently relegated to the Reserve, Mr. Kaufmann estimates it would take more than 90 days to bring them into action.

I urge my colleagues to take note of Mr. Kaufmann's views, the text of which follows:

[From the Washington Post, May 15, 1981]

#### BEEFING UP RESERVE CALLED MORE VITAL THAN BIG BUDGETS (By Michael Getler)

A leading civilian defense expert says that unless the United States broadens its strategy and pays more attention to the reserves and the National Guard, even the big military budgets proposed by the Reagan administration may not prepare the nation for the kind of battles it may have to fight.

William T. Kaufmann, a professor of political science at the Massachusetts Institute of Technology and the drafter of the Pentagon's annual defense posture report to Congress during the Ford and Carter administrations, said that while the final Carter and the new Reagan defense budgets are a step toward meeting standard dangers, "they do relatively little to ensure against a more testing yet not implausible set of dangers."

Kaufmann argued that the real challenges to the U.S. military in the years ahead are more likely to involve conventional, rather than nuclear, forces.

The size of those forces and where they are stationed are still based on a strategy of having to deal with one major and one lesser confrontation simultaneously and being able to move troops, ships and planes around, Kaufmann said. This strategy, he said, is "open to question."

In a 50-page section of the new Brookings Institution analysis of the 1982 budget and national priorities, and during a meeting with reporters, Kaufmann argued that the most serious non-nuclear contingency facing the United States is the possibility of almost simultaneous military challenges in the Persian Gulf, central Europe and Korea.

Under those circumstances, Kaufmann said, the United States would find itself short by at least four divisions of ground troops and six tactical fighter wings. If the Caribbean erupted as well, he said, the deficit would be worse.

He said he believes, however, that those forces could be quickly supplied by three Army reserve divisions and one Marine reserve division, plus Air Force reserve squadrons, if the Army would bring those reserves to a high state of readiness and the Pentagon would buy better equipment for the highly trained air reserves.

As matters stand now, Kaufmann said, it would take the Pentagon more than 90 days to get any major organized unit out of the Army National Guard or reserve divisions, other than those reserve battalions already counted as part of active-duty divisions.

He said it is politically easier and less costly to get the extra forces from the reserves rather than from the draft. The United States is paying about \$11 billion a

year for the reserves and not getting much for it at the moment, he said.

In laying out what he sees as U.S. options, Kaufmann argued that vast sums requested by the new administration for long-range spending, beyond the initial budgets now before Congress, are in effect "wedges," money in reserve for which no specific use has been identified.

"For those who must translate these various signals into programs," Kaufmann wrote, "a certain caution about defense needs is in order." ●

#### "FOREIGN SOURCING" EVIDENT IN U.S. AUTOMOBILE PARTS

HON. DAVID W. EVANS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. EVANS of Indiana. Mr. Speaker, on April 24, the House Banking Subcommittee on Economic Stabilization conducted a daylong hearing in Indianapolis, Ind., concerning the degree of "foreign sourcing" now evident in the U.S. automobile parts and supply industry and the devastating effects of the industry's decline on some of our communities.

Foreign sources being used for the automotive parts and supply side of the industry is a growing problem for many of our small and midsize companies, and the effects of this trend have caused a painful slump in last year's sales figures and already indicate that 1981 will be even worse.

One of the witnesses heard by the subcommittee was James Harbour of Harbour Associates of Berkley, Mich. Mr. Harbour is a former executive with the Chrysler Corp. but more recently has been examining the problems of the auto industry at the grassroots level of its operations and particularly in the Midwestern United States. His testimony was most forcefully made to the point of identifying the sources of our problem and of suggesting some steps that might be taken to alleviate increasing community and economic distress in the area.

Mr. Speaker, I commend Mr. Harbour's statement to the attention of my colleagues and, in the hope that they will read and profit from it, I am inserting a copy of his text in full at this point in the RECORD.

Mr. Chairman, distinguished members of the committee, I welcome the opportunity to speak to you on the important U.S. automotive industry and related U.S. manufacturing industries in the context of international competition.

I would like to cover three broad topic areas including: The U.S. automotive industry, its scope and depth; international competitive issues; and implications for the broader U.S. industrial base in world competition.

I speak as a former member of the industry. My past experience spans 28 years as an executive in both manufacturing and financial disciplines. I have seen the industry at

the very peak of its history and unfortunately in its darkest days. To the extent of my participation in the historic forces of the industry, I fully shoulder part of the blame for the events which have befallen it. I would also lay claim to my part of the industry's successes, of which there have indeed been many. I do not apologize for the industry, nor do I condemn it—I am here to help in whatever manner possible in the monumental efforts required to get our industrial base back on its feet.

First, let me briefly profile the North American automotive industry. It is not accurate to say "United States automotive industry." It is fully integrated across North America, including Canada.

The five major vehicle manufacturers operated 323 facilities before the 1970-80 shutdowns. There were 290 United States plants and 33 Canadian plants including:

Since 1979 25 of these have been closed or are scheduled to be closed. Ten of them have an annual assembly capacity of 1,600,000 vehicles.

Based purely on economics, many additional plants could have been closed; however, these plants are the single-source of still required components so they must stay open to support other plants. The result is that many open plants are operating at less than 60 percent of capacity.

Supplier companies located throughout the United States and Canada are absolutely critical to the viability of this industry. There are approximately 32,000 suppliers with 45,000 different plant locations of which 42,000 are in the United States. Sixty percent of all suppliers employ less than 500 workers.

These suppliers have also closed a major number of plants in 1979-80. I have with me only a partial listing of these closed plants and they are included in my written submission.

It is important to understand the workforce required to manufacture 13.5 million vehicles, in what used to be a normal production year.

In 1978 the prime manufacturers employed 950,000 workers; 65,000 of these were in Canada.

Component parts suppliers employed 610,000 workers, raw material supplies an additional 225,000 workers.

225,000 workers supplied non-productive materials.

Approximately 300,000 were employed in the transportation industry delivering materials and shipping finished vehicles.

The workers employed to provide tools and dies, perishable tools, and machine tools approximates 480,000.

There was a grand total of 2.8 million employed to produce a total of 13.5 million vehicles.

Currently a total of 625,000 of these workers are unemployed and the future outlook for their recall is slim to none.

These employment statistics were developed by the Transportation Systems Center, Department of Transportation, Cambridge, Mass. This Government center has a group of expert automotive industry manufacturing and financial analysts.

It must be understood that when one says "auto industry" one is describing a substantial part of the U.S. manufacturing base. Many other manufacturing sectors, often thought of as beyond the auto industry, would be difficult to support were it not for the high volume production foundation offered to these other industries by the core of auto production. For example, a steel mill

might find it difficult to remain open if it were to lose 20 percent of its basic volume represented by automotive production. Likewise, machine tool or perishable tool manufacturers would have to retrench significantly if it were not for the volume of business they obtain for vehicle production changes.

The automotive industry is a large and in some cases the single largest consumer of many of our basic industries. As mighty as this industrial sector is, however, it is not alone in the world. I would like to now describe briefly the current dominant vehicle production base, located in Japan, and explain its meaning for our industries.

Japan was the first country to exceed U.S. automotive production by producing 11.0 million units in 1980 compared to our 8 million units. Japanese exports for 1980 totalled 6.0 million units or 54 percent of its production.

Automotive import sales in the United States in 1980 totalled 2.9 million units. Japan sold 2.4 million, West Germany 300,000 and all others 185,000.

Japanese imports were 22 percent of our cars and 19 percent of our trucks. There are eleven major automotive producers in Japan; two of them as large as Ford and two as large as Chrysler.

The total car and truck imports do not just represent 2,900,000 units and 625,000 lost jobs, it also means that the United States imported: 480,000 tons of iron, and 3,255,000 tons of steel. These imports have come at a time of crisis in our own industry.

The massive losses absorbed by our industry have resulted in an extreme shortage of cash necessary to facilitate for new products and component parts. Huge losses have also accounted for the significant layoffs of the engineers necessary to design and develop these new products and components. Cash shortages to buy tooling and facilities have dictated the present and future purchase of many major component parts and assemblies from foreign sources including: Constant velocity joints and half-shafts.

The automotive companies are also sourcing major components to their subsidiary locations in foreign countries because these countries have specific local content laws. Almost all countries, other than the United States, require a specific percentage of the car plus specific components such as engines and transmissions be built in the local country. Consequently the three major automobile companies are facilitating new engines in Mexico and Brazil (except Chrysler) for local content purposes, however, since the efficient tooling capacity is in excess of local requirements the excess will be exported for installation in U.S. built cars and small trucks.

I would now like to address the subject of the "Japanese Landed Cost Advantage". First of all, I would like to note that I was associated with Mitsubishi Motors of Japan for about 10 years. I have also visited a number of plant facilities in Japan and we spent much of last year studying automotive productivity.

The results of our study on productivity and technology are published elsewhere and are being studied extensively by the automobile companies. Our findings indicate that contrary to many older published reports, productivity is the largest Japanese landed cost advantage.

This landed cost advantage, based on our study of the final 50 percent of the production system is \$1,000 per car and it may be higher.

If the Japanese are as productive in the total car as in the half we studied, and our preliminary analysis indicates they are, then their advantage would be \$1,500 per small car.

This \$1,500 is made up of \$420 in labor rates, \$1,060 in labor productivity, \$420 in other cost advantages (depreciation, taxes, warranty, interest), less \$400 in Japanese shipping and duty penalties.

The Japanese automobile industry has achieved 10 percent annual productivity improvements as reported by their Dept. of Labor.

Now let me dispel another myth. It has often been asserted that Japanese technology is better than ours, machine-for-machine. But only in body stamping do the Japanese automotive manufacturers have better technology, facilities and tools than the U.S. manufacturers. In this case the Japanese manufacturers purchased U.S. designed and developed stamping presses and automation. This advanced American technology includes what is commonly referred to as rolling bolsters and automatic loaders and transfer equipment. The Japanese, other than body stamping, do not weld, paint, or assemble the car with any better technology and facilities than the U.S. Our engine and transmission testing technology is in fact currently superior to existing Japanese test equipment.

The blunt fact is that there is no amount of money that can be thrown blindly at the productivity problem in the U.S. Gentlemen, the \$80 billion being spent by the U.S. manufacturers does not scare the Japanese at all.

The Japanese have achieved and will continue to realize high levels of productivity growth because of: Superior management systems; non-adversarial union relations; non-adversarial supplier relations; advantageous government policies; and employment of the total work force to identify and solve quality and productivity problems.

Their competitive position is greatly strengthened by wage and fringe costs that equal \$12 per hour compared to \$18 to \$19 in the U.S.

The Japanese will only worry when the North American manufacturers start solving their management, labor and supplier problems with new management systems and a different working relationship.

The systems the Japanese employ and other factors that improve their productivity so substantially are:

"Just-in-time production system."

Their quality system is based on "defect prevention" not "defect detection" as practiced in the U.S.

Their quality circles system.

There are other contributing factors to their productivity growth including smaller plants, integrated plant complexes, better material handling engineering, different worker relief practices and allowances, very low absentees, and no non-working union representatives.

The subject of imported cars and trucks is not the whole problem in the U.S. nor is it simply a question of "free trade". I am not here, today, addressing import restrictions, but issues that are in fact much larger. We need to change our entire concept of business and the scale of industrial competition if we are to survive as an industrial power.

The real question is "how long will the United States continue to allow its industrial base to be eroded?" How many workers, collecting unemployment benefits, T.R.A. and welfare payments, will the United

States allow to remain unemployed by its own industrial slippage? Where do these workers turn for future employment? How do imports contribute to our tax receipts? How many major industries is the United States willing to give up to imported products without an attempt to provide our own competitive product?

Our government, unions and management must realize that we are facing very intense international competition and that we cannot afford further slippage in any industry.

The Japanese currently own a substantial share of the United States and world markets in many industries. They do this with exports from Japan or their subsidiaries in other lower labor rate countries.

They do not seem content with the markets they already have, indeed the list continues:

They are the largest single producers of buses and have recently quoted supplying buses to New York City. If they get this bus order, it opens the door to the entire U.S. market and could mean at least 4,000 buses. Our bus market currently stands at only about 4,000 units per year.

Japanese companies are among the major competition for several proposed U.S. railroads and transit systems. They not only want the rolling stock but have offered to provide all new rail lines.

It should be understood gentlemen, that in many cases, the lions share of these buses and railroads are paid for by Federal and State Governments or in fact taxpayers. Taxpayers would be paying taxes to increase U.S. unemployment.

Japan is the largest producer of robots in the world and they recently established a "cartel" to go after a major share of the world market.

Let me specifically review some selected industries that comprise our industrial base that are gradually being eroded by imports.

The steel industry is very basic to all industries. It is absolutely needed for commercial and military markets. In 1978, 1979 and 1980 16 percent of our consumption was imported. In addition, 3.8 million tons was imported in finished cars and trucks. Japanese imported steel was 8.2 percent of our usage.

How did these imports affect our steel making capacity? You need only to look at U.S. Steel and the nine major steel works it has or will close in 1979 through 1981. Others closed bring the total to 20 plants.

The copper industry has suffered the same fate. The import percentage has increased from 9.2 percent in 1975 to 27.3 percent in 1980. Zinc import share ranged as high as 61.3 percent.

The fastener industry is another where imports have all but destroyed our own industry. Imports account for 80 percent of the country's standard fasteners.

In the bearing industry the U.S. has exported 9 percent of its production, however, it has also imported 14 percent of its annual consumption. Approximately 40 percent of the United States imports are from Japan.

The machine tool industry, the backbone of the United States hard goods industry, is also under attack from imports. In 1979 machine tool imports, mostly from Japan, accounted for 20 percent of all U.S. purchases. I remember when the XM-1 main battle tank was tooled, the major hull welding facilities were purchased in Japan.

The electrical/electronics industry is currently being subjected to severe competition for integrated circuits, principally from Japan. The U.S. share of I.C.'s was 83 per-

cent in 1963, down to 63 percent by 1977 and now approximately 60 percent. In four years from 1975 to 1979 the Japanese increased their share of the 16K random access memory chips from 2 to 35 percent.

This is the specific type of product that when supplied in its final finished product is not identifiable. The final customer never knows what the source of individual I.C.'s are—even the military.

Japan is a country with a national purpose. Japan is making strong inroads into not only the traditional industrial products like steel, cars, trucks and fasteners but also into the high value added portions of new technology—such as electronics and computers.

The Japanese are our strongest competitors for the hardgoods market of the world. This is because their unique position requires that they must export to survive, at the same time their only resource is people.

Lifetime employment guarantees, dictates that the Japan automobile industry increase exports every year in excess of ten percent or their annual productivity improvements would result in substantial lay-offs.

The United States has never identified any such national purpose. We seem to be committed to inflexible textbook definitions of "free trade" and "anti-trust" and in fact it has been considered healthy to hold industry's "feet-to-the-fire".

The automotive industry is spending \$80 billion on new plants, facilities and tools, and an estimated \$40 billion is being spent by suppliers to produce new fuel efficient vehicles that are safer and meet rigid emissions requirements. Yet, no major recognition of these massive investments was ever incorporated in the tax laws that would have allowed for accelerated write-offs.

The Japanese automotive industry did not have to spend these enormous sums on new products since they already produce small cars and trucks, benefiting from protected markets and fast write-offs over many years.

The U.S. automotive industry was forced by court order to separately develop emissions and catalysts systems while the Japanese combined their research and development resources—then sat back and smiled at our stupidity.

We are not facing a question of "What is wrong" with the North American Automotive Industry. It is a question of "What is better" in the Japanese automotive industry and how can we change to match or even surpass them. The North American industry has had a very solid foundation on which to build, however, that foundation has been seriously weakened because of: Imported cars and trucks; inflation; Government laws and regulations; high labor costs; cash deficits; and falling rates of productivity as compared to Japan.

This industry can return to its prior position as one of the world's most productive and dominant industries by building on its present foundation, however, it can not be done overnight.

Given some years the industry can return to a healthy position by: Introduction of new smaller fuel efficient cars and trucks; purchase new, existing technology, stamping facilities; the introduction of new management systems and techniques; improvement of its management/union relations/negotiations; and gaining control over wages and working environment.

For several years everyone in America has been looking for villains to blame for our

problems. Naming and blaming victims wastes too much time and energy. We must deal with concrete, solvable problems with our limited time and energy.

It is more a people problem than a dollar problem. Workers are not totally to blame nor are unions. The American worker can be as productive as any worker in the world.

Replacing workers with robots is not the solution either. It is only a means of eliminating the need for management, unions and workers to work together in solving the total problem. Massive infusions of new money for new technology facilities will help, but only if coupled with new management systems, and union and employee cooperation as the added key ingredient.

Assuming the United States Automotive Manufacturers cannot substantially improve their productivity, get their wage and fringe rates in line, and benefit from a new cooperative government attitude then: The U.S. faces the real possibility the North American automotive industry will move off-shore to build its cars and trucks resulting in further erosion of this country's industrial base and another massive increase in unemployment.

In 1960-1961 I worked at the Chrysler Indianapolis Electric plant on Shadeland Avenue. The plant was then one of Chrysler's best plants producing power steering gears, electrical starters, the first alternators to be used in passenger cars and trucks, distributors and other parts. Today that plant is a skeleton of what it once was. Chrysler's new rack and pinion steering gears are all purchased, four cylinder engine starters are all imported, and alternators and distributors are being imported on engines from Japan. These actions all resulted from Chrysler's huge losses and lack of cash. Employment at the Shadeland plant is less than one-third of what it was then. It is a very sad commentary to a super work force, but only one minute example of the plant closings occurring regularly throughout the United States and particularly in the midwest. This same story is being repeated in the New Castle, Indiana plant I also worked in.

Probably the best statement I can make now is to repeat an old saying—which some may laugh at—"What is good for the automotive industries is good for the United States"—not the old automotive industries—not a substitute for inefficiency—what is good for the United States is an honest recognition that we have seriously underestimated the scope of world competition we face—that we have overestimated our past industrial strength—and that we may be fast becoming a second rate manufacturing nation. Furthermore, it is good for the United States that this trend can be reversed—and that in the emerging worldwide automotive sector we have the opportunity to once again regain a prominent position in world industrial markets.●

**VISIT OF CARDINAL PAULO  
EVARISTO ARNS OF BRAZIL**

**HON. MARY ROSE OAKAR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Ms. Oakar. Mr. Speaker, we wish to honor and celebrate the visit of an outstanding defender of human rights to the Congress today, Cardinal Paulo Evaristo Arns of Brazil.

As the archbishop of the largest diocese in the world, Sao Paulo, Brazil, a city of 12 million people, the cardinal comes to us as a man who in so many ways, symbolizes the irresistible energy of social change that is being born in our hemisphere today.

Repressive regimes know him well as an outspoken opponent of government policies that deprive citizens of their legal rights, that condone torture and murder. Prisoners know him as their liberator. Workers know him as a leader in their struggles for justice. The poor know him as a friend and advocate in efforts to improve the conditions of their lives. The wealthy know him as a formidable foe in opposing industrial development that comes at the expense of the poor and disenfranchised.

Cardinal Arns, a progressive and pastoral leader of the Latin American church, has extended his ministry far beyond the doors of the cathedral. He is representative of a church which has opted to stand with those who have nothing rather than with those who possess everything.

He has been an inspiring force behind the movement to form "base communities," which may regard as the embryonic form of the emerging social structure of Latin America.

Indeed, he is a symbol, a sign, and an ambassador of the future of Latin America, and of the hope of freedom and dignity for all humanity.

His accomplishments are awesome. But in the simple affection and friendship of Dom Paulo, we have discovered the source of his great compassion. His Franciscan spirit inspires us all. His courage should remind us, as legislators, that "peace is the work of justice."●

**MANDATORY SENTENCES FOR  
ARMED FELONIES**

**HON. DENNIS M. HERTEL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. HERTEL. Mr. Speaker, the time has come to deal aggressively with criminals who use firearms. Mandatory sentences for conviction of a felony committed with a firearm works.

As a member of the Michigan Legislature, I sponsored and secured passage of mandatory sentences for conviction of armed felonies. A study by Dr. Charles Lucas and Dr. Anna Ledgerwood of Wayne State University and Detroit General Hospital in the Journal of Trauma—attached—showed there was a 50-percent reduction in the number of patients requiring major operations for gunshot wounds coinciding with a 30-percent reduction in homicides in the city of Detroit

during the study period. The study concludes there was "no known factor, other than this mandatory incarceration law, which brought about this drastic change."

The reign of terror caused by crime can be stopped. Mandatory sentences for armed felonies are an effective deterrent. I have introduced H.R. 3623 providing mandatory sentences without probation or parole for conviction of armed Federal felonies. This measure also addresses illegal trafficking in firearms. Illegal transfer of a firearm to an individual who commits an armed Federal felony would, upon conviction, result in a mandatory sentence for the illegal dealer. I assure you this is an effective deterrent to crimes committed with guns. A quick review of the following study by Doctors Lucas and Ledgerwood will remove any doubts.

[From the Journal of Trauma]

**MANDATORY INCARCERATION FOR CONVICTED  
ARMED FELONS: A TRAUMA PROPHYLAXIS**

Successful care of the injured patient has been assumed to revolve around a multi-disciplined team approach with great emphasis placed on early communication, rapid transit to a nearby well-equipped hospital, early diagnosis, and early effective operative intervention. These closely intertwined facets of trauma care have improved exponentially over the past few years. Unfortunately, this improvement has placed a significant financial load on the American taxpayer. The time has come for physicians and other paramedical personnel interested in trauma to strive for prevention as well as care. Several potentially preventive measures have been discussed: mandatory jail sentences for drunken drivers, legalization of narcotics to eliminate the profit motive, and a rational approach to the control of firearms. In 1977 the State of Michigan passed a law whereby any person convicted of a felony while in possession of a firearm automatically received a 2-year jail sentence without parole. This incarceration cannot be circumvented by the trial judge, and has been supported in the State Court of Appeals. This law became effective January 1, 1977. We investigated the effect of this legislative mandate on the incidence of major injuries caused by firearms as seen at Detroit General Hospital.

**CLINICAL MATERIAL**

The operative log for the two 6 month periods, 1 January 1976 through 30 June 1976, and 1 January 1977 through 30 June 1977 were reviewed to determine the number of patients who required operation for penetrating wounds due to either firearms or knives. The area of penetration was divided into face and head, neck, thorax, abdomen and flank, extremity, and more than one of the above. Patients with lacerations or gunshot wounds not requiring operation under general anesthesia in the operating room were not included. This latter group included patients with penetrating chest wounds requiring closed tube thoracostomy, since this procedure is normally done in the emergency room with local anesthesia.

The results show that in the 6-month period before mandatory incarceration of convicted armed felons there were 244 patients who had major surgery under general



anesthesia for gunshot or shotgun wounds and 143 patients who had major operations performed under general anesthesia for knife wounds. The number of operations performed for gunshot wounds and knife wounds was fairly evenly divided over a 6-month period (Table I). In contrast, after the law became effective, the number of patients requiring major operation for gunshot wounds decreased dramatically to 128 patients during the subsequent 6 months, and the number of patients requiring operation for knife wounds decreased minimally (Table I). The decreased number of operations performed for gunshot wounds occurred throughout the 6-month period; the decreased number of operations performed for knife wounds was restricted to February and early March when Detroit underwent its coldest period in history. During January, the latter part of March, and the last 3 months of the comparison period, the number of operations performed for knife wounds was comparable to the previous year. Finally, the decrease in number of operations performed for gunshot wounds was seen in most anatomic regions and for those patients with injuries in more than one anatomic region (Table II).

TABLE I.—OPERATIONS PERFORMED FOR PENETRATING WOUNDS

	Before mandatory incarceration 1976		After mandatory incarceration 1977	
	Gunshot	Knife	Gunshot	Knife
January.....	44	30	26	24
February.....	42	21	19	10
March.....	42	23	28	16
April.....	37	23	17	19
May.....	27	18	17	24
June.....	51	28	21	27
Totals.....	244	143	128	120

TABLE II.—REGIONAL DISTRIBUTION OF PENETRATING WOUNDS

	Before mandatory incarceration 1976		After mandatory incarceration 1977	
	Gunshot	Knife	Gunshot	Knife
Head & face.....	29	3	13	4
Neck.....	10	17	12	16
Thorax.....	18	9	4	9
Abdomen & flank.....	71	45	39	41
Extremity.....	56	50	44	40
More than one region.....	60	19	16	10
Totals.....	244	143	128	120

From the department of Surgery, Wayne State University, and the Emergency Surgical Service at Detroit General Hospital. Supported by the Detroit General Hospital Research Corp.

Address for reprints: Charles E. Lucas, M.D., Department of Surgery, Wayne State University, 540 East Canfield, Detroit, MI 48201.

#### COMMENT

These findings indicate that legislative efforts can be effective in reducing the number of injuries and deaths related to firearms. This 50% reduction in the number of patients requiring major operation for gunshot wounds coincided with a significant reduction (approximately 30%) in homicides in the City of Detroit. During this reporting period, there is no known factor, other than this mandatory incarceration law, which brought about this dramatic change. During the reporting periods, the Detroit Police Department was at comparable strength, the City of Detroit Emergency Medical Services were at comparable manpower, and the surgical residents and the surgical staff on the Detroit General Hospital Emergency Surgical Service followed the same guidelines for

indications for operation in patients with penetrating wounds.

These findings present strong preliminary data in support of further legislative efforts in an attempt to decrease the magnitude of trauma currently being perpetrated by man upon his fellow man. The potential for life salvage, improved quality of life, and overall improvement in both individual and the national economy is monumental. The time appears right for other municipalities to implement the same type of mandatory incarceration law in order to see if the same beneficial results can be obtained. Further legislative efforts along the same line might include a scaled down mandatory incarceration of 30 days for individuals found to be carrying unregistered concealed firearms even though a felony was not convicted, mandatory incarceration for drunken driving, and legalization of narcotics in order to remove the profit motive from drug trafficking. Prevention is the key to a successful approach to the overall trauma problem. The medical community, paramedical community, and the consumer should join forces now and support passage of laws which will stress prevention rather than continuing to place most of our efforts on response time, categorization of emergency facilities, establishment of fully equipped trauma teams, and research.●

### EDUCATION ACT REPLACES JERRY-BUILT PATCHWORK

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. ERLBORN. Mr. Speaker, I am today introducing, together with Mr. MICHEL and five other colleagues, the administration's Elementary and Secondary Education Consolidation Act of 1981. It charts a new and better course in Federal aid for elementary and secondary schools, one which will restore the authority to make education decisions to the State and local level where it belongs. It provides a workable and rational structure for aid to our schools to replace the jerry-built patchwork of narrow-purpose categorical grant programs which has evolved over the past 25 years.

This proposal should be viewed against the background of the proliferation of Federal grant programs across a broad range of interests in the past decade. As a member of both the Committee on Education and Labor and the Committee on Government Operations I have watched this trend as it has affected the general operation of our Government and Federal-State relations, and as it has impacted particularly upon education.

The Advisory Commission on Intergovernmental Relations, which is charged with a continuing review of the operation of our federal system of government, in 1970 identified approximately 350 funded and operational Federal programs of grants to State and local governmental agencies; today there are over 600 such pro-

grams. Education has been a major contributor to this mushrooming of Federal programs with around 150 of them, and principally because of this the Federal voice in education is entirely disproportionate to the Federal financial contribution and the Federal role generally is very much at odds with the principle of State and local control of education. The Federal role is defined by the structure of Federal aid; it can be redefined only by changing the structure.

The existing structure has spawned a virtually impenetrable snarl of laws and regulations, sometimes conflicting, which has entangled our schools in an unbelievable mass of redtape. Education statutes take up almost 900 pages in the United States Code Annotated and some 1,200 pages of regulations in the Code of Federal Regulations. The paperwork required to comply with all this exceeds 10 million hours of work each year for elementary and secondary programs alone, at a cost which may well approach a quarter of a billion dollars. The cost in time and energy of administrators and teachers diverted from education tasks is beyond calculation, but it is known to be a factor in the loss to the profession of some of its most talented members.

Beyond the monetary cost and aggravation of meeting regulatory requirements lies the disproportionate authority in education which falls into Federal hands, an authority which far exceeds that necessary to insure that Federal funds are expended for purposes intended by the statutes. The laws themselves for the most part are written so as to prescribe in minute detail how education programs receiving Federal funds are to be conducted. Thus even more detailed regulations are necessary to insure compliance. Congressional excess, rather than bureaucratic excess, is the chief cause of a degree of regulation of educators which is both presumptuous and preposterous.

Program consolidation is the only practical way to deal with the problem, because even if all the individual program authorizations were stripped of unnecessary requirements, you would still have an inflexible arrangement in which the amount of funds available for each separate purpose is determined in Washington in a mix that bears no relationship to the actual needs of education in any State at any point in time. This increases the Federal impact on the setting of priorities for funding education needs without consideration of what the actual needs may be, while making it impossible for States and local school boards to use Federal funds in a rational way.

It is incumbent upon the Congress to correct this situation and thereby

to restore a balance in making educational decisions appropriate to the Federal financial contribution of about 8 percent of the cost of running public elementary and secondary education. The administration proposal would make that correction and restore that balance. It would be good for the concept of federalism, good for education, and a positive benefit to children with special needs who are the intended beneficiaries of a large percentage of Federal education funds.

The bill I have introduced would consolidate 44 existing categorical grant programs into 2-1 largely going to local educational agencies to replace 11 existing programs for special populations and needs (such as the disadvantaged, the handicapped, migratory children, and adults needing basic literacy education), and the other going to the States to replace 33 programs which are either more general in nature (such as the acquisition of instructional materials and resources, the basic skills program, and personnel development) or funded as special or demonstration projects.

The bill would keep intact the Federal commitment to assist financially in the education of the handicapped and disadvantaged, and to provide other assistance to improve the quality generally of elementary and secondary education, while removing the unnecessary burdens imposed by the existing structure of Federal aid. The proposal is not one for general aid to education, or for revenue sharing. In my judgment, it would provide far more effective assistance to education for the same purposes authorized by the programs it would consolidate.

Mr. Speaker, there are both proponents and opponents of Federal program consolidation who will view this proposal from a doctrinaire perspective—either as a solution for all the problems of education or as an effort to dismantle the Federal initiatives of the past 20 years. It is, of course, neither. It is simply a more rational way to assist our schools; a way which returns the responsibility for education decisionmaking to educators and school officials, which gives them the needed flexibility to use limited resources wisely, but which nevertheless insures that Federal funds will remain targeted on national concerns identified by the Congress.

The administration officials, and most prominently Secretary Bell, who put this proposal together are to be commended for moving forcefully in a direction we should have taken years ago. I trust that the Congress will act expeditiously on this welcome initiative.

There follows a fact sheet and a question-and-answer presentation prepared by the Department of Education which will be helpful to Members in understanding the details of the bill.

#### U.S. DEPARTMENT OF EDUCATION—FACT SHEET

Proposed legislation, submitted to the Congress on April 28, would transfer the responsibility for 44 elementary and secondary education programs currently administered by the U.S. Department of Education to States and local education agencies.

If enacted, the legislation would become effective during the 1982-83 school year with funds totalling approximately \$4.4 billion.

The bill, which restructures the Federal role in education for the next 5 years, represents a significant change in Federal/State relationships. For the first time, States and localities would be allowed to use Federal funds in the way they believe best meet the educational needs of their children.

The proposal does not, however, retreat from present national objectives. It directs benefits to the same students with special needs as under present laws and limits use of funds to the same types of activities.

The proposed legislation would remove many of the procedural and reporting requirements that have for so long plagued local and state education officials. It would repeal existing grant authorizations and eliminate requirements that school districts maintain local expenditures for public education to qualify for Federal funding, match Federal dollars with State and local dollars, provide students in Federal programs for the disadvantaged with the same amount of services as those in nonparticipating programs, use Federal funds only for the excess costs necessary to maintain a Federal project, and not replace State and local funds for education with Federal dollars.

There would be no required applications, mandated lists of eligible schools or students, average daily attendance reports, or advisory committees to detract from the authority of responsible officials.

The bill establishes two key funding packages:

Programs that currently direct resources to States and to local educational agencies to help meet the special needs of educationally disadvantaged and handicapped children, youth and adults.

Programs that are intended, collectively, to strengthen the ability of States and local schools to improve educational services.

In both instances, Federal money will go to the States, but the largest share will be passed on to local school districts for education of children who have been assisted under previous Federal programs. One percent will, however, be reserved by the Secretary of Education for insular areas and Indian education programs operated by the Department of Interior.

Title I of the proposed legislation would provide financial assistance to improve educational achievement, especially in basic skills and career preparation, for: educationally deprived children now served under Title I of the Elementary and Secondary Education Act (ESEA), handicapped children under Public Law 94-142, The Education for All Handicapped Children Act, and children in desegregating schools now provided under the Emergency School Aid Act.

It would also consolidate services for State programs for: students in State-operated schools for the handicapped, neglected and delinquent now provided under Title I ESEA, children of migratory agricultural workers and fishermen now served under Title I ESEA, and adults lacking basic skills now provided by the Adult Education Act.

Approximately \$3.8 billion will be available for these services—87 percent of which,

or \$3.3 billion, would move directly to local education agencies and 13 percent, or \$500 million, would be administered by the States.

Seventy-five percent of the money going to local education agencies would be allocated on the basis of low-income children and State average per pupil expenditure; the other 25 percent on the basis of the State's share of school age population.

Funding to States for State services or support of grants and contracts would be divided as follows: 80 percent on the basis of children in State-operated or State-supported schools for handicapped, neglected and delinquent and migratory children multiplied by the State's average per pupil expenditure; 20 percent on the basis of adults lacking certificates of high school graduation.

Under Title II of the proposed legislation, States would receive financial assistance to encourage academic excellence, improve student achievement, increase opportunities for students with special needs, and strengthen their own management functions.

Slightly more than \$565 million would be available. The money will be allotted on the basis of each State's share of the school age population. No State, however, would receive less than 0.6 percent of the total amount (about \$3.4 million).

Thirty-three currently separate and diverse education programs will be folded into Title II. They are:

Grants for Disadvantaged (ESEA, Title I), State Administration (Section 194), Technical Assistance Centers (Section 183);

Improving Local Educational Practice (ESEA, Title IV-C);

Strengthening State Educational Management (ESEA, Title V-B);

Emergency School Aid (Emergency School Aid Act) Special Programs and Projects (Section 608(a)), Grants to Nonprofit Organizations (Section 608(b)), Educational Television and Radio (Section 611);

Training and Advisory Services (Civil Rights Act, Title IV);

Women's Educational Equity (ESEA, Title IX-C);

School Libraries and Instructional Resources (ESEA, Title IV-B);

Education for the Handicapped (Education for the Handicapped Act) Severely Handicapped (Part C, Sections 621 and 624), Early Childhood Education (Part C, Section 623), Regional Vocational, Adult, and Post-secondary, Programs (Part C, Section 625), Innovation and Development (Part E), Regional Resource Centers (Part C, Section 621), Special Education Personnel Development (Part D, Sections 631, 632, 634).

Career Education Incentives (P.L. 95-207, Section 4); Community Schools (ESEA, Title VIII, Sections 809, 810, & 812), Consumers' Education (ESEA, Title III-E), Law-related Education (ESEA, Title III-G), Basic Skills Improvement (ESEA, Title II), Follow Through (Headstart-Follow Through Act), Gifted and Talented (ESEA, Title IX-A), Alcohol and Drug Abuse Education (Alcohol and Drug Abuse Education Act), Arts in Education (ESEA, Title III-C), Metric Education (ESEA, Title III-B), Ethnic Heritage Studies (ESEA, Title IX-E), Cities in Schools (ESEA, Title III-A, Section 303(d)(1)), PUSH for Excellence (ESEA, Title III-A, Section 303(d)(1)).

Teacher Corps (Higher Education Act, Title V-A), Teacher Centers (Higher Education Act, Section 532), Pre-College Science

Teacher Training (National, Science Foundation Act of 1950).

**ELEMENTARY AND SECONDARY EDUCATION  
CONSOLIDATION ACT OF 1981**

Question: Won't the disadvantaged, handicapped, and other children who need extra educational services lose the protection they have now if Federal strings are removed as the Administration proposes?

Answer: The bill has several provisions that govern the use of Federal funds or establish clear accountability procedures.

**FEDERAL SAFEGUARDS**

Define children who are to benefit in the same or similar terms as present laws

Authorize funds for the same activities to serve these children as provided in current laws

Establish "achievement" as the purpose, which strengthens the educational goal for these students.

**ACCOUNTABILITY OF STATES**

Provides for a State plan describing the intended use of funds and characteristics of students to be served. The plan must be made public during its development to permit comment, one means to assure that States are accountable to the citizens they serve. The Federal government can also comment.

Calls for a transition year plan from the local education agency containing similar information which also will be available for public comment.

Provides for audits which are the mechanisms for after-the-fact discovery of violations of law.

**COMPLAINT PROCEDURES**

Sets up a complaint procedure for each State that gives advocacy groups and others the opportunity for presentation of evidence and questioning before an impartial hearing examiner. Complaint procedures must be completed within 120 days.

Draws on the "cease and desist" provision of the General Education Provisions Act that permits the Secretary to issue a stop order if Federal law is violated and to initiate a hearing.

Question: Title I of the consolidation legislation gives only a modest Federal mandate that certain groups—such as the disadvantaged, handicapped, and adults with literacy problems—shall be served. However, Title II seems to do away with special types of programs with its elimination of categorical identification. Does this mean the Federal government no longer is concerned with career education, metric education, women's educational equity, ethnic heritage?

Answer: The foundation stone of grants consolidation is the belief that the States and localities know best what their educational needs are and should be responsible for seeing that the needs and desires of their localities are met—within the Federal limitations purpose, beneficiaries and activities.

For Title II the consolidation legislation would authorize activities that cover all of those that could have been supported by the previous programs, such as curriculum improvement and professional development. The text includes examples taken from many previous programs (such as "basic skills" and "educational equity for women") that tie the bill to the present purposes. In the final analysis, however, the States rather than the Federal government will determine which activities and what former "categories" are appropriate for their needs.

Question: Will States and local school districts use consolidated funds to meet the

needs of disadvantaged, handicapped, migrant, and other children with special needs when the record shows these children were not well served prior to enactment of major Federal aid programs in the 1960s?

Answer: States have come a long way in assuming responsibility for the education of these children in the last 16 years. Today many states have their own laws providing compensatory programs for disadvantaged children, competency-based education, and free appropriate education for the handicapped. States and communities clearly care about these children and will provide the best possible education for them. With consolidation of grants, States should have more flexibility in planning for these needs and should be able to avoid overlap or duplication in Federal and State funding.

Question: Would not conversion to consolidated grants be a backward step in the progress that has been made in the last 16 years in serving the disadvantaged and the handicapped?

Answer: This is not so. The Administration's bill requires that the same children—particularly the handicapped, disadvantaged, and those of migrant parents—be served as in the past. The bill also requires that money appropriated be used for the same kinds of activities as has been the case in the past. Federal money made available for education under consolidated grants cannot be used for general revenue sharing or tax relief; it must be used for education; and the States and localities will be the judges of where and how it shall be spent for education.

The mechanisms for requiring that the same children continue to be served are included in the statements of purpose in each title of the bill. They paraphrase permissible uses of money in existing law and contain allocations provisions that give weights to the various classes of students.

Question: Isn't the consolidation grant proposal really a device being used by the Administration to cut down on Federal education funds?

Answer: No. The consolidation proposal and the Administration's budget proposals are separate and distinct from each other. The budget is designed to improve the economy. Grants consolidation, on the other hand, is based on the assumption there is a need for a changing relationship between the Federal government and the States. Thus, in the Administration's effort to give the States and localities more decisionmaking authority, grants consolidation would have been proposed even if there were no effort to reduce the budget. Likewise, budget cuts would have been proposed even if there were no consolidation.

Question: The consolidation bill cites the State as the fund recipient. Does this mean funds will go to the Governor and not to the State education agency which has been the formal recipient for years?

Answer: The decision is up to the individual States and depends upon the governmental structure of the State. The Governor may make the determination in some States, the legislature in others. The bill contains teacher training authorities that require participation by colleges and universities, and in some States the education agency is not authorized to deal with higher education institutions. Only the State higher education agency has that authority. Similarly, some State institutions for the neglected and delinquent are operated by mental health agencies. So the States will have to decide the appropriate agency to handle funds covering all these services.

Question: Won't consolidation result in power plays at State and local levels among groups competing for Federal dollars? Advocates for disadvantaged children, who have no "non-discrimination" guarantees under Federal law, will surely fight for funds with advocates of handicapped children, who have such guarantees under Section 504 of the Rehabilitation Act of 1973.

Answer: States and communities have the responsibility to educate all these children and will have to make the determination about the best way to allocate funds to meet their needs. School boards and State agencies are in a better position to balance conflicting demands of various constituencies than are Federal officials.

Question: Why has the Administration cut funds for the programs going into the consolidated grant proposal one year prior to the effective date of the proposal, thereby eliminating any possible compensating savings resulting from greater flexibility and reduced regulatory burdens?

Answer: Again, the Administration's budget and consolidated grants proposal are separate initiatives.

The intent of consolidated grants is to minimize the Federal presence in education, thereby eliminating the mountains of paperwork and administrative control that go with Federal stewardship and returning control to the States and localities. The Administration would propose consolidation even if there were no need for funding reductions.

The Administration's economic reform budget calls for approximately 25 percent reductions for these elementary and secondary programs in 1981. Education would assume its fair share of the cuts in domestic programs. Under the budget reform program if inflation can be reduced by just 2 percent, the total savings to State and local school systems will equal the proposed reduction in the Federal contribution to education, which currently amounts to approximately 8 percent of the nation's elementary and secondary school funding.

Question: How will the consolidation save money?

Answer: A more appropriate distribution of authority among local, State, and Federal government is the real purpose of the consolidation. Saving money is secondary but will result from the elimination of paperwork—some 400,000 person-hours a year for required State reports alone—associated with decision making, reporting, and other procedures now required by the individual categorical programs. The bill will also eliminate the need for State and local specialists to keep abreast of requirements for 44 separate programs that fill 253 pages of law and 398 pages of Federal regulations.

Question: Assuming there will be less total Federal dollars per State under grants consolidation, how will the big cities be affected?

Answer: Consolidation should not be confused with the budget. The intent of the Administration's budget is to reduce inflation and speed the nation's economic recovery. The intent of consolidated grants is to withdraw the Federal presence from education and give fuller responsibility for education decisions to the States and localities.

If the Administration's request for a 25 percent reduction in Federal money for education is enacted for fiscal year 1981, school districts would receive pro-rata reductions under the larger Federal programs such as Title I and handicapped aid.

Turning to consolidation, it is not possible to say what the effect would be on big cities, rural areas, or suburbs because that would be determined by States.

However, States must distribute funds among districts on the basis of data that bear on needs of children, such as measures of poverty, educational deprivation, number of handicapped, etc.

Under the "hold harmless" provisions, local school districts are assured of receiving the same share of poverty-based funds in 1982 as they received under Title I of ESEA for fiscal 1981. They are guaranteed 75 percent of that amount the following year, after which the "hold harmless" disappears.

One effect of the change to consolidation will undoubtedly be an increased level of debate—and therefore of public awareness—as to how funds are allocated within States.

Plans published by the States will give the cities an opportunity to raise their objections, if any.

Question: What is the rationale for deleting the maintenance of effort and supplement-not-supplant requirements?

Answer: Maintenance of effort prohibits States from reducing their own levels of support for pupils; Federal funds must be used for extra services. With some States financially hard pressed, the maintenance of effort provision keeps them from effecting savings that could also trigger a cut-off of Federal funds. By deleting the requirement, the consolidation bill allows school districts to effect economies without the threat of losing Federal funds.

By eliminating the supplement-not-supplant requirement, the bill removes a needlessly vague requirement of the present law. The requirement is that children in Title I programs must receive the level of State and local funds they would have received if Title I did not exist. But it is nearly impossible to write regulations that give meaning to such a requirement, thus the requirement has been dropped in the consolidation bill.

Question: Will repeal of P.L. 94-142, (the Education of All Handicapped Children Act) under the consolidation proposal remove civil rights protection for the handicapped?

Answer: Civil rights protection for the handicapped will not in any way disappear even though the statutory requirement for Individualized Education Plans (IEPs) would be repealed. These matters would be handled under authority of Section 504 of the Rehabilitation Act. The 504 regulations now in effect require that handicapped children receive a free appropriate education and that programs be designed to meet individual needs (the 504 regulations identify IEPs as one permissible means to serve such needs).

Question: How will consolidation improve classroom instruction?

Answer: One important way is that the consolidation does not divide up children to keep track of Federal dollars but, instead, lets the school create the best learning environment to meet children's needs. Present fiscal requirements prevent commingling of Federal, State, and local funds. For example, remedial reading instructors hired under Title I of the Elementary and Secondary Education Act often pull children out of regular classrooms for special reading instruction to satisfy audit requirements, rather than for legitimate educational reasons. These children may well benefit more from an enriched classroom experience than from isolation with other slow readers. Consolidation eliminates fiscal limitations from Federal law. Therefore it permits States and

localities to emphasize total educational services to children, rather than emphasize bookkeeping requirements.

Question: How do private school children receive their share of benefits under the consolidation bill?

Answer: Private school children continue to be eligible, as under present law, for the same services, materials, and equipment provided to public school children. Where the needs of private school children differ or services available from the public school districts are not feasible or not needed, other arrangements have to be made. If services are not provided through public channels, the Secretary of Education has "by-pass" authority to arrange for services to be paid from the State allotment.

Question: How will Indian children and those in Puerto Rico, Samoa and the other insular areas be served?

Answer: The Secretary of Education is authorized to reserve up to 1 percent of the total sum appropriated to provide payments to the insular areas and to the Secretary of the Interior for programs for eligible Indian children in Bureau of Indian Affairs schools.

Question: Why is adult education included in the consolidation bill when all other components have to do with the education of elementary and secondary school children?

Answer: Adult education programs primarily serve adult students from educationally deprived backgrounds, and schools provide these services through the secondary level. State education agencies and local school districts are in the best position to identify the needs of these adult students and provide appropriate education. ●

## TAKEOVER OF PUBLIC LANDS

### HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. WALGREN. Mr. Speaker, the growing movement of States takeover of publicly owned Federal lands was described in detail recently in a Pittsburgh Press column by outdoors editor, Wyndle Watson. Mr. Watson suggests that the sagebrush rebellion may not be in the best interest of this country and in particular this country's natural resources. I recommend his column to my colleagues:

[From the Pittsburgh Press, Mar. 1, 1981]

#### SAGEBRUSH REBELLION PICKING UP STEAM

They call it the "Sagebrush Rebellion" but a land-grab is a more apt description of the growing movement in several western states to "take over" federally owned lands within those states.

Involved is about one-third of the land which is presently owned by all the people of the nation.

The ultimate fate of this public land, if the "rebellion" is successful, most observers believe, would be private ownership—probably by large livestock, mineral and lumbering interests.

Under state or private ownership it is very unlikely the lands in question would be managed in such a manner to be in the best interests of the nation as a whole. It would most certainly not be in the best interests of the nation's wildlife.

What we have is a movement that, should it spread to Pennsylvania, would have areas such as the Allegheny National Forest turned over to private timber companies or oil and mineral developers.

Some states, most notably Nevada, have already enacted legislation calling for state takeover of federally owned land within their boundaries.

The Wildlife Management Institute has prepared a state-by-state summary of actions by the western states relating to the so-called Sagebrush Rebellion.

The summary:

Arizona—legislation claiming state ownership of U.S. Bureau of Land Management lands passed early in 1980 over the governor's veto.

California—a bill calling for a study of the rebellion passed last year after a stronger version was vetoed by the governor. A transfer bill will likely be introduced this year.

Colorado—legislation has been introduced claiming state ownership of both BLM and national forest lands.

Idaho—legislation to amend the state constitution by removing the clause disclaiming the state's interest in federal public lands within its borders failed last year. It is expected to pass this year.

Montana—a bill to grab public lands in Montana was introduced this year. A poll by the governor-elect showed that two-thirds of the voters oppose the bill.

Nevada—the state legislature has approved \$70,000 to pursue litigation of this state's federal land takeover.

New Mexico—legislation passed in 1980 claiming BLM lands.

Oregon—no legislation has been introduced in Oregon but likely sponsors of sagebrush bills have been identified in both houses. The Oregon situation is unique because of the tremendous timber revenues from the national forests and the Oregon and California railroad lands.

County governments seem unwilling to upset the lucrative status quo.

Utah—a bill claiming BLM land passed in 1980.

Washington—voters defeated the land-grab last November.

Wyoming—a bill claiming national forests and BLM lands passed in 1980.

The Nevada Chapter of the Wildlife Society recently evaluated that state's efforts to transfer public lands administered by the BLM to state government—and ultimately to private ownership.

The society came up with a list of 13 negative factors when it compared the state's record of managing the land it currently owns, the management of privately owned land and federal management of the federally owned acreage.

Some of the negative factors:

Nevada has no known state or private wilderness areas, areas which are keys to maintaining certain wilderness wildlife species.

Vegetation conversion from native to non-native species is often harmful to wildlife.

The overwhelming majority of forage in Nevada is presently adjudicated to livestock—less than 10 percent is reserved for wildlife on public lands.

Pesticides are applied more often on private lands than on public lands, with obvious implications for wildlife.

Fences built to control livestock are often a problem for wildlife and generally are built with less regard for wildlife when erected on private land.

Access for recreational and economic uses is far more restricted on state and private land than on federal multiple-use lands.

Pay recreation for hunting and fishing is increasing on private lands while the public can visit multiple-use federal public lands without charge.

As you can see from this brief bit of background, the Sagebrush Rebellion is real and should be a cause for concern to all Americans, particularly who enjoy the outdoors.

Now is the time to write your federal legislators, letting them know your position on the matter.

If the rebellion spreads, and if it is successful, we could lose a major chunk of the lands which now belong to all Americans.

While most conservationists and sportsmen will agree that the federal government management of our federally owned lands is far from perfect, they will also agree that state or private management of the same lands would be far worse.●

### WORLD BIKE FOR HOPE

#### HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. COLEMAN. Mr. Speaker, I rise to offer both my congratulations and encouragement to the members of the World Bike for HOPE; David Duncan, Craig Blessing, Donald Duncan, Kristine Horne, and Laura Robertson.

These ambitious and enterprising young Americans plan to bike 12,000 miles through 18 nations in an effort to raise contributions for the international and domestic health education programs of Project HOPE.

These bikers, on a mission to convey what is best about American values to our neighbors around the globe are to be highly commended. I offer my full support and urge my colleagues in the House of Representatives to wish them well on their World Bike for HOPE.●

### U.S. AID TO AFRICAN REFUGEES

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. GOODLING. Mr. Speaker, in recent weeks, the Committee on Foreign Affairs has been involved in the markup procedure of the fiscal year 1982 foreign assistance authorizing legislation. During debate on the bill, a number of Members sought to minimize the role played by the United States in providing for those in Third World countries facing starvation and deprivation.

I would submit that our Government has played—and continues to play—a very important role in bringing relief to the world's needy. Last month, I joined a number of our col-

leagues and a delegation of administration officials in attending a conference focusing on African refugee problems. The United States made a generous pledge of financial assistance at the conference. Although the cynics might contend that it was not enough, I would suggest that we, as Americans, have much to be proud of in this pledge, as well as in our annual and emergency foreign assistance measures. I, like the editors of the Washington Post, feel that our good-faith efforts should be measured against those who turn their backs on the world's deprived, and who indeed help to cause the very problems leading to their condition.

To quote from a Post editorial of April 15, 1981:

The West, especially the United States, is expected to respond with compassion, if not with guilt. The Soviet Union hides behind its Marxist clichés and sends in more guns, which create more refugees.

The editorial in its entirety follows:

#### THE CYNICS

With depressing regularity, the nations of the world are asked to band together and act as a "community" to care for the least fortunate among them. A few years ago it was Cambodians and Vietnamese, victims of separate Indochina outrages, for whom international relief was sought. Now it is the turn of the several million Africans turned into refugees by a combination of war, civil strife and economic calamity. Many lived harsh lives before they were uprooted. Their situation now is scarcely imaginable.

At a meeting in Geneva the other day on African refugees, the United States offered \$285 million, more than half of what all the Western nations pledged. There are various ways to make this contribution look less generous than it is. It is said, for instance, that because the United States has more blacks, naturally it gives more. It is said that this country was looking to demonstrate that it is not neglectful of African refugees. It is said that the Reagan administration saw an opportunity to counter some of the bad publicity its African policy had otherwise been receiving. We suggest it would be fairer to say that the United States gave generously and that it did so because this administration, like many of its predecessors, recognizes the country's humanitarian obligations. Why must the motives of the most forthcoming donors be picked at?

Why not, instead, examine the motives of those who share in the responsibility for generating the refugees but who accept none of the responsibility for tending to their misery? The Soviet Union and its clients are deeply and directly involved in the conflicts whose human flotsam is now strewn across Africa. They shunned Geneva. It is bad enough that Moscow and its clients do not respond with human feeling and pick up their share of what ought to be regarded as a common international burden. What makes it sting is the readiness of so many Third World nations to let them get away with it. The West, especially the United States, is expected to respond with compassion, if not with guilt. The Soviet Union hides behind its Marxist clichés and sends in more guns, which create more refugees.●

### JOINT MARITIME CONGRESS OBSERVES NATIONAL MARITIME DAY

#### HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. JONES of North Carolina. Mr. Speaker, as this Congress began, I was granted the privilege to serve the House and the American people as chairman of the Merchant Marine and Fisheries Committee.

Shortly thereafter in a speech in New York, I declared in part:

We will not sit by and watch our maritime power dissolve. We will face the issues squarely and do our very best to resolve them in this Congress.

I am glad to report to my colleagues that the Merchant Marine Committee has completed its work on this year's maritime authorization bill, H.R. 2526, which soon will come before the House for consideration.

Work on the annual authorization bill is an important prelude to the work the Subcommittee on Merchant Marine and the full committee will undertake this year to develop various bills designed to revitalize our declining merchant marine.

We are, to be certain, looking to the White House to provide timely maritime policy leadership so that the Congress can meet its challenges of providing maritime regulatory reform and developing promotional policies.

The Nation needs updated maritime policies that will be in tune with the realities of today's governmental climate and international commercial realities.

The United States once possessed the largest commercial fleet in the world. Today, the United States is hardly a maritime power. If we allow our merchant fleet to continue its decline, we do so at the risk of completely losing our Nation's oceanborne supply line independence in times of peace and war.

The contributions of our merchant marine and the men and women who serve in the maritime industry on land and sea have long been recognized. This week, however, those contributions merit special recognition nationally under a Presidential proclamation which declares May 22 as National Maritime Day.

In observance of National Maritime Day, the Joint Maritime Congress, an association of oceangoing American ship-operating companies, has issued a "State of the Industry Report" which provides needed focus on the decline of the U.S. maritime industry. Only by recognizing the degree of decline can the Congress and the administration move forward to create initiatives that

will restore our Nation to a position of seapower superiority.

The "State of the Industry Report" follows:

THE U.S. MERCHANT MARINE: A STATE OF THE INDUSTRY REPORT, BY THE JOINT MARITIME CONGRESS

"America is a maritime nation. Yet our maritime industry is at a critical stage. . . . as the chief guarantor of freedom of the Western World, the United States is in dire need of a rational, reasonable and effective maritime policy. . . . Let's begin to move today. . . . to put America back in the captain's chair of the world maritime powers."—Ronald Reagan, August 19, 1980

National Maritime Day (May 22, 1981) commemorates the first transatlantic crossing of a steam-powered commercial ship, the 1819 voyage of the SS Savannah from the Georgia port of the same name.

Since the mid-1800's, the United States has led the world in the development of efficient ships to carry our Nation's trade with other countries.

Americans designed the great and fast Clipper ships which plied the oceans for decades in the 19th century.

The coal-fired Savannah showed the world that no longer would ocean trade be subject to the whims of the wind. Ships could meet time schedules, provide reliable service.

The American-built U.S.S. United States, which carried passengers on world cruises from 1952 to 1969, still holds a transatlantic speed record.

During the mid-1950's, U.S. ingenuity led the world again with the design of container ships that revolutionized cargo transportation. Cargo once stowed piecemeal in a ship's hold could now be packed in uniform containers for time-efficient loading and unloading in specially designed container ships.

Containerization had ripple effects throughout the transportation industries of the United States and other nations. Cargo at an inland manufacturing plant can now be loaded in a container and carried "piggyback" by rail and/or truck to a port for loading onboard ship. Without ever being unpacked en route, the container can be carried to an inland location overseas. With ocean carriage as its heart, U.S.-conceived intermodal cargo handling has improved transportation productivity and cargo security.

American imagination met a new challenge in the 1970's with the creation of safe and dependable liquid natural gas (LNG) carriers. Once safe passage is secured from the frozen Arctic, U.S.-flag LNG ships will provide year-round carriage of Alaskan North Slope natural gas that will aid the Nation in reaching long-sought energy independence.

For the future, American companies have taken a leading role in the development of ocean mining technology that will provide U.S. business and military with essential and strategic minerals from the ocean's floor that are now supplied by foreign sources, many of which are unreliable.

Active research is underway today by Americans to design and build floating plantships that will provide an unending source of pollution-free electrical energy created by generators powered by changing ocean temperatures.

U.S. innovation in ship design and productivity has been matched with gains in maritime labor. From often shaky beginnings

during the last century, American maritime labor unions have gained sufficient strength to make certain that the men and women who sail the oceans under the U.S. flag receive pay and benefits commensurate with their landed counterparts. The result: a stable workforce of officers and crews to operate U.S.-flag ships.

The combined work of maritime labor and management, together with Government support has led to the development of the world's highest standards of ship safety and cargo security. The United States has created a body of law and regulations which forms the standards on which other nations and the world community have based many of their efforts to improve safety and health of seafaring personnel and provide for safe carriage of hazardous cargoes.

National Maritime Day also commemorates the contributions of the American Merchant Marine to our Nation during times of war. Since the Revolutionary War, American commercial vessels have provided essential sealift support in every conflict in which our Nation has been engaged. In each instance, the degree of that support has mirrored the condition of the Merchant Marine.

During World War II thousands of Americans manning commercial vessels lost their lives as they carried cargoes, first to a war-ravaged England and then in support of allied forces following Pearl Harbor. Indeed, Merchant Marine casualties were second only to those of the U.S. Marine Corps.

If there is one critical and singular thread which is woven into the fabric of our Nation's maritime heritage, it is our neglect of the Merchant Marine during times of peace, only to turn to it as one would a forgotten relative who is needed when a family crisis hits.

The crisis production of *Liberty* and *Victory* ships during World War II simply showed once again that the Nation had failed to maintain an adequate commercial fleet during peace to meet the needs of war. During Korea and Vietnam the U.S. commercial fleet was so decimated that the military had to press mothballed World War II cargo ships into service to carry essential cargoes to support our military forces in those conflicts.

As the 1980's open, raw statistics paint a chilling portrait of continued neglect that will see our Nation stripped almost bare of critical sealift capacity should Americans be called again to support our allies in armed conflict or shoulder the burden alone to preserve freedom.

As Europe and Asia recovered from World War II, and commodity-rich Third World nations developed their natural resources, world oceanborne trade exploded.

The United States, which has led the world in ship design and innovation, has permitted its merchant fleet to languish as other nations have captured cargo. Today, U.S.-flag ships carry little more than 4 percent of U.S. oceanborne trade.

In 1950, as now, the United States was the largest single generator of world trade. The Nation possessed a merchant fleet capable of carrying a sizable portion of its trade with other nations.

As the 1950's opened, the U.S. maritime fleet stood No. 1 in both fleet size and capacity. Today, the United States rests in 11th place in fleet size, and stands eighth in capacity.

Thirty years ago, the U.S.-flag fleet of commercial ocean-going vessels numbered 1,145 ships, representing 32.6 percent of the

global merchant fleet. Today, the U.S.-flag fleet consists of 525 active vessels engaged in domestic and foreign trade, representing 3.4 percent of the world shipping capacity.

The United States has less than 20 dry-bulk carriers to transport agricultural commodities and minerals. The stark reality comes home as policymakers realize that the U.S.-flag merchant fleet is not of sufficient size to participate in the burgeoning coal export trade.

By contrast, the Soviet Union and other Eastern Bloc nations recognize the importance of a commercial maritime presence in the world to meet both economic and military goals. Paying substandard wages and often engaging in cutthroat competitive practices, the Soviets are vigorously expanding their merchant fleet at a rate unprecedented during peacetime for almost any nation.

The People's Republic of China clearly realizes the economic gains resulting from a large merchant fleet. In recent years the PRC has become the largest buyer of surplus ships on the world market.

As for developed nations, Norway, for example—with a fleet of modern ships and highly paid crews—earns approximately 22 percent of its precious foreign exchange income by placing approximately 92 percent of its fleet in the carriage of cargoes between ports of other nations.

Permitting ships of other nations to carry 96 percent of America's foreign trade erodes the value of U.S. currency, the soundness of which each American depends on. Preliminary data for 1979 shows that the balance-of-payment deficit for shipping services totaled more than \$4 billion.

If National Maritime Day is to have any lasting meaning, it will lie in the recognition that just as the United States has allowed its merchant fleet to decline, it also has the will and capacity to "put America back in the captain's chair of the world maritime powers."●

## PRISON CARE REIMBURSEMENT

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. HERTEL. Mr. Speaker, I have introduced H.R. 3624 and H.R. 3626 to authorize payment of social security benefits and veterans' compensation or pension benefits direct to States as reimbursement for costs incurred for care of confined or imprisoned inmates. Many States, including my own State of Michigan, have a statute providing for reimbursement by convicted prisoners for the cost of care during imprisonment. While most prisoners are unable to pay for their cost of care, some do have resources such as savings, property, pensions, and other benefits which would enable them to defray some of the cost of their imprisonment while paying their debt to society.

In my State, for example, a prisoner who has a large savings account or other regular source of income will come to the attention of prison officials. Application is made to the sen-

tencing court by prison officials that this prisoner is able to pay for his cost of care while incarcerated. A guardian is appointed by the court to make an investigation of the prisoner's assets and liabilities and report his findings to the court. The court then makes a determination that the prisoner's estate is subject to whatever portion the court equitably feels should be paid for his imprisonment.

Federal statutes prohibit the use of social security and veterans' benefits for this reimbursement. The U.S. Supreme Court in *Philpott v. Essex County Welfare Board* (409 U.S. 413) gave literal interpretation to the statute and put veteran and social security benefits beyond the reach of the State for cost of care of individuals. Consequently, many States are prevented from making any recovery for cost of keeping the prisoner and the prisoner can accumulate large amounts of money which are available to him upon release from prison.

A similar analysis can be made for other State wards confined in State institutions. With the present administration rapidly withdrawing funding from a variety of law enforcement activities, this is one small way to direct money to our Nation's beleaguered correctional facilities.●

#### SENIOR CITIZENS SPEAK THEIR MINDS

### HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1981

● Mr. GAYDOS. Mr. Speaker, I have a message for my colleagues from a nucleus of senior citizens in the 20th Congressional District of Pennsylvania. If their remarks are indicative of the views held by the elderly throughout the Nation, and I believe they are, it would behoove the Congress to give ear to their voice.

Showing no reluctance to speak their minds, more than 100 official representatives from at least 35 organizations met with me on Saturday, May 16, at the Senior Citizens' Center in Monroeville. It was a 2-hour, no-holds-barred session, and I came away with some very distinct impressions.

First, our senior citizens are concerned about their Government and, second, in some cases, they are angry at it. They are angry at what Congress has and has not done in the past. They are concerned over what it might and might not do in the future.

As expected, most of the topics discussed during our meeting dealt with programs and problems directly affecting the elderly, notably social security. But, there are other areas of Government involvement that are of great concern to the aged: health care, infla-

tion, military spending, income taxes, and so forth. I would like to share some of their thoughts and recommendations with my colleagues.

#### SOCIAL SECURITY

Many of the elderly feel Congress erred in the past by expanding the coverage of social security to programs and individuals not included in the original concept. They foresee the need for some type of national health care, but they appear emphatic it should not be connected with the insurance aspect of social security.

There is concern over double dipping into the social security fund, particularly by former Federal employees who become short-time contributors with maximum benefits.

Opposition was expressed to the administration's proposal to reduce early retirement benefits and to eliminate the \$255 death benefit.

Support was evident for the elimination of social security benefits for children of deceased beneficiaries attending college when the student is eligible for financial aid under other State and Federal programs.

It was suggested a national lottery be established with proceeds earmarked for senior citizen programs.

Strong opposition was voiced concerning any use of social security funds to aid mass immigration of aliens.

#### ENERGY

Is there an energy shortage and why has the Government been reluctant to build up strategic reserve supplies of oil? There appeared to be some doubt that Federal withdrawal from development of synfuels would lead to more intensive efforts in this area by privately owned energy companies. An acceleration in the decontrol of natural gas creates anxiety that many of the elderly will not be able to absorb an anticipated massive increase in heating costs.

#### INFLATION

The Federal Government was criticized for not doing more to control inflation. It was pointed out that prices on an individual item can vary 20-30 cents from store to store, and that something be done to establish a means of reducing costs of necessary products to senior citizens.

Satisfaction was voiced at the administration's decision not to postpone the annual cost-of-living adjustment this summer.

Questions were raised as to the justification for such a massive increase in Federal spending. And increase of that size could be averted, some believe, if Congress would enforce "sunset" legislation on ineffective program.

#### INCOME TAXES

The charge was heard that the Federal Government discriminates against widows who cannot qualify as head of household but pay taxes in the category of a single person.

The recommendation was made that the Government consider an across-the-board tax on all income. It also was noted that pensions, now considered as earned income and subject to taxation, be reclassified as unearned income, exempt from taxes.

Mr. Speaker, the above comments are just a cross-section of the many subjects discussed at my meeting with the senior citizens. There were other matters, far too numerous to mention in detail, but I promised our people their opinions would be brought to Washington and their voice heard in the Congress.

Our senior citizens are proud people. They do not want charity. They have paid their way in the past and all they ask now is the chance to be heard. This is their inalienable and constitutional right.●

#### SALUTE TO CHIEF OF POLICE ANTHONY MACKRON

### HON. JIM COURTER

OF NEW JERSEY  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 20, 1981

● Mr. COURTER. Mr. Speaker, I would like to rise and say a few words upon the retirement of one of Dover, New Jersey's most distinguished and respected citizens—Chief of Police Anthony Mackron. Chief Mackron's list of accomplishments and service to the Dover community is so long that I can scarcely do it justice in my brief remarks today.

Chief of Police Mackron will always be remembered for his 35 years of dedicated service to the Dover community. He has worked very hard to make Dover a safe place to live and work.

His career began upon his return from the Pacific theater during World War II, when Anthony Mackron was the first town employee hired under civil service by competitive examination. Upon successful completion of the police examination in 1947, he entered the police department and, in 1961, Anthony Mackron was promoted to sergeant. He developed an interest in investigative police work and went on to study for and receive a promotion to detective lieutenant in 1963, thus becoming Dover's first detective.

In addition, he established Dover's first detective bureau. From here, Mackron's outstanding record earned him promotions to captain, deputy police chief, and, in 1977, Anthony Mackron was appointed chief of police for the town of Dover.

Since joining the Dover Police Department 35 years ago, Mackron has been an active member of the Morris County chapter of the Police Benevolent Association (PBA). He organized the Dover local PBA and went on to be elected Vice President of the New

Jersey State PBA. He remains active in many community activities and plans to participate in police-related activities after his retirement.

Along with the residents of Dover, I would like to say thank you to Chief of Police Anthony Mackron for his many years of hard work in an oftentimes thankless job. We extend our warmest wishes for health and happiness. ●

TRIBUTE TO FATHER WILLIAM J. REWAK

DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. EDWARDS of California. Mr. Speaker, on behalf of Congressman NORM MINETA and myself, it gives me great pleasure to bring to the attention of our colleagues the recognition being bestowed on the Very Reverend William J. Rewak of the Society of Jesus. On June 4, Father Rewak will be presented with the Brotherhood Award by the National Conference of Christians and Jews at a dinner in San Jose.

Bill Rewak and his family moved to the Santa Clara Valley at the age of 14. Bill attended Bellarmine College Preparatory and upon graduation entered the Society of Jesus at the Sacred Heart Novitiate in Los Gatos. He received his bachelor's and master's degrees from Gonzaga University. He also received a master's degree in theology from Regis College in Toronto, and a doctorate in English from the University of Minnesota.

On December 18, 1976, Father Rewak became the 26th president of the University of Santa Clara. Father Rewak has been superior of the Jesuit Community at Santa Clara, and has taught at Bellarmine as well as in the English department at the university.

He is a member of the Association of Independent California Colleges and Universities; on the board of directors of the Association of Catholic Colleges and Universities; on the board of directors of the Association of Jesuit Colleges and Universities; a director of the O'Connor Hospital Foundation; and a member of the board of governors of the National Conference of Christians and Jews.

As you can see, Bill Rewak is an outstanding educator, administrator, and, most importantly, a warm, compassionate, and caring man. He can always be counted on to add his time, voice, and prestige to any cause involving the rights of all of the people in our valley. The students and faculty at Santa Clara University, and the residents of Santa Clara County, are fortunate to have a man of the caliber of Bill Rewak living and working in our

community. He touches many lives. He is indeed a brother to all. ●

THE ADVERSE EFFECT WAGE RATE SYNDROME

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. DAN DANIEL. Mr. Speaker, on April 2 I introduced H.R. 2984 which would repeal the authority under which the adverse effect wage rates are set in various parts of the country.

Since that time, we have had a number of inquiries on the operation of the adverse effect wage rate procedure and many Members of this body have expressed surprise that such a regulation even exists.

Frankly, it is, on its face, rather difficult to believe that our Government would guarantee, to alien workers within our borders, a higher minimum wage than is provided for American workers. Nevertheless, this is the case.

The March 27 Federal Register carries the listings of adverse effect wage rates established for each of the States as follows:

States	1980 rates	1981 rates	Percentage changes
Arizona	\$3.73	\$3.87	+3.8
Colorado	3.79	3.93	+3.7
Connecticut	3.32	3.35	+0.9
Florida (sugar cane only)	4.09	4.69	+14.7
Maine	3.43	3.44	+0.4
Maryland	3.23	3.80	+17.6
Massachusetts	3.30	3.35	+1.5
New Hampshire	3.58	3.59	+0.4
New York	3.18	3.48	+9.4
Rhode Island	3.30	3.35	+1.5
Texas	3.54	3.97	+12.2
Vermont	3.53	3.54	+0.4
Virginia	3.51	3.81	+8.6
West Virginia	3.28	3.62	+10.6

Because there has been so much interest in this matter and because of our desire to enlighten those who are concerned, I would like to include herein with my remarks, a statement which has been prepared by Mr. Albert Misler, a prominent Washington attorney who has been working with this subject matter for many years. Mr. Misler is also a former Associate Solicitor in the Department of Labor and, as such, was there when this matter first arose in the late 1960's.

I commend his statement to the reading of the Members of the House.

The statement follows:

THE ADVERSE EFFECT WAGE RATE "AEWR" SYNDROME

The level at and the methodology by which the Department of Labor ("DOL") has fixed the AEWR has been the center of controversy for a number of years, in and out of the courts. It would, in these circumstances, be appropriate, at this time, for the Congress to examine the issues and to take appropriate steps to effectuate a legislative clarification of the scope of the DOL's au-

thority in this area. To understand precisely what generates the problem requires a clear comprehension of what the AEWR is, the source of authority therefor and what, if any, limitations there are upon the DOL's exercise of that authority.

WHAT IS THE AEWR?

The AEWR is the wage rate fixed by the DOL which requires farmers who obtained supplementary labor from foreign sources for seasonal employment in agriculture to pay to such seasonal workers and to all U.S. workers employed by such farmers.

WHAT IS THE METHODOLOGY?

The formula which the DOL has devised for establishing the AEWR involves the averaging of all earnings of all agricultural field hands and livestock workers in each state in which foreign supplementary seasonal workers are used, and by this methodology, the DOL establishes in each state, on a state-by-state basis, a seasonal hourly wage rate as the AEWR.

WHAT IS THE LEGAL AUTHORITY FOR THE AEWR?

The authority for importing foreign temporary or seasonal workers for agricultural employment is contained in Section 214 of the Immigration and Naturalization Act enacted in 1952 ("INA"). By the express language of Section 214(c), the question of importing any such aliens is vested exclusively in the Attorney General of the United States after consultation with appropriate agencies. In the context of this controversy, it is important to understand that Section 214 makes no reference to, nor does it confer, directly or indirectly, any authority upon, the Secretary of Labor ("S/L") or the DOL.

To comply with the "consultation" requirement, the INS, to whom the Attorney General has delegated the authority to carry out the responsibilities under the INA, has promulgated a regulation (8 C.F.R. 214.2(h)(3)(i)) addressed not to the S/L or the DOL but rather to employers petitioning the Immigration and Naturalization Service for permission to contract seasonal workers from foreign sources. The regulation requires such employers to support their petitions with a certification from the S/L that qualified workers in the United States are not available and that the employment of such aliens will not adversely affect the wages and working conditions of workers in the United States similarly employed.

Under the specific language of this regulation, any AEWR fixed by the DOL must essentially relate only to those U.S. workers similarly employed in the work to be performed by the foreign workers. The methodology developed by the DOL blatantly disregards this limitation requiring the adverse effect findings to relate to workers similarly employed and extends its application to all agricultural and livestock workers without regard to the job content, the nature of the duties performed, the job requirements and the compensation system that prevails in a specific crop activity, that is, without regard to whether compensation in a specific crop has historically been paid on a piece-rate or on an hourly basis. There is no rational basis upon which these two systems of compensation can be merged or interrelated to produce a valid single AEWR. The underlying purpose of the piece-rate system is to compensate a worker strictly on the basis of the individual's production. It is basically an incentive system of compensation.



Earnings under this system vary widely depending upon the worker's application, experience, physical capabilities and other attributes that influence the earning capacity of individual workers. Thus, some workers may conceivably average \$9.00 per hour, while others average \$4.00 per hour. On the other hand, workers paid on an hourly basis receive the same compensation for each hour's work, irrespective of their productivity. Thus, it is apparent that merging the two systems to reach a single AEW formula necessarily and unjustifiably introduces the \$9.00 per hour earnings of a piece-rate worker into the adverse effect concept as it applies to an hourly worker.

Using this formula, the DOL fixed the AEW for the State of Virginia for the 1980 crop season at \$3.51 (45 Fed. Reg. 30733-34, published 5/9/80). This methodology involves a fundamental departure from the historic interpretation of the term similarly employed contained in other statutes administered by the DOL.

#### SIMILARLY EMPLOYED CONCEPT

The DOL's rationale for this aberration from long accepted traditional construction is premised upon the concept it has adopted in 1968 that all agricultural and livestock activities involve unskilled work and that there exists a common national pool of such workers who move from crop to crop. From this premise, right or wrong, the DOL proceeds to the unsupportable conclusion that all unskilled workers in agriculture are similarly employed within the meaning and intent of 8 C.F.R. 214.2(h)(3)(i) regardless of the variety of crops in which they are engaged or the diversity of the physical demands, experience, knowledge or other factors that may be peculiar to the planting, tending or harvesting of a particular crop or the feeding, tending and care of livestock.

Without conceding the validity of this concept that all agricultural work is unskilled, the equating of "unskilled work" with similar employment is a patent error. Historically, "similar employment" has been related to the job content, the nature of the duties performed and the job requirements. Because this is a concept that goes to the central issue in this case, it may be helpful to trace the historical application of the term similarly employed.

The term similarly employed in relation to findings of adverse effect had its genesis in Title V of the Agricultural Adjustment Act of 1949, Public Law 78, 82d Cong., 69 Stat. 119, enacted in 1951 to provide a statutory basis for the admission of Mexican nationals for seasonal agricultural employment in the U.S. pursuant to an International Migrant Labor Agreement with the Republic of Mexico.

In all substantive respects, in almost the identical language, the same safeguards against adversely affecting domestic agricultural workers similarly employed was written into Section 503 of the Act. The indisputable fact is that from 1951 to 1968, spanning a time period of 17 years, the term similarly employed was construed by the DOL to mean employment in the same crop activity with the result that the DOL made the AEWs determinations on a crop-by-crop, area-by-area basis, fixing the prevailing wage rate in the specific crop in each area as the AEW.

At no time from 1951 to 1968 did the DOL advance the theory or carry out its responsibilities under Section 503 or under 8 C.F.R. 214.2(h)(3)(i) on the premise that all agricultural and livestock workers were similarly employed. Neither the job content nor

the physical or other performance requirements in the various crop activities have materially changed. The DOL has simply espoused this concept without offering any basis to support the validity of its contention that all agricultures are similarly employed regardless of the crop activity involved.

The concept that all agricultural work is similar employment is the linchpin in the AEW formula adopted by the DOL. If all agricultural work is not in fact similar employment, the averaging of all earnings in all agricultural activities in a state would be patently disregarding the clear requirement in the INS regulation to relate the finding with respect to "adverse effect" to workers "similarly employed". The impact of the DOL's formula is highlighted by the fact that the prevailing wage rate in the tobacco harvest in the State of Virginia for the 1980 crop year was \$3.10 per hour; the AEW fixed by the DOL was \$3.51 per hour or \$.41 per hour above the prevailing wage level. The prevailing wage rate in the same crop activity for 1981 is \$3.35 per hour; the AEW as fixed by the DOL is \$3.81 per hour or \$.46 per hour above the prevailing wage level.

Despite the DOL's vigorous defense of the reasonableness of the AEW methodology which it maintains it has used since 1968, in 1981 it abandoned this formula. The \$3.81 AEW for 1981 was, strangely enough, fixed by a completely different formula. If the information furnished by the DOL has any validity, the \$3.81 AEW was arrived at by comparing the percentage increase in earnings between the 1979 and 1980 crop year and simply adding that percentage increase to arrive at the 1981 AEW.

The anomaly that surfaces from these formulae—the formulae that disregards the "similar employment" reference—is that, of the 19,000 harvest hands employed in the Virginia tobacco harvest, only 1,100 were obtained from foreign sources. Thus, the overwhelming majority of the workers are engaged in the tobacco harvest in 1980 were paid \$3.10 per hour and the AEW fixed for the foreign workers and the approximately 2,500 U.S. workers employed by the users of foreign workers was \$3.51. The same anomalous situation is present in the manner in which the AEW is fixed for the 1981 crop season. In short, the result of the DOL's AEW formula is that a comparatively few foreign workers are paid substantially more than U.S. workers performing precisely the same work in the same crop activity.

Moreover, the policies of the DOL as they pertain to the referral of farm workers to agricultural employers to the Public Employment Offices are in a sharp contradiction to the notion espoused by the DOL that all agricultural and livestock workers are similarly employed. Under the present system, all referrals of such workers are made through the State Public Employment Offices which are financed by grants made by the DOL. In Virginia, referrals are made by the Virginia Employment Commission ("VEC") on the basis of job orders filed by the respective farm employers. A farmer who makes no reference in his job order to foreign workers and who obtains all of his workers from domestic sources is required to pay the prevailing wage rate under the prevailing compensation system in the pertinent crop activity—the prevailing piece rate if the wages in that crop activity are normally paid on a piece-rate basis or the prevailing hourly wage rate if the wages are paid in that crop on an hourly basis. In

short, the DOL does not establish a single state-wide hourly rate for farmers who do not indicate foreign sources as an alternate source if domestic workers cannot be obtained. In the tobacco harvest, that rate would be \$3.35 per hour.

However, any farmer who does request foreign workers in the event that domestic workers cannot be obtained must pay the AEW of \$3.81 in Virginia, even though all of his required farm hands are actually supplied through domestic sources by the VEC. Thus, two tobacco farmers, both obtaining all their workers through the VEC, would be required to pay different rates due exclusively to the fact that one of the farmers indicated that if domestic workers cannot be obtained, he will petition for foreign workers. From this study in inconsistency, it becomes readily apparent that the DOL does not, in fact, consider all agricultural and livestock workers to be similarly employed within the contemplation of 8 C.F.R. 214.2(h)(3)(i). What flows from this is that the DOL interprets "similarly employed" differently in both of these circumstances, even though the work is the same and all of the workers obtained in both cases are from domestic sources. Apparently, without reasonable justification, the filing of an application for a labor certification for the employment of temporary foreign workers transforms, in the opinion of the DOL, the specific crop activity to work similar to all other agricultural work in the state.

#### JUDICIAL CONFLICT OF INTERPRETATION

Finally, the compelling need for legislative clarification of the scope of the DOL's authority arises out of the fact that there is a sharp dichotomy in the decisions rendered by the U.S. Court of Appeals for the Fifth Circuit and a decision very recently rendered by the U.S. Court of Appeals for the Fourth Circuit.

In 1976, in the case of *Williams v. Usery*, 531 F.2d 305 (1976), the DOL had hinged the AEW in the sugar cane harvest in Florida to the wage fixed by the Secretary of Agriculture under the Sugar Act. The decision of the Court, in that case, involved a situation where the entire labor force engaged in that crop were foreign workers. Williams challenged the AEW on the grounds that the employers are required to pay the prevailing wage rate or adverse effect wage rate, whichever the higher. The DOL had failed to determine the prevailing wage rate and, thus, could not ascertain which was higher. The Court embraced the DOL's contention that in such a situation where 100 percent of the labor force in the crop activity were foreign workers, no prevailing wage rate could realistically be found.

In rejecting Williams' position, the Court stated: "Williams had merely offered figures establishing the average earnings of Florida agricultural workers in general. Such non-crop specific data cannot substitute for the 'prevailing rate for a crop activity'".

The decision of the Court is a clear repudiation of the DOL's methodology under which it does precisely what Williams had suggested but which the Court had rejected.

On May 23, 1980, the tobacco growers of Virginia brought a suit in the United States District Court for the Western District of Virginia seeking a declaratory judgment and injunctive relief to restrain the DOL from enforcing the adverse effect wage rate which it had fixed at \$3.51. The trial court granted a permanent injunction holding that in failing to take into consideration the

prevailing wage rate in the tobacco harvest the DOL was arbitrary and capricious. At the same time in its findings of fact, the trial court found that the methodology used by the DOL was not arbitrary and capricious. What the court did not seem to realize was that this was a contradiction in terms. The methodology used by the DOL, the very methodology which the court found was not arbitrary and capricious, ignored or disregarded the prevailing wage rate in the tobacco harvest which the court on the other hand said was arbitrary and capricious on the part of the DOL.

An appeal was taken by the DOL and the U.S. Court of Appeals for the Fourth Circuit reversed the court below. The Appellate Court simply held that it could not find that the trial court was clearly wrong. It then proceeded to the conclusion that "the statute confers broad discretionary authority upon the Secretary of Labor."

Since Section 214 makes no reference to the Secretary of Labor nor does it in any respect, directly or indirectly confer any authority upon the Secretary of Labor, this finding is patently in error. It also is in direct contradiction to the decision of the Fifth Circuit in *Williams v. Usery*. The Fourth Circuit thus held that the Secretary of Labor could use a methodology which averages all of the earnings of agricultural and livestock workers in a state and determined the AEWR on that basis. The Fifth Circuit held, clearly and specifically, that the averaging of the wages of all agricultural workers in a state is beyond the scope of the Secretary's authority and such non-crop specific data could not be substituted for the prevailing wage rate.

Thus, we have a clear conflict between the two Circuits. For the reasons set forth above, it has become imperative that congressional consideration be given to some legislative clarification of the Secretary of Labor's authority in connection with the fixed rate of the AEWR. ●

#### USED MACHINERY CREDIT FOR SMALL BUSINESS

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1981*

● Mr. DOWNEY. Mr. Speaker, today I am introducing a bill which would allow small businesses to increase their productivity and to be more competitive during these very difficult times. It will help ameliorate at least one of the many tax code provisions which discriminates against or discourages small business expansion.

This bill is very simple and costs little. It increases to \$300,000 the ceiling on the amount of used equipment eligible for the investment tax credit and provides a 3-year carryback and a 7-year carry-forward provision.

Today, a company buying new machines has an unlimited tax credit. If that company can afford only used equipment (usually because it is a small business), there is a \$100,000 limitation.

My bill would go a long way toward eliminating this discrepancy.

As we all know, small businesses with less than 100 employees created 87 percent of the new jobs in our country during the past 20 years. This increase in the used machinery credit will help such businesses increase their productivity and therefore contribute more jobs.

In the machine shop business, the current \$100,000 ceiling is not much help. The cost of basic, unsophisticated used equipment has increased about 500 percent over the past few years. The used equipment ceiling has been increased only once since being put into place at \$50,000 in 1962. Today, an established manufacturer has hardly begun to retool before he realizes any benefit the current \$100,000 ceiling offers. Remember, for new equipment, there is no limitation, and there already is a carryback/carry-forward provision.

This discriminatory tax treatment between used and new equipment impacts directly and primarily on small businesses which are already hindered by their inability to externally and internally generate the capital necessary to buy new equipment.

High interest rates, the restricted availability of credit, the Government's regulatory burdens and other tax provisions already provide disincentive enough for these businesses. This bill provides some relief. It is one of several tax measures targeted to small businesses which could enable them to retain a greater portion of their earnings for reinvestment and expansion. ●

#### A TRIBUTE TO HENRY K. "HANK" TROBITZ

**HON. DON H. CLAUSEN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1981*

● Mr. CLAUSEN. Mr. Speaker, one of the most respected men in northern California recently retired after 32 years of service to the people of the Redwood Empire and the Simpson Timber Co.

Henry K. "Hank" Trobitz is a man of great ability whose civic and professional accomplishments are most laudable. He is a very generous man in spirit and in fact—giving unstintingly of his time, energy, and personal resources in support of community projects. He served with distinction as a member of the St. Joseph's Hospital board of trustees and advisory board, the Humboldt State University advisory board, the Humboldt Bay Harbor Commission and the board of Redwoods United Workshop. Ever mindful of the needs of others he was a driving force in helping the community of Klamath recover from the floods of 1953 and 1955—I was there and saw,

first hand, this man's total commitment to the concerns of others.

But Hank's most meaningful gift to the area was the professional and competent manner in which he dealt with the issues facing the Redwood Empire's most basic industry.

His leadership, intelligence, integrity, and high ideals have made him a most credible and respected spokesman. His strong beliefs in multiple use and sustained yields provided the stimulus for his pioneer activities in acquiring new lands for reforestation.

He had the knowledge, the wisdom, and the vision to see that America's long-range needs for forest products could be best met by expanded reforestation and he has become a world renowned authority in this field. His credentials are superb—a graduate of the University of California School of Forestry at Berkeley, where he studied under the brilliant Professor Emeritus Emmanuel Fritz—a stint in the U.S. Forest Service prior to World War II—a two-time member of the State Board of Forestry—twice president of the California Forest Protective Association—one of California's first registered professional foresters—and a former chairman of the northern California section of the Society of American Foresters. Like the well-known TV ad in investments, when Hank Trobitz speaks on forestry matters—people listen.

I know from personal experience, because I have so often sought his highly valued views. I treasured his sage advice and counsel in many of our common struggles to save jobs, maintain local economic stability and, most importantly, to expand on his ingenious commitment to reforestation and improved forestry management. His views were tremendously helpful to me in attempting to seek solutions to many of the problems faced by Humboldt and Del Norte Counties. We have fought side by side against our common adversaries—well intentioned but often uninformed people who felt they could preserve our forests by placing them in mothballs, rather than realize that all living things—redwoods included—must grow—mature—and ultimately die—only to be replaced by younger, faster growing, and more beautiful forests. Hank Trobitz is one of America's foremost advocates of the renewable resources of forestry.

We won some battles and we lost some. But I always felt that we did not lose any because we did not have the facts. Too often those we lost were lost before the battle was begun. Too often the testimony and wise counsel of truly knowledgeable experts like Hank Trobitz went unheeded because minds were already made up.

Mr. Speaker, the people of the redwood empire are very proud of their tall trees, but they are just as proud of

the accomplishments of the men and women who work with those trees to provide for current needs and insure the continuity of American forests for future generations. Hank Trobitz has made a unique contribution in this regard to and for the redwood empire, the State of California, and to our Nation. May I add that he has been ably assisted in these endeavors by his lovely wife, Mary and by his outstanding family, Mary, David, and Cynthia. They are truly a family of achievers. I know them well and was particularly pleased when their accomplishments in connection with 4-H activities earned them a trip to Washington, D.C., where they visited me. It is truly rewarding in these times when so many of our cherished institutions are under attack from all directions to witness how the Hank Trobitz family stays together, works together, and prays together. They really are an example for all of us to emulate. I am placing this tribute in the CONGRESSIONAL RECORD so that all may be aware of one of today's heroes—a man who has so generously given of his time, energy, and talents for the benefits of all Americans. Many people have committed the golden rule to memory—Henry Trobitz and his family have committed it to their lives. ●

#### NORTHERN IRELAND—TENSION AND TRAGEDY CONTINUES

##### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. BIAGGI. Mr. Speaker, as chairman of the bipartisan Ad Hoc Congressional Committee for Irish Affairs, I remain deeply concerned about the continuing troubles in Northern Ireland. The recent deaths of hunger strikers Bobby Sands and Francis Hughes shocked the world. The deteriorating states of two other hunger strike prisoners has Northern Ireland poised at the edge of a new wave of violence.

Throughout the current crisis, I have appealed for nonviolence—the type of nonviolence asked for by the brave mother of Bobby Sands. For the most part, violence had been relatively limited but yesterday a major act of violence occurred with the killing of five British soldiers in Newry. I repeat my appeal the violence be stopped on all sides so that a humanitarian resolution can be achieved before any other deaths must occur.

An unprecedented amount of American media attention has been focused on the current troubles in Northern Ireland. One of the more excellent articles was written by Beth Fallon of the New York Daily News. I wish to

insert her entire column in the RECORD but call my colleagues attention especially to her discussion of the "special" judicial system which operates in Northern Ireland and which convicted men like Bobby Sands and Francis Hughes.

[From the New York Daily News]

A CRIME, YES—BUT IT WAS BRITAIN'S NOT BOBBY'S

(By Beth Fallon)

Bobby Sands has died. There will be a lot of noise over this, much of it pitiable. But for Americans there is really only one question, a question that is persistently shoved under the rug: What do you do when your friend does wrong?

Britain is America's staunchest friend in the world (not our oldest, of course; France helped us defeat Britain in 1783). But she has been closest to us for a long time. The ties of history and language and law and love do not need enumerating. But Britain is doing wrong in Northern Ireland, grave and demonstrable and provable wrong. She is breaking her own law, the law of which she is so justly proud.

Margaret Thatcher says Bobby Sands deserved no "special" treatment. "Crime is crime is crime," says the prime minister. That is not the truth. Bobby Sands got very special treatment from the moment of his arrest until he entered the Maze Prison. He was tried not under regular British law but under the infamous Diplock rules. These presume guilt. They deny habeas corpus. They deny jury trials. They permit seven days of interrogation without a lawyer, and then permit the coerced confessions which come out of them. According to the European Commission on Human Rights, the interrogation system used has frequently included torture, mental and physical. The conviction rate under this system is very high. And 90 percent are based solely on confessions obtained under the interrogation system, with no other evidence required.

If Bobby Sands, sentenced to 14 years on a weapons violation, had been treated like a common criminal before he got to the Maze, he would have had little excuse for starving to death. But he only became a "common" criminal when he entered the Maze. Now, with his corpse on their hands, the British will do what they have done so successfully in the past: They will blame the victim. And they will have plenty of help, in academia, in this government and the press.

I know many people who denounce the "terrorism" of the IRA but applaud the valor of the Irgun, for example, who did precisely the same things for Israel in 1946-48. Some of these people will write pained analyses now indicating that Sands has provoked violence by his death and added to Britain's crown of martyrdom in Northern Ireland. Learned articles will bemoan the senselessness of it all. They will applaud a Rhodesian nationalist, or my old friend Rosenfeld for what he did with the Irgun. But they will condemn Bobby Sands for the impudence of dying.

And Americans will read them, and be comforted, because they do not want to acknowledge the truth. Britain is committing crimes in Northern Ireland, violations of her own law so terrible that the barons once went after King John for some similar offenses and ran him down at a place called Runnymede. There a document called Magna Carta was forced out of him, a thing that established that there was a law above anybody, above everybody, even the king.

With the Diplock rules, Mrs. Thatcher is breaking that law. It is this tradition which the British have long abandoned, indeed never applied to Catholics in Ireland. It is a shame. It is an even greater shame to the politicians of Irish ancestry in America, who see it, and say nothing, or very little.

It would be easy to breathe fire on the heads of Sen. Kennedy and Sen. Moynihan, on Speaker O'Neill and Gov. Carey today. But it would be pointless. Their error is that they are trying for statecraft, for a careful policy of supporting our greatest ally while trying quietly to encourage peace, non-violence and a negotiated solution. Forget the derogatory adjectives. The very worst thing you can say about their approach is that it is not working. More than 2,000 people have died in Northern Ireland since they started using it. Nobody asked Margaret Thatcher uncomfortable questions about jury trials, or torture, while she was here. Ronald Reagan's representative curtsied to Prince Charles on American soil while Bobby Sands starved.

What do you do when your friends do wrong? That depends. If quiet counsel will work, that's first. It has been tried and failed. There comes a time in every political life when statecraft has to be abandoned for a simple attempt to do what is right. For many people, such a moment came in Nuremberg in 1935. Some things plainly must be opposed. That is what Rep. Mario Biaggi has been trying to do, and has been much maligned for. Put a light on it, is his theory, call it what it is. Try to stop it.

It is not very fashionable to deplore the oppression and torture of Irish Catholics. That the British set up the occupation of Northern Ireland by Protestant English and Scots, that the British encouraged their oppression of the native Irish on their own soil for Britain's own political ends right down to the present day is simply undeniable. It is history.

That the British would like to get out of it now is also undeniable, but they are riding the tiger they bred, and their true friends should be pressing them hard to stop it, to fix a solution as in Rhodesia, and get out.

Mrs. Thatcher is quite right. Crime is crime is crime. And the crime is Britain's. ●

#### WHITE OAKS SPECIAL SCHOOL

##### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. LONG of Maryland. Mr. Speaker, on Wednesday, May 20, 1981, 28 young men and women from the White Oaks Special School in Baltimore, Md., journeyed to Washington for a firsthand look at their Nation's Capital.

These students, led by their teachers, Mrs. Joann Hollister, Mrs. Ann Herrold, and Mrs. Irene McLaughlin, and accompanied by parents, Mrs. Irene Fink, Mrs. Mary Pahl, Mrs. Corbi, Mrs. Elizabeth Kelly, Mrs. Jean Townsend, and Mrs. Rozek, toured the Capitol Building, and observed the House and Senate in session.

I am delighted these students are taking an interest in our Nation's po-

litical process, and hope their interest will continue.

Students who visited us Wednesday are:

Alicia Adams, Joseph Donato, Elvis Geissberger, Sean Kane, Michael Kelly, Scott Markel, Jeffrey Pahl, Robert Vovke, Michelle Woo, Thomas Cimino, Laurie Corbi, Edward Dami-loski.

Tammy Hardwick, Frederick Kunter, Bruce Moore, Laura Sleigh, Steven Smith, Paul Vetter, Gregory Yeager, Natalie Denhardt, Mallisa Martin, Michael Raub, Charles Rozek, Christopher Sheffert, Brian Smith, Michael Smith, Roy Trageser, Marie McCollum.●

#### FRANK ZARB: A MESSAGE TO THE CONGRESS

### HON. TOM LOEFFLER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. LOEFFLER. Mr. Speaker, as Administrator of the Federal Energy Administration from 1974 to 1977, Frank Zarb played a key role in developing and implementing energy policy during the Ford administration. Since that time, he has been an active and thoughtful advocate for limiting the role of the Federal Government in the production of America's energy resources.

While the crisis atmosphere in energy has dissipated somewhat, we continue to face the serious threat of uncertain foreign imports of oil from a very tenuous and unstable part of the world. It is critical, therefore, that this Congress continue to seek solutions to our energy problems, solutions which will insure a greater degree of energy self-sufficiency by encouraging the production of all domestic energy sources. We cannot afford to delay, or to legislate during a crisis.

This is a message which was echoed recently by Frank Zarb during an address to the National Association of Chain Drug Stores in Palm Beach, Fla. In his speech, Mr. Zarb, a veteran of more than 150 congressional appearances, offers some excellent advice in dealing with our national energy future. I urge my colleagues to review Mr. Zarb's remarks \* \* \* and heed his advice.

SEVENTEEN "DON'T'S" TO GUIDE CONGRESSIONAL ENERGY POLICY

(By Frank G. Zarb)

The election is behind us, a new President has picked his team and is framing basic policy. It's a time for advice-giving—advice flowing from editorial writers, from politicians who survived the last election—and some who did not—from special interest groups, and groups which oppose special interest groups \* \* \* in the great rush to influence the new administration we tend to forget that there is a second major principle

in the making of national policy—the United States Congress \* \* \* In some places it's not considered good form to lecture the Congress—but, the record shows that in a little over two years I was called on to testify before one committee or another more than 150 times.

Along with the scars left by that experience, they tell me that it also earned me the right to occasionally offer advice to the Congress—with all due respect, \* \* \* of course.

With that in mind, I have organized my thoughts tonight into a message to the U.S. Congress I call:

Seventeen "don't's" in dealing with our national energy future.

#### DON'T NO. 1

Don't start with more reorganization. The Department of Energy was a mistake. \* \* \* The Congress and the previous administration insisted on applying an organizational solution to a problem which had nothing to do with organization.

Concentrate first on substance. Build on the President's proposals to stimulate more energy production and further conservation. From that process will come a clearer definition of the Federal role—once we know the mission then the appropriate government organization may be designed. Don't resort to the old Congressional game of creating the optical illusion of constructive action through reorganization. It's too late, too obvious, and too dangerous.

#### DON'T NO. 2

Don't get lost in the useless debate that argues whether the world is running out of oil and gas. It is simple enough to understand that oil and gas are finite, and supply is being reduced. There will come a day when the remaining barrels of oil and the last MCF of gas will be in clear sight. All of that is only important because it means that oil and gas are very valuable. Value relates to price—and the price of both these commodities will continue to increase in real terms.

The current glut and price level of world oil is temporary and dangerously misleading. The world used more oil yesterday and today than it added to reserves. It will use more tomorrow than it will find. Don't be fooled by periodical supply and demand distortions.

#### DON'T NO. 3

Don't confuse oil availability from foreign producers with foreign policy. Foreign producers of oil and gas will continue to act in their best interests without special regard for our economic interests, just as we might in their place. It will do no good to tilt foreign policy in an attempt to seek concessions. The producers of the world are going to continue to take what the market will bear for their remaining supplies of oil. That is not a diplomatic judgment—it's their view of responsible handling of their natural resources. A sound mid-east foreign policy should stand on its own and a sound energy policy should stand on its own.

#### DON'T NO. 4

Don't—absolutely don't—try to conserve energy with a broad range of non-price rationing programs. Government imposed restrictions will fail just as they have failed before. Further, they most often yield counter-productive results. Your last debate on a national gasoline rationing program was a great example of ideological wheel-spinning. Except in urgent emergency, rationing, mandatory efficiency standards and

most other fuel use regulatory restrictions are not sound policy tools.

#### DON'T NO. 5

The most important "don't" of them all is: Don't try to control fuel prices below real value levels. Past Government price controls on oil, natural gas have visited more damage to our national energy situation than has OPEC. Controls have increased consumption beyond realistic levels and slowed production, not only of oil and gas but all alternate renewable forms of fuel. Except in time of emergency shortage, price controls in the energy sector have absolutely no redeeming features.

#### DON'T NO. 6

Don't assume that the American people are wastrels. Consumers respond to the market measure of value—34-cent gasoline brought on the automobile of the 1960's, \$1.45 a gallon gasoline is bringing us the automobile of the 1980's. If we continue to insist on placing realistic prices on our natural resources we will find that the market system will accommodate conservation just fine. As a direct result of economic forces, the U.S. energy rate of growth should decline to an average of 1½ percent a year by 1985. This compares to an historic 3½ percent a year rate of growth. The lesson here is clear. The change in market value of energy at present and predicted levels is pressing the industrial, transportation and residential sectors of our economy to make basic internal adjustments, therefore encouraging a result which will allow us, in 1985, to produce a unit of gross national product with 50 percent less energy than was needed in 1974.

#### DON'T NO. 7

Don't allow the existing price controls on natural gas to continue. All through the 1970s the Congress was paralyzed by the pricing issue, because of short-term political considerations. There will be an opportunity this year to eliminate completely price controls on natural gas \* \* \* don't let it pass. Long-term inflation has been encouraged with an ineffective energy program, which included regulated prices. You will find that some groups in the private sector, who are otherwise strong supporters of the market system, will ask you to maintain selected controls to protect their so-called unusual situation. Don't listen—Price controls must go—lock stock and barrel.

#### DON'T NO. 8

Don't try to construct a program which attempts to convince Americans that we will produce our energy needs without costs and risks. It is not possible to produce the domestic energy required in appropriate quantities without some degradation to our environment and some risk to our safety. There must be more sensible compromise between energy production and environmental restrictions.

Don't try to avoid an open assessment of this issue because of the political heat from those who would accuse you of being anti clean-America. No one with good sense wants to return to the days when environmental needs were not properly in focus. But, we must put our needs for energy production into better balance with continued requirements for sensible environmental protection.

#### DON'T NO. 9

Don't underestimate the investment required to produce more American oil, gas and other forms of fuel. The increase in

production of oil and gas from domestic wells is a function of technology and investment. Secondary and tertiary recovery systems, deep-well drilling, exploration in hostile terrain are certain to bring some improvements in our domestic production picture. However, these sectors can be developed only if investments are made at levels substantially more sizable than historic standards would indicate. During your deliberation keep two facts in focus \* \* \*. First—at best the United States has 20 to 30 years left of oil production at reasonable levels—second, in the year 2000, a barrel of oil will be priced at a level between \$150 and \$225, and a gallon of gasoline will cost more than \$10 a gallon in 1981 dollars.

DON'T NO. 10

Don't fall into the old windfall profits trap. The term "obscene profits", presently applied to energy issues, is a political phrase and has no economic value. You will find any number of reasons to criticize the oil industry. However, to attack and manipulate profit through selected windfall tax systems without proper consideration for required energy investments works against the interests of the American people. Our program must encourage investment. The current windfall tax program does not—it must go—to be replaced with a system which encourages maximum investment in American energy.

DON'T NO. 11

Don't set out a meaningful program for coal production unless you are prepared to face the nasty questions of: outdated clean air formulae, an over-regulated strip mine situation, counter-productive "best available" technology regulations. In addition, price controls on natural gas often make it cheaper not to convert to coal. We can lift our coal production to 1,200,000 tons by 1985, but don't try to unless you are willing to come to grips with the same, very sensitive questions, which for four years have blunted an otherwise bright picture for coal production.

DON'T NO. 12

Don't use double talk when dealing with nuclear power questions. If a long-range U.S. energy policy is to have credibility, it must contain a thoughtful chapter dealing with the nuclear power component. The nation has not accepted the notion that nuclear power should be eliminated as an important power source. The country has also rejected the idea that a nonregulated, all-out nuclear power effort is the best answer.

Most Americans believe that, with sensible leadership, nuclear power can be expanded with acceptable safety and environmental risk. It is not the fuel of last resort—it is an essential component of our energy needs. The last Congress ducked decisions on nuclear waste disposal and acceptable safety standards. Their inability to come to grips with these issues was related to political considerations and not technological, scientific or financial causes. The United States Congress is the only forum through which this sector can be properly put into focus. If you avoid your responsibilities here, we will not have a national energy program.

DON'T NO. 13

Don't be misled into believing that the best way to influence international agreements on advanced nuclear systems is to set a noble example of delay. The strongest way to influence global standards for nuclear power is to own the best available technol-

ogy. Development of a United States breeder reactor program and fuel-recycling system are essential for long-term energy requirements, and also important to our objectives to positively influence international safety standards. The policy adopted four years ago to put our breeder reactor development on a slow track, in order to set the example for the rest of the world, failed. We have lost four years and cannot afford any more delay.

DON'T NO. 14

Don't believe for a moment that we are not going to have another major oil cutoff from the Mideast. The next disruption will not be the result of actions taken by responsible Mideast governments—thus not controllable or predictable. It will produce results five times greater than the negative effects of the 1973/1974 experience. The only sensible embargo insurance available during the next fifteen years is to stockpile crude oil. During the last four years, the United States National Strategic Reserve Program became the victim of mismanagement and bad judgment. If the Government had followed the plan submitted by President Ford and passed by the Congress in 1976, we would have more than 350,000,000 barrels of oil in storage today instead of 100,000,000. The loss in added protection is obvious, but please note that the U. S. lost approximately \$2 billion by not buying oil at the 1976/1980 prices. If a business was run that way the stockholders would fire the management!

Now I understand that the budget axe is threatening this program once again. Let me recommend one or two options:

1. Buy the oil off-balance-sheet and treat it as a capital investment; or
2. Add a 2-cent surcharge to each gallon of petroleum product consumed in America, until the stockpile is paid for.

The national security of this country is at risk—don't turn your back on it.

DON'T NO. 15

Don't over-promise that we can expect help from alternate sources of energy in the near term. It's just wrong to imply that salvation from advanced technology is at hand. In the years ahead, new energy sources will be developed at an increasing rate of speed, and that assumes that government gets out of the way. But please not: not more than 3 percent of our total energy requirements can be achieved with advancing technologies by 1990. The work now being done in solar, geothermal, shale, coal, gas, coal-liquids, gasohol, wind, waves, tidal change, biomass and others will result in the ultimate emergence of those technologies which will have the highest potential for commercial development. By the year 2000, we will begin producing measurable levels of synthetic and renewable fuel development. The important point to remember here is that, although some special risk protection and early financial assistance for first generation development may be required by the government, it will be the private marketplace which will sort out and best support growth of the best technologies.

DON'T NO. 16

Don't waste time telling us how serious the problem is—and how we must all reduce our hopes for the future. The American people and the American economy have the drive, ingenuity, financial and technical resources to eliminate our energy problem over a period of time. However, the basic American free-enterprise system, which produced our industrial development, is in

disrepair \* \* \* With a return to the basic market system, with a minimum of government interference, we will succeed in achieving our energy objectives and at the same time repair the damaged foundation of the American political and economic system.

DON'T NO. 17

If, four years from now, all we have are more words, government organizations, and not more production of American energy produced by American workers, don't—don't expect any sympathy from the American voter.●

### CONGRESS MUST REJECT SOCIAL SECURITY CUTS

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. OTTINGER. Mr. Speaker, I am adamantly opposed to the President's proposals to cut social security benefits. Everyone familiar with the social security program recognizes that we must do something this year to insure its stability in the future. Unfortunately, the President has proposed just the wrong thing. How can he expect to maintain the integrity of the program and at the same time cut promised benefits for workers and retirees?

These reductions would be a breach of faith with every American and they are totally unnecessary. Even the administration admits that these cuts are far in excess of what would be needed to rectify the short-term financing problem.

I believe it is absolutely critical that we do not allow our handling of the immediate problems of social security financing to undermine the public's confidence in the program or our commitment to fulfilling promises to future retirees by cutting benefits. We should look to other financing alternatives.

As I testified before the Social Security Subcommittee earlier this year, there are several other ways to secure the trust funds without raising taxes or cutting promised benefits. These include: Authorizing intertrust fund borrowing, authorizing at least limited use of general revenues, and increasing the incentives for Americans to continue working and delay their retirement.

I would like to take this opportunity to share my full statement before the Social Security Subcommittee with my colleagues.

The statement follows:

STATEMENT OF HON. RICHARD L. OTTINGER

Mr. Chairman, I appreciate the opportunity to appear before this Subcommittee this morning to share my views with you on Social Security financing. 1981 is a critical year for Social Security. We are facing both an immediate funding problem and the possibility of serious funding problems in the

future. While these problems have different causes and solutions, both demand our swift but careful consideration. How we react and the measures we enact will have an impact not only on the program's viability but also on the public's confidence in it and their willingness to continue to support it.

Because Social Security is funded on a pay-as-you-go basis—current contributions pay for current benefits—we cannot put off making decisions on the future financing and structure of the program. Any changes we make must be phased in gradually so that we do not disrupt retirement plans of working Americans, but it is imperative that we act now to avoid a crisis in the future.

#### IMMEDIATE ACTION NEEDED

We face an immediate shortfall in the retirement trust fund due to adverse economic conditions. While unemployment has cut down receipts, inflation has increased expenditures. If these conditions continue, the Old Age and Survivors' Insurance (OASI) trust fund will encounter financial difficulties during the latter part of this year. Fortunately, the other trust funds—the Disability Insurance trust fund and Health Insurance (Medicare) trust fund—are in reasonably good financial shape and this gives us some flexibility in dealing with the immediate OASI problem.

I believe the best course for now would be to authorize any Social Security trust fund to borrow from the others as the need arises. The borrowing fund would make repayment when it could. Under current economic assumptions, accounting changes such as this and the realignment of the tax rate would enable all cash benefits to continue into 1984 because the total amount on reserve in all three trust funds will be adequate until then.

I stress that this is a temporary solution. While it gives us time to consider further measures it does not allow us to put aside the tough decisions for the longer term.

#### SHORT-TERM MEASURES

Basically, we have three options available to ensure that the OASI trust fund has adequate reserves to meet its future obligations. We could (1) increase payroll taxes, (2) decrease benefits, or (3) find new sources of revenues. I favor the last alternative.

We followed the first course in 1977 and adopted substantial payroll tax increases. We thought we had ensured the fiscal viability of the Social Security system for the next thirty years. Yet, now we are facing a crisis similar to that we faced in 1977. I supported that legislation only because of the urgent need to ensure the viability of the system and guarantee benefits. I strongly opposed the increases in payroll taxes that are both regressive and inflationary. In 1981, it should be clear to all that the payroll tax mechanism alone cannot be relied upon to meet the financial needs of the Social Security system.

The second alternative—reducing benefits—is equally unacceptable in my mind, although it is getting more attention than the other alternatives. I think it is interesting to note that a nationwide survey conducted for the National Commission on Social Security found that given the choice between boosting Social Security taxes and reducing benefits, now or in the future, 63 percent favored higher taxes and only 15 percent favored reducing benefits.

President Reagan and others have suggested a number of cuts including:

Eliminating the \$255 lump sum death benefit,

Eliminating the minimum benefit, Ending benefits for students aged 18 to 22, and

Reducing the present cost-of-living adjustments.

I hope we will reject these proposals. It is absolutely critical that we do not allow our handling of the short-term financial problems to undermine the public's confidence in the Social Security program or our commitment to fulfilling our promises by cutting benefits without looking at other alternatives.

Furthermore, repeated proposals to reduce or eliminate benefits—whether or not they are ever actively pursued—have created a great deal of anxiety among both workers and beneficiaries. We saw this happen just last year after the Social Security Advisory Council recommended taxing Social Security benefits. Although no one in Congress introduced legislation to do this, the concern expressed by the public was overwhelming. To deal with this fear, I sponsored a "Sense-of-the-Congress-Resolution" stating that Social Security benefits should remain tax exempt. This resolution was adopted by a vote of 384 to 1.

Of particular concern among the suggested cuts is the proposal to limit the cost of living adjustments now provided to Social Security recipients. I agree that the present CPI doesn't accurately reflect the impact of inflation on the elderly—I believe it underestimates the impact. Rather than arbitrarily changing the formula or putting a cap on any adjustments, I believe we should establish a special CPI for the elderly which reflects their spending patterns. I hope we will not renege on our commitment to protect the elderly and disabled from the impact of inflation. Limiting the increases would put the burden of inflation on those least able to bear it. Instead we should be focusing our efforts on reducing inflation and putting together an accurate index.

Once we have taken care of the immediate danger, hopefully by authorizing inter-fund borrowing and similar accounting changes, we should look at structural changes that could put Social Security on a sounder footing in the future.

#### USE OF GENERAL REVENUES

Many senior citizen groups have pushed for the addition of general revenues to the Social Security trust funds. I strongly support the plan proposed by the former chairman of this subcommittee, Rep. James Burke, which would have made the Federal government an equal partner in supporting the system with the government, employers, and employees each contributing one-third of the cost of the program as was originally contemplated when the Act was passed.

An alternative would be a more limited use of general revenues. This could be done in several ways. One way would be to use general revenues to fund a portion of the Medicare program. This would allow a greater portion of the payroll tax to be directed into the retirement trust fund. This seems to be the most popular idea, because some Medicare benefits already are partly funded by general revenues and Medicare is not tied to past earnings as are other Social Security benefits.

However, I think this idea must be carefully examined. My fear is that if Medicare costs rise in the future, the Congress will be tempted to cut benefits or impose a needs test. Many senior citizen groups oppose this plan for this reason.

Another possible structural change that has not received as much attention is a plan

to add general revenues to the trust funds when the unemployment rate is high. Basically the amount transferred would be equal to the difference between the payroll tax paid that year and the taxes that would have been collected if the unemployment rate had been no more than 6 percent, for example. As unemployment rates decrease any supplementing revenue coming in through this mechanism would be phased out automatically.

By authorizing at least limited use of general revenues, I believe we can secure the trust fund without eliminating promised benefits and causing workers to lose faith in the Social Security system as they perceive that their future benefit rights are being eroded.

#### LONG-TERM PROBLEMS AND SOLUTIONS

Additional measures may be needed to solve the long-term problem caused by changing demographic trends expected in the first part of the next century.

Pension policy will be profoundly affected by demographic changes including a declining birth rate, increasing numbers of individuals age 65 and older, and longer life expectancies.

Since Social Security was established in 1935, there has been a significant increase in life expectancy for both men and women. In spite of the longer life expectancy, people are not working longer. Early retirement means smaller contributions and longer benefit periods. As the baby boom generation reaches retirement age, the impact of this problem will multiply. Also, families are having fewer children, and if this trend continues, it will aggravate the imbalance. What we will have are fewer workers supporting more retirees. Our Social Security system as presently structured probably will not be able to meet the needs of the changing society in the 21st century.

Some people have suggested raising the normal retirement age from 65 to 68 and the early retirement age from 62 to 65. In light of the increased life expectancy I believe it makes sense for older people to continue working, but I would prefer to encourage this rather than require it. As the head of the National Council of Senior Citizens pointed out recently, "the suggestions for later retirement come from those who have never experienced the exhaustion of lifting 50 lb. boxes for 8 hours a day or continually operating a pneumatic press. Yet, they assume that 65 year old workers can continue to lift those weights and operate heavy machinery until they reach 68."

We need to encourage people to continue working in order to relieve the pressure on Social Security, but there are positive changes that could be made to achieve this result without cutting benefits to those who wish or need to retire.

#### ELIMINATE EARNINGS LIMIT

The first thing we should do is eliminate the obvious disincentives to work now in our public policies. Among these is the Social Security earnings limit, which I have opposed for a long time. I am convinced that eliminating the unfair earnings ceiling will generate additional revenues and offset much of the cost of removing it. These revenues will come from the millions of Americans who are now staying home in order to draw their full benefits, but who would return to work if the earnings test were repealed and would then resume paying Social Security and income taxes.

## REPEAL PENSION OFFSET

In addition, we should eliminate all mandatory retirement policies and the present pension offset included in the unemployment compensation system. This offset is having a devastating impact on the older workers who must remain in the work force because his or her pension is inadequate. I have introduced H.R. 1429 which would repeal this offset.

The earnings limit and the pension offset carry the same message to older Americans: don't work. Their repeal is essential if we are to meet the needs of a changing and much larger elderly population.

Not only should we remove obstacles to work, we should add incentives to continue working such as increasing the delayed retirement credit now available to those who choose to work and delay retirement past age 65.

In addition, we should explore plans such as sheltered workshops and phased-in retirement with partial Social Security benefits for those who work part-time between the ages of 65 and 68. Other countries are ahead of us in providing opportunities for part-time work, job sharing, and placement and retraining programs specifically targeted toward older workers.

## MAKE SOCIAL SECURITY COVERAGE UNIVERSAL

To broaden the economic base of Social Security, everyone should contribute including Congressmen and municipal employees. As with recipients of other private pensions, this should be done only if pension rights under existing government pension plans are assured. Municipal workers, like private employees, should be entitled to their pensions plus earned Social Security benefits.

Finally, we must set a goal of a better balance between post-retirement income, Social Security, public pensions, private pensions and individual savings. Social Security will continue to provide a major portion of income for the elderly in the years to come, but greater emphasis on private pensions, earnings and savings would alleviate the pressure on Social Security while providing more adequate income for older Americans. We can do this by encouraging the maintenance and growth of private pensions, expanding the eligibility for Individual Retirement Accounts, and encouraging voluntary savings for retirement.

Mr. Chairman, in its 45 year history, Social Security has contributed significantly to the financial well-being of the nation's elderly. While we are now facing serious financial problems and will need to make changes in accordance with changing demographic trends, I believe we have the resources to ensure that Social Security continues to meet the needs of the American people for generations to come. Clearly, we must plan ahead and time is of the essence if we are to avert a crisis in the future. I commend you for holding these hearings and look forward to working with you to ensure the viability of the Social Security program into the next century.●

## WELCOME TO IOSIF MENDELEVICH

## HON. GERALDINE A. FERRARO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Ms. FERRARO. Mr. Speaker, I would like to take this opportunity to

personally welcome Iosif Mendelevich to Washington. Just yesterday, the New York Women's Group for Soviet Jewry, recently formed by Carol Bellamy, president of the New York City Council and former State Senator Karen Burstein, held its first meeting and was honored to receive Iosif Mendelevich as a guest speaker. Iosif spoke of the importance of Western support for Soviet prisoners of conscience and the importance of public statements, as well as private diplomatic action. He spoke of how public support throughout the world gives strength to those who are victims of Soviet injustices and keeps Soviet officials aware of international attention to any violations of the Helsinki agreements.

Iosif also expressed his concern over my Prisoner of Conscience, Ida Nudel. While I have followed many cases of Soviet Prisoners of Conscience, I am most familiar with the hardships experienced by Ida in her exile in Siberia. Iosif Mendelevich's release from prison and emigration to Israel is proof that efforts to obtain justice for Soviet Prisoners of Conscience are not futile. His freedom to join his family in Israel gives others the courage to fight for their rights and the hope for success.●

## PARISHIONERS DEDICATE NEW ASCENSION CHURCH

## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. GAYDOS. Mr. Speaker, on Sunday, May 31, I will have the privilege of joining with the parishioners of the Ascension of Our Lord Byzantine Catholic Church of Clairton, Pa., in dedicating their new house of worship.

This beautiful new structure, constructed in less than 2 years, is a remarkable achievement and a glowing demonstration of the love and devotion the people of Ascension parish have for their church and their spiritual leader, Msgr. Michael Hrebin.

The effort put forth by Monsignor Hrebin and his parishioners has been duly recognized by the Byzantine Church and a number of high ranking officials of the rite have accepted invitations to participate in the blessing of this new shrine of Christendom.

Among the church leaders expected to attend are Metropolitan Archbishop Stephen J. Kocisko, D.D.; Bishop Daniel Kucera, D.D., of the Diocese of Salina, Kans.; Auxiliary Bishop John

M. Bilock, D.D., of the Pittsburgh Byzantine Catholic Diocese; Auxiliary Bishop Thomas V. Dolinary of the Passaic Byzantine Catholic Diocese; the Very Reverend Donald S. Nesti, C.S.Sp., president of Duquesne University.

Msgr. George Billy, pastor of St. George's Church, Linden, N.J.; Msgr. Robert G. Moneta, pastor of St. George's Church, Newark, N.J.; and the Reverend Raymond A. Vollmer, pastor of St. Clare's Church in Clairton.

Lay people taking part in the dedication program include Mayor Rose Busch of the city of Clairton and Mr. John L. Monito, a member of Ascension parish.

Mr. Speaker, the dedication of the new Ascension Church marks yet another milestone in the ambitious program of development and rebuilding of the parish launched by Monsignor Hrebin nearly 17 years ago. His first undertaking was the building of a new auditorium that today still stands as one of the most striking works of architecture in western Pennsylvania—Ascension Hall.

Once that project reached completion, Monsignor Hrebin, a man of remarkable talents, boundless energy and blessed with the ability to inspire others in a cause, turned his attention to rebuilding the church itself. He celebrated his last mass in the old church on September 17, 1979, and on Saturday, August 30, 1980, Monsignor Hrebin performed the liturgical ceremonies prescribed for a simple blessing of the new church and mass was celebrated in the structure that evening.

During the rebuilding program, the men and women of Ascension parish gave unselfishly of their time and talent and they recognize their work is not finished. They will continue to extend themselves to refine and beautify their church, to enhance its role as a spiritual sanctuary for all and to make it a fitting home for their Lord.

The list of their sacrifices in this project is lengthy and involves so many people it would be extremely difficult to recognize individuals, but if one may serve as the symbol for all, that man would be Monsignor Hrebin, or "Father Mike" as he is known to his parishioners and the people of Clairton.

I know of no man, Mr. Speaker, whose friendship I cherish more or who is more loved by his people or his community. He is unique among men, warm, friendly, an inspiration to all who know him, and I pray God will continue to shine His face on Father Mike and Ascension Parish.●

INTERNATIONAL YEAR OF  
DISABLED PERSONS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. WINN. Mr. Speaker, as the International Year for Disabled Persons progresses, I am pleased to share the following two articles with my colleagues which appeared recently in the U.S. edition of ILO Information. The International Labor Office (ILO) is the permanent secretariat of the 145-member International Labor Organization, a specialized agency associated with the United Nations.

One purpose of the International Year for Disabled Persons is to focus attention on the situation of millions of handicapped and help remove the prejudice and discrimination which bar their way to "full participation and equality"—the U.N. theme for the year. The majority of the world's disabled—300 million—live in developing countries which also have a backlog of over 400 million jobless or underemployed citizens. An important objective of all ILO vocational rehabilitation projects in developing countries is to try to insure that the disabled become self-sufficient. Efforts are made to teach them practical skills for everyday life. The International Labor Organization's main efforts have been directed toward the setting up of production workshops on small-scale industry lines, small business cooperatives, and self-employment schemes for Third World disabled.

I refer the following two articles to my colleagues:

DECLARATION OF ILO DIRECTOR-GENERAL  
FRANCIS BLANCHARD

One out of ten individuals among the world's population suffers from some form of physical or mental disablement. These people need training, retraining, specialized vocational guidance and opportunities to participate in useful work on an equal footing with the nondisabled.

The United Nations has declared 1981 the International Year of Disabled Persons, which will afford a golden opportunity not only to specialized agencies, but also to the world community to intensify efforts to prevent disability and to insure that those who are disabled have the right to economic and social security and to a decent standard of living. This can be done primarily by strengthening and developing occupational safety and health programs and by providing rehabilitation services which will enable the majority of the disabled to make a substantial contribution to their own, their families' and their countries' welfare.

Society cannot afford to lose or neglect these valuable human resources. Despite considerable achievement in the vocational rehabilitation of the disabled, the problem remains acute, especially in the developing world. Here, employment opportunities are either nonexistent or very limited for the countless victims of poliomyelitis, leprosy, blindness, malnutrition and many other scourges.

Providing appropriate assistance to mentally ill and retarded persons throughout the world presents challenging problems of vocational reintegration. In many countries drug addiction and alcoholism have become a disturbing social problem which call for new approaches to treatment and rehabilitation.

The International Labor Organization's special responsibility for the protection of workers includes safety and health at the workplace and its environment as well as insuring that, whenever possible, disabled persons should be provided with full opportunities for vocational rehabilitation. The International Year of Disabled Persons, with its theme, "Full participation and equality" and its emphasis on disability prevention and rehabilitation, is therefore of special significance to the ILO.

In close association with other UN agencies and non-governmental organizations, the ILO has contributed to the steady growth of occupational health and safety programs as well as rehabilitation activity throughout the world. May our work for this important International Year and the succeeding years bring substantial and continued progress toward health and safety for all and the full integration of disabled persons everywhere.

I hereby declare the ILO's full endorsement of the aims and objectives of the International Year of Disabled Persons and pledge our full support and contribution to their achievement.

## HOW THE ILO HELPS

(By Norman Cooper)

The first action undertaken by the International Labor Office in the field of vocational rehabilitation of the disabled was the publication in 1921 of a report on the compulsory employment of disabled ex-servicemen. The program for the disabled has come a long way since then, with the ILO's mandate now extended to assisting all physically and mentally disabled people as well as the socially maladjusted, including drug and alcohol dependent persons.

The International Year of Disabled Persons has highlighted the gravity of the disablement problem throughout the world—a problem which affects all creeds and colors and concerns 10 percent of the world's population.

## ACCENT ON THIRD WORLD

The ILO's main efforts in recent years have been directed toward assisting Third World countries to establish basic vocational rehabilitation services. In some instances, it has been possible to incorporate such action in the context of larger development projects. For example, in Bahrain the government included a rehabilitation component in a large-scale labor administration project; in the neighboring United Arab Emirates a UNESCO project aimed at the education of handicapped children also has social, medical and vocational rehabilitation inputs in which the United Nations, the World Health Organization and the ILO are involved. In the Libyan Arab Jamahiriya an ILO project which will begin shortly involves the planning and development of a center sponsored by the Ministry of Social Security which combines preventive (occupational safety and health) treatment and vocational rehabilitation services.

In many countries of the Third World 90 percent of disabled persons live in isolated rural areas and the ILO is devoting more and more attention to their problems. In Ghana, Kenya, Malawi and Zambia the ILO

has been associated with training schemes for the rural disabled which concentrate on training the handicapped in activities of daily rural living—thus enabling them eventually to make a contribution to the daily life and work of the community. In Uganada a mobile rehabilitation team provided services to disabled women, teaching them home economics and child care.

The ILO has found that the lack of trained staff is a great drawback to the full development of vocational rehabilitation services. Fellowships, regional training courses and seminars help to bridge the gap, but the shortfall is so great that other methods have to be devised. The ILO is advocating the use of aides and auxiliaries, the training of community health workers in basic rehabilitation techniques.

A project which may well have important and beneficial repercussions on ILO vocational rehabilitation policy in rural areas, recently became operative in Indonesia. The government of the country, faced with the problem of providing rehabilitation services for some 12 million of its people scattered over a large subregion in several thousand islands, recognized that the traditional institutionally based services would not provide the answer—to say nothing of the cost involved. They therefore devised a program whereby rehabilitation services would be developed and delivered at the community level—with the community itself mainly responsible for planning the necessary services. An ILO expert is assisting the project team and already several hundred community workers have been trained through basic rehabilitation courses. Handicrafts and cottage industry work will form the backbone of vocational rehabilitation activities.

A similar ILO-supported community-based program for the vocational rehabilitation of drug dependent persons is under way in Burma with volunteer social workers helping to identify those people who, after medical treatment, require vocational training as a means to successful reintegration in the community.

Blindness is still a scourge in Third World countries and nowhere is it more prevalent than in the seven countries bordering the Volta River Basin in West Africa. Onchocerciasis, or river blindness, affects 1 million of the population there and an ILO expert is actively engaged in the subregion in assisting organizations for the blind to promote and develop vocational rehabilitation services for victims of this dreaded disease.

A satisfactory avenue for the development of vocational rehabilitation services is through the medium of workmen's compensation schemes. In Zambia an ILO team has helped the Workmen's Compensation Board to establish a vocational training center for the physically disabled at Ndola, in the copper-belt area.

## CREATING JOB OPPORTUNITIES

It is in the field of small-scale industry that the ILO has made its greatest impact in helping to create employment opportunities for the disabled. Profitmaking production workshops such as those making umbrellas and dry cell batteries in Ethiopia and employing several hundred disabled persons have attracted world-wide attention. Garment making on cooperative lines, for example in Iran and Colombia, has proved to be a useful and profitable means of employing disabled women and, for good measure, workshops of this kind often support homeworking schemes for the severely disabled who are house-bound.



Several of the above projects have been financed by ILO member states: Finland, the Federal Republic of Germany, Norway and Sweden. In addition, the government of Poland has supported a series of ILO training courses over the past 15 years, permitting groups from African, Asian and Middle Eastern countries to obtain a close insight into the Polish system of industrial cooperatives which provide employment and comprehensive rehabilitation services for some 200,000 disabled persons. The Danish International Development Agency (DANIDA) too has regularly provided funds for ILO regional seminars which have helped to provide a stimulus for further realistic development of rehabilitation services for the deaf, blind, mentally retarded, mentally ill and other disabled, as well as providing for the training of sheltered workshop managers.

Research too is an important aspect of the ILO's vocational rehabilitation program, resulting in publications on basic principles of vocational rehabilitation, ergonomics, selective placement, vocational assessment and work preparation centers for the disabled, cooperatives of the disabled, vocational rehabilitation of the mentally ill and production workshops for the disabled. Audio-visual material (films and sound-slide packages) have been produced for staff training and public information purposes while a special documentation service (BLINDOC) provides for world-wide dissemination of innovative techniques in the training and employment of the visually handicapped.

A major feature of the ILO's program of vocational rehabilitation is the extent to which it is developed in cooperation with other organizations. This cooperation has reflected not only the degree of world-wide interest in the subject but also the need for coordination of all aspects of the rehabilitation process—medical, social, educational and vocational—in which public and private agencies concerned have their respective part to play.

The main focal point for program coordination is the Inter-Agency Group on Disability Prevention and Rehabilitation composed of representatives of the United Nations and specialized agencies (ILO, WHO, UNESCO) as well as representatives of UNICEF, Office of the High Commissioner for Refugees and the Council of World Organizations Interested in the Handicapped. This working group meets regularly to discuss current and future programs and to examine how coordination and cooperation can best be achieved.

Close and cordial working relationships on vocational rehabilitation questions have also been established with leading inter-governmental and non-governmental organizations (such as the European Economic Community, Rehabilitation International, the World Council for the Welfare of the Blind, the World Federation of the Deaf, the World Rehabilitation Fund and Goodwill Industries International) as well as important national agencies such as the Polish Invalids' Cooperative Union, the Royal National Institute for the Blind in the United Kingdom and the U.S. President's Committee on Employment of the Handicapped.

In the immediate future, this closely coordinated and cooperative approach to the development of vocational rehabilitation activity on a global scale will have particular significance as the program of the United Nations International Year of Disabled Persons (1981) gets under way. ●

## WORLD POPULATION GROWTH AND ABORTION

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. SEIBERLING. Mr. Speaker, what ever the specific outcome of the budget debate, Congress is about to take unparalleled action by significantly cutting back on Government-supported programs and services. It is the hope of everyone that this dramatic new spending policy will help slow inflation and encourage economic growth.

But Government spending is certainly not the sole cause of inflation. Inflation is worldwide, brought on primarily by the pressure of an expanding world population on ever scarcer resources. If we are ever to get a true grip on the problem, then we must look seriously at global population stabilization as an important first step toward effective control of inflation.

I recently came across a briefing paper prepared by the Population Crisis Committee in April 1979. It clearly lays out the role that abortion plays in worldwide family planning. According to this paper, entitled "World Abortion Trends," "few experts would deny the fact that widespread use of abortion—legal or illegal—has more immediate impact on birth rates than any other single factor." For instance, it is estimated that "one in four pregnancies worldwide is terminated by induced abortion, totaling roughly 40 million or more abortions annually worldwide."

Whether or not abortion is legal does not seem to be a big factor in the abortion rate. "In countries where restrictive laws are actually enforced," the report states, "women have not been deterred from seeking abortions, but rather they have resorted to various methods of self-induced abortion and abortion by untrained illegal practitioners." It is estimated that, worldwide, roughly half of all abortions occur illegally and represent a leading cause of death among women of childbearing age. But illegal abortions and accompanying deaths have declined in countries where abortion laws have been liberalized and where modern medical procedures have made early abortion nearly eight times less hazardous than childbirth.

The leading cause of abortion use is identified as lack of access to contraceptives. Most of the 360 million women who lack access to modern contraceptive methods live in developing countries "where commercial and public health networks for the delivery of family planning services are weak or nonexistent."

Far from advocating abortion as the ideal means for stabilizing the popula-

tion, the study simply recognizes that abortion will probably continue as an important method of family planning. One reason for this is that in many countries family planning education and service programs receive minimal public support. As the paper points out, "unless family planning programs are pressed with additional vigor, the record suggests that there will be more rather than less demand for abortion in the future."

The study concludes by setting out the following recommendations to governments and private organizations seeking to reduce the human and societal costs of abortion:

First, make early abortion under safe, medically supervised conditions widely available;

Second, make modern contraceptives and voluntary sterilization universally available at a reasonable cost; and

Third, support research for safer, more effective contraceptives.

Mr. Speaker, I urge colleagues who are interested in tackling the worldwide problem of population growth and its effect on the global economy to read the study, which is reprinted following my remarks.

[From Population, April 1979]

### WORLD ABORTION TRENDS

Historically, abortion has been the most common method of birth control throughout much of the world. In the last decade, with wider distribution of modern contraceptives, abortion has probably fallen into third place, behind voluntary sterilization (approximately 80 million users worldwide) and oral contraceptives (55 million users).

Still, experts estimate that today about one in four pregnancies worldwide is terminated by induced abortion, totaling roughly 40 million or more abortions annually worldwide. About half of these abortions occur illegally and now represent a leading cause of death among women of childbearing age. In Latin America, the Middle East and other areas where family planning services are scarce, the medical complications of illegal abortions are reaching epidemic dimensions.

### ABORTION WORLDWIDE

In most parts of the world, the incidence of abortion is expected to grow as a result of wider preference for smaller families, lack of alternative family planning services, and an increase in the number of women of childbearing age. Other social and economic factors may also contribute to greater abortion demand, including a shift from rural to urban lifestyles, overcrowded housing conditions, high unemployment rates, and other factors raising the cost and lowering the perceived value of large families.

### CURRENT LAW

As of 1978, about two-thirds of the world's people lived in countries that permitted abortion on request or under a broad range of social conditions. Between 1965 and 1978, almost 30 countries removed major restrictions on access to abortion. In the same period only five countries—Bulgaria, Czechoslovakia, Hungary, New Zealand and Romania—adopted slightly more restrictive laws. Most of the countries that permit abortion under a broad range of conditions

are located in Asia, Europe and North America. In most of Latin America and Africa, abortion is either completely illegal or permitted only to protect a woman's life or health, and countries with less restrictive policies include only Cuba, Uruguay, South Africa, Tunisia and Zambia.

LEGAL STATUS OF ABORTION—IN SELECTED COUNTRIES BY STATUTORY GROUNDS FOR ABORTION, MID-1978

	On request or for social indications <sup>1</sup>	Conditional (includes eugenic, rape, incest and/or broad health indications) <sup>2</sup>	Only life-threatening circumstances <sup>3</sup>	Illegal (no exceptions) <sup>4</sup>
Total population covered (in millions).....	2,568.3	614.1	449.6	369.2
Total number of countries represented.....	27	36	30	15
Percentage of world population.....	61	15	11	9

<sup>1</sup> Major countries: Austria\*, Bulgaria\*, Czechoslovakia\*, Denmark\*, France\*, German Democratic Republic\*, German Federal Republic, Hungary\*, India\*, Italy\*, Japan\*, People's Republic of China\*, Poland\*, Romania\*, Sweden\*, Tunisia\*, United Kingdom\*, United States\*, U.S.S.R.\*, Yugoslavia\*, Zambia.

<sup>2</sup> Major countries: Argentina\*, Australia\*, Brazil\*, Cameroon, Canada, Chile\*, Cuba\*, Ecuador, Ethiopia, Ghana, Greece\*, Kenya, Mexico\*, Morocco, Nepal, Peru, Republic of Korea\*, Rhodesia, South Africa\*, Switzerland, Syria, Thailand, Turkey\*, Uganda.

<sup>3</sup> Major countries: Algeria, Bangladesh, Cambodia, Guatemala\*, Iraq\*, Ivory Coast, Madagascar, Malawi, Malaysia, Netherlands, Nigeria, Pakistan, Senegal, Spain, Sri Lanka, Sudan, Upper Volta, Venezuela\*.

<sup>4</sup> Major countries: Belgium\*, Burma\*, Colombia\*, Dominican Republic, Egypt, Indonesia\*, Philippines\*, Portugal\*, Taiwan\*, Zaire.

This chart summarizes the total population covered by different types of laws in the 108 countries for which information is available. Information for the remaining countries (representing 5 percent of the world's population) is not available. The chart also categorizes the status of abortion law for 73 countries with populations of over 5 million; 35 smaller countries are included in the total population figures but are not listed individually.

The legal status of abortion does not always determine its incidence. In each column of the chart, countries with significant ratios of legal or illegal abortion (more than 1 abortion per 5 live births) are shown with an asterisk, including some countries where abortion is illegal under any circumstance.

Information on national laws and policies is principally based on Christopher Tietze's recent work; information on abortion ratios is based on estimates and country surveys by the International Planned Parenthood Federation and others. Population estimates are from the Population Reference Bureau's "Data Sheet" for mid-1978.

Because of wide variations in the interpretation and enforcement of abortion laws, however, the actual incidence of legal and illegal abortion is not always determined by the letter of the law. In countries with few restrictions, the distribution, quality and cost of abortion services are largely determined by government policymakers and health administrators. Even in the United States, for example, public assistance for abortion is largely unavailable to low-income women, and only one in five public hospitals and fewer than two in five private hospitals provide abortion services.

In developing countries with few legal prohibitions, conservative attitudes can also combine with shortages of trained personnel to severely limit the availability of legal abortion. In 1978, six years after the enact-

ment of India's new abortion law, only an estimated one million legal abortions occurred, compared with as many as five million illegal abortions. In Tunisia, on the other hand, where the government has moved purposefully to expand legal services, local officials believe that abortion rates are dropping and that only one in three abortions is illegal.

On the other hand, some countries with restrictive abortion laws still on the books now have a form of *de facto* legalization. Non-enforcement of abortion laws in Korea, the Netherlands, and Taiwan, for example, has encouraged a substantial growth in abortion services, and safe abortions are widely available from private physicians. Abortion rates and associated complication rates are consequently comparable to those in the United States and other countries where abortion is legal.

In countries where restrictive laws are actually enforced, however, women have not been deterred from seeking abortions, but rather they have resorted to various methods of self-induced abortion and abortion by untrained illegal practitioners. The limited impact of restrictive laws on the demand for abortion is suggested by the Romanian experience. Following passage of a more restrictive abortion law in 1966, abortion-related deaths rose seven-fold over a decade, and illegal abortions reached the level of legal abortions.

PREVALENCE PATTERNS

Over the last several years, the highest abortion rates in the world—according to rough estimates—appear to have been in Italy, Portugal and Uruguay, which may have as many abortions as live births. Interestingly, most of the abortion in all three countries were illegal at the time. In Austria, Japan, and the Soviet Union, where abortion is legal, more than 1 in 2 pregnancies end in abortion. Japan and the U.S.S.R. share a heavy historical reliance on abortion as a method of family planning due to the lack of oral contraceptives, IUD's, and voluntary sterilization. In the middle range are Argentina, Bulgaria, Cuba, Hungary, Israel, Romania and Yugoslavia with one abortion for every three pregnancies. Countries with lower rates, where about one in four pregnancies ends in abortion, include Czechoslovakia, Denmark, East Germany, Finland, India, Korea, Poland, Singapore, Sweden, the United States, and, according to recent reports, Brazil, China, and El Salvador.

Generally, countries with the highest abortion rates—legal or illegal—fall into three major categories:

Affluent Western countries with predominantly small families, childfree lifestyles, delayed childbearing, and adolescent sexuality, where abortion is heavily used as a backup for contraceptive failure or erratic contraceptive use;

Middle-income industrial countries where economic and social conditions discourage large families and where abortion is the main birth control method due to the unavailability of other effective contraceptive methods; and

Less developed countries experiencing rapid economic modernization, often including large-scale migration to the cities, but where contraceptive practice is not yet widespread.

In most countries where abortion laws have been liberalized, the incidence of illegal abortion has dropped dramatically, with a commensurate decline in abortion-re-

lated deaths. The rate of abortion-related complications has been further reduced as more procedures are performed early in the first trimester of pregnancy and as medical practitioners have gained greater access to specialized training and equipment. Additionally, the overall incidence of legal abortion, after rising slightly (compared with the estimated number of illegal abortions in previous years) has typically leveled off within several years. In many of the European countries with legal abortion, the incidence of abortion has now declined or stabilized.

CHARACTERISTICS OF ABORTION CLIENTS

Abortion occurs among nearly all social and economic groups. Although the typical age and marital characteristics of abortion clients vary from country to country, several patterns of unwanted pregnancy and abortion use can be identified for the world as a whole.

Lack of access to contraceptives is by far the leading cause of abortion use. Worldwide, more than two in three women at risk of pregnancy (about 360 million out of 560 million women worldwide) lack access to modern contraceptive methods. Most of these women are in developing countries where commercial and public health networks for the delivery of family planning services are weak or non-existent. However, adolescents and low-income couples in some developed countries also lack access to services.

Inconsistent contraceptive use accounts for another large portion of abortions. Many couples use contraception only sporadically; some misjudge the risk of pregnancy (for example, women approaching menopause may abandon regular contraception too early); some misunderstand contraceptive usage; and others may simply find contraceptives inconvenient or embarrassing to use. Young couples especially need time and experience to use contraceptives effectively, yet their natural fertility is highest during this experimental stage.

Contraceptive failure, while not a major cause of abortion worldwide, is nevertheless significant in countries with adequate family planning services because most couples who do practice contraception regularly are strongly enough motivated to avoid unwanted births that they will often choose abortion when contraception fails. Studies show that as many as one in three couples using modern reversible methods will have an unwanted pregnancy over five years' time. Although birth control pills are theoretically 99.7 percent effective, 4 to 10 percent of users worldwide become pregnant for each year of use, mainly as a result of human error.

Changes in personal circumstances occasionally lead to abortion when, as a result of desertion, widowhood, or family crisis, a wanted pregnancy becomes unwanted. Where consensual unions or male migration are common, women who are suddenly abandoned and left to support several existing children may feel compelled to avoid another birth at all costs.

Detection of fetal defects is now possible in some highly developed countries as a result of effective new tests performed after the 16th week of pregnancy. Most couples who learn of fetal defects (about 3 percent of the cases tested) opt for abortion and then try for a subsequent normal pregnan-

cy. Pregnant women exposed to rubella, X-rays, toxic chemicals or harmful drugs may automatically choose abortion rather than risk an abnormal birth.

Coupled with differences in cultural patterns of childbearing and marriage, the differential weight of these factors accounts for some of the variations among countries in patterns of abortion use. In developing countries, available data indicate that abortion clients tend to be in their 30's or older, married, and close to or past their desired family size. In Tunisia, for instance, three in five women obtaining legal abortions in 1976 had four or more prior births. In India and Singapore, over 90 percent of the legal abortion clients were married. In contrast, abortion clients in the United States, Canada and most Western Europe countries tend to be in their 20's or younger and are more often unmarried. In the United States, for example, 74 percent of the women seeking abortions in 1976 were unmarried and 46 percent were childless.

Because the patterns of abortion use vary so greatly from country to country, efforts to reduce the incidence of abortion must also vary. Since many women in developing countries who seek abortions already have all the children they want, expanding voluntary sterilization services may be an alternative. In developed countries, however, alternatives to abortion will have to include sex education and the provision of contraceptives to unmarried minors.

#### ABORTION AND HEALTH

During the 19th century, untrained and sometimes unscrupulous practitioners performed abortions throughout Europe and the United States. In order to curb such practices, a number of governments adopted restrictive abortion laws to protect women's health. Most of these older restrictive laws remained on the books until recently and were transferred to other countries around the world during the colonial period. Today, however, public health groups—far from favoring prohibitions on abortion—are among the strongest voices for wider access to abortion services. This is because modern medical procedures, which make early abortion nearly eight times less hazardous than childbirth, have dramatically reduced abortion-related deaths wherever legal abortion has been made fully available.

Illegal abortion, on the other hand, has become a leading cause of maternal mortality in many countries. In Latin America, where abortion is generally illegal and contraceptive services limited, medical treatment for abortion complications consumes a large proportion of hospital beds and blood bank supplies. As far back as 1969, Chilean government officials estimated that illegal abortions caused up to 35 percent of all maternal deaths and that up to 6 percent of Chile's annual health care budget was spent for treatment of abortion-related cases. Latin American health officials estimate that the average cost of treating an infected or incomplete abortion is 4.5 times the cost of a Caesarean operation and 9 times the cost of a normal birth. Illegal abortion and associated medical complications are also on the rise in the Middle East and parts of Africa, where some urban hospitals now report a ratio of one admission for the treatment of abortion complications to every two deliveries.

#### MORTALITY RISKS ASSOCIATED WITH VARIOUS OBSTETRICAL AND GYNECOLOGICAL PROCEDURES

Procedure	Deaths per 100,000 cases	
	United States	Developing countries (estimated)
Legal abortion.....	3	4-6
Female sterilization.....	5	10-100
Delivery of live births.....	15	250-800
Illegal abortion (non-medical).....	50-150	100-1,000
Caesarean section.....	111	160-220
Hysterectomy.....	240	300-400

Source: U.S. data were provided by the Center for Disease Control, DHEW, and are for the most recent year available. Estimates for developing countries and illegal abortion are based on reports from a variety of health experts familiar with available maternal mortality data.

#### ABORTION AND POPULATION GROWTH RATES

Over the last century, abortion—legal and illegal—has been a major factor in the fertility declines experienced by industrialized countries. In a few cases, like Japan, abortion has been credited as a major factor in unusually rapid declines. Based on this experience a few countries have cited demographic impact as one of several reasons for legalizing abortion. While such justifications are atypical—given the human rights and public health emphasis of most abortion supporters—few experts would deny the fact that widespread use of abortion (legal or illegal) has a more immediate impact on birth rates than any other single factor.

Achieving the two-child family average needed for population stabilization probably requires some reliance on abortion in any case, since present contraceptive methods are neither totally effective nor universally available. Reducing fertility from an average of seven births per woman to two in the absence of contraceptives would require an average of nine or ten abortions per woman. But even if each woman used a 95 percent effective contraceptive method, seven in ten women would still require an abortion at some point during their reproductive lives. Studies made in several countries and recent reports from China demonstrate that while countries with falling birthrates can reduce abortion rates through intensive family planning programs, only universal use of a perfect contraceptive would largely eliminate the need for abortion services.

On the positive side, recent experience also indicates that the availability of abortion services may reinforce contraceptive practice. Women who have had an abortion are more likely to practice contraception than other women, and for many women the opportunity to exercise retroactive judgment about an unwanted pregnancy is the necessary first step to consistent contraceptive use. Even in countries where abortion is illegal, clinics and hospitals have increased contraceptive acceptance through family planning counseling programs for clients admitted for abortion-related complications. This positive association between abortion and contraception is most evident where legal abortion services are part of a comprehensive family planning program offering a full range of contraceptives and voluntary sterilization and where medical practitioners are committed to preventive measures.

#### REDUCING ABORTION'S HUMAN COSTS

Few people view abortion as an optimal method of family planning for the individual or as an ideal means of reducing national birthrates. However, since both contraceptives and the people using them are subject to failure, it is unlikely that the practice, after many centuries of use, will soon disap-

pear. Unless family planning programs are pressed with additional vigor, the record suggests that there will be more rather than less demand for abortion in the future. Illegal abortion takes a tremendous toll in human and social terms. So do legal abortions when they are performed late in pregnancy or when access to services is encumbered by excessive cost or red tape.

Governments and private organizations seeking to reduce the human and societal costs of abortion can make major contributions in three respects:

By making early abortion under safe, medically-supervised conditions widely available;

By making modern contraceptives and voluntary sterilization universally available at a reasonable cost; and

By supporting research for safer, more effective contraceptives.

Women seeking, abortion are demonstrating an intense desire to avoid unwanted births, and it is in the interest of governments from a social, health, and demographic perspective to assist them in meeting their family planning objectives in the most humane way possible. ●

#### REAGAN'S BLOCK GRANT FOR EDUCATION: FACADE OF SIMPLIFICATION

#### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. BIAGGI. Mr. Speaker, for the benefit of my colleagues, I would like to draw attention to the proposal which has been received from the administration to consolidate 44 existing elementary and secondary education programs into two "block grants", one for services to disadvantaged children and the second for programs to improve school resources. After a careful look at this proposed legislation, I have concluded that its provisions are inequitable, unrealistic and woefully inadequate to insure even a minimal amount of service to children in need of compensatory educational services.

As New York's senior member of the House Education and Labor Committee since my election to Congress 13 years ago, I have been closely involved in many of our major elementary and secondary education programs. This "block grant" proposal, masquerading as an "education assistance measure", is nothing more than an attempt to withdraw all Federal support for education in this Nation. It would abrogate 15 years of social progress in a field which has witnessed the quality of education for disadvantaged students increase dramatically as a result of our Nation's commitment to these needy children.

This proposed legislation is divided into two titles. Title I of the bill would provide financial assistance to States to improve the achievement levels of special education populations, including the educational disadvantaged, the

handicapped, bilingual children and adults in need of basic education skills. Under this title, 87 percent of the funds would be directly appropriated to States for local educational agencies, 75 percent of this being distributed under the title I ESEA formula and 25 percent distributed on the basis of school-age population. The remaining 13 percent of the moneys in title I would be distributed to States on the basis of the subparts in title I ESEA which provide aid to the handicapped in institutions, neglected, delinquent and migratory children as well as adults served under the Adult Education Act.

Title II of the bill combines the various categorical programs which provide funds to improve or enhance local school services, which include ESEA titles IV B and C, basic skills under title II ESEA, the Woman's Educational Equity program under title IX-C ESEA, special programs under the Education of the Handicapped Act and part B of title V of the Economic Opportunity Act, which authorizes the Head Start program. Moneys under title II of this proposed bill would be based upon school-age population, with a hold harmless provision to insure that in fiscal year 1982, no State would receive any less than they received in fiscal year 1981 for these various categorical programs.

The third and final title of the bill provides for the preparation of a State plan for carrying out payments to LEA's under this act. It insures proper use of funds through audit provisions and also guarantees the participation of nonpublic schools in these programs. Finally, this section repeals current existing statutes which authorize these various programs:

Titles I, II, III (except part A), IV, V, VI, VIII and IX of the Elementary and Secondary Education Assistance Act of 1965;

The Education of the Handicapped Act (except sections 602, 622, 623, 624, 625, 627, 633, 635, 636 and parts E and F);

Part A and section 533 of title V of the Higher Education Act of 1965;

The Adult Education Act (except section 316);

The Career Education Incentive Act; The Alcohol and Drug Abuse Education Act; and

Part B of title V of the Economic Opportunity Act.

The benefits of enactment of such a proposal are few in comparison to the long-range liabilities they will incur if we accept such an administrative alteration of the existing delivery service structure. A close examination of the long-range implications of such a change include:

#### OVERALL DRASTIC REDUCTION IN FUNDS FOR STATES AND LEA'S

The notion that this proposal would not reduce funding to States and local

educational agencies is unfounded for there are no assurances that adequate funds can continue to be provided for the various programs under this proposal. In my own city of New York, we have been asked to bear a disproportionate share of these educational cuts already for fiscal year 1981. The cost of living as well as the cost of providing educational services in New York is substantially higher than in the rest of the Nation. To incur additional losses upon urban schools would virtually eliminate vital as well as mandated services, such as those to handicapped children, forcing State and local governments to make up the difference.

#### SHIFT TO STATE CONTROL FROM FEDERAL

I remain deeply concerned over the allocation of funds to LEA's in this proposal by the State agency. The State must develop the plan which will dictate how Federal funds will be spent, with no provision for Federal approval of this plan. In effect, the implications of such a proposal are the promotion of less local control of education, rather than the alleged more local control. There are no guarantees that LEA's must continue to receive a comparable amount of dollars as they had under the former structure, should this proposal be implemented.

#### PRIVATE SCHOOL PARTICIPATION

The required "equal project expenditures" provision in this legislation for private school students could easily exceed current requirements. In addition, I remain deeply concerned over the lack of monitoring and enforcement provisions which would insure proper use of these funds in participating private schools.

#### IMPLICATIONS OF SPECIAL EDUCATION POPULATIONS

The two largest groups of children served in our elementary and secondary education programs are those served under title I ESEA programs and those served under handicapped education programs. By placing these two major groups—both with special, and often separate, educational need, in direct competition for funds at the State and local level, would virtually assure that adequate funds would be provided for one group at the expense of another—or even worse, reduce funds for both groups to a level which would in effect eliminate services completely.

#### COMPLETE ABSENCE OF LOCAL DISTRIBUTION FORMULA

Provides no guarantees that urban school districts would receive the same amount of funds every year. The intra-State distribution formula could be revised every year, at the State's will, which would leave LEA's with little ability for advance planning.

#### LACK OF LOCAL ADMINISTRATIVE COSTS

In the proposed legislation, no reference is made to local administrative

costs. The question remains that LEA's could be prohibited from using block grant moneys for indirect program costs, thereby placing a further drain on local dollars which must be used to administer Federal dollars.

#### NO MANDATED SERVICES TO SPECIAL POPULATIONS

Under this legislation, there are no guarantees that special populations would continue to receive services. This raises major problems in areas which are currently operating under court orders to provide services to children. For example, in New York City, a Federal judge ruled that handicapped children have to be evaluated and placed in special programs, yet we have insufficient Federal funds to carry out this Federal order. It currently costs approximately \$8,500 a year to educate a handicapped child in New York City and we now receive less than \$250 per child to provide these services. Under the block grant proposal, this dismally small amount could be even further reduced. The same problem is faced with bilingual children and refugee children. We have an obligation to provide educational services, largely due to established Federal policies, yet adequate funds to carry out these mandates will not be forthcoming.

These are but a few issues that must be raised with an initial examination of this education "block grant" proposal. With the adoption of the budget resolution—which I did not support—to reduce aid to education programs by at least 25 percent, education cannot afford to incur additional cuts. The House Appropriations and Budget Committees did not endorse this consolidation proposal in their reports to accompany the fiscal year 1981 supplemental appropriations bill and the fiscal year 1982 First Concurrent Budget Resolution, respectively. In addition, our Education and Labor Committee has proceeded with the reauthorization of various categorical programs under our jurisdiction in lieu of consideration of this consolidation proposal, including the Economic Opportunity Act and the Alcohol and Drug Abuse Education Act. These actions collectively signal the strong opposition of many in the Congress to lumping targeted moneys into a big pot which would be divided into 50 pieces, without any special consideration to earmarking of funds.

We must be firm in our efforts to oppose any proposal which seeks to restructure Federal aid to education programs as an entree to complete withdrawal from this responsibility. The so-called November mandate under which this administration operates is, in my belief, not as broad based nor as inequitable as we have been led to believe. A close scrutiny of my record indicates that I have supported well-

thought-out efforts to reduce Government spending, with due consideration to the short- and long-term implications. Today, we are faced with massive reductions in spending, with little, if any, hope of assessing the impact of these reductions upon the very people we, as a Nation, have historically helped; the poor, the disadvantaged and the handicapped. Consolidation for program simplification is one thing; complete elimination of programs in order to replace them with a single "block grant" in the name of administrative simplification and savings is quite another. I, for one, am unwilling to accept this concept to eliminate the educational foundations of support for so many needy children in this Nation. We have committed ourselves to these programs and they have worked. Accordingly, I urge rejection of this ill-founded proposal.●

#### A GIFT OF BLOOD IS A GIFT OF LIFE

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. RALPH M. HALL. Mr. Speaker, it is my privilege to draw attention to the wonderful record set by two blood donors in Tyler, Tex., who have given a pint of blood over 100 times.

Jim Arnold and Chub Milner have donated over 12½ gallons of blood at Stewart Blood Center, the blood bank furnishing blood and blood components to hospitals in 31 counties in east Texas.

As volunteer donors, both of these men recognize the need for blood to sustain life of patients who cannot live without infusion of donor-given blood.

The marvelous record set by these two fine men serves as an example of true giving and an inspiration to other men and women in good health to take the time to share their life's blood with others.

This gesture is significant, for truly a gift of blood is a gift of life.●

#### TAKING SCIENCE OUT OF SOCIAL SCIENCE

### HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1981

● Mr. WALGREN. Mr. Speaker, at a time when the administration and the Congress wrestle with ways to revitalize the U.S. economy, the proposed cuts in some National Science Foundation programs are both shortsighted and dangerous.

In an April 17, 1981, editorial in *Science* magazine, Dr. Frederick Mosteller, chairman of the board of the

American Association for the Advancement of Science, points to the damage which could be caused by the proposed deep cuts in the social and economic sciences division. These sciences provide measurement and evaluation tools that help business and Government determine whether productivity programs work. To quote Dr. Mosteller, "When society's leaders plan to change the economy, they need also to know the effects of their changes."

The editorial follows:

#### TAKING SCIENCE OUT OF SOCIAL SCIENCE

The new Administration's goals of stabilizing the economy and revitalizing U.S. productivity are worthy of support. William D. Carey has pointed out that when national budgets are heavily cut, science and technology must expect to share in the reduction. Presumably the reasons arise more from equity than logic, since other developed countries that now surpass us in gains in productivity and compete with us for markets seem to be increasing their portion of the budget spent for R. & D. At the same time, the Administration clearly does appreciate the value of research and has retained the overall National Science Foundation (NSF) budget at a substantial level.

Given that cuts are to be made at the NSF, great care should be given to the allocation of research funds. Philip Handler's description of the cuts raises doubts about this care. Let me take up in detail one small but important division of NSF, Social and Economic Sciences (SES). Under the Administration's plan, SES funds in millions will drop from \$31 to \$24 to \$10 from fiscal year 1980 to 1981 to 1982. Without even allowing for inflation, this gives a reduction of 68 percent in 2 years. Similar deep cuts have been planned for the smaller Behavioral Sciences program. Large cuts in social science research funds announced elsewhere, as at the National Institutes of Health and the Department of Defense, would add to the damage.

Much of social science research supported by NSF produces the methods of measurement and analysis and the concepts that make measurements possible in social, economic, and health problems. When society's leaders plan to change the economy, they need also to know the effects of their changes. We know that innovations, social, medical, and technological, often fail and that they therefore need evaluation. Social science research provides both the tools and the data for such evaluations. More constructively, it often also provides the research to improve the success rates of future innovations. This research frequently finds that the conventional wisdom has been mistaken, indeed that is a common characteristic of social science research which may not endear it to us. For example, Project Sappho found that variables often mentioned in business lore such as size of firm, being first to market, and structure of research did not explain why some companies succeeded and others failed in introducing the same technological innovation. For innovation to flourish, we need more research on innovation, in both science and technology.

Among the better known contributions of social science have been the research leading to the national accounts and gross national product estimates, the systematic development of scientific sampling for objects, people, institutions, and records, and meth-

ods of measuring unemployment, agricultural production, and the effectiveness of medical therapies.

Probably not many of us appreciate how extensively the work of social scientists finds uses in business and industry. Of the 285,000 science and engineering doctorates employed in 1977 in the United States, social scientists comprise 27 percent. About one-third of these social scientists have employment outside academia. Of all the scientists in business and industry, social scientists comprise 11 percent.

If we fail to invest in social science research, we can anticipate a drying up of that research among our younger scholars. Worse yet, the best will leave the field altogether or not take it up. With the opening of China to the world, we have seen what an interruption of research can do to a society. It produces a long and sorry period of playing catch-up. The research that we fail to do now will penalize our own generation with a lack of ideas in a decade or so. The NSF has responsibility for enhancing the scientific resources and capabilities of the nation. By withdrawing NSF and other support, we will gradually delete the science from research endeavors in social science.●

#### 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, May 21, 1981, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

MAY 22

9:30 a.m.

Finance

Taxation and Debt Management Subcommittee

To hold hearings on S. 230, permitting the withholding of State income tax from certain seamen's wages on a voluntary basis, S. 644, liberalizing certain personal holding company provisions as applies to consumer finance companies, S. 978, permitting an employer to provide W-2 forms for terminated employees at the end of the year, S. 1039, making permanent the

exclusion from gross income of the value of employer contributions to or services provided by a qualified group legal services plan, and S. 450, providing that the investment tax credit apply to the acquisition of work and breeding horses.  
5110 Dirksen Building

Governmental Affairs  
Oversight of Government Management Subcommittee  
To resume oversight hearings to review the special prosecutor provisions of the Ethics in Government Act.  
3302 Dirksen Building

10:00 a.m.  
Judiciary  
Separation of Powers Subcommittee  
To hold hearings on S. 528, to prohibit a Federal Court from ordering any student to be assigned or transported to a public school other than that which is nearest to the student's residence.  
2228 Dirksen Building

2:00 p.m.  
Judiciary  
To hold hearings on the nomination of Robert A. McConnell, of Arizona, to be Assistant Attorney General for Legislative Affairs, Department of Justice.  
2228 Dirksen Building

JUNE 1

9:00 a.m.  
Appropriations  
\*Defense Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment, receiving testimony on overall intelligence matters.  
1223 Dirksen Building

10:00 a.m.  
Commerce, Science, and Transportation  
To hold hearings on the nomination of John V. Byrne, of Oregon, to be Administrator of the National Oceanic and Atmospheric Administration.  
235 Russell Building

JUNE 2

9:00 a.m.  
Governmental Affairs  
Civil Service, Post Office, and General Services Subcommittee  
To hold hearings on proposed legislation modifying certain provisions of the Medicare and Federal Employees Health Benefits programs.  
3302 Dirksen Building

9:30 a.m.  
Appropriations  
\*HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1982 for the Department of Housing and Urban Development, and certain independent agencies.  
1224 Dirksen Building

Commerce, Science, and Transportation  
To hold hearings on S. 898, proposed Telecommunications Competition and Deregulation Act.  
235 Russell Building

Finance  
Oversight of the Internal Revenue Service Subcommittee  
To hold hearings on S. 850, defining taxpayers' rights and providing for their protection against arbitrary actions by the Internal Revenue Service.  
2221 Dirksen Building

Labor and Human Resources  
To hold oversight hearings on the activities of the National Cancer Institute.  
4232 Dirksen Building

10:00 a.m.  
Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
3110 Dirksen Building

Environment and Public Works  
To resume oversight hearings on the implementation of the Clean Air Act.  
4200 Dirksen Building

Small Business  
Business meeting, to consider proposed reconciliations in relation to cost-savings proposals which fall within the committee's jurisdiction.  
424 Russell Building

JUNE 3

9:00 a.m.  
Governmental Affairs  
\*Intergovernmental Relations Subcommittee  
To hold oversight hearings on the implementation of community development block grants.  
5110 Dirksen Building

9:15 a.m.  
Appropriations  
Defense Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment, receiving testimony on programs of the Central Intelligence Agency.  
1223 Dirksen Building

9:30 a.m.  
Energy and Natural Resources  
To resume oversight hearings on the implementation of standby oil controls.  
3110 Dirksen Building

Finance  
Taxation and Debt Management Subcommittee  
To hold hearings on S. 550, providing a Federal income tax credit for tuition.  
2221 Dirksen Building

Judiciary  
Constitution Subcommittee  
To resume oversight hearings to explore the state of the law with respect to school busing, and the constitutional and legal aspects of alternative remedies.  
2228 Dirksen Building

Labor and Human Resources  
\*Employment and Productivity Subcommittee  
To hold oversight hearings on the implementation of the Farm Labor Contractor Registration Act, and to hold hearings on S. 922, clarifying the meaning of "migrant worker", and to insure the proper administration and enforcement of the Farm Labor Contractor Registration Act.  
4232 Dirksen Building

\*Veterans' Affairs  
Business meeting, to mark up numerous legislative proposals limiting funds of certain services and benefits for veterans, including S. 916, S. 918, S. 919, S. 920, S. 636, S. 1058, S. 1059, S. 1060, S. 1061, S. 1062, S. 1063, S. 1064, S. 1065, and S. 1066.  
412 Russell Building

10:00 a.m.  
Agriculture, Nutrition, and Forestry  
Business meeting, to consider proposed reconciliations in relation to cost-savings proposals which fall within the committee's jurisdiction.  
324 Russell Building

Commerce, Science, and Transportation  
To hold hearings on the nomination of Frederick M. Bush, of Texas, to be Assistant Secretary of Commerce for Tourism.  
235 Russell Building

Environment and Public Works  
To continue oversight hearings on the implementation of the Clean Air Act.  
4200 Dirksen Building

2:00 a.m.  
Environment and Public Works  
To continue oversight hearings on the implementation of the Clean Air Act.  
4200 Dirksen Building

JUNE 4

9:00 a.m.  
Appropriations  
\*Defense Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment, receiving testimony on programs of the National Security Agency.  
1223 Dirksen Building

9:30 a.m.  
Finance  
Taxation and Debt Management Subcommittee  
To continue hearings on S. 550, providing a Federal income tax credit for tuition.  
2221 Dirksen Building

Labor and Human Resources  
\*Employment and Productivity Subcommittee  
To continue oversight hearings on the implementation of the Farm Labor Contractor Registration Act, and to hold hearings on S. 922, clarifying the meaning of "migrant worker", and to insure the proper administration and enforcement of the Farm Labor Contractor Registration Act.  
4232 Dirksen Building

10:00 a.m.  
Environment and Public Works  
To continue oversight hearings on the implementation of the Clean Air Act.  
4200 Dirksen Building

JUNE 5

9:00 a.m.  
Finance  
Estate and Gift Taxation Subcommittee  
To resume hearings on S. 404, S. 395, S. 858, S. 574, S. 23, S. 557, and S. 995, proposals to revise the estate and gift tax laws and minimize the burden on small and moderate-size estates.  
2221 Dirksen Building.

JUNE 8

9:00 a.m.  
Appropriations  
\*Defense Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment, receiving testimony on defense intelligence programs.  
1223 Dirksen Building

10:00 a.m.  
Environment and Public Works  
Environmental Pollution Subcommittee  
To hold oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for one year cer-

tain provisions of the Federal Water Pollution Control Act, and other related proposals.

4200 Dirksen Building

2:00 p.m.

Environment and Public Works  
Water Resources Subcommittee  
To hold hearings on proposals for the development of water resources.

4200 Dirksen Building.

JUNE 9

9:00 a.m.

Office of Technology Assessment  
The Board, to hold a business meeting on pending business matters.

EF-100, Capitol

9:30 a.m.

Labor and Human Resources  
Business meeting, to consider proposed reconciliations in relation to proposals which fall within the committee's jurisdiction.

4232 Dirksen Building

10:00 a.m.

Commerce, Science, and Transportation  
To hold hearings on the nomination of Reese H. Taylor, Jr., of Nevada, to be a member of the Interstate Commerce Commission.

235 Russell Building

Environment and Public Works  
To resume oversight hearings on the implementation of the Clean Air Act.

4200 Dirksen Building

JUNE 10

9:15 a.m.

Appropriations  
Defense Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment receiving testimony on special programs of the Air Force.

1223 Dirksen Building

9:30 a.m.

Labor and Human Resources  
Business meeting, to continue consideration of proposed reconciliations in relation to proposals which fall within the committee's jurisdiction.

4232 Dirksen Building

10:00 a.m.

Environment and Public Works  
Environmental Pollution Subcommittee  
To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for one year certain provisions of the Federal Water Pollution Control Act, and other related proposals.

4200 Dirksen Building

2:00 p.m.

Environment and Public Works  
Transportation Subcommittee  
To resume hearings on S. 841 and S. 1024, bills authorizing funds through fiscal year 1986 for the construction and safety of Federal highways.

4200 Dirksen Building

JUNE 11

9:00 a.m.

Appropriations  
\*Defense Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment, receiving testimony on command, control

and communication programs and intelligence related activities of the Department of Defense.

1223 Dirksen Building

Labor and Human Resources  
Employment and Productivity Subcommittee

To hold hearings on employment and training programs in the United States, focusing on objectives of employment and training policy and the relationship between Federal, State and local governments in the funding, design and administration of employment and training programs.

4232 Dirksen Building

\*Veterans' Affairs

To hold hearings on S. 917, increasing the rates of disability compensation for disabled veterans, and the rates of dependency and indemnity compensation for their survivors, S. 911, authorizing the payment of a special pension to the survivor of persons awarded the Medal of Honor, and S. 915, S. 779 and S. 112, bills providing for memorials to honor the memory of certain deceased members of the Armed Forces.

412 Russell Building

9:30 a.m.

\*Commerce, Science, and Transportation  
To resume hearings on S. 898, proposed Telecommunications Competition and Deregulation Act.

235 Russell Building

10:30 a.m.

Environment and Public Works  
To resume oversight hearings on the implementation of the Clean Air Act.

4200 Dirksen Building

JUNE 12

9:00 a.m.

Labor and Human Resources  
Employment and Productivity Subcommittee

To continue hearings on employment and training programs in the United States, focusing on objectives of employment and training policy and the relationship between Federal, State and local governments in the funding, design and administration of employment and training programs.

4232 Dirksen Building

10:00 a.m.

Environment and Public Works  
Water Resources Subcommittee  
To hold hearings on proposals to provide for the development of ports and harbors and inland waterways in the United States, including S. 809, S. 810, S. 68, S. 202, S. 576, S. 828, and S. 1094.

4200 Dirksen Building

JUNE 15

9:30 a.m.

Commerce, Science, and Transportation  
To resume hearings on S. 898, proposed Telecommunications Competition and Deregulation Act.

235 Russell Building

10:00 a.m.

Environment and Public Works  
Environmental Pollution Subcommittee  
To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for one year certain provisions of the Federal Water

Pollution Control Act, and other related proposals.

4200 Dirksen Building

JUNE 16

9:30 a.m.

Commerce, Science, and Transportation  
To continue hearings on S. 898, proposed Telecommunications Competition and Deregulation Act.

235 Russell Building

10:00 a.m.

Environment and Public Works  
Water Resources Subcommittee  
To hold hearings on S. 810, proposed Inland Waterway User Fee Act.

4200 Dirksen Building

Labor and Human Resources  
Education Subcommittee

To resume hearings on S. 1103, authorizing funds through fiscal year 1986 for elementary and secondary education programs and providing educational support at the State and local level.

4232 Dirksen Building

JUNE 17

9:30 a.m.

Veterans' Affairs  
To hold hearings on the substance of S. 266, implementing procedures and guidelines for the interagency sharing of health resources between the Department of Defense and the Veterans' Administration.

412 Russell Building

10:00 a.m.

Environment and Public Works  
Environmental Pollution Subcommittee  
To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for one year certain provisions of the Federal Water Pollution Control Act, and other related proposals.

4200 Dirksen Building

Labor and Human Resources  
Education Subcommittee

To continue hearings on S. 1103, authorizing funds through fiscal year 1986 for elementary and secondary education programs, and providing educational support at the State and local level.

4232 Dirksen Building

JUNE 18

9:00 a.m.

Labor and Human Resources  
Employment and Productivity Subcommittee

To resume hearings on employment and training programs in the United States, focusing on objectives of employment and training policy and the relationship between Federal, State and local governments in the funding, design and administration of employment and training programs.

4232 Dirksen Building

10:00 a.m.

Environment and Public Works  
Water Resources Subcommittee  
To hold hearings on S. 621, authorizing funds for the development of certain water resources projects.

4200 Dirksen Building

JUNE 19

9:00 a.m.  
 Labor and Human Resources  
 Employment and Productivity Subcommittee  
 To continue hearings on employment and training programs in the United States, focusing on objectives of employment and training policy and the relationship between Federal, State and local governments in the funding, design and administration of employment and training programs.  
 4232 Dirksen Building

10:00 a.m.  
 Environment and Public Works  
 Transportation Subcommittee  
 To resume hearings on S. 841 and S. 1024, bills authorizing funds through fiscal year 1986 for the construction and safety of Federal highways.  
 4200 Dirksen Building

JUNE 22

10:00 a.m.  
 Environment and Public Works  
 Environmental Pollution Subcommittee  
 To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for one year certain provisions of the Federal Water Pollution Control Act, and other related proposals.  
 4200 Dirksen Building

JUNE 23

9:30 a.m.  
 Commerce, Science, and Transportation  
 \*Aviation Subcommittee  
 To hold hearings on proposed legislation to provide for an early phaseout of the Civil Aeronautics Board.  
 235 Russell Building

10:00 a.m.  
 Environment and Public Works  
 To resume oversight hearings on the implementation of the Clean Air Act.  
 4200 Dirksen Building

JUNE 24

9:30 a.m.  
 Commerce, Science, and Transportation  
 \*Aviation Subcommittee  
 To continue hearings on proposed legislation to provide for an early phaseout of the Civil Aeronautics Board.  
 357 Russell Building

10:00 a.m.  
 Environment and Public Works  
 Environmental Pollution Subcommittee  
 To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for one year certain provisions of the Federal Water Pollution Control Act, and other related measures.  
 4200 Dirksen Building

JUNE 25

9:00 a.m.  
 \*Veterans' Affairs  
 Business meeting, to mark up S. 917, increasing the rates of disability compensation for disabled veterans, and the rates of dependency and indemnity compensation for their survivors, S. 911, authorizing the payment of a spe-

cial pension to the survivors of persons awarded the Medal of Honor, and S. 915, S. 779, and S. 112, bills providing for memorials to honor the memory of certain deceased members of the Armed Forces, and the substance of S. 266, implementing procedures and guidelines for the interagency sharing of health resources between the Department of Defense and the Veterans' Administration.  
 412 Russell Building

10:00 a.m.  
 Environment and Public Works  
 To resume oversight hearings on the implementation of the Clean Air Act.  
 4200 Dirksen Building

JULY 7

9:30 a.m.  
 Labor and Human Resources  
 Aging, Family and Human Services Subcommittee  
 To hold hearings on the primary intervention in addressing societal problems.  
 4232 Dirksen Building

JULY 9

9:00 a.m.  
 \*Veterans' Affairs  
 To hold hearings on the prospective nomination of Robert P. Nimmo, of California, to be Administrator of the Veterans' Administration.  
 412 Russell Building

JULY 15

9:30 a.m.  
 \*Veterans' Affairs  
 To hold oversight hearings on procedures for the adjudication of certain claims, and to hold hearings on S. 349, to provide for limited judicial review of the administrative action of the Veterans' Administration, and providing reasonable fees to attorneys representing legal counsel for veterans.  
 412 Russell Building

JULY 16

9:30 a.m.  
 \*Veterans' Affairs  
 To continue oversight hearings on procedures for the adjudication of certain claims, and to hold hearings on S. 349, to provide for limited judicial review of the administrative action of the Veterans' Administration, and providing reasonable fees to attorneys representing legal counsel for veterans.  
 412 Russell Building

JULY 22

9:30 a.m.  
 Veterans' Affairs  
 To hold hearings on S. 5, S. 7, S. 25, S. 26, S. 48, S. 105, S. 248, S. 417, and S. 742, bills providing educational assistance to members of the Armed Forces.  
 412 Russell Building

JULY 23

9:30 a.m.  
 \*Veterans' Affairs  
 To continue hearings on S. 5, S. 7, S. 25, S. 26, S. 48, S. 105, S. 248, S. 417, and S. 742, bills providing educational assistance to members of the Armed Forces.  
 412 Russell Building

JULY 28

9:30 a.m.  
 Labor and Human Resources  
 Aging, Family and Human Services Subcommittee  
 To hold hearings on adoption services in the United States.  
 4232 Dirksen Building

JULY 29

9:30 a.m.  
 \*Veterans' Affairs  
 Business meeting to mark up S. 349, to provide for limited judicial review of the administrative action of the Veterans' Administration, and to provide reasonable fees to attorneys representing legal counsel for veterans.  
 412 Russell Building

SEPTEMBER 16

9:30 a.m.  
 Veterans' Affairs  
 Business meeting, to mark up S. 5, S. 7, S. 25, S. 26, S. 48, S. 105, S. 248, S. 417, and S. 742, bills providing educational assistance to members of the Armed Forces.  
 412 Russell Building

CANCELLATIONS

MAY 21

9:30 a.m.  
 Judiciary  
 Security and Terrorism Subcommittee  
 To hold hearings on S. 66, to include within the definition of a predatory act against the United States as contained in the Alien Enemy Act the seizure of a diplomatic mission, or the seizure of such premises together with the taking of diplomatic hostages.  
 5110 Dirksen Building

10:00 a.m.  
 Appropriations  
 Military Construction Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1982 for the MX construction program.  
 1318 Dirksen Building

10:30 a.m.  
 Appropriations  
 \*District of Columbia Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1982 for the government of the District of Columbia, receiving testimony on certain governmental direction and support programs.  
 1114 Dirksen Building

2:00 p.m.  
 Appropriations  
 Military Construction Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1982 for the MX construction program.  
 1318 Dirksen Building

MAY 22

11:00 a.m.  
 Governmental Affairs  
 To hold hearings on proposed legislation providing for the collection of debts owed to the Federal Government.  
 1114 Dirksen Building



JUNE 9

9:30 a.m.

Labor and Human Resources  
Aging, Family and Human Services Sub-  
committee

To hold oversight hearings on the im-  
plementation of family planning pro-  
grams.

5110 Dirksen Building

Labor and Human Resources

\*Labor Subcommittee

To hold oversight hearings on the im-  
plementation of the Longshoremen  
and Harbor Workers Compensation  
Act.

4232 Dirksen Building

JUNE 10

9:30 a.m.

Labor and Human Resources  
\*Labor Subcommittee

To continue oversight hearings on the  
implementation of the Longshoremen  
and Harbor Workers Compensation  
Act.

4232 Dirksen Building