Thad A. Hoyer
Richard C. Hyatt
James D. Jahn
Gerald D. James
Robert C. Johnson
Carl W. Kachauskas
Billy J. Kahler
Hugh T. Kerr
Robert W. Kirby
Joseph B. Knotts
Peter N. Kress
Neil M. Larimer, II
Robert H. Lockwood
Robert E. Loehe
Jerry W. Marvel
Robert B. Mason
Donald J. McCarthy
James L. McManaway
William J. McManus
Ralph D. Miller
John P. Monahan
Jack P. Monroe, Jr.
Richard J. Morley
Curtis W. Olson
Dorsie D. Page, Jr.
James C. Page
James M. Perryman, Jr.
James A. Poland
William G. Price
Van S. Reed
James K. Reilly
Robert T. Roche
Barry P. Rust
James E. Schulken
James A. Schumacher
Donald R. Seay
Glenn J. Shaver, Jr.
Jerry L. Shelton
Con D. Silard, Jr.
Colben K. Sime, Jr.
Alois A. Slepicka
Norman H. Smith
William R. Smith
Arthur L. Stewart, Jr.
Michael P. Sullivan
Robert C. Tashjian
Frederic L. Tolleson
David C. Townsend
Everett P. Trader, Jr.
John T. Tyler
Francis V. White, Jr.
Charles E. Yates

The following-named officer of the Marine Corps Reserve for permanent appointment to the grade of colonel:

Paul L. Moreau

The following-named woman officer of the Marine Corps for permanent appointment as the grade of colonel:

Vea J. Smith

WITHDRAWAL

Executive nomination withdrawn from the Senate, April 21, 1977:

John McGrath Sullivan, of Pennsylvania, to be an Assistant Secretary of Defense, vice David P. Taylor, resigned, which was sent to the Senate on February 25, 1977.

CONFIRMATION

Executive nomination confirmed by the Senate, April 21, 1977:

DEPARTMENT OF STATE

Michael J. Mansfield, of Montana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXTENSIONS OF REMARKS

THE PRESIDENT'S ENERGY PROGRAM

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. RUDD. Mr. Speaker, I see some very, very serious problems and inconsistencies in the President's energy proposals, presented to a joint session of Congress last evening, and his package of proposed environmental legislation which is currently moving through the Congress.

In my position as a member of the House Interior and Insular Affairs Committee, the President's address last night and his proposed legislative program in the Congress fail to strike a reasonable balance between our energy needs and our environmental concerns.

The President said last night that we must boost U.S. coal production more than 65 percent to more than a billion tons of coal a year, so that we can reduce our massive dependence upon oil. I agree with that goal. Yet my Interior Committee has spent the last few weeks working on the administration's proposed strip mining legislation, which for starters will severely reduce U.S. coal production.

The strip mining bill will eliminate any coal mining in many river bottoms and much farmland. This will shackle U.S. coal production, particularly in the West. This is hardly consistent with the President's stated energy proposals last night.

Mr. Speaker, a second major piece of legislation being pushed by the President and the majority in Congress is the Clean Air Act amendments, which would implement a national policy of nondegradation of air quality.

This means severe restrictions on economic activity everywhere—especially generation of needed electricity with coal. The administration's proposed clean air legislation is again completely inconsistent with the President's announced goals of using coal instead of oil.

It is a fact that you cannot use coal without polluting. But the hard environmental line of nondegradation being pushed for inclusion in the Clean Air Act amendments will tolerate no further deterioration of air quality whatsoever. Industry simply does not have the financial means to implement the technology to use coal within the strict environmental standards to be enforced under the administration's proposed legislation already moving through the Congress.

I applaud the President's goal of establishing a national energy policy. But no national energy policy at all is better than a bad energy policy, or an energy policy that will be undermined by unreasonable environmental policy. We must have a reasonable balance. I am disturbed that the President has not struck that reasonable balance we need between energy priorities and environmental concerns.

Mr. Speaker, I am further disturbed that the President views punitive additional taxes on gasoline as a better way to achieve our energy needs than the preferable alternative of just decontrolling gasoline prices and allowing them to reach their proper level in a competitive free market.

A free market might not ration energy better than bureaucrats. But that should not be our goal. Our goal should be more energy, of all types. Our national energy goal should be to encourage a search for new sources of energy, which is what we really need.

This can only be accomplished by a freely competitive system, with a minimum of Government interference, which the President seemed to endorse while at the same time calling for greater bureaucracy.

As the President correctly stated last night, our Nation's energy dilemma is "the greatest challenge our Nation will face in our lifetime." I know there are many in this Congress who share my concerns and doubts about some of the prescriptions offered by the President to meet that challenge.

But because there are problems and serious inconsistencies in the President's program does not mean that we cannot meet the challenge before us. We have a vast array of talent and dedication to the task throughout our great country. And we can work out those difficulties if the reasonable spirit urged by the President becomes a rallying together for commonsense solutions.

I view my job in the Congress as an obligation to give this challenge every effort that I can muster. It is my hope that Congress will see the need to balance environmental considerations with the need to develop more of our own domestic energy resources, and to provide more jobs through expansion of the productive private sector of our economy.

RABBI LIPNICK TO BE HONORED

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. YOUNG of Missouri. Mr. Speaker, St. Louisans plan to honor with a testimonial this weekend a man who has been a civic leader and spokesman for the Jewish community for more than a quarter century. Rabbi Bernard Lipnick, a Baltimore native, first came to Congregation B'nai Amoona in St. Louis in 1951 as educational director and associate rabbi. Today, he is the congregation's beloved senior rabbi. Rabbi Lipnick has published several scholarly articles, and a book—"An Experiment That Works—in Jewish Religious Education."

The book outlines the approach—and philosophy—the rabbi has used in establishing his congregation's religious education program for high school students. His progressive approach has been so successful that the number of young people in the congregation who have continued their religious education has increased from 3 percent to 80 percent in recent years.

In these and many other endeavors, Rabbi Lipnick has demonstrated a unique ability to lead—both in his congregation and in the St. Louis community as a whole. It is fitting that he should be honored for his 25 years of service to all of St. Louis.

REFUGEE ASSISTANCE

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. STARK. Mr. Speaker, today JOEL PRITCHARD and I, along with more than 30 cosponsors are introducing a bill to extend the Indochinese refugee assistance program for 3 years providing for its phaseout over that period. As you know, there are now over 140,000 Indochinese refugees in this country. A majority of those who were admitted shortly after our passage of the Indochina Migration and Refugee Assistance Act of 1975 are nearing the goal of successful assimilation and integration into American life. However, according to HEW, as of March 1 of this year, more than 50,000 or approximately 35 percent were receiving at least part of their support from public cash assistance. At the same time, refugees have continued to arrive in the United States. Between December 1976 and March 1977, 30 States experienced increases in their refuge cash assistance caseload. Unfortunately, within 6 months the Indochinese refugee assistance program is scheduled to end.

There are two compelling reasons that this program should be continued beyond its current expiration date of September 30 of this year. First is the high percentage of refugees requiring cash assistance and the clear need of the refugees for additional English language and vocational training in order to become self-sufficient. Second, the problem is national, not local, and the termination of the program would result in serious hardship to both the refugees and the public and private agencies assisting them. Indeed, the economic impact on State and local governments for fiscal year 1978 is estimated to be approximately $100 million.

The current program provides for 100 percent reimbursement to State and local governments for the cash and medical assistance, as well as the social services provided to the refugees. Related administrative costs are also covered. Our bill provides for a gradual phasedown from this level of Federal funding for cash and medical assistance to 80 percent in fiscal 1979, and 60 percent in fiscal 1980. The bill also provides States with an incentive to place all eligible refugees on the regular programs of AFDC and medicaid by allowing them to use refugee funds to meet their share of these programs. It is important to note that funds for social services, such as language and job training, would not be cut back. Hopefully, this will lead to increased emphasis in this area.

To end this program in less than 6 months would only cut off assistance to many refugees who need additional aid in order to become self-supporting. We cannot allow this to happen. There is a clear need to continue the Indochinese refugee assistance program to give the refugees more time to master the language and job skills they need. It is our responsibility to give them the temporary support required.

CIVIL ENERGY FROM LASER FUSION: A GROWING REALITY

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. PURSELL. Mr. Speaker, today I am inserting my eighth installment on the laser fusion series. I think it is important to realize that laser fusion development is not an isolated project in which relatively few people are interested. The continued development of laser fusion for civilian application is really a part of our entire energy program.

I do not think any of my colleagues would disagree that a national energy policy is a top priority for this Congress. It is vital that such a policy become effective as soon as possible—and that laser fusion be included in this policy.

Today, I would like to share an article which appeared in the Capital Report in March of this year. The article discusses the great need this country has for developing a national energy policy.

[From Capital Report, March 1977]

ENERGY: FACING THE REALITIES

Anybody's views about energy are bound to encounter deeply felt and legitimate disagreements. But we need a dialogue on the issues, so I will sound off, emphasizing that these are my personal views, which shouldn't be attributed to American Security or to the Brookings Institution or even to my wife. The first goal of the dialogue on energy is to face up to the realities—and stamp out the myths.

Reality No. 1: The heating problems of this winter were genuine, not a fake, and were a mere preview of far more severe problems that will develop if we don't act promptly. The widespread conspiracy theories about the problem are largely a flight from reality. For the past three winters, we barely avoided a crisis because of unusually favorable weather; there was every reason and every warning to expect serious trouble in a really bad winter.

Some of the conspiracy "evidence" is outlandish: the fact that a forty-year supply of natural gas is in the ground doesn't suggest that it could be magically taken out of the ground and put into our furnaces tomorrow. The gas remains in the ground because it has been unprofitable to get it out. Naturally, one influence on profitability calculations is the prospect that natural gas can't remain a tremendous bargain relative to other fuels forever. That's no secret or conspiracy—indeed, the gas producers have been insisting publicly that the recent situation created the worst possible incentives. As President Carter said in a recent press conference: . . . "Some instances where natural gas is withheld from the market . . . (are) understandable. If I were running an oil company, I would reserve the right to release or to reserve some supplies of natural gas". Obviously, any natural gas producers who have welshed on commitments should be hauled into court. But, when all is said and done, I'll bet that the amounts involved in such shenanigans wouldn't heat the Kennedy Center.

Conspiracy stories have come into fashion in the post-Watergate era. Just recently, the hunt for the evildoer was centered on coffee—a shortage whose cause was as evident and understandable as that of natural gas. Back in the summer of 1975, the wholesale price of sugar at fifty cents a pound was widely attributed to a producers' conspiracy. Now that price is a dime—can anyone believe that a clandestine monopoly secretly fell apart? Most of the changes in supply and demand that send auction markets up and down are not very mysterious. And when a monopoly takes over a market, it's usually as obvious as it was when OPEC quadrupled the price of oil in 1973–74.

Reality No. 2: The American consumer will have to pay more for energy over time; but the price hikes should be kept gradual to minimize the damage to the whole U.S. economy. To achieve the necessary gradualism, it can make sense to distinguish the pricing of "old" and "new" oil, or "old" and "new" gas. Even though the results may not be neat, the alternatives may be a lot messier. If the U.S. had not controlled petroleum prices after the OPEC price-spurt, we would have had much more inflation in 1974 and a much deeper recession in 1974–75 than we did in fact, given our fiscal-monetary policies. Energy inflation is inflation! Unless it is neutralized far more effectively than in the past, a new spurt in energy prices would again raise costs, push up interest rates and some wages, and squeeze the purchasing power of the average family and the market of the average businessman.

Reality No. 3: Both conservation of energy consumption and expansion of domestic production must play roles in any successful program; the larger role for the long run must go to expanded production. Conservation may stretch out natural gas supplies from forty years to sixty or conceivably to eighty, but that won't secure America's future for the really long run. For the sake of our great-grandchildren, we will have to exploit our vast coal resources and achieve the technological break-throughs to make new sources—shale, fusion or fission, solar, and geothermal energy—feasible, safe, and affordable.

The expansion of production will require resources and efforts from both the public and private sectors. It will require skillful and prudent compromises between energy and environment, producer and consumer, national and regional interests. The worst enemy of production is uncertainty; and we have lived with too much uncertainty for too long about too many things: the shape of a strip-mining bill; the outcomes of hassles in the courts over issues like the Alaskan pipeline; the nature of taxes and regulations for energy producers; the results emerging from an endless roll of red-tape that can delay the opening of a coal mine by six years. We have to settle on reasonable rules of the game and insist on umpires who will make their calls loud and clear.

Reality #4: We should make expansion of U.S. energy production especially profitable and attractive to American business and labor. It is the government's job to ensure that profits are made in a competitive marketplace, so that they contribute to expanded production, not to a prolongation of shortage and stagnation. And it is reasonable to expect (and to help) energy companies to do more than what comes naturally—to focus their managerial capabilities and their capital budgets on investment in energy technology and production at home. This is not the time for a wave of acquisitions of companies in industries outside of energy or for a wave

of further investments in those areas abroad that don't contribute to U.S. independence. But neither is it the time to scrap economic incentives that are reliable and effective, nor the time to threaten oil companies with a carving knife that would cut them up horizontally, vertically or diagonally.

All of this points to Reality #5: The solution to the serious energy problem will be a major test of the ability and willingness of Americans to work together toward a goal—in which our common interests far outweigh our particular and personal conflicting interests.

—ARTHUR M. OKUN.

ANOTHER OUTRAGE

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ABDNOR. Mr. Speaker, this morning I read in the Washington Post an article which cut to the quick. The article was headlined, "Army Sets Ad Campaign On Discharge Upgrade." What are we coming to? I could not find the words to express my disgust when President Carter originally announced the enactment of his discharge upgrade program. It was a slap in the face of all those veterans who served their country's call. Now the Army has decided its program is not moving fast enough. It is moving much too fast for me. So the Army has decided that a media blitz is the answer. They are going to spend the taxpayers money on an advertising campaign to enlighten those who have not read the papers or watched television in the last 2 weeks.

I believe that this is the straw that has broken the camel's back. We hear everyday that the military spends money with reckless abandon. Well, this certainly tops anything that I have ever seen—we are going to spend money to call in the draft dodgers. Where will it all end? I am afraid to ask.

CRS has estimated that the upgrade program itself will cost approximately $80 million. I guess another $5 or $6 million on a slick ad campaign will not be bad. Why do not we just send the Army out and round the people up so we can facilitate the upgrading program? It certainly would not cost too much more. I have introduced a sense of Congress resolution today which expresses the Congress opposition to this plan. The text of the resolution follows:

H. CON. RES. —

Whereas, President Carter has initiated a program to upgrade less than honorable military discharges from the Vietnam era, and

Whereas, the Nation's major veterans' organizations have taken strong position in total opposition to a general upgrade of less than honorable discharges; and,

Whereas, only 15,000 veterans out of the potential 432,500 made inquiries in the first 14 days of the program and the expected surge of inquiries has not developed; and,

Whereas, the Department of the Army has decided to institute an advertising campaign throughout the nation and the world to publicize the program to facilitate application: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring) That it is the sense of Congress that expenditure of Department of the Army funds to promote, through advertising of any nature, this program should not be permitted.

MORE U.S. OIL

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. COLLINS of Texas. Mr. Speaker, President Carter laid it on the line for America in emphasizing the serious impact of our Nation's critical energy supply and demand. The United States is short on supplies of oil and gas and year by year it is getting much worse.

More attention should be given to domestic production. We are now 55 percent dependent on oil imports. Yet we pay $14 a barrel for this imported OPEC oil while only paying $5.25 for American oil under price controls. Let us pay the open market price for all oil and give Americans an equal opportunity with cash funds to compete with the Arabs so Americans can produce more oil within the United States.

The American oil companies are aggressively competitive. They only make a penny on the sale of each gallon of gasoline. Let the U.S. oil companies continue to reinvest their income in new developments by drilling for more oil and gas and by additional capital construction.

The operating results of the 10 largest oil companies for last year show their record of achievement. Let us analyze the 10 largest oil companies as to their net income for 1976 compared to their expenditures for securing more oil through drilling, exploration, and capital plant facilities.

The figures below are in millions of dollars:

Top 10 oil companines in U.S.A.:		*Consolidated net income*	*Capital and exploration expenses*
Exxon		2,754	4,524
Texaco		870	1,500
Mobil		943	1,494
Standard of California		880	1,633
Gulf		816	1,742
Standard of Indiana		893	1,361
Shell (U.S.A.)		706	1,384
Arco		575	1,827
Continental		460	779
Phillips		412	764

Please study these figures carefully. Every company is investing more than they earn. One company spent three times as much as their net income and many committed for exploration and capital nearly twice as much as they earned. Let us put the United States in the open market and restore our energy balance.

ELK WATER USERS AND LOVELL IRRIGATION BILL INTRODUCED

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. RONCALIO. Mr. Speaker, today I am introducing legislation to exempt the Elk Water Users' Association and the Lovell Irrigation District in the State of Wyoming from excess land provisions of the Federal reclamation law.

Legislation is currently pending before the House Interior Committee's Subcommittee on Water and Power Resources to provide for class 1 equivalency on most high plains Bureau of Reclamation Projects, but the Elk Water Users' Association and the Lovell Irrigation District have come under acreage limitations through unique circumstances which justify special consideration and exemption.

Both entities were operating irrigation companies long before their first contractual agreement with the Bureau of Reclamation. In fact, in the case of Elk Water Users' Association, the first lands were brought under irrigation with the constuction of the Rhone Ditch possibly as early as 1901. A permit was granted by the Wyoming State engineer for extension of the Rhone Ditch in January 1903 and the Elk Canal Co. was incorporated in January 1904. The Lovell Irrigation District had similar early development, with permits being issued around 1903, by early pioneers assisting one another without Government financial assistance or intervention in delivery of water onto potentially irrigable lands. It was not until 1909 that the earliest units of the nearby Shoshone project were developed under the Bureau of Reclamation, 8 years after the initiation of the Elk Water Users' Association's water delivery.

Long after these early day developments, the Elk Water Users' Association and the Lovell Irrigation District became involved in attempts by the Bureau of Reclamation projects in the vicinity to adjudicate water rights on the Shoshone River. These neighboring projects sought to establish a water right priority going back to the old 1899 Cody-Salsbury permit.

In negotiations among the several irrigation units to validate and establish water priorities, a contract for supplemental water was offered to Elk Water Users' Association and the Lovell Irrigation District. Elk and Lovell were not only offered some right to storage water but were assured that any further development by the Bureau of Reclamation on projects along the Shoshone River would be under a priority later than their own.

The Elk Water Users' Association and the Lovell Irrigation District accepted

the contract for supplemental water on July 13, 1965, for 4,261 acres for Elk—of which a little less than 3,000 are actually under irrigation—and 10,300 acres for Lovell not to exceed 4.7 acre-feet per acre per year. By entering this contract, Elk and Lovell became subject to reclamation law acreage limitations which up until recently had not been actively enforced.

There are not many farmers in either of the two irrigation districts who have excess acreages. Of the 118 farmers receiving delivery, only 12 to 14 would be directly affected. However, those who are affected must either dispose or agree to dispose of the excess acreages or not receive any of the supplemental water for such acreages. The facilities, diversion units, canals, and structures of the Elk Water Users' Association and the Lovell Irrigation District were not built by taxpayers money or under the Bureau of reclamation. These were rather the product of pioneer families working together independently for their own well-being. The contract with the Bureau for excess water is for a set and determined number of acres. It should not be a concern of the Bureau which individuals own the land or how much. These lands were not developed or brought under irrigation by the Bureau and it is late in their history for the Bureau to be dictating how they should be operated.

I think that granting an exemption under these conditions is highly justified and I would hope that the Subcommittee on Water and Power Resources would take up the legislation and give it favorable consideration. The bill follows:

H.R. 6511

Providing that the excess land provisions of Federal Reclamation laws shall not apply to certain land receiving a supplemental water supply from the Shoshone Project, Wyoming

Be it enacted by the House of Representatives and Senate of the United States of America in Congress assembled, That the excess land provisions of Federal Reclamation laws shall not be applicable to lands situated in the Elk Water Users' Association and the Lovell Irrigation District in the State of Wyoming which have an irrigation water supply from sources other than a Federal Reclamation project and which are receiving a supplemental supply from the Shoshone Project, Wyoming.

AMY'S FIRST TICKET

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. HANSEN. Mr. Speaker, a businessman-citizen who is concerned that Amy Carter's tree house may lead to her citation by an inspector from the Occupational Safety and Health Administration, sent me copy of his letter to her father, the President. In it, Mr. R. A. Cochran, a general contractor from Indianapolis, Ind., cautions the Carter family of what could happen should an inspector slip onto the grounds.

The letter follows:

INDIANAPOLIS, IND., *April 16, 1977.*

President JAMES E. CARTER,
The White House,
Washington, D.C.

DEAR PRESIDENT CARTER: I was alarmed at the picture in the newspaper showing Amy's treehouse. It obviously would not pass inspection by OSHA.

Subpart M No. 1926.500(d)(1) clearly specifies a standard railing, as defined in No. 1926.500(f)(1) for such an installation. Further, in view of the size of normal users of the platform and the possibility of them falling between the intermediate rail of the standard railing, OSHA may very well require that the entire standard railing be covered with chicken wire or solid panels as suggested by Regulation No. 1926.500(f)(3)(ii).

The picture did not show how access to the platform was obtained. However, it might be well to investigate the requirements of Subpart L No. 1926.450 having to do with ladders if this is the means of entry. If one just climbs the tree to get up, then I would think you are on safe ground because I find no Regulation on that subject except that they may require a safety net.

Having had experience with these people, I am very much concerned for you since Big Brother has become so arrogant with us mere peasants that he may even be tempted to show his muscle by assessing a fine on the President of the United States.

Unless you intend to take immediate steps, like tomorrow, to bring Amy's play house into compliance, I would suggest that you demand a search warrant from any OSHA inspector, who might be snooping around the White House, before he gets a look at it. This will, at least, delay the possibility of you being cited.

I trust I have been of assistance in bringing this matter to your attention to protect your exposure to what has become a common enemy and I hope that Amy gets a lot of pleasure out of the facility which you have provided.

Sincerely yours,

R. A. COCHRAN.

WHY I AM LEAVING THE CIA

HON. JAMES P. (JIM) JOHNSON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. JOHNSON of Colorado. Mr. Speaker, the evidence about CIA perfidy keeps rolling in—and we in the Congress keep ignoring it. We have no effective oversight and the Agency is allowed to continue on its destructive, irresponsible way. On Sunday, April 10, 1977, the Washington Post printed an open letter to the new Director of Central Intelligence, entitled "Why I Am Leaving the CIA." The author is John R. Stockwell, a 12-year veteran of the Agency, who held responsible positions in a variety of assignments. The article should not be read and dismissed. Stockwell is dealing with characteristics of a violent, wasteful organization which needs cleaning, reorganization, and redirection. Note particularly the section of the article pertaining to deceiving congressional investigations.

Mr. Speaker, it is long past time for the Congress and the American people to wake up to this monster we have created in the CIA. The article follows:

WHY I AM LEAVING THE CIA

(By John Stockwell)

(NOTE.—John R. Stockwell was 27, a graduate of the University of Texas and a Marine veteran working as a market analyst for a rubber company in Colorado when he was recruited into the CIA in 1964. A week ago, he resigned from the agency and explained his reasons in the following letter to Adm. Stanfield Turner, the new director of central intelligence. Stockwell plans to move to Texas and become a house builder.)

MARCH 31, 1977.

SIR: We have not met and will not have the opportunity of working together, as you are coming into the Central Intelligence Agency as I am leaving. Although I am disassociating myself from the Agency, I have read with considerable interest about your appointment and listened to some of your comments. You have clearly committed yourself to defending the Agency from its detractors and to improving its image, and this has stirred a wave of hope among many of its career officers. However, others are disappointed that you have given no indication of intention or even awareness of the need for the internal housecleaning that is so conspicuously overdue the Agency.

You invited Agency officers to write you their suggestions or grievances and you promised personally to read all such letters. While I no longer have a career interest, having already submitted my resignation, numerous friends in the DDO [Deputy Directorate for Operations] have encouraged me to write you, hoping that it might lead to measures which would upgrade the clandestine service from its present mediocre standards to the elite organization it was once reputed to be. While I sympathize with their complaints, I have agreed to write this letter more to document the circumstances and conditions which led to my own disillusionment with CIA.

First, let me introduce myself. I was until yesterday a successful GS–14 with 12 years in the Agency, having served seven full tours of duty including chief of base, Lubumbashi; chief of station, Bujumbura; officer in charge of Tay Ninh Province in Vietnam, and chief, Angola Task Force. My file documents what I was told occasionally, that I could realistically aspire to top managerial positions in the Agency. I grew up in Zaire, a few miles from the Kapanga Methodist Mission Station which was recently "liberated" by Katangese invaders, and I speak fluent English and Tshiluba, "High" French and smatterings of Swahili and other dialects.

My disillusionment was progressive throughout four periods of my career. First, during three successive assignments in Africa from 1966 through 1977, I increasingly questioned the value and justification of the reporting and operations we worked so hard to generate. In one post, Abidjan, there was no Eastern bloc or Communist presence, no subversion, limited United States interests and a stable government. The three of us competed with State Department officers to report on President Houphouet-Boigny's health and local politics.

I attempted to rationalize that my responsibility was to contribute, and not to evaluate the importance of my contribution, which should be done by supergrades in Washington. However, this was increasingly difficult as I looked up through a chain of command which included, step-by-step: a) the branch chief, who had never served in Africa and was conspicuously ignorant of black Africa; b) the chief of operations, who was a senior of-

ficer although he had never served an operational overseas tour and was correspondingly naive about field operations; and c) the division chief, who was a political dilettante who had never served an operational tour in Africa. Their leadership continuously reflected their inexperience and ignorance.

Standards of operations were low in the field, with considerable energy devoted to the accumulation of perquisites and living a luxurious life at the taxpayer's expense. When I made "chief of station," a supergrade took me out for drinks and, after welcoming me to the exclusive inner club of "chiefs," proceeded to brief me on how to supplement my income by an additional $3 to 4 thousand per year, tax free by manipulating my representational and operational funds. This was quite within the regulations. For example, the COS Kinshasa last year legally collected over $9,000 from CIA for the operation of his household. Most case officers handled 90 per cent of their operations in their own living rooms, in full view of servants, guards and neighbors. And I expect few individuals would accept CIA recruitments if they knew how blitherly their cases are discussed over the phone: "Hello, John . . . when you meet your friend after the cocktail party tonight . . . you know, the one with the old Mercedes . . . be sure to get that receipt for $300 . . . and pick up the little Sony, so we can fix the signaling device."

In Burundi we won a round in the game of dirty tricks against the Soviets. Shortly after my arrival, we mounted an operation to exploit the Soviets' vulnerabilities of having a disproportionately large embassy staff and a fumbling, obnoxious old ambassador, and discredit them in the eyes of the Burundi. We were apparently successful, as the Burundi requested that the ambassador not return when he went on leave, and ordered the Soviets to reduce their staff by 50 per cent. We were proud of the operation, but a few months later the Soviets assigned a competent career diplomat to the post and he arrived to receive a cordial welcome from the Burundi who were more than a little nervous at their brashness and eager to make amends. For the rest of my tour relations were remarkably better between the two countries than before our operation. The operation, nevertheless, won us some accolades. However, it left me with profound reservations about the real value of the operational games we play in the field.

Later, Africa Division policy shifted its emphasis from reporting on local politics to the attempted recruitments of the so-called "hard targets," i.e., the accessible Eastern European diplomats who live exposed lives in little African posts. I have listened to the enthusiastic claims of success of this program and its justification in terms of broader national interests, and I have been able to follow some of these operations wherein Agency officers have successfully befriended and allegedly recruited drunken Soviet, Czech, Hungarian and Polish diplomats, by servicing their venal and sexual (homo-and hetero-) weaknesses. Unfortunately, I observed and colleagues in the Soviet Division confirmed to me that none of these recruited individuals has had access to truly vital strategic information. Instead, they have reported mostly on their colleagues' private lives in the little posts. Not one has returned to his own country, gained access to strategic information and reported satisfactorily.

Agency operations in Vietnam would have discouraged even the most callous, self-serving of adventurers. It was a veritable Catch-22 of unprofessional conduct. Ninety-eight per cent of the operations were commonly agreed to be fabrications, but were papered over and promoted by aware case officers because of the "numbers game" requirements from Headquarters for voluminous reporting. At the end, in April 1975, several senior CIA field officers were caught by surprise, fled in hasty panic and otherwise abandoned their responsibilities. One senior officer left the country on R & R leave five days before the final evacuation, abdicating all responsibility for the people who had worked for him and for the CIA in his area. Numerous middle and lower grade officers vigorously protested this conduct, but all of these senior officers, including the ones who fled, have subsequently received responsible assignments with the promise of promotions.

After Vietnam, I received the assignment of chief, Angola Task Force. This was despite the fact that I and many other officers in the CIA and State Department thought the intervention irresponsible and ill-conceived, both in terms of the advancement of United States interests and the moral question of contributing substantially to the escalation of an already bloody civil war, when there was no possibility that we would make a full commitment and ensure the victory of our allies. From a chess player's point of view, the intervention was a blunder. In July, 1975 the MPLA was clearly winning, already controlling 12 of the 15 provinces and was thought by several responsible American officials and senators to be the best qualified to run Angola; nor was it hostile to the United States. The CIA committed $31 million to opposing the MPLA victory, but six months later it had, nevertheless, decisively won and 15,000 Cuban regular army troops were entrenched in Angola with the full sympathy of much of the Third World and the support of several influential African chiefs of state who previously had been critical of any extra-continental intervention in African affairs. At the same time, the United States was solidly discredited, having been exposed for covert military intervention in African affairs, having managed to ally itself with South Africa and having lost.

This is not Monday morning quarterbacking. Various people foresaw all this, and also predicted that the covert intervention would ultimately be exposed and curtailed by the United States Senate. I myself warned the Interagency Working Group in October, 1975 that the Zairian invasion of northern Angola would be answered by the introduction of large numbers of Cuban troops, 10–15,000, I said, and would invite an eventual retaliatory invasion of Zaire from Angola. Is anyone surprised that a year later the Angolan government has permitted freshly armed Zairian exiles to invade the Shaba province of Zaire? Is the CIA a good friend? Having encouraged Mobutu to tease the Angolan lion, will it help him repel its retaliatory charge? Can one not argue that our Angolan program provoked the present invasion of Zaire which may well lead to its loss of the Shaba's rich copper mines?

Yes, I know you are attempting to generate token support to help Zaire meet its crisis; that you are seeking out the same French mercenaries the CIA sent into Angola in early 1976. These are the men who took the CIA money but fled the first time they encountered heavy shelling.

Some of us in the Angolan program were continuously frustrated and disappointed with Headquarters' weak leadership of the field, especially its inability to control the Kinshasa station as it purchased ice plants and ships for local friends and on one occasion tried to get the CIA to pay Mobutu $2 million for an airplane which was worth only $600,000. All of this, and much more, is documented in the cable traffic, if it hasn't been destroyed.

I came away from the Angolan program in the spring of 1976 determined to reassess the CIA and my potential for remaining with it. I read several books with a more objective mind, and began to discuss the present state of the American intelligence establishment from a less defensive position. I read [Morton] Halperin's book and [Joseph] Smith's and [David] Philips'. I was seriously troubled to discover the extent to which the CIA has in fact violated its charter and begun surveilling and mounting operations against American citizens. I attempted to count the hundreds, thousands of lives that have been taken in thoughtless little CIA adventures.

A major point was made to me when I recruited in 1964 that the CIA was highminded and scrupulously kept itself clean of truly dirty skulduggery such as killing and coups, etc. At that exact time, the CIA was making preparations for the assassination of Patrice Lumumba, who had grown up a few miles east of my own home in the Kasai. Eventually, he was killed, not by our poisons, but beaten to death, apparently by men who were loyal to men who had Agency cryptonyms and received Agency salaries. In death he became an eternal martyr and by installing in the Zairian presidency we committed ourselves to the 'other side,' the losing side in central and southern Africa. We cast ourselves as the dull-witted Goliath, in a world of eager young Davids. I for one have applauded as Ambassador [Andrew] Young has thrashed about trying to break us loose from this role and I keenly hope President Carter will continue to support him in some new thinking about Africa.

But, one asks, has the CIA learned its lesson and mended its ways since the revelations of Watergate and the subsequent investigations? Is it now, with the help of oversight committees, policed and self-policing?

While I was still serving as the Central Branch Chief in Africa Division last fall, a young officer in my branch was delegated away from my supervision to write a series of memos discussing with the Justice Department the possibilities for prosecution of an American mercenary named David Bufkin. Bufkin had been involved in the Angola conflict, apparently receiving monies from Holden Roberto, quite possibly from funds he received from the CIA. In anticipation of the possibility that during a trial of Bufkin the defense might demand to see his CIA file under the Freedom of Information Act, it was carefully purged. Certain documents containing information about him were placed in other files where they could easily be retrieved but would not be exposed if he demanded and gained access to his own file. I heard of this and remonstrated, but was told by the young officer that in his previous Agency assignment he had served on a staff which was responding to Senate investigations and that such tactics were common, "We did it all the time," as the Agency attempted to protect incriminating information from investigators.

None of this has addressed the conditions which my former colleagues have begged me to expose. They are more frustrated by the constipation that exists at the top and middle levels of the DDO, where an ingrown clique of senior officers has for a quarter of a century controlled and exploited their power and prestige under the security of clandestinity and safe from exposure, so that no matter how drunken, inept or corrupt their management of a station might be, they are protected, promoted and reassigned.

The organization currently belongs to the old, to the burned out. Young officers, and

there are some very good ones, must wait until generations retire before they can move up. Mediocre performances are guaranteed by a promotion system wherein time in grade and being a "good ol' boy" are top criteria, i.e., there are no exceptional promotions for superior performance. The truly exceptional officer gets his promotions at the same time as the "only-good" and even some of the "not-really-so-good" officers, and he must wait behind a line of tired old men for the truly challenging field assignments. These young officers are generally supervised by unpromotable middle-grade officers who for many years have been unable to go overseas and participate personally in operational activity. These conditions are obviously discouraging to dynamic young people, demoralizingly so, and several have told me they are also seeking opportunities outside the Agency.

With each new Director they hope there will be a housecleaning and reform, but each Director comes and goes, seven in my time, preoccupied with broader matters of state, uttering meaningless and inaccurate platitudes about conditions and standards inside the DDO. The only exception was James Schlesinger, who initiated a housecleaning but was transferred to the Department of Defense before it had much effect.

You, sir, have been so bold as to state your intention to abrogate American constitutional rights, those of freedom of speech, in order to defend and protect the American intelligence establishment. This strikes me as presumptuous of you, especially before you have even had a good look inside the CIA to see if it is worth sacrificing constitutional rights for. If you get the criminal penalties you are seeking for the disclosure of classified information, or even the civil penalties which President Carter and Vice President Mondale have said they favor, then Americans who work for the CIA could not, when they find themselves embroiled in criminal and immoral activity which is commonplace in the Agency, expose that activity without risking jail or poverty as punishment for speaking out. Cynical men, such as those who gravitate to the top of the CIA, could then by classifying a document or two protect and cover up illegal actions with relative impunity. I predict that the American people will never surrender to you the right of any individual to stand in public and say whatever is in his heart and mind. That right is our last line of defense against the tyrannies and invasions of privacy which events of recent years have demonstrated are more than paranoic fantasies. I am enthusiastic about the nation's prospects under the new administration and I am certain President Carter will reconsider his position on this issue.

And you, sir, may well decide to address yourself to the more appropriate task of setting the Agency straight from the inside out.

Sincerely,

JOHN STOCKWELL.

CITY WITHHOLDING TAX BILL

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CLAY. Mr. Speaker, I have today introduced a bill to provide for the application of city withholding taxes to Federal employees who are residents of such city.

This legislation is identical to legislation I sponsored in the last Congress which passed the House but was not acted upon by the Senate.

In 1974, I sponsored legislation which became Public Law 93-340, that provided for the mandatory withholding of local income taxes from Federal employees. Since enactment of this law, however, certain problems in its implementation have come to light. The bill I am introducing today seeks to correct these problems.

Currently, the withholding of local taxes from Federal employees who live within a locality but are employed elsewhere within the State is voluntary. Thus, localities are unable to insure that their taxes are withheld from such Federal employees. Often such employees must meet tax obligations in a lump sum causing a financial hardship.

My bill would require the withholding of local earnings taxes from wages of such employees. Localities, which are already hard pressed for funds, are carrying an increased financial burden because some residents do not or cannot meet their tax obligations. Not only are the localities suffering, but individual employees must meet a sudden and substantial yearend tax liability. Sometimes employees may be unable to meet their tax liabilities.

This bill in no way affects the current law concerning the status of nonresidents. Neither current law nor this legislation provides for mandatory withholding for those who reside in one State and work in another.

At committee hearings last year an official from the Treasury Department which is the authority responsible for entering into tax withholding agreements for cities expressed no objections to this legislation. In addition, representatives from several cities expressed support and documented the need for such a measure.

The Subcommittee on Civil Service, which I chair, will hold hearings on this measure in the near future.

ANNOUNCEMENT OF HEARINGS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. BIAGGI. Mr. Speaker, on Wednesday April 27, 1977, the Select Committee on Aging's Subcommittee on Federal, State and Community Services, which I have the honor to chair, will hold a hearing on the feasibility of expanding meals on wheels programs primarily under the Older Americans Act.

Meals on wheels is a commonly used term for home delivered meals provided to homebound elderly. Statistics indicate that there are between 3 and 4 million homebound elderly in this Nation. They are homebound for any number of reasons, but for many of them providing themselves with a balanced and nutritious diet is next to impossible. They cannot shop or cook or participate in congregate meals provided under title VII of the Older Americans Act.

Our hearings will address the formation of a national meals on wheels program and will discuss the major controversies surrounding the establishment of such a program. What we do know is that the growing number of homebound elderly including many who have been driven into their homes due to the fear of crime, mandates that we greatly expand the existing programs which currently only provide aid to 1 percent of the total homebound elderly population.

The hearings will be held in room 1302, Longworth House Office Building and will begin at 9:30 a.m.

A list of scheduled witnesses follows:

SCHEDULE OF WITNESSES

1. The Honorable George Miller, Member of Congress.
2. The Honorable Tim L. Carter, Member of Congress.
3. The Honorable Arthur Flemming, Commissioner on Aging, Department of H.E.W.
4. Mr. Lewis Straus, Administrator, Food and Nutrition, Dept. of Agriculture.
5. Mr. John B. Martin, Federal Council on Aging.
6. Mrs. Eleanor Cain, Director, State of Delaware, Division of Aging.
7. The Honorable Alice M. Brophy, Commissioner, NYC Dept. for the Aging.
8. Mr. Edward J. Kramer, Administrator, Nutrition Programs, NYS Ofc. for Aging.
9. Mrs. Edna McMurray, President, Mobile Meals, Cedar Rapids, Iowa.
10. Mr. Sam Brown, Director, or Ms. Mary King, Deputy Director, ACTION.
11. Mrs. Ruth Schneider, Meals-on-Wheels Recipient, Bronx, New York.

RECOGNITION NIGHT FOR THE HONORABLE JOSEPH J. CRACIUN, MUNICIPAL COURT JUDGE WARREN, OHIO

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CARNEY. Mr. Speaker, Saturday, April 16, 1977, was "Recognition Night for Judge Joseph J. Craciun, Warren Municipal Judge". More than 600 people attended the dinner-dance at the Romanian Fellowship Hall to express their appreciation to Judge Craciun for his 38 years of dedicated service to the community.

Judge Craciun was recently appointed Warren municipal judge after serving as city solicitor of Warren, special counsel for the Ohio State Attorney General's Office, and probate judge. His community activities include many civic, welfare, religious, political and fraternal organizations in Warren and Trumbull County.

During the recognition night ceremonies, Judge Craciun was presented a proclamation from Mayor Arthur J. Richards naming April 16 as "Judge Joseph Craciun Day" in the city of War-

ren. Attorney Lee Miller presented a letter to Judge Craciun from Ohio Gov. James A. Rhodes extending congratulations for his many years of service to the city and the county. In addition, Judge Craciun received a large, framed color portrait of himself and a plaque from presiding Judge James A. Ravella, which donated by a group of citizens and friends.

Mr. Paul R. Caraway, chairman of the dinner-dance, Attorney Anthony V. Consoldane, secretary, and Trumbull County Commissioner Lyle Williams, toastmaster, were instrumental in making the affair a tremendous success.

Mr. Speaker, I would like to take this opportunity to heartily commend Judge Joseph J. Craciun for his distinguished career as an attorney and judge, and for the outstanding contribution he has made to Trumbull County and the city of Warren. Because of Judge Craciun, our community is a better place in which to live and work. I wish him and his family good health, success and happiness in the future.

I would like to insert a brief biography of Judge Craciun in the RECORD at this time:

BIOGRAPHY OF JOSEPH J. CRACIUN, JUDGE, WARREN MUNICIPAL COURT

Office: Judge, Warren Municipal Court, 141 South Street, S.E., Warren, Ohio

Residence: 247 Garfield Drive, N.E., Warren, Ohio, 44483

Born April 21, 1911, in Cleveland, Ohio

Married to Eugenia Fagadore August 27, 1933; have two sons age 35 and 32 respectively

Colleges: Wittenburg University, 1932–34; John Carroll University, 1935–36; Cleveland-Marshall Law School, 1935–38; and, Doctor of Law, 1939.

Experience: 38 years Legal Experience—General Practice; Assistant City Solicitor and Police Prosecutor for City of Warren, 1945–47; Acting Municipal Judge of Warren, 1949–50; City Solicitor of Warren, 1950–51; Acting Municipal Judge of Warren, 1957–60; Special Counsel for Attorney General of Ohio, 1957–1973; Probate Judge of Trumbull County, 1966–67; and U.S. Bankruptcy Trustee, 1967–1977.

Organizations: National President, 1948–1952, of Union and League of Romanian Societies of America; National Attorney, 1952–58; 1976–78; Real Estate Broker and Insurance General Agent since 1938; Trumbull County Chapter Muscular Dystrophy Association, chairman 1958–64; Life Member Elks; Warren Sportsmans Club; Conservation League; Warren Coin Club President, 1960; Fraternal Order of Police Associates, Secretary, 1960–62, President, 1962–64; Y.M.C.A. since 1938.

Professional organizations: Trumbull County Bar Association Secretary 1940–46, President 1965–66; Member Mahoning Bar Association; Ohio State Bar Association member, Various Committees, 1946–76 District Delegate; Ohio State Bar Association Foundation 1975–1977; American Bar Association; American Judicature Society; American Arbitration Association over 21 years; Delta Theta Phi Law Fraternity; Lambda Chi Alpha Social Fraternity.

Business Organizations: Warren Area Board of Realtors—Secretary, 1963–64; operated Real Estate Co. since 1938.

RALPH DUNGAN

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. THOMPSON. Mr. Speaker, it is always a cause for rejoicing when old friends return to the fold; hence, it gives me great pleasure to place before you and our colleagues an article and an editorial from the Trenton Evening Times making mention of the imminent return to Washington of Mr. Ralph Dungan who will be the U.S. representative on the Inter-American Development Bank. Mr. Dungan will bring to his new assignment extensive knowledge of Inter-American affairs and a reputation of being a man who is very close with a dollar, and I am certain his new colleagues will find that his congenial personality and frugal habits will fit in admirably with the operation of the Bank. I do admit to some degree of apprehension for those who will seek his approval for loans, if that responsibility is a part of his assignment. Other than that, I cannot think of a more splendid and welcome addition to the Washington scene.

The article follows:

DUNGAN SIGNS OFF ON A MODEST NOTE

(By Jim Goodman)

Ralph Anthony Dungan was making what turned out to be his farewell appearance before a New Jersey legislative committee.

"You know," commented Dungan, who is winding up a 10-year career as state chancellor of higher education, "I hate always to be the bad guy in these things."

That sentiment may come as news to the administrators, bureaucrats and politicians who have been dealing with the blunt spoken Dungan over the last decade.

That Dungan has enjoyed his self-appointed role as Peck's bad boy in academic jungle is clearly evident.

The chancellor has been a boat-rocker in the administrations of three governors—Hughes, Cahill and Byrne—making enemies and friends with little concern for the consequences.

Instead of treating him with disdain, those governers have tended to seek out Dungan as behind-the-scenes negotiator on issues and tough controversies far beyond the realm of higher education.

Gov. Richard J. Hughes, now Chief Justice of the State Supreme Court, put Dungan to use as his prime negotiator between community groups and the state after the Newark riots.

Gov. William T. Cahill, a Republican, was close to Dungan despite the chancellor's reputation as a tough Democrat and former JFK–RFK aide.

Gov. Brendan T. Byrne has gone repeatedly to Dungan on sensitive issues even after Dungan advised the governor not to run for re-election for the good of the Democratic party. For a time, Byrne considered moving Dungan out of higher education and making him the No. 2 man in his administration, but nothing came of that.

Dungan describes Byrne as "an amoeba." You have to kick him in the side to energize him.

Of former Gov. William T. Cahill, Dungan says, "He was intelligent and once he made his mind up on an issue, he would stand by it. We had a disagreement once and I told him he could have my resignation anytime he wanted. He never asked for it."

Dungan is less emphatic about Hughes. "I came in on the tail end of an eight-year administration," he explains.

The chancellor's views on partisan politics are equally eclectic.

"I'm a Democrat," he says at one moment. "On the whole I think Democrats tend to think about problems and try to do something about them. Republicans look the other way.

"But I don't think it makes any real difference whether the next governor is a Republican or a Democrat. What matters is what kind of man that governor is.

"Partisan politics doesn't mean that much in state government. The ideological differences between the national parties aren't that important at this level.

"What makes a good governor is the desire to work for the public good and the competence to get that work done.

"I'm a Democrat but I don't think Ray Bateman or Tom Kean is any less interested in the public good than I."

Raymond H. Bateman and Thomas Kean are the two leading Republicans vying for the right to represent the GOP in the November gubernatorial sweepstakes.

Actually, Dungan is rooting for Jersey City Mayor Paul Jordan to win the Democratic nomination.

Dungan's departure—he is about to be named by President Carter to be the U.S. representative on the Inter-American Development Bank—marks the end of an era in state government as well as higher education.

Hughes brought Dungan to New Jersey, along with Carl Marburger to run the education system, and Paul Yivisaker to create the Community Affairs department, as part of an effort to implement Lyndon Johnson's Great Society federal programs on a state level in New Jersey.

Marburger and Yivisaker lasted one term each. They were victims, in part, of the conservative reaction against government intervention into social problems.

Dungan survived in a Republican administration at least part because of his ability to shift gears. When the Great Society programs went out of hand, Dungan became one of the critics of government spending.

"LBJ was a child of the Depression era," Dungan says. "His programs to solve the social problems of the 70s were not much different from FDR's New Deal in the 30s.

"It is easy for (federal) government to say 'yes' to demands for help. But that breeds a feeling of dependency on the federal government to solve everything."

Dungan argues that it would be far better to give the states more responsibility for solving their individual problems rather than to apply federal formulas that are incompatible with local situations.

On a state level, Dungan asserts, the failings of a program are more easily dealt with.

Other improprieties can outrage Dungan.

"Look at the rate of bankruptcies being declared by young doctors, lawyers and businessmen just to avoid paying off their (state-financed) college loans.

"This is happening four or five months after they get out of law or medical school. That's a flagrant violation of personal responsibility.

"The attitude is that 'they' will take care of it (the costs of the loans). The 'they' happens to be the little middle class guy who pays his taxes.

"If that (attitude) makes me a conservative then I'm a conservative."

Dungan's confrontations with Rutgers University president Dr. Edward Bloustein and the state college establishment have kept

the chancellor's name in the newspapers for a decade.

But while Dungan and Bloustein have fought over the extent of state control over Rutgers, and Dungan and the state colleges have battled over academic priorities, the Dungan decade has changed higher education dramatically.

When Dungan arrived to become the state's first higher education chancellor, the state's supervision of its colleges and the university consisted of a low-profile division within the State Department of Education.

The state colleges were little more than factories for producing school teachers. To gain admission, a student had to sign a pledge to teach in the state's public schools for three years after graduation.

All that has changed. The original six state colleges are as much liberal arts schools now as education schools. Two new state colleges offer only token education courses.

A statewide system of two-year county colleges has been established. Rutgers University has held on to a good deal of its independence, but the Higher Education department has a lot to say about what goes on at the state university.

At Rutgers, Bloustein and others have accepted as a fact of life that the universtiy president and the chancellor—no matter who they might be—are going to be adversaries.

State college administrators are conditioned now to demands from Dungan and others that their students and their graduates are going to be held to some general standards.

In the Dungan decade at Higher Education, student enrollment at state and county colleges has increased by 124,000—and that at a time when enrollment in the private colleges in New Jersey has remained at a virtual standstill.

Dungan has enjoyed the battles. He likes to recall his early days when he made impromptu visits at the state colleges for no other reason than to "shoot the bull."

In one such conversation, Dungan suggested that it might be a good idea to require every college graduate to demonstrate an ability to read and write at a college level in order to get a diploma.

"He (the college president) thought that was an unreasonable proposal," Dungan recalled with a grin.

THE ANNIVERSARY OF THE WARSAW GHETTO UPRISING

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Ms. MIKULSKI. Mr. Speaker, April 19 stands as a reminder of a horror of modern history. This date marks the height of the Warsaw ghetto uprising of 1943, when thousands of Polish Jews bravely, but unsuccessfully defied their Nazi captors.

This date symbolizes both the horror and the guilt of the holocaust. Already the systematic destruction of over 6 million Jews had begun. These people died for no reason other than their religion, and died with the tacit acquiescence of countries around the world. Almost all of the occupied countries of Europe participated in some form in the slaughter of countless, Jews, Catholics, Slavs, and gypsies. Denmark alone proved what could be accomplished by unified national resistance.

Certainly the United States tacitly approved of much of the sentiment of the holocaust by denying immigration rights to Jewish refugees in the last desperate days of the 1930's, and by ignoring much of what transpired in the concentration camps and ovens of Europe. "No one of us is innocent," wrote our American diplomat to Poland when visiting the Auschitz Museum. I visited Auschwitz in December, and I too was deeply moved, feeling the same chill and pain synonymous with the most infamous of concentration camps.

The Warsaw ghetto uprising ended 34 years ago; our memory of it recedes over time. Yet, the historical lesson of that date is being learned, and offers hope for the future. The uprising was the first significant resistance given by the Jewish people against the Nazis. This same spirit created Israel, and guided her through three wars. As important, the uprising represents an attempt to preserve the most vital of human rights—life—in the face of hopeless odds. In our concern for human rights today, we should not overlook the beginnings of that concern, nor should we forget the horror that produced it.

FOOD DAY AT THE WHITE HOUSE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ROSENTHAL. Mr. Speaker, today is Food Day across the country and in the White House. We have come a long way since 1975 when I introduced the first resolution in Congress to declare a day dedicated to good nutrition. We could not even get a hearing then. Today we are getting dinner at the White House.

Credit must go to the Center for Science in the Public Interest and its codirector Dr. Michael Jacobson and his staff for their dedication and hard work. And credit also must go to President Carter for the courage to stand up against strong business pressure to give his support to this important event.

This is a day dedicated to discovering how the food we eat affects our health, to discussing the American diet and to teaching Americans more about good eating habits.

The President is hosting a buffet dinner in the Roosevelt Room as a symbol of his administration's commitment to the importance of eating nutritious foods.

The White House views its support as important in order "To acknowledge a crisis that is happening in this country." That crisis is a result of poor nutrition because "the processed, sugary, high-fat foods we eat help cause heart disease and cancer."

"While tens of millions of people in this country suffer from eating too much, about 500 million people both here and abroad face hunger, malnutrition, or starvation," states a White House memo.

"Giant corporations control more and more of our food supply each year and they do it at our expense—healthwise and dollarwise. Food should be for people, not for profit."

AGENCY FOR CONSUMER ADVOCACY NOT NEEDED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ASHBROOK. Mr. Speaker, President Carter recently endorsed the creation of a new Federal agency, a so-called Agency for Consumer Advocacy. Formerly known as the Consumer Protection Agency, this item has been high on Ralph Nader's legislative agenda for almost a decade.

Whatever its title, I have consistently opposed such an agency. It would add another new and costly bureaucratic unit onto a Federal structure that has already grown topheavy. We simply do not need more Washington bureaucrats interfering in our free enterprise system and harassing our businessmen at taxpayers' expense.

Following are two excellent pieces opposing the creation of an Agency for Consumer Advocacy. The first is an editorial from the April 8 Washington Star and the second is a column by James J. Kilpatrick:

[From the Washington Star, Apr. 8, 1977]

CLOTHING THE CONSUMER

The Ralph Nader appreciation bill has begun its journey through Congress again, this time propelled by a jet stream of White House rhetoric.

It would establish the Agency for Consumer Advocacy, nee the Consumer Protection Agency, that Mr. Nadar and others among the vocal consumer groups have been pushing for nearly a decade. Its alleged purpose is to protect the consumers who, Mr. Nadar would have us believe, stand naked in the marketplace before greedy, abusive, insensitive merchants.

The ACA (we've never really understood why they changed it from CPA—perhaps it sounded too bookkeeperish) would not, President Carter vowed be a "regulatory agency." Its purpose, he said, "is to improve the way rules, regulations and decisions are made and carried out, rather than issuing new rules itself."

That suggests what critics have been saying all along: It's going to be a "super" agency—a watchdog over the watchdogs—that will insinuate itself into the business of nearly every other agency in town and before long may be telling them all what to do.

Mr. Carter said the agency will not cost more than $15 million a year. Maybe that's all it will cost in the beginning but it's a gross misreading, we suspect, of what it will cost eventually.

Playing to consumer interests is usually good politics. But is a consumer protection agency really all that important to the

American public? An opinion poll a couple of years ago indicated that a large majority of people don't want such an agency.

Is Mr. Carter's advocacy of another layer of bureaucracy likely to be interpreted as contrary to his pledge to reduce government?

Where's the savings in a consumer protection agency? Any saving that the agency produces very likely will be offset, even outweighed, by the cost to the taxpayers of operating the agency and the cost to business of complying with the additional red tape it's bound to create—a cost that will be passed on to consumers.

Mr. Carter would do more for the consumer by holding down inflation.

He would do more by putting the government to work finding cheaper sources of energy.

He would do more by reducing the cost of government, which in turn would reduce the tax burden.

He would do more by seeing that existing agencies do a better job. There are enough agencies that are supposed to look out for the public interest; there's no need for another Naderesque super-watchdog unit.

We had hoped Mr. Carter would not fall victim to that Washington syndrome that makes too many officials hereabouts think that the only way to solve a problem is to create another government agency.

ANOTHER BAD PROMISE KEPT

(By J. Kilpatrick)

President Carter acted last week to fulfill another of his bad campaign promises: He called for creation of a new Agency for Consumer Advocacy.

By nice coincidence, on the same day that Mr. Carter was asking for this new agency, his budget director Bert Lance was commenting on the reorganization act.

"There are too many agencies in government," said Mr. Lance. "We just don't need that many. We need to do something about it."

Perhaps the Congress in its wisdom will do something about the problem by rejecting the proposed ACA—for if ever an agency were unneeded, this is it. An Agency for Consumer Advocacy will add one more layer of bureaucracy to the 10-layer cake that bloats us now. It will create hundreds of jobs for the eager beavers, legal eagles and rabid rabbits who have studied at the feet of Ralph Nader. It will add months to the long delays that already stifle the making of final decisions.

And in the end, the Agency for Consumer Advocacy cannot possibly accomplish its ostensible purpose. That purpose is to represent "the consumer."

Mr. Carter made that purpose clear. His new agency would speak up for "the consumer." It would plead "the consumer's case." It would deal with "the consumer's concerns." Creation of this agency would be only one in a number of steps to better protect "the consumer." These steps, said the President, will enhance "the consumer's" influence within the government.

But who is "the consumer"? And who is to determine "the consumer's interest"? Two recent decisions by Mr. Carter himself will point up the difficulty in defining the terms.

Last month Mr. Carter approved a significant increase in milk price supports. The effect will be to increase the price of milk at the retail level. Was this in "the consumer's interest"? Evidently Mr. Carter thought so. In this case, he felt it more important to preserve a stable and profitable dairy industry than to keep the price down on a basic household commodity.

Two weeks ago Mr. Carter refused to approve the tariff rate quotas recommended by the International Trade Commission on imported shoes. He acknowledged that in the past nine years, the domestic shoe industry has lost 70,000 jobs. These 70,000 displaced workers surely are "consumers." But in this case, he felt it more important to promote world trade than to fix quotas that might benefit the shoemakers' families.

Such conflicts occur constantly. The battle over deregulation of natural gas is yet to be fought. In this area, what is "the consumer's interest"? What position would an Agency for Consumer Advocacy take? Would it intervene to keep the price of gas down? Or would it go the other way?

The new agency's first function would be to intervene in the way "rules, regulations, and decisions are made and carried out." Toward that end, the agency would "intervene or otherwise participate in proceedings before federal agencies." It would have power to enter judicial proceedings. The agency would have its own information-gathering authority, including "access to information held by other government agencies and private concerns."

To be sure, the President denies that his "small, effective" agency would get out of hand, but the President has not been around Washington very long. Mr. Carter has outlined sweeping responsibilities, reaching across the entire spectrum of federal rules and regulations. It is inconceivable that these responsibilities could be met without the creation of a massive bureaucracy. Befor long, we would have scores, then hundreds, of busy, busy, busy bureaucrats, doing nothing that needs to be done.

The government already has one feisty little agency, the Council on Wage and Price Stability, that labors effectively in this field. But the council's powers are limited. It can neither harass nor delay. It can only squawk, and it squawks well. In the name of efficient government—a name Mr. Carter constantly invokes—isn't one such agency enough?

HON. LEO J. RYAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. RYAN. Mr. Speaker, today I want to commend Interior Secretary Andrus for the proposal he sent to Congress yesterday to expand Redwood National Park by 48,000 acres. I completely agree with Secretary Andrus' statement that the Nation cannot afford not to enlarge the existing park. The magnificent coastal redwoods are a national symbol. The tall trees are national jewels which deserve protection.

I am particularly pleased that the Carter administration's position so closely coincides with the findings and recommendations in the first report of the House Committee on Government Operations entitled, "Protecting Redwood National Park." The report was prepared by the Environment, Energy, and Natural Resources Subcommittee, of which I am chairman, and is the result of an extensive investigation and hearings by the subcommittee. It recommends the park be enlarged, that further timber cutting in the Redwood Creek basin be controlled and that cutover lands be rehabilitated.

Secretary Andrus has advocated a comprehensive strategy for protecting the park which is quite similar to the approach outlined in the subcommittee report. This proposal, in addition to recommending expansion of the park's existing boundaries, also includes provisions for rehabilitating the Redwood Creek watershed and for putting together a reemployment plan to alleviate the local, short-term unemployment which will result from removing timberland from production.

I believe the Secretary's proposal represents fair, sensible, rational and responsible public policy and I support his position.

NATIVE CLAIMS AND ALASKAN NATURAL GAS

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MURTHA. Mr. Speaker, in various comments I have shared with my colleagues on development of Alaskan natural gas, one key factor has been the settlement of native claims.

I am very concerned that any decision to build a pipeline through Canada will be delayed by the settlement of these claims. On that point, I would like to share some comments made before the Interior Committee's Subcommittee on Public Lands and Indian Affairs by Dan Johnson representing the Yukon Indians.

"On March 4, 1977, the Council for Yukon Indians presented another brief to the National Energy Board in Whitehorse, Yukon . . . the Council for Yukon Indians has had sufficient time to consult with the 12 Indian communities on the question of pipeline construction. The response we have received has been clear and unequivocal. The Yukon Indian people are opposed to any pipeline in the northern Yukon in perpetuity, and in the southern Yukon we are opposed to pipeline construction until there has been a land claims settlement which has been implemented.

"We will continue to oppose pipeline construction, and in the event one is authorized by the Federal Government before the settlement and implementation of our land claims, we will gather our collective resources and fully utilize these resources in complete opposition to the construction of a pipeline. If this opposition means use of the courts, we will use the courts. We also fear that there will be physical protests by many of our people. But we shall not compromise our present position until our land claims have been implemented."

Mr. Speaker, these comments illustrate why the native claims issue is so important to the development of Alaskan natural gas, and why I hope the Members study this issue carefully before the Congress debates the subject later this year.

DISCRIMINATION AGAINST PREGNANT WORKERS SHOULD BE BANNED

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mrs. SCHROEDER. Mr. Speaker, motherhood is supposed to be one of the few issues that we all support, regardless of party affiliation or ideological strain. However, unless we take action to clarify title VII of the Civil Rights Act of 1964, we will allow employers to discriminate with impunity against pregnant workers.

I recently received a letter that describes the discrimination that will continue unless H.R. 5055, a bill to end discrimination against pregnant workers, becomes law. As the letter illustrates, it is disingenuous to say that because pregnancy is voluntary, we should not require that disabilities resulting from pregnancy be treated as any other disability is treated. As a woman who spent 10 days in intensive care after the delivery of a child, I can assure you that the pregnancy may be voluntary, but the disability is not; it is a shock and a terrible strain, just as any other disability is. For us to permit employers to act as though pregnancy-related disabilities are not disabilities at all is to ignore reality and to allow offensive discrimination against women.

This letter is one version of a story that could be told by thousands of women in this country, and I would like to share it with my colleagues:

DEAR REPRESENTATIVE SCHROEDER: This morning I read an article in the Rocky Mountain News entitled "Pregnancy Disability Controversy Growing." It stated that you are introducing a bill banning discrimination against pregnant women.

I am enclosing an account of my recent pregnancy, the complications involved, and my experience with pregnancy discrimination.

In September, 1975, I became pregnant for the first time, and looked forward to a healthy normal pregnancy. However, that was not to be. I experienced hyperemesis gravidarum and in November and in February was hospitalized for treatment. Both stays lasted three days. However, after my second day, while at home, I experienced a severe reaction to a drug used to counteract the hyperemesis. I stopped breathing. This necessitated emergency measures and a brief stay in an intensive care unit, followed by another hospital stay and a month's recuperation at home.

During the previous four years and during my pregnancy I was a teacher. Because of my difficult pregnancy, I used my available sick days and applied for a reimbursement from the six leave bank. They reimbursed me for days that my obstetrician could prove were illnesses not caused by the pregnancy. However, because the hyperemesis gravidarum was directly related to pregnancy, and because the medication I was taking was to control the hyperemesis, I was not reimbursed for the disability (to work) caused by the hyper-sensitive reactions to the medication.

The Affirmative Action Office of School District 12, Adams County, used my case in hopes of establishing a precedent to be used in pregnancy disabilities cases presented to the sick leave board. Unfortunately the board did not feel that my pregnancy-related absence should be reimbursed. After completing the month of recuperation at home, I was able to return to my teaching duties (with the encouragement and approval of my obstetrician) and complete the school year, without absence for the remaining school year. School closed on June 4, 1976, and my son was born robustly healthy on June 15, 1976.

My husband and I discovered a case of "double discrimination" when we proceeded to prepare our income tax return. We were told that if an employer pays an employee disability pay, that this amount is deductible (this tax law has recently been changed). However, if the employer does not pay or continue the salary during an employee's disability, no deduction (except medical expenses) can be taken! It is ironic that the more help you need, the less you get.

During the course of my pregnancy, I lost more than $1,200 salary for the twenty days work I missed (a teacher's salary is computed at 1/184 of the yearly salary per day). I lost 20/184 of my salary because of my pregnancy related disability.

I realize that the discrimination I experienced is probably quite mild in comparison to the discrimination other pregnant women have experienced, but I thought it may be helpful to relate it to you.

My maternity benefits from the school district's insurance (Blue Cross/Blue Shield) were adequate. However, my disability insurance (with Horace Mann) would not cover my disability to work as it was pregnancy caused.

We were told by Prudential that they covered no pregnancy disabilities, but the illness and complications I experienced during pregnancy would be part of my medical history and would cause an increase with our mortgage insurance rates. They wouldn't recognize it as a disability for my benefit, but they would count it as a medical liability for their monetary benefit.

Sincerely,

DIANE WILSON.

ONE ASPECT OF OUR HOUSING PROBLEMS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. JACOBS. Mr. Speaker, the following is a letter from my constituent, Mrs. Jane Ann Lemen. It constitutes a detailed description of one aspect of our housing problems:

MANNING ROAD,
Indianapolis, Ind., March 14, 1977.

Congressman ANDREW JACOBS, Jr.,
11th Indiana District, House Office Building, Washington, D.C.

DEAR CONGRESSMAN JACOBS: For a people to have confidence in the government and society in which they live, they must believe that that government provides them with a means of recourse for any wrongs they may have suffered. In return, the people must accept responsibility for their actions. If individuals do not accept such responsibility, a legal recourse should be available for those other citizens affected.

Recently I have begun to doubt that such recourse is always available to all citizens, based on the following experiences.

About five years ago, my husband and I decided to invest our savings in rental property. We are far from rich, but have a modest life-style and felt that real estate would be a good hedge against inflation. We have bought doubles (or duplexes) in the $15,000 to $25,000 range, all located in Washington and Wayne Townships, Marion County. We have avoided so-called "inner city slum" properties. We have improved these properties, and feel we would not rent a property we would not live in. We now own a total of fourteen doubles.

We have had many good experiences as landlords. As Christians, we have tried to help tenants when they have fallen behind, either by their paying a little extra each month until clear or doing painting, cleaning, etc., at other units in lieu of rent. We have developed good relationships with almost all of our tenants, past and present.

Recently, however, the problems have become more numerous, and I fear are indicative of the direction society is taking:

The rental business is now almost a cat-and-mouse game. How long do you help a tenant who is in arrears? For, if you must take legal action, the trick is to do it before he disappears "in the dark of the night." Once he has fled, you have the following problems, all aided by our legal system:

1. in order to file a claim in a Small Claims Court, the landlord, not the Court, has the responsibility of knowing either the new address or the place of employment, if any, of the ex-tenant.

a. obviously, the tenant in these circumstances does not leave a forwarding address. A Change of Address request from the Post Office is often ignored.

b. not all wages can be garnisheed, with Federal employees being the most notorious (which, incidentally, makes you a poor credit risk in my opinion).

2. the ex-tenant may be on welfare.

a. welfare payments cannot be garnished.

b. addresses of welfare clients are "confidential so no claim can be filed. Nor are the caseworkers particularly interested in working with a creditor to help the client pay off back debts.

c. I would imagine a landlord refusing to rent to welfare recipients would be guilty of "discrimination" (and I agree with this). But tax money given to them (of which the landlord pays a part) does not necessarily go to pay the rent.

3. the ex-tenant may be on unemployment. Again the address is considered "confidential."

4. if the case does go to court and a judgment awarded to the landlord, the ex-tenant may declare bankruptcy before the debt is paid.

Let me give you the following five examples, all former tenants of ours and, with the exception of the first, all coming within the past year:

1. D.A.

Debt—$380, back rent (including fraudulent checks) plus $75.

Situation:

1. attempted to secure change of address by sending a registered letter with a change of address request. Result: her mother signed the registered letter and no change of address was given us. Post Office suggested we try again—and pay again.

2. employed at the Finance Center, Fort Benjamin Harrison, which a) initially denied she worked there, and b) after admitting she did indeed work there, offered to garnishee at Two Dollars ($2.00) per month, then withdrew that offer.

3. she then declared bankruptcy.
Collected—$25.00
Loss—$430.00
2. B.A.
Debt—$280.00 back rent.
Situation: on welfare, working part time but not quite enough to be garnisheed.
Collected—$00.00
Loss—$280.00
3. D.B.
Debt—$420 back rent, $400 damages.
Situation—on welfare, no address.
Collected—$00.00
Loss—$820.00
4. R.S.
Debt—$400 back rent, $160 electric bill, plus several damages (including flushing nuts and bolts down the toilet before they left).
Situation:
1. Electric bill—the bill (for a total electric unit) was left in our name although the address was changed from ours to the unit's meaning either they called and gave our name or Indianapolis Power and Light made the mistake. At any rate, Ipalco is holding us responsible for the bill although the tenant admitted living there and owing the bill.
2. Were able to file a claim as he is employed.
3. Out-of-court settlement yielded $120 before they quit showing up.
4. Back to court. We received the judgment to garnishee. However, a lawyer present remarks that he had two claims on them in Perry Township and they were preparing to file bankruptcy.
Collected—$120 so far.
Loss—?
5. C.H.
Debt—$200 back rent plus $50 damages.
Situation:
1. She is on welfare, address confidential.
2. He is on unemployment, address confidential.
Collected—$00.00.
Loss—$250.00.
Total for the five claims:
Debt—$2,365.00.
Received—$145.00.
Loss—$2,220.00.

The key words are responsibility and recourse.

The landlord has a responsibility to provide clean, decent housing at a reasonable rate. If he is negligent in his responsibility, the tenant should have recourse through the courts.

The tenant has a responsibility to pay his rent on time, or if he is unable, to make arrangements for the payment of the rent, and also to maintain the property in the same cleanliness as when he rented it. If he does not, the landlord should have recourse through the courts. I feel we do not at the present time.

I apologize for a rather lengthy letter, but I felt this situation should be brought to your attention. Incidentally, all our properties are for sale; we've had it.

Sincerely yours,

JANE ANN LEMEN,
(Mrs. Gordon Lemen).

CURTAIL IMPORTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. RANGEL. Mr. Speaker, last week in several cities throughout this Nation, hundreds of garment workers engaged in rallies to protest the growing number of products which this Nation imports from abroad. Here in the Congress many of us have signed letters to the President urging him to develop a new and more realistic trading policy, one that reflects the priorities of our own working people. I think these actions grow out of a concern that many of us have regarding this problem, as we watch as the textile industry continues to decline and the number of imported goods continue to increase.

In the latest issue of the AFL–CIO News, Gus Tyler, a noted political theorist and the assistant president of the International Ladies' Garment Workers' Union cogently delineates the problem. He says that the President's proposal to provide American shoe-producers with support is not enough. I believe Congress must step into the picture in order to correct the imbalance that has developed over the years and to save our already deteriorating textile industries. I think that the problem is important enough for the appropriate committees to take carefully thought out action to remedy it and put American clothing workers back to work.

I would urge my colleagues to carefully consider Mr. Tyler's remarks on this timely issue. The article follows:

JOB LOSSES MOUNT: SPREADING FLOOD OF IMPORTS LAPS AT ADDITIONAL INDUSTRIES

(By Gus Tyler)

The American shoe Industry is an imperiled species. What President Carter proposes to do to save the endangered trade is likely to prove useless—if not worse.

The crisis in footwear is much bigger than it looks, because what happens to boots and shoes today is also happening to apparel, textiles, electronic assembly, plastics, rubber goods, ceramics, bikes, toys, novelties, cameras, and specialty steel, and will soon be happening to the giants of our economy, like basic steel, autos, aircrafts, computers and the like.

But footwear is a timely case study of what's wrong in this industry and what's wrong with Carter's proposed remedies.

The number of shoe factories in the United States has fallen from 600 to 380 in less than 10 years. The result has been a loss of 70,000 jobs.

Where did the jobs go? Overseas. More than half the shoes sold in the United States are imports from countries where the hourly wage is not counted in dollars but in pennies—like two dozen pennies an hour. Taiwan and Korea alone are responsible for more than half the imports.

The rate at which these imports flood our markets threatens to wash away the American industry totally. In 1974, Korea and Taiwan exported 97 million pair of shoes; two years later (1976), they exported 200 million pairs.

To check this flood, the International Trade Commission, a U.S. agency, recommended that we impose substantially higher tariffs for the next five years. President Carter says no. Instead, he proposes that we negotiate quotas with other countries on levels of exports and that we offer a variety of aids to our domestic industry.

The negotiated quota idea is not new—it has been in operation for several years in the apparel and textile industries. And while it is certainly a means to regulate flooding, if it is used in the future as it has been used in the past, it will provide no relief at all.

In the 10 years between 1966 and 1976, the number of employees in the textile and apparel industries (the nation's largest factory employer) shrunk by more than 144,000, while imports in the last year alone rose by more than 34 percent—in spite of quotas.

Carter proposes to assist American shoe producers with technological know-how, with marketing devices, and with financial aid to undertake these improvements.

But of what good is all this if the American shoe producer then proceeds to make his superior technology available to a "contractor" in Korea or Taiwan whose output is committed exclusively to the American shoe company for sale in America—as is already the case? And of what value is superior marketing skills by an American company if it then puts these talents to work to sell the imports here at prices to produce windfall profits?

And why should the American people pay for this process, which is nothing more than an expensive way to commit suicide?

KARL NOBUYUKI

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CHARLES H. WILSON of California. Mr. Speaker, I wish to bring to the attention of this Congress the recent appointment of Mr. Karl Nobuyuki of Gardena, Calif., to the national executive directorship of the Japanese American Citizens League (JACL).

Mr. Nobuyuki has served the city for the past 5 years in a variety of capacities, not the least of which was his instrumental role in creating the city's human services department. Today, this agency serves as the model for all South Bay government services organizations, and stands as testimony to the dedication of both Mr. Nobuyuki and the Gardena City Council.

Mr. Nobuyuki will assume direction of some 40 national JACL committees whose programs concern themselves with specific problem areas facing Americans of Japanese ancestry. Of immediate importance is the committee's support of legislation drafted by Congressman NORMAN MINETA, myself and other Members which seeks to provide Japanese-American postal and civil service employees retirement credit for time in relocation camps.

The JACL committee which stands to grow in importance with Mr. Nobuyuki's appointment is the cultural affairs committee. An honest portrayal of the Japanese-American experience is seldom available to the general public. To meet this need the committee sponsors community exhibits, cultural performances and criticizes stereotypic portrayals of Asian Americans in mass media. The recent establishment of the Gardena Valley Japanese Cultural Institute teamed Mr. Nobuyuki with Director William Hiroto and hundreds of area Asian-Americans in

an effort to provide an anchor for the Japanese cultural and ethnic heritage in Los Angeles County.

This local effort stands to embrace a national forum in the newly created United States-Japan Friendship Commission.

The Commission is charged to undertake activities designated to increase understanding and goodwill between the United States and Japan. It is expected that the JACL will work closely with the Commission in establishing valuable programs supportive of services offered by agencies such as the Gardena Japanese Cultural Institute.

I commend Mr. Nobuyuki on his appointment. For the information of my colleagues, I submit for examination various clippings detailing Mr. Nobuyuki's career, as well as a short history of the Japanese American Citizens League.

[From the Daily Breeze, Mar. 24, 1977]

JAPANESE AMERICAN UNIT PICKS GARDENAN

Gardena's grants administrator has been appointed national executive director of Japanese American Citizens League (JACL).

Karl Nobuyuki's appointment is subject to ratification by the 106 JACL chapters in 32 states.

Nobuyuki is expected to assume the position May 1.

Al Hatate, a member of the personnel board which interviewed applicants, said Wednesday ballots would be sent to JACL chapters.

Hatate said Nobuyuki must be ratified by a majority of the chapters returning ballots.

Nobuyuki, 31, says he is overwhelmed by the appointment and says a major job task will be to pull the organization together.

"I also want to try to get the American public to see that what the JACL does as a human rights organization does not affect only Japanese-Americans, but everyone," he says.

The position would move Nobuyuki and his wife, Hiromi, and their two sons from Gardena to San Francisco, location of JACL national headquarters.

He would succeed David Ushio as national director. Ushio left to join President Jimmy Carter's transition team.

Nobuyuki was born in Gila River, Camp A, a relocation camp in Arizona.

He attended Salesian High School in East Los Angeles, Don Bosco Seminary in New Jersey, East Los Angeles College and graduated from USC where he studied speech communications and political science.

Nobuyuki is a member of the board of the Asian-American Drug Program, Japanese-American Community Services and a commissioner of the Los Angeles County Manpower Advisory Council.

His memberships also include the FOR Junior Sports Association, the Gardena Valley JACL and the Gardena Valley Cultural Institute.

Gardena Councilman Mas Fukai hailed Nobuyuki's appointment.

Nobuyuki came to Gardena in 1971 to head the city's new youth and community services office.

In 1974 he became grants administrator and public information officer for the city.

NOBUYUKI NAMED JACL NATIONAL DIRECTOR

SAN FRANCISCO.—Pending confirmation by the 102 chapters of the organization, the national board of the Japanese American Citizens League Sunday named 31-year-old Sansei, Karl Tatsutoshi Nobuyuki to be the new JACL National Director. Nobuyuki if confirmed, would succeed David Ushio, who resigned from the directorship in Sept.

The JACL national board which is made up of the human rights organization's national officers and district governors, made its choice last weekend following a recommendation from a select national personnel committee consisting of Gary Nakamura, Stephen Nakashima, Ben Takeshita, Al Hatate and Emi Somekawa.

A native of Gila River, Arizona, Nobuyuki attended the Univ. of So. Calif. as a speech-communications major. He also attended Don Bosco Seminary College in New Jersey. Raised in the Boyle Heights area, he is an alumnus of the Maryknoll School and Salesian Maryknoll School.

For the past five years, Nobuyuki has been grant-resource administrator for the city of Gardena. Married to the former Hiromi Yamagata, he is the father of two boys; Craig, 11 and Byran, 7.

As JACL national director Nobuyuki would oversee the activities of the 30,000-member organization which often serves as a spokesgroup for all Asians in the United States.

Nobuyuki's first goal as director would be to pull the organization, which in the past has been beset with regional disputes, together.

"I'd also like to see the Sansei and Yonsei join up and take a more active role in the organization," said Nobuyuki. "Frankly," he said, "it will be a long time before I can be specific about new programs for the JACL but I am going to start by listening to everyono in the organization."

A longrange goal Nobuyuki did commit himself to was "making it clear to the general public that the actions of the JACL as a human rights organization benefit all peoples regardless of race or creed."

The national director-elect said he felt the most valuable skills he would be bringing to the JACL were his administrative experience and background in resource development.

JACL Pacific Southwest Dist. Governor Michael Ishikawa agreed that Nobuyuki's past administrative experience with Gardena and skilled grant proposal writing abilities would be a definite plus for the organization on a national scope.

"Most important from a Pacific Southwest viewpoint," said Ishikawa, "is that Nobuyuki understands the issues and problems faced in an area where there are large numbers of Asians, an understanding which may have been lacking under past leadership. Karl also has the ability to relate to the younger, more progressive members as well as the old guard of the JACL," said Ishikawa.

FAST BREEDER REACTORS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. DUNCAN of Tennessee. Mr. Speaker, on April 7 President Carter announced his proposals regarding the development of nuclear power. His primary thrust was to deemphasize the use of plutonium for both conventional light water reactors and liquid metal fast breeder reactors now under development. This deemphasis is proposed because of the possible international spread of nuclear weapons through the conversion of nuclear fuel into weapons-usable material by nations which now do not have such weapons.

I share Mr. Carter's concern about proliferation. It is, and will remain, a serious international problem which deserves careful, thoughtful consideration. I am convinced, however, that curtailment of the plutonium breeder reactor will not appreciably affect the possibility of proliferation of nuclear weapons.

In fact, nuclear power reactors are by no means the only path to nuclear weapons. Some 46 nations now operate research reactors; many of these reactors could produce weapons-usable nuclear material at least as easily and economically as by deriving such material from a nuclear power plant. I also note that the five other nations now developing the breeder reactor—France, West Germany, Great Britain, Japan, and the U.S.S.R.—have demonstrated no inclination to follow our proposed curtailment of the plutonium breeder.

If we look closely at the economic benefits of the breeder, perhaps we can better understand why these nations are pressing their plutonium breeder demonstration programs. The plutonium-cycle breeder reactor is, in fact, closer to commercialization and offers a higher probability of economic success than any of the other known advanced energy systems. It can provide our Nation with an almost unlimited supply of clean, safe, and efficient electricity through the next century and even beyond.

Having recorded these objections to the President's proposals, I want to go on to state that, although weapons material can in principle be taken from any substance containing fissionable fuel, and thus no nuclear fuel cycle is completely proliferation proof, nevertheless there are breeder fuel cycles which more closely conform with the President's stringent antiproliferation criterion.

One of the most promising of these proliferation-resistant cycles uses thorium, a naturally occurring heavy element found in granite, sea water, and some uranium ore. It is approximately four times more abundant than uranium. Our Nation has a good supply of thorium, including some of the largest known high-grade deposits in the world.

Although thorium is nonfissionable, it can be converted by a breeder reactor into uranium-233 which can be used to power additional nuclear reactors. While U–233, like plutonium, can be used as a weapons material, it can be denatured by dilution with U–238 to make it less attractive as a material for weapons production.

After U–233 has been denatured with U–238, the U–233 cannot be extracted by simple chemical means for use in nuclear weapons. A complicated isotopic enrichment process, which is both expensive and technically difficult, would be necessary. After the fuel has been used, it is extremely radioactive and would re-

quire shielded chemical reprocessing to obtain weapons-usable material.

We could further guard against the misuse of this nuclear fuel by establishing international secure energy centers in which all of the sensitive operations of the thorium fuel cycle would be performed. Included in a typical energy center would be a breeder reactor, a spent-fuel processing facility and a fuel-fabrication plant, all under strict security measures.

The primary purpose of the center's breeder reactor would be to produce U–233 from thorium which then would be processed and fabricated into a denatured fuel to be sent out of the center to power additional reactors. The denatured fuel would contain less than 20 percent U–233 which would disqualify it for direct use as a weapons material. As earlier noted, the denaturing agent, U–238, would make the reprocessing of this fuel into weapons material costly and time consuming.

If available fuel produced in the secure energy center were used in breeders outside the centers, the entire system could produce a net gain of fissionable material and could be an important component of the Nation's and the world's solution to the energy problem. Although the breeder would convert the relatively small amount of U–238 denaturing agent into plutonium, the fuel at this point in the cycle would be so radioactive as to discourage any attempt to recover the plutonium. The spent fuel would then be returned to the secure energy center to complete the cycle.

A national energy system using the thorium-cycle breeder and the subsequently bred fuel could sustain a 2–3 percent annual growth of energy production from thorium in the United States. In comparison, the plutonium-cycle breeder could sustain a 5–10 percent annual growth rate using uranium. Thus, it is evident that the plutonium-cycle breeder, when compared on the same basis, offers significant advantages over the U–233/thorium cycle by allowing larger growth rates and providing more flexibility in meeting the highly unpredictable needs of our economic future.

In view of these considerations and our general energy situation, the continuation of our most important breeder reactor project—the Clinch River Breeder Reactor Plant Project in Oak Ridge, Tennessee—is crucial. The CRBRP is the Nation's first large-scale demonstration breeder reactor; it is designed to demonstrate the economic and technical feasibility, licensability, and safety of the breeder within a utility environment.

As such, the CRBRP is an important element in the timely commercialization of the breeder reactor. The speedy completion of the project is necessary to assure that we have the option of obtaining clean and safe energy from breeders as our oil and gas supplies diminish.

It is important to note that the CRBRP could be reoriented to test and demonstrate the feasibility of the relatively proliferation-resistant thorium cycle discussed above, as well as the plutonium cycle upon which the current design is based. It can also serve as a test bed for a variety of proliferation-resistant reactor options that may be expected to result from the more active consideration of alternative breeder systems proposed in President Carter's nuclear policy message. Substantial delays or cancellation of the CRBRP should not be considered acceptable because such action could jeopardize the future well-being of this Nation.

WAGE AND PRICE STABILITY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, President Carter, in his January 31 message to the Congress proposed a 2-year economic recovery program and indicated his desire to strengthen the Council on Wage and Price Stability. In the program he announced last Friday, the President indicated that the council will play a very important role in this administration's anti-inflation program. To this end, in his budget request, the President asked for the addition of 10 senior economists and 3 research assistants to the Council staff, for which the administration requested a supplemental appropriation of $241,000. This is $141,000 above the fiscal year 1977 authorization for the Council. The House voted to appropriate $100,000, which would have kept COWPS' funding at the authorized level. The Senate, however, voted to appropriate the full amount of $241,000. The House conferees are now asking us to accede to that amount.

Mr. Speaker, while I am in accord with the recommendation of the conferees, I must call attention to the unusual procedure by which the President's request came to us. This request for $141,000 more than has been authorized for the Council on Wage and Price Stability for fiscal year 1977 was not submitted to the authorizing committees, the House and Senate Banking Committees.

I realize that the amount of money involved here is not very large. However, I think the administration should be put on notice that we cannot condone appropriations which have not been previously authorized, and that the authorization procedure is a most important part of our legislative responsibility.

I would hope therefore, Mr. Speaker, that we can expect that this is a one-time-only instance of bypassing the authorizing process. This is a new administration, and the President's request for additional staff for the Council on Wage and Price Stability represents an integral part of the anti-inflation program. I urge my colleagues, therefore, to make an exception this one time and support the conferees' motion.

At present, there are 20 senior economists on a full-time staff of 47 personnel. Nine of these economists review and evaluate the economic impact of Federal regulations and rulemaking, and the administration wants to continue that activity. This means, however, that the remaining 11 economists monitor the entire private sector of the economy. It is in this area that the President proposes to increase the Council's analytical capability. The additional personnel would be available to analyze the supply and demand trends in particular industries so that bottlenecks and potential shortages could be identified, thereby allowing the administration to deal with them in a timely manner. This is not an excessive request. I understand it takes a single economist anywhere from 3 to 6 months to do an in-depth industry study.

I should emphasize that in the almost 3 years that the council has been in existence, they have not requested any personnel increases. Now they are requesting an increase of 13 persons, which will bring their total staff from 47 up to 60.

There is one important area that should be dealt with, and that is the spectre of wage and price controls. It has been charged that the very existence of the Council on Wage and Price Stability threatens business and labor with the reimposition of wage and price controls. I reject this argument, and I am sure that business and labor are astute enough to realize that any return to wage and price controls would have to come through the Congress. President Carter has reiterated many times that he does not desire to have authority—including standby authority—to impose wage and price controls. Furthermore, the Senate Appropriations Committee in its report on this supplemental appropriation emphasized that the inclusion of these funds in no way anticipates the adoption of a movement to wage and price controls.

Mr. Speaker, the Subcommittee on Economic Stabilization is currently holding hearings on the Council on Wage and Price Stability Act. Included in the legislation we will consider is a bill I have introduced, which would raise the authorization to $2.2 million so that the council may get on with the very important work the President has asked it to do. I do not believe that figure is unreasonable, and I do not believe the present request is unreasonable.

I urge my colleagues to agree to the full $241,000 as provided for in the supplemental appropriations conference re-

port and promise them that the Subcommittee on Economic Stabilization will give careful scrutiny and review to the duties of the Council on Wage and Price Stability.

SOCIALIST WORKERS PARTY SPIES ON RIVAL MARXIST-LENINISTS: PART I

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. McDONALD. Mr. Speaker, the Socialist Workers Party is presently engaged in a law suit against the U.S. Government complaining that the FBI, the CIA, and other agencies have been investigating them for many years. The SWP is particularly upset that the FBI has had informants planted in their ranks.

It is interesting to note that the SWP has for many years sent infiltrators and informants into rival Marxist-Leninist groups. The SWP reports on their rivals were undoubtedly of great use to the FBI in evaluating the activities of the other subversive groups. Last year, then Attorney General Edward Levi, ordered the FBI to remove its informants from the SWP. As a result the valuable information on international terrorism and domestic subversion that had been available through the SWP is no longer known to the executive branch of the U.S. Government. The SWP is the American section of the Fourth International and provides its members with considerable information on the terrorist activities of other Fourth International sections in Latin America, Europe, and the Middle East.

The Socialist Workers Party recently released an interesting new publication for the confidential use of its members. The introduction to the new publication called Party Organizer was written on March 21, 1977, by Socialist Workers Party National Committee member, Larry Seigle. The introduction read in part:

This is the first issue of the "Party Organizer." The new internal bulletin is the result of a discussion in the Political Committee on the growing need for ways to communicate ideas, experiences, and suggestions on party activities directly to all members of the party. This need has become greater as we have undergone a relatively rapid expansion of the number of branches and the number of cities where we have members.

The "Party Organizer" will be published periodically. It will contain reports from the branches as well as from the national steering committees and national departments. Articles will cover our work in the mass movement as well as party-building activities such as sales, finances, education, forums, bookstores, election campaigns, and recruitment.

Many of the kinds of reports and letters that are now sent out to organizers and the National Committee for communication to all members will instead be published in the "Party Organizer."

The first issue of Party Organizer contains some interesting reports on the activities of the "Maoists" in the United States. These reports which cover the activities of the major pro-Red Chinese organizations and youth groups were based on coverage of meetings and investigations of the "Maoists" made by members of the Socialist Workers Party and its youth group the Young Socialist Alliance. The reports were written by SWP Alternate National Committee members Les Evans and Rick Berman.

It is unfortunate that the Federal Bureau of Investigation does not have access to this publication, as a result of their closing the case on the SWP and removing the informants. Of particular interest, is the SWP report on the activities of Red Chinese agent William Hinton, who they indicate is particularly interested in lobbying businessmen and politicians. According to the SWP, Hinton and his close associate, Martin Nicolaus, see themselves as "ministers without portfolios trying to stir up support for the Chinese Government in ruling-class circles."

The SWP may not know all of Hinton's background. Not only did he live in Red China for many years, but his sister, Joan Hinton Engst, worked on the American atom bomb project and then defected to Red China where she has served for many years helping them develop their nuclear capability.

The Socialist Workers Party has provided valuable information to its members on groups that are a serious threat to American security. They should not be allowed to keep this information secret. I would therefore like to make it available to my colleagues. The SWP reports on the "Maoists" follow:

AMERICAN MAOISTS AFTER THE FALL OF THE "GANG OF FOUR"

(By Les Evans)

[The following reports were given to the Political Committee following the November 20, 1976, "Conference on the International Situation," organized by the Revolutionary Communist Party.]

I assume the comrades have all read the article in the December 10 *Militant* ["Who really represents the Peking line?"] and my written report on that meeting [see page 21.] I just want to add a few comments on what we learned from the November 20 "Conference on the International Situation."

This conference reflected the fact that the Revolutionary Communist Party has become the largest of the Maoist organizations. In the December issue of its newspaper, *Revolution*, it claimed an attendance of 2,300. The *Guardian* claimed 2,000. The Spartacists gave a figure of 1,500. Our estimate was 1,300, which I think was fair, but conservative; it could have been as much as 1,500. The higher estimates seem to me improbable.

The thing was clearly organized by the RCP. The October League, the only other Maoist organization of any size, stayed away, except to send in a few sharpshooters to ask questions.

The RCP succeeded in its principal aim, which was to line up its own membership to accept its claim of what China's foreign policy really is. The key point for them is to interpret the line in such a way that they can pose as opponents of American imperialism. They reject the line that the Soviet Union is the "main danger," that they should ally themselves with the ultraright cold warriors against Moscow, or that their chief activity should be going around exposing the Soviet Union.

Most of the people at the conference were young. Most of them seemed to be relatively new to politics. At the same time, the RCP itself is a hard Stalinist organization of the "third period," ultraleft type. Anyone who stays around it very long will obviously imbibe those politics. The people I talked to seemed to know almost nothing at all about China, about Soviet history, or about Trotskyism. They made little sick-jokes about pickaxes. That is how they are trained from the minute they are recruited.

From what I could see, the RCP has for the moment consolidated a hold on its membership. There was no noticeable debate within the RCP ranks, and their morale seemed high. Nevertheless, I think they are facing some very serious political problems in the near future.

First of all, it's clear from the Chinese press that the RCP line is not China's foreign policy. None of the large, organized Maoist groups dare to go along with China's real line. There are, apart from the strange little sects that will say anything they read in *Peking Review*, three major Maoist tendencies in this country, moving on a gradation away from the Chinese bureaucracy's official position. These are, in order, the October League, the RCP, and the *Guardian*.

The real line is represented by William Hinton, who is now unaffiliated. He has lost his post as chairman of the U.S.-China Peoples Friendship Association, but he still has access to the leaders in Peking. His orientation is to make his major activity the lobbying of businessmen and politicians—particularly right-wing politicians—against the Soviet Union.

Hinton has just made a new convert to this approach from the leadership of the October League, the most ostensibly "orthodox" of the Maoist groups. This reveals a previously hidden difference between the October League and the Chinese government. Hinton's recruit is Martin Nicolaus. You remember Nicolaus. He was the translator of Marx's *Grundrisse* and a big-name "new left" intellectual. He was briefly the *Guardian's* foreign editor. Then he wrote a book to prove that "capitalism" had been restored in the Soviet Union.

He broke with the *Guardian* while his book was still being serialized in the paper and joined the October League. There he was put on its Central Committee and immediately formed a faction. He recruited people to his group, which had the Hinton line. They were just expelled from the OL and denounced as "friends of the bourgeoisie." Now there is evidently a Nicolaus-Hiton tendency which sees itself as ministers without portfolios trying to stir up support for the Chinese government in ruling-class circles.

The October League wants the Peking franchise, and it bends as far as it can possibly go to get it. It took the position that the Soviet Union, not South Africa and the United States, was the main threat to Angolan independence. (The RCP stuck with the previous line of "equal blame on the two superpowers.")

The OL immediately jumped on the bandwagon after the purge of the "gang of four" and endorsed Hua Kuo-feng. Their line on international questions is that the Soviet Union is the "main danger" and that their propaganda should be overwhelmingly directed against the USSR, not the United States. They do not accept the next logical step, which is a public bloc with Washington.

That's the line they don't want to step across. Their membership, like that of the RCP, was recruited largely out of SDS and the student radicalization of the 1960s. The only thing they could agree on when they got together was a general opposition to American imperialism. It's very hard for them to go back on that. Also, the first thing these people learned when they radicalized was to reject anti-Sovietism and anti-Communism. for a while they can play on the hatred of the crimes of the Soviet bureaucracy to justify their pinning of the label "imperialist" on the USSR, but it is difficult to justify

making this their main activity. An alliance with the U.S. government is too much for them to swallow.

The RCP is having a serious problem in reacting to the arrest of Mao's lieutenants. They publish only a monthly newspaper (the October League's Call is weekly), so they evidently thought they could stall. The October Revolution didn't mention the purge. They dropped the November issue entirely. They published a December issue, but there wasn't a word in it on what was going on in China. The same in January.

In the December Revolution they republished in the Spanish section an article from their October issue whose main thrust was to attack Teng Hsiao-p'ing, who seems to be on his way back up in the hierarchy. So they are still trying to hang on to the domestic Chinese line as it was last summer before the death of Mao and the policy turnaround under Hua.

Thus the RCP is waffling on two fundamental questions for a Maoist organization: what Peking's foreign policy line really is and its opinion of the current Peking leadership. This has already lost it the mandate from Peking, which has stopped reprinting articles from the RCP press, although it continues to feature material from the Call.

It cannot be excluded that the RCP will take a turn like Progressive Labor did some years back and break publicly from China. It's surprising if it intends to continue as Maoist that it goes as far as it has in risking its standing with the Chinese government and giving an edge to the OL.

There are some other positions of the RCP and OL that we should be aware of. Both of these groups have lined up with Peking on the Cuban question. They are very vulnerable on that. They both now say that Cuba has restored capitalism and that it has become a Soviet colony. They further agree that Angola is a Soviet colony being run by Cuban "slavemasters." This whole fantastic invention is then cited as proof that the Soviet Union is imperialist.

One last point is that these groups are all vying for control of what they regard as perhaps their major front organization, the U.S.-China Peoples Friendship Association. Each of them has a different line on what this association should be, corresponding to their different lines on foreign policy.

Until recently, Hinton was the chairman of the association, and his line was to make it a top-level, government-to-government agency that would negotiate with businessmen for trade contracts.

The RCP sent its people in to try to take the USCPFA away from Hinton and turn it into a "mass" organization to which they could bring people who are "friends of China" but who don't want to join the RCP. They succeeded in this, but then surprisingly had it taken away from them by somebody else. The OL in a bloc with unaffiliated Maoists took over the USCPFA at a recent conference on the basis of a workerist line.

Whereas the RCP wanted the USCPFA to be a broad membership organization, the new leadership proposes to have it work exclusively in factories and in communities of the oppressed nationalities to recruit pro-Peking sympathizers. The RCP has now been forced out of the leadership and reduced to a minority with its line of a general popular-front organization.

Every one of these organizations, including the *Guardian*, is treading on thin ice at the moment. They can maintain their base only by hoping that their members or readers will not ask too many questions about the implications of China's bloc with imperialism or the purge of the Mao faction. The *Guardian*, the only one of the groups to discuss the internal situation in China, could come up only with the lame position that Hua should be supported *despite* the fact that he is lying to the Chinese people on the issues in dispute with the Chiang Ch'ing group. The *Guardian* dismisses as slander the government's claim that the arrested Maoists were trying to restore capitalism or represented a "right wing" in the Chinese Communist Party.

We should make a point of discussing politics with members of these groups or people influenced by them. We can raise the question of a genuinely internationalist and revolutionary position and the evidence that masses of people in China agree with our position in the fight for socialist democracy. We are the real defenders of the Chinese revolution and of the aspirations of the Chinese workers on these questions, not the apologists for the Stalinist government. I think that now many of these people will listen to us who would not have done so a year ago.

AMERICAN POSTAL WORKERS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CRANE. Mr. Speaker, the day before the recess began, I received in the mail the April newsletter of the American Postal Workers Union, AFL–CIO. On the bottom of the second page of this publication was a column entitled "Unionist's Beliefs." I was a little bit curious, so I began to read. The first paragraph asked the reader to wonder why there was so much antiunion literature being circulated. To counteract that propaganda, and to dispel the myth that "unionists are a bunch of militant hotheads," the author goes on to list 20 declarations which make up the unionist's "beliefs."

As I read these statements, I noticed they looked very familiar: "We believe in Freedom of religion. We believe in Freedom of speech. We believe. . . ." They rang a bell, the Liberty Bell to be exact, and I realized I was reading a summary of the U.S. Constitution.

I scanned the rest of the list and then looked at the end of the article. The author concluded by asking that everyone join in the union's beliefs because those beliefs emanated from the "greatest contract ever written": the Constitution.

Mr. Speaker, I believe in the Constitution, too, and as I glanced back at the enumerated beliefs, I saw that one "right," which is in the Constitution, had been curiously omitted from the column. It was the right described in the first amendment as allowing "the people peaceably to assemble." More commonly called the freedom of association, it is one of our most basic and fundamental rights. I find it very interesting that it was not included in the list, because, just as you can choose to assemble or associate, you can also choose not to assemble or associate. The first amendment is the only part of the Constitution which the unions selectively endorse, and freedom of association just happens to have been left off the list. George Meany himself declared that the AFL–CIO wanted to make every job a union job. To me, that is clearly unconstitutional. There is, and must continue to be, a right for every working person to join a union or not join a union, as they please.

If the unions really believed in the "greatest contract ever written" then there would not be any statements such as Meany's, nor would there have been a common situs picketing bill; we would not have to worry about a Taft-Hartley repealer or about unionizing the whole Government. The author of the "Unionist's Beliefs" says he hopes "that those who throw aspersions at us would join us in these beliefs." Let us hope that in time the author would join us not only in these beliefs, but in our constitutionally guaranteed right of association as well. It is a part of the greatest contract ever written, and everyone joining in a contract should read and understand every line of that contract.

At this point, I would like to have the article "Unionist's Beliefs" inserted into the RECORD:

[From the Illinois Postal Worker, April 1977]

UNIONIST'S BELIEFS

I am unable to understand why we hear so much anti-union talk and see so much anti-union literature. Too often I hear that unionist's are a bunch of militant hotheads. What views do we have that some would want to disagree with? What do unionist's believe in?

1. We believe in the right to immediate representation.
2. We believe in representation before search.
3. We believe there should be no after the fact laws.
4. We believe we should have the right to know when rules go into effect.
5. We believe the rules should be adequately publicized.
6. We believe in freedom of religion.
7. We believe in freedom of speech.
8. We believe in freedom of the press.
9. We believe in a system for settling disagreements and violations of contracts.
10. We believe in the right to due process.
11. We believe there should be no double jeopardy.
12. We believe no one should be required to testify against oneself.
13. We believe everyone should be entitled to a speedy trial.
14. We believe everyone is entitled to know the particulars of the charges made against him.
15. We believe everyone deserves an impartial judge, jury or arbitrator.
16. We believe everyone deserves a trial in the area where the rule infraction is supposed to have taken place.
17. We believe everyone should have the right to be faced by the accuser.
18. We believe there should only be one set of rules.
19. We believe the punishment must fit the crime or rule infraction.
20. We believe everyone has the right to have a compulsory process to produce your own witnesses.

I would hope that those who throw aspersions at us would join in these beliefs because they come from what I consider the greatest contract ever written. It is the contract between the United States Government and its sovereigns, and is called the UNITED STATES CONSTITUTION.

H. W. "Red" Reed
Sec. Ctr. Vice Pres.
Galesburg, IL

OAHE, FISCAL YEAR 1978 APPROPRIATIONS

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ABDNOR. Mr. Speaker, in view of the President's recommendation that no

funds be provided for the Oahe unit in the coming fiscal year, I would like to call to the attention of my colleagues the statement I presented to the Public Works Appropriations Subcommittee when I appeared before them in support of funding for this vital project, as well as the Pollock-Herreid unit:

IN SUPPORT OF FUNDING FOR THE OAHE AND POLLOCK-HERREID IRRIGATION UNITS

(Statement of the Honorable James Abdnor before the Subcommittee on Public Works, April 5, 1977)

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to appear before you today in support of fiscal year 1978 funding for the Oahe and Pollock-Herreid irrigation units. It is unfortunate that your deliberations have been clouded by the President's hasty and ill-conceived recommendations which will, if upheld by Congress, result in the foreclosure of opportunities for needed water resource development throughout the nation. South Dakotans share the deep sense of betrayal the President's actions have caused among those who recognize the importance of the wise and productive development of our water resources, and I know that includes the members of this committee.

Water resource development is not a partisan issue, nor is it a subject we can afford to put off as we have done with our energy problems. It is not with any partisan intent, therefore, that I come before you in support of the recommendations of President Ford, rather than those of President Carter. The Ford Budget provides $16.96 million for the Oahe Unit. The Carter proposal is for termination of the project, with no funds requested for further study or any other purpose and without so much as an acknowledgement of the commitment of the Federal government to our state.

It is incomprehensible to me that President Carter can recommend billions for temporary public works jobs and at the same time choose to ignore the recurring problems of drought, underemployment, and outmigration that will be addressed through sound water resource development projects. Such projects will not only provide direct construction jobs at a cost comparable to those in the President's public works proposal but they will also continue to provide new job opportunities and abundant new wealth once they are completed. Under the circumstances, the President would have been far more consistent to have recommended that the full capabilities of the Bureau of Reclamation ($21.46 million for the Oahe Unit; $500,000 for the Pollock-Herreid Unit) be funded in the coming fiscal year.

Although our lack of action in dealing with our energy problems might be termed a national disgrace, it will seem pale by comparison to the inevitable result if we do not come to grips with the nation's water development needs. The President's recommendation that 30 major water development projects receive no further funding flies in the face of the urgent needs they were authorized to meet. Taken on merit alone, the President's recommendations must be rejected; but considering the way they have been handled by the Administration, they become insulting.

For example, the Department of the Interior could not tell us two days ahead of time who would be on the "review team" which would come to South Dakota to take public testimony on the Oahe Unit. I detailed other outrageous aspects of the "review" process in my statement to the review panel on March 21st, and I would like to furnish a copy of that statement for the committee's files. Whatever value might be ascribed to the President's recommendation is devastated by the lack of integrity of the process by which they were determined. Clearly, the President and his advisors have failed to appreciate the importance of water development, the historical commitments regarding projects such as the Oahe Unit, and—most importantly—the requisites of the future if the needs of our citizens are to be met.

Having made these general points, let me turn to the specific controversies surrounding the Oahe Unit. It is evident from the difficulty members of Congress have had in obtaining information from the White House that the President had no particular criteria whatsoever upon which he based his judgment to terminate certain projects. Almost as an after thought, however, three broad "screening" criteria were announced as the basis on which all water projects would be weighed for possible termination. These criteria are safety considerations, benefit/cost ratio, and environmental effects.

There are no valid safety questions which might justify termination of the Oahe Unit, but the safety of the James River—both in terms of quality and quantity—will be enhanced as a source of municipal water supply.

The Oahe Unit has been found to be economically feasible in every benefit/cost analysis ever performed using nationally recognized and Congressionally mandated procedures. The overall benefit/cost ratio (which considers spinoff benefits other than those realized directly) for the Oahe Unit has been calculated at 3 to 1. The Oahe Unit is justified in its own right; but even if it were not, to argue that it should be stopped is to fail to recognize the debt owed South Dakota by the federal government. We are deserving of federal assistance in developing our state's water resources and the Oahe and Pollock-Herreid Units are but a portion of the development to which we are entitled.

The third criterion, and the most nebulous of all, used in the "screening" process is "environmental impacts." The Interior Department's March 10th announcement which stated, "a project must have no significant environmental impacts," is indicative of the self-serving, prejudgmental nature of the "review." In my view the whole purpose of water resource development is to significantly alter the environment for the benefit of mankind. The Oahe and Pollock-Herreid Units will certainly do so.

It would make more sense to forgo projects which "pass" the test of no significant beneficial environmental impact than those which "fail" it. If every human endeavor had been subjected to such a "screening criterion," we'd still be living in caves and being served up as lunch for our animal friends. Obviously there are environmental absolutes which must not be infringed upon. No one questions that, but neither can one accept the President's recommendations in view of the arbitrary and haphazard way environmental factors have been applied.

There are a number of other environmental issues of which I am sure the President has no personal knowledge but which are of concern to those who will be affected by the Oahe Unit. Included among these are the irrigability of the soil, the future of the James River, and wildlife habitat losses and mitigation.

As far as irrigability of the soil is concerned, I would point out that the Oahe Unit was the first federally authorized project to have artificial drainage included as part of the original project cost. Detractors cling to early and outmoded soil survey data which indicated that irrigation could be difficult in the project area, but exhaustive more current and more pertinent studies have been undertaken by the Bureau of Reclamation. It is clear from these studies that the project area can support sustained irrigation, and I would like to provide for the hearing file the statement Dr. Larry Fine of the Plant Science Department of South Dakota State University presented to the review panel. Based on his own research experience, Dr. Fine concurs with the Bureau's conclusion that the land is irrigable.

Dr. Fine also discusses the quality of the return flows from his irrigation research plots and goes so far as to say that he and his associates have drunk them in preference to other available water supplies. The Bureau's studies have indicated that at times the quality of the James River will be degraded somewhat over its present condition by construction of the Oahe Unit At other times, however, the quality will be improved. Both the quality and quantity of the water flow in the James will be stabilized.

If arbitrary water quality standards are to be used to justify terminating the project, are we also going to close down the water systems of the 60% of South Dakota communities which fail to meet these standards? Of course we are not, but these communities will never be able to improve their water systems if such improvements must pass the criteria the President proposes to apply to water developments. Furthermore, an expanded economic base—such as the Oahe Unit will provide—is the very thing many of these communities need to make water system improvements feasible.

Under current conditions the problem of water quality is often moot, however, since records show that the stretches of the James in the project area are dry about 40% of the time and flow less than 30 cfs about 75% of the time. The stabilized flow the Oahe Unit can provide will be a benefit more than offsetting any unalterable degradation in water quality. If this were not so, the City of Huron, which takes its water from the James, would not be strongly supporting the project and looking to it as the solution to the City's precarious water supply problem.

Although the flow of the James will be stabilized by irrigation return flows and supplemental water releases, the flooding potential will also be increased somewhat. Obviously, a river which has some water in it when flood scale precipitation occurs will top its banks more quickly and severely than if it were dry. For this reason the authorized plan calls for channelization. There are several alternatives and combinations of alternatives by which to deal with this problem, however, and it is my belief they will result in not only preservation but enhancement of the aesthetic and productive character of the James.

Wildlife specialists have pointed out the costs of channelization as far as fisheries and wildlife are concerned, and these factors will be taken into account as the project proceeds. The U.S. Fish and Wildlife Service also recently released their "Revised Wildlife Plan," which details their suggestions for the wildlife habitat mitigation and enhancement aspects of the project. The public reaction to the revised plan has been overwhelmingly negative due to the large acreage (39,940 acres) which would be removed from private ownership, particular in certain counties such as Day (12,185 acres), Beadle (6,205 acres), Clark (5,183 acres), and Brown (4,550 acres), for example.

There are those who believe that the U.S Fish and Wildlife officials timed the release of this document to coincide with these hearings and to foment opposition to the Oahe Unit. The August 3, 1976, letter I received from then Assistant Secretary of Interior for Fish and Wildlife Parks, Nathaniel Reed leads me to believe, however, that the Fish and Wildlife Service simply hopes to have the Bureau of Reclamation acquire property they intend to gain control of anyway

Specifically, Assistant Secretary Reed wrote that they plan to gain control of about 330,000 acres (110,000 in fee title and 220,000 by easement) in South Dakota in the next 10 to 15 years. I am uncertain whether or not

the nearly 40,000 acres they have suggested be acquired in conjunction with the Oahe Unit is in addition to or a part of the 110,000 acres they intend to acquire anyway, but it is clear that the proposed Oahe mitigation features are the small end of the problem.

Officials of the Bureau of Reclamation should not be made "point men," through the Oahe mitigation features, for the U.S. Fish and Wildlife Service in acquiring wetlands. In view of the expansive plans of the U.S. Fish and Wildlife Service for South Dakota, acquisition of habitat lands for the Oahe Unit should be kept to the bare minimum required to mitigate identified losses. Certainly, all wildlife habitat lands should be acquired from willing sellers, with the concurrence of the county commissioners.

Condemnation should not be used at all in acquiring wildlife acres, and it should be used as sparingly as absolutely possible in acquiring property for necessary project features. It has been argued that an unduly large percentage of the parcels of land thus far acquired have been taken through condemnation proceedings, but it has also been pointed out that these represent a small percentage of the total acreage acquired. It has also been suggested that organized opposition has actively encouraged those who have been asked to settle as a willing seller to resist doing so.

Be that as it may, I am familiar with condemnation proceedings through my own losses to the Interstate Highway; and I am of the opinion that there must be a better and less expensive means of protecting the rights of private property owners and at the same time allowing the acquisition of property needed for projects in the public interest. In this regard I would like to furnish for the hearing file a copy of a report done by the Library of Congress, at my request on "Alternatives to Traditional Court Proceedings for the Valuation of Land in Federal Condemnation." It speaks favorably of the potential of a system of arbitration.

Perhaps the most pertinent of all criticisms of the Oahe Unit has been the notion that "the people don't want it." In my view a very well organized campaign has been waged to convince South Dakotans that they don't want the project. Still, surveys—including two boxholder questionnaires of my own—show support in the range of 70 to 85 percent.

The problem is, of course, determining who should have a voice in deciding the future of the project. The Oahe Conservancy Sub-District Board will appear before you today and undoubtedly express the majority position that fiscal year 1978 funding should be held in abeyance while they review the project. As far as the Board is concerned, however, the majority represents a minority of the people in the Sub-District. I understand they do represent the larger portion of the taxable property which supports the Sub-District, but the American way is one-man/one-vote not one-dollar/one-vote. Also, it should be pointed out that the new majority on the Board did not run on platforms pledged to terminating the Oahe Unit but, rather, pledged to questioning its imperfections. As recently as March 21st the Board requested and received neutral time to appear before the Oahe Review Panel.

The Oahe Sub-District Board is not the most direct representative of the prospective irrigators themselves. The elected officials closest to the irrigators are the Spink and West-Brown Irrigation District Boards, both of which strongly support the project. It has been argued that the farmers don't want the project, but it is evident that those who will be irrigating do. It is beyond belief that once the water becomes available there will not be enough farmers who want to make use of it. It has also been said that it is those in the towns who want the project, but why should farmers who will not be affected have any more to say about the project than towns people who may experience a marked improvement in business once the project is in operation? Anyone who will be adversely affected deserves every consideration, and I will do my utmost to see that he gets it.

On the other hand, extremely strong positions of support have been adopted by numerous associations and organizations throughout the state. I'd like to furnish for the hearing file an editorial from the March 17, 1977, edition of the *Aberdeen American News*, which expresses the broad support of the press throughout the state. Perhaps most impressively of all, the South Dakota Legislature, in an unusual show of bipartisan unity enacted into state law a policy in support of continued funding of the Oahe Unit. In the entire Legislature six votes were cast against the bill. Finally, Governor Kneip, Congressman Pressler, and I appear before you today to continue the tradition of bipartisan unity observed by every major official elected in our state since 1944. Senator McGovern stands with us on the other side of the Hill; but, frankly, the best I can say of our junior Senator, Senator Abourezk, who has announced he will not seek re-election, is that he is not against us.

Senator Abourezk is primarily concerned with supporting the position of the Sub-District Board, apparently without regard to what their position might be. He has said that South Dakota should not be penalized through the loss of federal assistance simply because South Dakotans have the courage to review the merits of the Oahe Unit. I certainly agree with his position in that respect, and I intend to be among the first to support any changes the Sub-District Board may recommend which will improve the project without jeopardizing its completion. I sincerely believe, however, that the Senator has underestimated the threat to funding for the Oahe Unit and the implications of the President's "criteria" for potential additional water resource developments in our state.

It must be noted that the President simply proposes to terminate the Oahe Unit and the 29 other projects on his current "hit list." The period of "review" for these projects ends on April 15, 1977, and he proposes no alternative water developments to replace them. The President intends to save the Treasury the full cost of all of these 30 projects; and, although I do firmly support the goal of fiscal responsibility, I do not believe all South Dakotans fully appreciate the fact that the President contemplates no further federally sponsored water resource development in our state.

For example, many have suggested that funding for the Oahe Unit could be better spent at this time on the various rural and municipal pipelines proposed and so badly needed throughout South Dakota. I will do everything in my power to see these pipelines built; but in my judgment not only will Oahe funding not be diverted to these pipelines but if the President's criteria are applied to them, they will never be built at all. South Dakotans are also entitled to know the implications of the President's criteria as far as the Pollock-Herreid Unit, the Belle Fourche Project re-authorization, the Lower-James proposal, urgent bank stabilization, and additional hydropower facilities are concerned. Indeed, the Oahe Unit's delivery system is the most efficient means of transporting water into eastern South Dakota. If it is not feasible, obviously no other delivery system is either, and eastern South Dakota will be left high and dry.

While the President is explaining these ramifications of terminating the Oahe Unit, perhaps he would also justify why our downstream neighbors are enjoying the benefits of flood control and navigation at the expense of over 1 million acres in North and South Dakota. It would also be instructive to know why Nebraska should get more of our hydropower than we do and why Minnesota gets more than North and South Dakota combined (35.4% for Minnesota FY 1976 versus 11.6% each for North and South Dakota). Perhaps the President can justify, too, the higher rates which will be required for the hydropower if authorized irrigation is foregone in the Missouri River Basin.

But all of that assumes that the President's recommendations will be allowed to stand. I believe Congress will reject the President's proposed budget cuts for the most part, and I am hopeful that the Oahe Unit will be among those projects receiving the full funding requested in the Ford budget. President Carter undoubtedly would have had better success if he had attempted to pick off the projects he chooses to terminate one at a time. South Dakota is a small state by population, and we do not have the political clout to force our will upon the President or the Congress.

We do have the irrevocable moral commitment of the Federal government, however, to provide water resource development assistance to our state in fulfillment of the promise made to us when we agreed to the inundation of one-half million acres of our precious land resources. South Dakota does not yet have a single acre irrigated out of the Missouri River mainstem pursuant to the commitment made to us in the Flood Control Act of 1944. We do have two authorized projects—the Oahe and Pollock-Herreid Units—which only await funding.

I urge that you recommend to the House that $16.96 million be appropriated for the Oahe Unit and $500,000 for the Pollock-Herreid Unit. Please do not betray our trust.

Thank you.

OAHE, LOCAL ASSURANCES AND THE FEDERAL COMMITMENT

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ABDNOR. Mr. Speaker, the President's review of the 30 water projects which he earlier proposed to terminate has been completed and his updated recommendations forwarded to Congress.

He now proposes no funding in fiscal year 1978 for 18 projects. It is my understanding he will seek deauthorization of 15 of them and 3—including the Oahe unit in South Dakota—may receive his blessing for further funding if certain conditions are met.

Specifically, the President's recommendation for funding for the Oahe unit is:

> Delete funding and reinstate only if local assurances are firm and if the project is modified to eliminate the East Plain service area and associated supply works.

I believe this recommendation conforms with Secretary Andrus' suggestion, based on the report of the review panel composed of officials from the Department of the Interior.

Upon first reading there are two particularly disturbing aspects of the Department's report. It is also unclear exactly what South Dakotans must do to provide the "local assurances" the President has requested. I have addressed these issues in a letter to Secretary Andrus. The letter follows:

WASHINGTON, D.C.,
April 21, 1977.

Hon. CECIL D. ANDRUS,
Secretary of the Interior, U.S. Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: I have noted with interest the President's recommendations for the Oahe Unit, pursuant to the Department's review and report on the project. There are two aspects of your report that I find particularly objectionable.

The first is the implication contained in the "Summary and Conclusions" (p. 25) that the action of the South Dakota Legislature in establishing the Oahe Task Force somehow justifies deferring construction of the project. I have heard no suggestion of any modification which might be offered by the Task Force to alter any portion of the project to be constructed for several years to come The primary focus of the legislation which established the Task Force was to set in law the official policy of the State of South Dakota that funding for the project should be continued—not held in abeyance!

Secondly and more importantly, I strenuously object to the suggestion contained on page 20, under "Political Understanding," that the United States has no commitment to South Dakota to assist with irrigation development. In my view the least—not the "most"—that can be said "is that congressional action in continuing to authorize the Oahe Unit over the years constitutes legal ratification of that political understanding" which lead our state's elected officials to support the Pick-Sloan plan. Besides, if the "legal ratification" can be withdrawn on a Presidential whim, why not also any "legal commitment?"

No, the issue is much deeper than the legal technicalities involved. The issue is whether a President who prides himself on moral leadership is in this instance going to totally denigrate the moral commitment which has been made—and, yes, legally ratified—over several decades.

I pray it will not be so, and I earnestly solicit your assistance in seeing that it does not become so.

Please understand—my responsibility to my constituents clearly requires my strongest efforts to obtain funding for water resource development, regardless of the Administration's position. I would hope, however, that we could work together in the spirit of cooperation of which the President has so eloquently spoken. In that spirit I would appreciate being apprised just exactly what are the potential steps which may be taken to meet the requirement the President has recommended for continued construction of the Oahe Unit, namely that "local assurances are firm."

Your empathetic attention to the foregoing comments and your consideration in informing us how we may restore the Oahe Unit to the good graces of the Administration will be appreciated.

Sincerely,

JAMES ABDNOR,
Member of Congress.

A CURFEW ON AIRCRAFT NOISE POLLUTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ROSENTHAL. Mr. Speaker, aircraft noise is a major environmental problem facing our country, particularly the cities and their suburbs, and it demands immediate steps as well as long-range measures.

The ultimate solution to unbearable noise pollution lies in the replacement of noisy aircraft and the orderly development of the airport and surrounding areas. Such measures, even if enacted today, however, would not take full effect for a number of years. In the meantime, a curfew on certain late-night air traffic is a practical short-term answer that will provide immediate relief to many suffering from the adverse effects of noise pollution.

That is the thought behind H.R. 70, which I introduced earlier this year. Because of varying conditions from airport to airport across the country, this bill does not order a single, nationwide aircraft noise curfew. Rather, it calls for the creation of a nine-member commission to investigate the establishment of curfews during normal sleeping hours. The Commission would make legislative recommendations to the Congress within 6 months of creation and then go out of business. I expect its recommendations will show that not all airports need curfews, that those which do may only need them for certain runways and flight corridors, and that curfew hours, in some cases, may vary from airport to airport.

With this information, the Congress will be better prepared to act intelligently and effectively.

Most antinoise proposals concentrate on long-range solutions. But retrofitting, aircraft replacement, noise contour maps, and a noise compatibility program take many years to implement and show discernable results.

To fill the gap between enactment and the time these programs reach fruition, a noise curfew would be a valuable and important step.

Not only would it have the great symbolic value of demonstrating the Congress' sincerity and determination to curb excessive noise, but, more importantly, it would have an immediate and beneficial impact. Mr. Speaker, within 24 hours of the time a noise curfew is imposed, citizens will know and feel the results.

The cost of a curfew is minimal, there is no question of compromising safety, and no new technology is needed. Curfews may mean some inconvenience for the airlines and an extremely small number of users, but this must be weighed against the public's right to domestic tranquility and a decent night's sleep. We cannot ignore the fact that the noise impact of a jetliner is estimated to be 10 times more disturbing during sleeping hours, when it is much more difficult to assimilate sounds.

According to an expert from the division of urban affairs of the International Organization for Economic Cooperation and Development aircraft noise is not only annoying but it also threatens to be harmful to the individual's health as well as his psychological and social balance. Aircraft noise interferes with sleep, speech, listening to the radio or television, communicating, reading, and so on. Repeated disturbances during sleeping hours may decrease the level of efficiency and productivity for many residents, from the elementary school pupil to the factory worker, the following day.

The fear of homeowners that their property values will decline is yet another negative result of jet aircraft noise. Aircraft noise may be creating "environmental ghettos" by depreciating the market value of residential property. A study of the Los Angeles International Airport area has shown that high noise areas are characterized by relatively low incomes, higher unemployment, vacancy rates, and greater residential turnovers.

The FAA has published a series of profiles of scheduled air carrier traffic throughout the Nation. A careful analysis of its findings reveals that an airport curfew from 11 p.m. to 7 a.m. will have a minimal effect on the average number of passengers and flights within this time period. A curfew on airport operations will, however, provide positive results for the millions of persons on the ground plagued by the noise produced by low-flying planes.

Nighttime curfews are already in effect in Tokyo, London, Geneva, and Zurich; Fresno, Los Angeles, and Newport Beach, Calif.; and Boise, Idaho as well as right here at Washington National Airport. National Airport instituted a curfew from 11 p.m. to 7 a.m. in 1966 for air carriers and airlines. This ban on nighttime travel has been working effectively for the past 11 years. Two of our Nation's busiest airports flank my congressional district—LaGuardia and Kennedy. The residents of Queens know just how debilitating aircraft noise pollution can be. The curfew which I have proposed will affect a maximum number of residents and only a minimum number of travelers.

Not all middle-of-the-night flights carry passengers. Many transport only freight. Others are what are called "repositioning flights," which are primarily designed to transport a plane from one city to another to be on hand for the next day's service. To schedule these at less disturbing times would cause the airlines only minor inconvenience.

FAA statistics for a typical day of operations at LaGuardia Airport, May 2, 1975—the latest date for which figures are available—indicate the following effects a curfew will have on passengers:

First. Only 1.1 percent of the total number of passengers flying into and out of LaGuardia Airport on a typical day would be inconvenienced by a curfew between 11 p.m. and 7 a.m., the normal sleeping hours. That amounts to only 432 persons out of a 24-hour total of 38,806 passengers.

Second. Of those 432 persons, 90 could miss the curfew by flying 1 hour earlier; another 333 would have to fly 2 hours earlier and the remaining nine persons would have to move up flight times by 3 hours.

Third. On the average, LaGuardia handles 54 passengers an hour between 11 p.m. and 7 a.m., while that figure rises to 2,400 hourly during normal waking hours.

Fourth. The number of flights affected is as small as the number of passengers. Only 10 of LaGuardia's 614 daily flights would have to be changed because of an antinoise curfew. And on the typical day FAA studied, 2 of those 10 flights were empty anyway.

Fifth. Each sleeping hour flight has about 20 fewer passengers than waking hour flights.

These are some of the conclusions to be drawn from an analysis of the FAA report. I am inserting in the RECORD, Mr. Speaker, detailed charts analyzing these statistics. Similar data also is included for John F. Kennedy International Airport.

It is obvious that the number of people suffering discomfort and potential harm from aircraft noise during sleeping hours is immensely greater than the number of passengers who will have to alter their travel arrangements to prevent such disturbances. Many airports and passengers throughout the country are caught in a similar situation as those utilizing La-Guardia and Kennedy Airports in New York. Some, like Washington National, have taken steps to deal with the problem.

A curfew on late-night flights is not a cure for the noise problem, but it can be effective treatment that, when carefully administered, will alleviate the pain until the long-range solutions can take effect.

The material referred to follows:

LAGUARDIA AIRPORT, NEW YORK CITY, MAY 2, 1975

	Flight	Total passengers	Passengers per flight	Percent day's total flight	Percent day's passengers	Average passengers per hour	Average flight per hour
Arrivals:							
Sleeping hours (11 p.m. to 7 a.m.)	8	423	52.9	2.6	2.2	53.0	1
Waking hours (7 a.m. to 11 p.m.)	299	19,180	64.1	97.4	97.8	1,199.0	19
Total 24 hr	307	19,603	63.9	100	100	816.8	12.8
Departures:							
Sleeping hours (11 p.m. to 7 a.m.)	2	9	4½	.65	.05	1.0	.025
Waking hours (7 a.m. to 11 p.m.)	305	19,194	62.9	99.35	99.95	1,200.0	20.0
Total 24 hr	307	19,203	62.6	100	100	800.1	12.8
Total operations:							
Sleeping hours (11 p.m. to 7 a.m.)	10	432	43.2	1.63	1.1	54.0	1.3
Waking hours (7 a.m. to 11 p.m.)	604	38,374	63.5	98.37	98.9	2,399.0	37.75
Total 24 hr	614	38,806	63.2	100	100	1,619.0	25.6

Source: Profiles of scheduled air carrier passenger traffic, top 100 U.S. airports, May 2, 1975 to January 1976 by U.S. Department of Transportation, Federal Aviation Administration, Office of Aviation Policy, Aviation Forecast Branch.

Local time	Number of flights	Number of passengers	Average passengers per flight	Number of flights	Number of passengers	Average passengers per flight	Number of flights	Number of passengers	Average passengers per flight
00	5	333	66.6	0	0	0	5	333	66.6
01	0	0	0	1	9	9.0	1	9	9.0
02	1	0	0	0	0	0	1	0	0
03	0	0	0	1	0	0	1	0	0
04	0	0	0	0	0	0	0	0	0
05	0	0	0	0	0	0	0	0	0
06	0	0	0	0	0	0	0	0	0
07	6	232	38.7	23	1,387	60.3	29	1,619	55.8
08	22	1,344	61.1	24	1,181	49.2	46	2,525	54.9
09	18	1,134	63.0	24	1,488	62.0	42	2,622	62.4
10	18	1,025	56.9	19	1,107	58.3	37	2,132	57.6
11	20	1,193	59.7	17	988	58.1	37	2,181	58.9
12	18	1,046	58.1	24	1,295	54.0	42	2,341	55.7
13	14	808	57.7	17	1,099	64.6	31	1,907	61.5
14	22	1,405	63.9	14	919	65.6	36	2,324	64.6
15	19	1,289	67.8	23	1,533	66.7	42	2,822	67.2
16	24	1,559	65.0	17	2,176	75.1	41	2,835	69.1
17	18	1,248	69.3	26	1,821	70.0	44	3,069	69.8
18	22	1,839	84.0	19	1,399	73.6	41	3,238	79.0
19	22	1,389	63.1	25	1,851	74.0	47	3,240	68.9
20	28	1,935	69.1	14	799	55.6	42	2,714	64.6
21	20	1,200	60.0	16	908	56.8	36	2,108	58.6
22	8	534	66.8	3	163	54.3	11	697	63.4
23	2	90	45.0	0	0	0	2	90	45.0
Total	307	19,603	63.9	307	19,203	62.6	614	38,806	63.2

Source: Profiles of scheduled air carrier airport operations top 100 U.S. airports May 2, 1975 to August 1975 by U.S. Department of Transportation, Federal Aviation Administration, Office of Aviation Policy, Aviation Forecast Branch.

JFK AIRPORT, NEW YORK CITY, MAY 2, 1975

	Flight	Total passengers	Passengers per flight	Percent day's total flight	Percent day's passengers	Average passengers per hour	Average flight per hour
Arrivals:							
Sleeping hours (11 p.m. to 7 a.m.)	70	2,303	32.9	17.86	9.54	287.88	8.75
Waking hours (7 a.m. to 11 p.m.)	322	21,825	67.8	82.14	90.46	1,364.06	20.13
Total 24 hours	392	24,128	61.6	100.00	100.00	1,005.33	16.33
Departures:							
Sleeping hours (11 p.m. to 7 a.m.)	48	689	14.4	12.47	3.08	86.13	6
Waking hours (7 a.m. to 11 p.m.)	337	21,713	64.4	87.53	96.92	1,357.06	21.06
Total 24 hours	385	22,402	58.2	100.00	100.00	933.42	16.04
Total operations:							
Sleeping hours (11 p.m. to 7 a.m.)	118	2,992	25.4	15.19	6.43	374	14.75
Waking hours (7 a.m. to 11 p.m.)	659	43,538	66.1	84.81	93.57	272.13	41.19
Total 24 hours	777	46,530	59.9	100.00	100.00	1,938.75	32.38

Local time	Arrivals			Departures			Total operations		
	Number of flights	Number of passengers	Average passengers per flight	Number of flights	Number of passengers	Average passengers per flight	Number of flights	Number of passengers	Average passengers per flight
00	14	786	56.1	7	107	15.3	21	893	42.5
01	11	399	36.3	7	65	9.3	18	464	25.8
02	9	348	38.7	5	0	0	14	348	24.9
03	5	0	0	3	50	16.7	8	50	6.3
04	5	0	0	7	0	0	12	0	0
05	6	0	0	3	0	0	9	0	0
06	9	469	52.1	5	6	1.2	14	475	33.9
07	13	354	27.2	10	616	61.6	23	970	42.2
08	13	368	28.3	19	592	31.2	32	960	30.0
09	8	140	17.5	31	1,733	56.0	39	1,873	48.0
10	15	701	46.7	21	1,431	68.1	36	2,132	59.2
11	6	309	51.5	26	1,233	47.4	32	1,542	48.2
12	9	318	35.3	11	1,187	107.9	20	1,505	75.3
13	20	1,316	65.8	10	437	43.7	30	1,753	58.4
14	19	1,464	77.1	16	710	44.4	35	2,174	62.1
15	29	2,411	83.1	10	464	46.4	39	2,875	73.7
16	46	4,169	90.6	17	959	56.4	63	5,128	81.4
17	39	3,411	87.5	30	1,685	56.2	69	5,096	73.9
18	19	1,158	60.9	40	3,099	77.5	59	4,257	72.2
19	29	2,228	76.8	35	2,804	80.1	64	5,032	78.6
20	26	1,992	76.6	21	1,667	79.4	47	3,659	77.9
21	23	1,243	54.0	25	1,959	78.4	48	3,202	66.7
22	8	243	30.4	15	1,137	75.8	23	1,380	60.0
23	11	301	27.4	11	461	41.9	22	762	34.6
Total	392	24,128	61.6	385	22,402	58.2	777	46,530	59.9

PANAMA CANAL LINOWITZ SUIT

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. HANSEN. Mr. Speaker, I enclose the following April 21, 1977, press release for the RECORD to update my colleagues on the progress being made to prevent Panama Canal Treaty negotiations from proceeding while a chief co-negotiator has a conflict of interest cloud hanging over his activities:

COURT REVIEWS PANAMA NEGOTIATOR

WASHINGTON, D.C.—A suit filed by Sen. James McClure and U.S. Rep. George Hansen to bring Panama Canal treaty negotiator Sol Linowitz before the Senate for screening and confirmation proceedings was taken under advisement in U.S. District Court in Washington Wednesday.

The suit also asked for a temporary restraining order to halt further treaty proceedings until Linowitz is confirmed by the Senate under the advise and consent provisions of the Constitution. The Federal Government had asked for a dismissal of the suit. Both requests were taken under advisement.

McClure and Hansen filed the suit recently in roles as private citizens and members of both Houses of Congress opposed to the negotiations of Linowitz because he had not been confirmed by the Senate and because of apparent conflicts of interest.

Hansen, a member of the House Banking Committee has also called for Congressional Hearings and complained to the U.S. State Department and the Marine Midland Bank of New York regarding Linowitz' role as a member of the bank's Board of Directors while serving as a U.S. Government official in direct financial dealings with the Government of Panama which owes $8 million to the large American Bank.

Linowitz resigned his position with the bank shortly after the McClure-Hansen suit was filed. However, he retains his appointment as Chief co-negotiator for President Carter in Panama Canal treaty talks.

Hansen said, "Linowitz also failed to terminate his status as a registered agent for Latin American governments and commercial interests following his ambassadorial appointment until a Georgia Congressman brought the situation to public attention. In fact, during this period as a registered foreign agent Linowitz also served as Chairman of a policy committee for the tax-exempt Center for Inter-American Relations which was founded by Chase-Manhattan banker David Rockefeller and which is a strong advocate of the transfer of the Canal to Panama."

Hansen and McClure said, "We believe that a man with as many apparent and tacitly admitted conflicts of interest should be reviewed and confirmed by the Senatorial process. Whatever a person's thinking is regarding the proposed transfer of the Panama Canal, Mr. Linowitz is a problem. His efforts under the circumstances are designed to effect the transfer which most Americans oppose, and any agreement negotiated under such apparent conflicts of interest would be so tainted as to lose credibility even with those who support a new treaty and thus further frustrate and complicate an already delicate situation."

Hansen noted, "Linowitz also currently serves as a member of the Board of Directors and Executive Board of Pan American Airlines and has held stock in Texaco and ITT, all of which have significant commercial involvement in Panama.

LEGISLATION ESTABLISHING AN OFFICE OF SPECIAL PROSECUTOR

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MANN. Mr. Speaker, since the events known as Watergate the Congress has debated the need of establishing an Office of Special Prosecutor. In both the 93d and 94th Congresses the House Judiciary Committee has considered such legislation. The issue is whether a special prosecutor is needed to investigate and prosecute possible criminal wrongdoing by high Government officials.

The Subcommittee on Criminal Justice will hold a hearing on H.R. 2835, the Special Prosecutor Act of 1977, and related bills on Thursday, May 5.

Persons wishing further information about the bills or wishing to testify at the hearing are invited to contact the subcommittee in room 2137–4 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225–0406.

THE COST OF NEWS VERSUS THE COST OF FARMING

HON. CHARLES E. GRASSLEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. GRASSLEY. Mr. Speaker, we hear a lot of talk about the high cost of food, with most of that talk focused on blaming the producer, the farmer. As I have stressed so many times during my terms of office, food in America really is not high, especially when prices are compared to those of other products and services. Many times we forget that labor costs in other industries are far higher than those in agriculture. This was articuated well in a recent editorial by Lyle Borg, of the Iowa Farm Bureau Federation. I would like to share his comments with my colleagues today:

THE COST OF NEWS

(By Lyle W. Borg)

A network film crew came to Iowa the other day for a story on the concerns of farmers. After they left, farmers here had another concern . . . things they buy are going to continue to cost more partly because of the way that news team operated.

The difference in productivity was dramatic. Five network employees, who had spent the night in Des Moines, went in two rented cars to a farm in Polk county where one farmer and his hired man alone were handling more than 1,000 acres and raising close to 9,000 hogs for consumers.

The union contract called for all five to be a part of the film crew. One was assigned as the overall director of the filming, one operated the camera, one handled sound for the camera, one conducted the interview and still another was along in case lighting was needed. All this for a film clip that would be televised only once and would not exceed 2 minutes in length from just one of the thousands of news reporting teams.

People tend to focus on food as if only food prices affect consumers' pockets. And when they talk about consumers, these same

people tend to forget that farmers are the biggest consumers in the nation. Increased prices in any segment of our economy affect farm families more than anyone else.

Consumer prices are up for farmers and others partly because the cost of news has risen. That means advertising costs go up and advertisers simply charge more for products farmers and other consumers must have to live and produce.

If farmers farmed like news people surfaced the news, it would take hundreds of people to operate a typical farm. Just imagine the one operation of a tractor with someone assigned as the overall director, another responsible for adding fuel, another to hook up the implements, others for the hydraulic brake, clutch, throttle and power take-off controls and still another who would merely drive the tractor.

No one is attacking the necessity for news or any other occupation. But what is important is for all consumers to realize that what they and others do to make a living has more to do with consumer prices than what the efficient, productive farmer does out on the land.

ENERGY PROBLEMS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. JACOBS. Mr. Speaker, what follows is a sensible letter concerning energy problems from a constituent of mine:

ELECTRICAL SYSTEMS CO., INC.,
Indianapolis, Ind., March 25, 1977.

Hon. ANDY JACOBS, Jr.,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. JACOBS: The Federal government has thrown up another trial balloon about the energy crisis. Sunday's Indianapolis Star had quite an article on the Carter Administration's proposed plans on how they intend to deal with this crisis. Certainly there is nothing very positive in the approach outlined in the paper, in fact it's mostly quite negative. No true policy of energy conservation is outlined. It has to be kept in mind that the Federal policies over the past several decades have created the urban sprawl which is the American method of living at the moment. These policies have made movement within most metropolitan areas by automobile a necessity. Granted the automobile manufacturers can produce cars which are more energy efficient than the ones which we have been using for the past many years, but the idea of an increase in Federal gas taxes of 4 to 5 cents a gallon per year indefinitely is asinine. This drastic increase will create further inflation and be a severe penalty for those who must use their automobile or trucks in the course of their work.

Another thing mentioned is free home insulation and this has to be a true joke. This is a drastic penalty for those who have spent their money previously to insulate their homes. Now is the government going to make these same people pay for insulation for everyone else? I'd damn sure resent it.

Since World War II the method of moving manufactured or produced goods from the point of production to the consumer has changed from the railroads to trucking. This seems to me to be a fantastic waste of fuel. I believe it behooves the Federal Government to create a policy that will cause the railroads to be rebuilt and cause the movement of goods to be done over the rails rather than done over the highways. Tens of millions of gallons of precious fuel could be saved in this manner. The piggy backing of trucks has become a good method of moving merchandise. With improved rail service it would surpass the amount of material moved over the highways. And while we're on the subject of railroads, certainly if the railroads were in any decent shape at all people would take their trips by rail as opposed to using automobiles or airplanes both of which consume a great deal more energy per passenger mile.

What my plea boils down to is that I hope the Congress takes a very careful look at any proposed penalties to the taxpayer. We have enough of them now without creating further burdens on the wage earner and the small business man.

Sincerely yours,

JOHN W. ROTH.

OAHE, THE PRESIDENT'S PROPOSAL

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ABDNOR. Mr. Speaker, although the President is still recommending no funds be appropriated for the Oahe irrigation project in fiscal year 1978, he has modified his position significantly from simply asking that the project be terminated. According to the official statement from the White House, he will support construction if the 65,000-acre East Lake Plain area is deleted.

This would permit the addition of 25,000 acres of irrigation along the supply canal and would result in a 150,000-acre project instead of the currently authorized 190,000 acres.

Some of the ramifications of this proposal were discussed in the report filed by the Department of the Interior on the results of their review. They are contained in the section of the report entitled, "Deletion of the East Lake Plain Service Area," as follows:

A possible modification in the plan for Oahe Unit would be to restrict the scope of the project in the James River Basin to the area west of the James River by eliminating the East Lake Plain.

Elimination of the East Lake Plain would reduce the irrigable acreage by about 65,000 acres and would eliminate the need for the James Pumping Plant, James Canal, Byron Dam and Reservoir, Byron Pumping Plant, East Main Canal, and the lateral and drainage system for the East Lake Plain.

If the main supply system leading from the Missouri River to the West Lake Plain were constructed to the presently authorized size, it would only be capable of delivering water to about 150,000 acres. This is because the plan for the East Lake Plain contemplates using a combination of James River floodflows and reuse of project return flows supplemented with Missouri River water, all of which are to be stored in Byron Reservoir. Therefore, extensive redesign of these supply works would not be required to provide service to the West Lake Plain area only.

There are about 125,000 acres of land in the West Brown and Spink County Irrigation Districts within the West Lake Plain. Therefore, the system would be capable of supplying Missouri River water to an additional 25,000 acres outside the two existing irrigation districts. The water supply from this additional capability could be delivered at a point or points on the main supply system.

A modification in the plan to this extent would not reduce the capability to furnish municipal water to area towns except for two small communities with a combined 1970 population of 370 people. This modification would:

1. Reduce wildlife impacts by reducing wetland losses by about one-third.
2. Reduce water quality impacts on the James River.
3. Eliminate the necessity to relocate existing summer cabins at Lake Byron.
4. Eliminate flood control benefits associated with diverting a portion of James River floodflows to Byron Reservoir.
5. Increase flooding to a limited extent in the lower James River by adding return flows to the river.
6. Result in a net reduction of 40,000 acres of irrigable lands.
7. Not eliminate the need for handling return flows in the James River through the project area, although the return flows could be reduced in volume. The scope of any water management measures could be reduced.

The cost to complete Oahe Unit after fiscal year 1977 is estimated to be $414,409,000. Elimination of the project features listed above (pumping plants, canals, laterals and drains on the East Lake Plain) would reduce the cost to complete Oahe Unit by about 30 percent.

I had written the President's advisers urging additional canal-side irrigation, and I am certainly pleased at that portion of his proposal. As indicated in my letter, which follows, however, I did not suggest that there be a net reduction in acreage to be irrigated:

APRIL 13, 1977.

Hon. CECIL ANDRUS,
Secretary, U.S. Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: As the President's self-imposed deadline for completion of review of federal water projects—including the Oahe Unit in South Dakota—approaches, it is my understanding that various alternatives to completion of each project as currently envisioned are being considered.

I have never maintained that the Oahe Unit is flawless. In fact, I would not object if the full cost of completing it were simply credited to the state of South Dakota so that we could undertake to develop the state's water resources ourselves. I strongly suspect, however, that is not one of the "alternatives" under consideration.

In the light of the longstanding moral (and possibly legal) commitment of the Federal Government to our state, no alternative which would reduce irrigation benefits can be responsibly advanced by the Administration. I believe it would be in the best interest of all concerned, however, to maximize "canalside" irrigation. Such a recommendation by the President would undoubtedly be well received.

Your immediate attention to this urgent issue will be appreciated.

Sincerely,

JAMES ABDNOR,
Member of Congress.

REPUBLIC OF CHINA RESOLUTION

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. STUMP. Mr. Speaker, Western States have always taken a keen interest in the affairs and actions of the Federal Government. As a former member of the Council of State Governments' Western Conference, I take pride in sharing with

you a 1976 Western Conference resolution which was passed regarding our friends of long standing—the Republic of China:

URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO MAINTAIN CLOSE RELATIONS WITH THE REPUBLIC OF CHINA

Whereas, the Republic of China has been a continuous and faithful ally of the United States, supplying both moral and economic support to the benefit of both nations; has made every effort to develop a free enterprise-based democratic form of government; has pledged it human and economic resources to the defense of free people everywhere; and the cultural interchange between the Republic of China and the United States has benefited both nations.

Now, therefore, be it resolved that the Western Conference of The Council of State Governments strongly urges:

(1) that the President and Congress of the United States make every effort to develop better social and economic relations with the Republic of China.

(2) that the President and Congress of the United States refrain from impairing our diplomatic relations with the Republic of China.

Though this resolution was addressed to the previous administration when passed, it is the hope of the Western States Conference that the current administration will consider this and other resolutions by many States and similar legislative groups.

QUEEN ISABELLA DAY

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. DENT. Mr. Speaker, I rise today to urge this House to recognize one of history's truly remarkable women: Queen Isabella of Spain.

Isabella was born on April 22, 526 years ago tomorrow. My friend and colleague, Mr. MURTHA of Pennsylvania, has introduced House Joint Resolution 256 to authorize the President to proclaim April 22 of each year as Queen Isabella Day. Mr. Speaker, I know of no better way of remembering the woman who was a unifier of Spain, the patron of Christopher Columbus, and a compassionate friend of the New World she never saw.

We all know the story of how Isabella pawned her jewels to raise the money for Columbus' voyage. This is how schoolchildren remember her. But, Mr. Speaker, Queen Isabella's real life far outshines her legend.

When Isabella of Castile married Ferdinand of Aragon she helped create a united Spain. The nation was finally strong enough to drive out the last Moorish occupiers and bring peace to the peninsula.

More important to us, Mr. Speaker, it was Queen Isabella, alone among the rulers of Europe, who was enlightened enough to support the vision of the Italian navigator Columbus. She arranged to finance Columbus' westward voyage to India—a voyage that ended with the discovery of the New World.

Though Columbus' explorations gave Spain a vast empire, Isabella did not treat the New World with greed or neglect. Many times she expressed concern with the plight of the American natives. When Indians were brought back to Spain as slaves, Isabella ordered them freed.

Columbus' landing on San Salvador in 1492 forever linked the New World to the Old. Because of Queen Isabella, it also formed a bond between our hemisphere and the nation of Spain. Mr. Speaker, let us make that bond even stronger by honoring the woman who made it all possible.

FOREIGNERS RUSH TO ARRANGE STAKES IN AMERICAN FISHERIES TO PROTECT SUPPLY

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. AuCOIN. Mr. Speaker, an article appeared recently in the Wall Street Journal which describes the rash of foreign investment which has been taking place in the U.S. commercial fishing industry since the 200-mile law became imminent.

This story illustrates the very kinds of activities which I have been warning my colleagues about for the past few months. I think the story speaks for itself; therefore, I would like to insert the full text of this article by Jerry Landauer in the RECORD, at this time:

FOREIGNERS RUSH TO ARRANGE LARGE STAKES IN AMERICAN FISHERIES TO PROTECT SUPPLY

(By Jerry Landauer)

WASHINGTON.—Foreign governments that depend on fish to feed their people are vaulting into the new U.SE. "fisheries conservation zone" by quietly placing heavy investments in the American fishing industry.

In a few cases, the foreign effort to keep control of fishing grounds theoretically denied to them by Congress approaches panic buying. And even as the Carter administration's tough stance against illegal Soviet fishing off New England dominates public attention, such countries as Korea and Japan are moving nimbly to tie up the catch that Congress thought it was reserving for Americans.

In enacting the law reserving priority rights to Americans within 200 miles from shore, Congress apparently didn't anticipate that a company wholly owned or controlled by foreign interests could meet easily the legal requirements for hoisting the American flag on vessels it owns and fish at will within the 200-mile zone. The one basic requirement is that the ship must be built in the U.S.; most other requirements can be met by reshuffling the corporate board, and the extent of foreign ownership isn't relevant.

According to government calculations, foreigners own at least 10% of nearly 60 American concerns in the fish business, and the number is growing fast. Last year, for example, just as Congress was preparing to enact the 200-mile law, a Soviet government agency named Sovrybflot organized a joint venture with Cold Storage Co. of Bellingham, Wash., which describes itself as the largest fish storage concern on the West Coast.

FRESH INVESTMENTS SOUGHT

Japanese businessmen, already holding investments ranging from $100,000 to $12 million in 20 or so American concerns, including majority ownership in Whitney-Fidalgo Seafoods Co. in Seattle, are scouting intensively for fresh investment opportunities from Alaska to Alabama. Koreans, having lost nearly all their fishing grounds off Soviet coasts, are busily putting out feelers to shipowners in Alaska and Washington State.

Russell Steiner, a shipbuilder in Bayou la Batre, Ala., recalls one recent Japanese visitor, Naoki Yoshino, president of Nichiro Pacific Ltd. Mr. Yoshino spoke about the possibility of letting contracts to build as many as 50 fishing vessels, Mr. Steiner says, and Mr. Yoshino's associates opened discussions with owners of nearby processing plants. "We have Japanese, Korean and other foreign folks looking around here all the time, Mr. Steiner says.

Much of the foreign activity is clearly intended to stake claims to needed food supplies within the U.S. 200-mile zone, which took effect March 1. It is also stirring fresh protectionist sentiment in Congress. Some 40 representatives have already signed on as sponsors of legislation by Rep. Les AuCoin (D., Ore.) to regulate foreign investment in the fishing industry, and hearings are planned in July.

In theory, all fish found in designated fisheries within the conservation zone are reserved for Americans, up to a "total allowable catch" for each species. Foreign-flag vessels can fish, under quota allocated by the State Department, only if Americans don't plan to bring in the allowable catch.

So, instead of lining up for any leftovers, foreign concerns seek to qualify as Americans enjoying priority rights. "Whoever buys the ships first gets the fish," one government official explains.

A more controversial technique to grab the fish is to sign delivery contracts with American fishermen. Korea Marine Development Corp., for example, recently asked Oral Burch, a shipowner in Alaska, to sign up 30 shrimp boats for catching pollock and delivering the raw fish to a Korean "factory ship" in the 200-mile conservation zone; the 25,000-ton factory ship that the Korean concern intends to deploy is big enough to accommodate 500 women laborers who would clean and process the fish for wages of 30 cents an hour.

AVOIDS U.S. SUPERVISION

According to the Korean plan, the big ship would remain on station in the Gulf of Alaska beyond the three-mile U.S. territorial limit—just far enough from shore to avoid customs inspectors, minimum wage laws or unwelcome visitors from the Labor Department's Occupational Health and Safety Administration.

James Talbot, president of the fish storage company in Bellingham, Wash., has discussed similar plans with his Soviet coventurers. In his case, a Soviet "mother ship" offshore would buy and process hake, a species that American fishermen generally haven't harvested because there isn't much of a market at home, according to Mr. Talbot.

The State Department doesn't find any legal fault with these arrangements. The department's Office of Fisheries Affairs has ruled that fish caught by Americans and sold to the Korean factory ship for processing wouldn't be counted against Korea's 35,000-ton quota for pollock but against the priority American quota.

But New England Fish Co. claims the Korean plan would "circumvent" the 200-mile law, invite the very overfishing that the conservation zone is supposed to prevent, stunt development of the U.S. industry on shore and imperil the company's long-standing plan to expand its processing plant on Kodiak Island in Alaska.

Edward W. Furia, a company consultant,

says the U.S. government seems bent on missing an opportunity to seize control of food resources that could exceed the total American wheat crop. He complains: "the Koreans want to come into the conservation zone, buy fish for five or seven cents a pound, take them home and sell processed seafood back to the U.S. for 50 cents a pound. If Americans caught and processed the fish, as the law intended, we'd end up exporting seafood ourselves and in time we could reverse our $1.3 billion seafood balance-of-payments deficit."

CONGRESSMAN JOHN ANDERSON ANALYZES PUBLIC CAMPAIGN FINANCING

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. DRINAN. Mr. Speaker, Congressman JOHN ANDERSON, the Chairman of the House Republican Conference, is one of the most articulate and effective Members of the House. As a strong supporter of public financing of congressional campaigns, Congressman ANDERSON has helped to increase the likelihood that a system of public financing will be in place for the 1978 elections.

In the April 1977 issue of TRIAL, Congressman ANDERSON discusses the issue of public financing in depth. He stresses the importance of reducing the influence of wealth on the electoral process as a prime justification for public financing of congressional campaigns. Congressman ANDERSON refutes the contention that public financing serves to entrench incumbents, but he does argue for increased campaign spending ceilings in order to give challengers a fair shot at elective office. I concur with Congressman ANDERSON's views on this important subject and commend his incisive analysis to my colleagues.

CAMPAIGN FINANCE LAW BALANCES MONEY'S INFLUENCE

(By U.S. Representative John B. Anderson)

The Federal campaign finance reform act passed its first test last year with remarkable success, allowing candidates to take their cases to the people without having to rely on large campaign contributors. Its success was even more remarkable in light of the alterations and delays caused by the Supreme Court decision in January which, forced a legislative restructuring of the Federal Election Commission (FEC) and eliminated the congressional spending ceiling of the 1974 election law.

But the court upheld the $1,000 contribution ceilings for presidential and congressional races, the public financing provision of presidential primary and general election campaigns, and spending ceilings for those races using federal financing.

When the 95th Congress convenes next year the federal election law is bound to undergo further scrutiny and debate based on our experiences in the 1976 campaign. But my guess is that the real debate will not center on the issue of regulation vs. deregulation of the federal election process. That debate has already been played out before the Supreme Court and the results confirmed by Congress when it subsequently voted to retain the FEC along with the spending and contribution ceiling and public financing for presidential races. An attempt to abolish the FEC was rapidly defeated in the House Administration Committee and no attempt was made to breathe new life into it when the 1976 amendments reached the House and Senate floors.

The new Congress is not likely to waver in its support for an independent campaign watchdog or those provisions barring massive invasions of money into campaigns from wealthy contributors. While the campaign finance reform law should not be viewed as a panacea for preventing future Watergates, it is generally viewed by the public and Congress as a necessary antidote to the inordinate influence of big money on the electoral process and candidates culminating in the 1972 elections.

As a Republican I'm naturally disappointed by the outcome of the 1976 presidential election. But the rise from relative obscurity to the presidency of Jimmy Carter at least shattered the myth that the new election law is somehow an incumbent protection act. The same can be said for Ronald Reagan's near capture of the Republican nomination with the help of federal matching payments in the primaries. The primary subsidies enabled both former governors and other aspirants to take their cases to the people without becoming indebted to large contributors.

And the decision of both presidential nominees to opt for full federal funding in the general election put that race on an even financial keel, thus guaranteeing that neither candidate could buy the election by outspending the other, or be bought in the process by depending on others for substantial monetary support. The federal funding option also freed both candidates from the distracting and demeaning chore of grubbing for survival. At the same time, it enabled them to assist other candidates of their party in their own fund raising efforts.

And while it is popular to say this was a non-issue campaign (which I would dispute) the fact remains that the removal of financial worry from the race allowed more potential time for a discussion of the issues. It might be asked, for example, whether both candidates would have so willingly agreed to the television debates—with all the necessary preparation time—if they hadn't been certain from the outset where the next dollar was coming from.

I don't think the campaign law was in any way responsible for the low turnout at the polls (53.3 percent of eligible voters compared to 55.4 percent in 1972). Voter participation has been steadily declining since 1960 when it was 60.1 percent. And this year's turnout was considerably higher than many predictions of 50 percent or less. It might be argued that full federal funding of the presidential general election campaign, combined with the low spending ceiling, inhibited people from becoming involved in campaigns and stifled much of the usual local campaign hoopla of buttons, bumper stickers, and campaign literature which the candidate could not afford.

There is some validity to this complaint and it should be dealt with in considering amendments to the law, but I don't think these factors should be overrated in their ability to generate increased enthusiasm, interest, and voter turnout. A New York Times/CBS News survey conducted just after the election reveals that "the relatively low turnout in the presidential election appears to reflect demographic factors as well as a sense of powerlessness among the less privileged and the young." Nowhere did it turn up a lack of awareness or interest due to fewer buttons or bumper stickers.

The impact of the federal election law on congressional races is difficult to determine at this time since all the financial data is not yet in. While the fact that 95 percent of House incumbents were reelected might support the argument that the law is somehow an incumbent protection act, the upset of nine Senate incumbents—the most since 1958—would tend to prove the opposite The survival rate for incumbents running for reelection has traditionally been around 90 percent. The figure of 13 House incumbents defeated this year, for instance, is nearly identical to the 12 House incumbents turned out of office in 1972, prior to the present law.

It should be kept in mind that the Supreme Court invalidated the spending ceiling for congressional races under the 1974 law, thus leaving only the contribution ceiling and the spending and contribution disclosure requirements. It is possible that the contribution ceiling made it difficult for challengers to raise sufficient funds to overcome the natural advantage of incumbents, who traditionally raise more money from both individuals and special interest groups.

SPECIAL INTEREST MONEY MOVES IN

It is already apparent that special interest group money is moving in, through multicandidate committees, to fill the vacuum left by the elimination of large individual contributions. Under the present law, individuals may contribute up to $5,000 per election to a multi-candidate or political action committee, and the committees in turn may give up to $5,000 per election to a candidate. The number of interest group committees registered with the FEC as of Sept. 1 was 1,041, more than twice the number in operation during the 1974 elections. As of Oct. 1, interest group contributions in 1976 congressional races totaled nearly $15 million. Of this amount, approximately $7.5 million came from committees as associated with business, professional, or agricultural interests, while labor groups contributed some $5.5 million to congressional candidates. Common Cause estimates that the final figure for interest group contributions to 1976 congressional races will total $20 million, compared with $12.5 million in 1974 congressional campaigns. If projected overall spending on congressional races approaches $100 million this year, up from $88 million in 1974, then interest group giving would account for 20 percent of the total this year compared with 14 percent in 1974.

But the real impact of interest group money is considerably higher than those percentages would indicate because the funds are not equitably distributed among all candidates. Incumbents have traditionally attracted three times more money from interest groups than non-incumbents. And interest groups tends to concentrate their money on the most closely contested races. In 1974, for example, labor group money accounted, on the average, for 43 percent of the total contributions received by the 10 House candidates most favored by labor (contributions of $32,000 to $66,000). And business and professional money accounted for a 25 percent average portion of the total contributions received by their favored candidates (contributions of about $30,000 to $40,000).

This year, all but two of the 20 House candidates receiving the most money from labor groups won, while 15 of the top 20 recipients of business, professional, and agricultural group contributions won. In the Senate, nine of the 15 candidates receiving the most support from labor won, compared with six of the 15 top business recipients.

Despite the $5,000 limitation on multicandidate committee contributions to individual candidates in each race, such contributions seem to be growing larger and more influential. The lower individual contribution limit of $1,000 to candidates may be turning more wealthy contributors to the

multi-candidate committees. And the ban on any private contributions to the federally-funded presidential general election campaigns has enabled such committees to channel all their money into congressional races.

While interest group contributions and efforts may have made the difference in some races and the present election law may have advanced that role, it should also be noted that the new law at least moved in the direction of putting corporate political action committees on a more equal footing with those of unions.

But a far greater factor than interest groups in the reelection of 95 percent of the House incumbents was the mere fact of incumbency itself and all it entails. Shortly after the large class of freshman Democrats came to the House in 1975, the House Administration Committee moved swiftly to increase their allowances for district travel, district offices, and newsletters. The new class put these perquisites and others to maximum use, flooding their districts with mass mailings, visiting their districts every weekend, and servicing their constituents from vans purchased at public expense as "mobile district offices."

According to a *Congressional Quarterly* appraisal, "the 75 freshman Democrats who kept their seats used constituent service to virtual perfection, many obscuring moderate to liberal voting records with a fanatic attention to the problems of the voters back home." CQ goes on to credit them with teaching the Republicans "a lesson in the power of incumbency" by using "the perquisites of office with consummate skill to build political strength and resist close identification with the rest of Congress and the federal bureaucracy."

Columnist David Broder believes, with considerable reason that Republican congressmen are becoming an endangered species. "Given the power of incumbency for the modern representative—with his generous staff budget, travel allowances, and public relations opportunities—these new Democratic majorities are likely to remain intact, barring a major political upheaval," he says.

It is doubtful that the new Congress will reduce or refrain from using its perquisites out of a sense of fairness to potential challengers. Constituent service is, after all, a legitimate function of a congressman, and increasing constituent demands on Congress have necessitated larger allowances to deal with them. Moreover, if, as the Times/CBS survey indicates, a "sense of powerlessness", and feeling that "public officials don't care" are the major factors in nonvoting, then such efforts to maintain closer contact with constituents and assist them in their problems should be encouraged to restore faith in government by demonstrating that it can work for them.

Nevertheless, one step which could be taken to slightly reduce the incumbents' advantage would be to bar congressional mailings within 60 days of an election, as opposed to the present 30-day moratorium.

Consideration also should be given to reducing multi-candidate committee contributions from $5,000 to $2,500 for congressional races while at the same time moving to a system of federal matching payments for congressional candidates in general election campaigns. Under the provisions of bills which I have previously introduced, candidates would have to raise a threshold amount of $5,000 in contributions of $100 or less to become eligible for federal matching funds. After that, the federal government would match the first $100 of all contributions up to a certain level using money from the income tax checkoff fund.

RAISE CEILINGS

While Congress could set an overall spending ceiling as a condition for granting matching payments, there is an unfortunate tendency in Congress to set this figure so low that challengers are disadvantaged. As opposed to the previous spending ceiling of $70,000 for House races (plus expenses), I would favor an overall spending ceiling of $200,000 or no overall spending ceiling, but with a subceiling of $50,000 in federal matching payments for a like sum raised on the first $100 or less on each private contribution. Then no one could charge that the spending ceiling tied to the matching payment system is another form of incumbent protection.

I also think it's important to restore ceilings on the amounts individual candidates may contribute to their own campaigns—to avoid the specter of millionaires buying their way into office. According to the Supreme Court decision, such a limitation could only be imposed as a condition for accepting federal matching payments. I would favor the previous levels of $25,000 for House and $35,000 for Senate races, just as presidential candidates are now limited to contributing $50,000 of their own money in primaries if they accept federal matching funds.

Some changes must also be made in the presidential financing provisions. It's generally agreed that this year's $21.8 million spending ceiling in the general election was too low. Instead of just increasing the federal contribution, I would favor supplementing the current ceiling with a matching formula like the one now in effect for presidential primaries in order to reinvolve the public in the campaign. I also would favor raising from $1,000 to $5,000 the amount which state, county, and local party organizations can contribute on behalf of the national ticket.

While the current campaign law is both sound and successful in its fundamental provisions, there is obviously room for improvement based on this year's experiences under it. But as we move to consider further reforms, we must be careful to keep four basic objectives in mind: limiting the influence of wealthy and special interest contributors, giving challengers a fair shot at elective office, increasing public participation in the election process, and strengthening the role of political parties. Any "reforms" which appear to move in opposite directions should be viewed with great suspicion and apprehension.

BALDUS REINTRODUCES SMALL BUSINESS DEVELOPMENT CENTER BILL

HON. ALVIN BALDUS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. BALDUS. Mr. Speaker, at the request of many of my colleagues, I am reintroducing H.R. 5754, the Small Business Development Center Act, with 27 cosponsors. The response to the bill has been overwhelming since I first introduced it in the House March 30.

The bill provides for Small Business Development Centers at cooperating universities around the country. These would serve small business much as the Agriculture Extension serves agriculture. The practical effect of the centers would be increased managerial assistance for small business, and development of a bank of research nationwide, on their problems.

H.R. 5754 is identical to S. 972, in the Senate, introduced by my colleague in the Senate GAYLORD NELSON, also from Wisconsin. I wish to credit the Senator's early and guiding influence behind the concept of Small Business Development Centers, and would note that Chairman NELSON'S Small Business Committee has already begun hearings on his bill in the Senate. My Energy, Environment, Safety and Research Subcommittee of the Small Business Committee will be holding hearings on the House bill in the near future.

For an extended discussion of the merits of this excellent bill, I refer my colleagues to the March 29 RECORD, H2705.

One sign of the success of this bill in the short time it has been introduced in the House is the cooperation my colleagues have provided to aid in its growth. Suggestions for language expressly guaranteeing provision of the services to women and minorities, and extending the services of the bill to our territorial possessions, have been offered, and will be considered in hearings on the bill.

There is no question small business needs the assistance and research H.R. 5754 would provide, and I urge the continued support of my colleagues.

WILSON STATEMENT ON ENERGY PROGRAM

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CHARLES H. WILSON of California. Mr. Speaker: It was with a great deal of interest that I listened to President Carter's two messages on energy. I represent the one area where there are more automobiles hungry for gasoline than in any other portion of the country—Los Angeles.

Los Angeles is this country's ultimate expression of the automobile. Just to impress upon my colleagues the massive amount of cars that exist, imagine that if the freeways were human arteries and all the autos were cholesterol, Los Angeles would have had a massive heart attack a long time ago. Unlike other major U.S. cities, Los Angeles grew out not up. People spend, on the average, anywhere from 20 minutes to an hour commuting to and from work. When Los Angeles began expanding, the automobile industry did as well and gasoline at that time was a cheap commodity. It is clearly reflected now in the mobile lifestyle of southern California. Just look at the topography—sprawling and massive with public transportation a secondary consideration.

The President, in his address, clearly stated that hardships must be equally borne. Sacrifices would have to be made across the board and our headlong rush to energy doomsday halted.

President Carter, in his unprecedented move to bring about an acute awareness and decisive action on the part of all of us, has done what two previous administrations did not—devise a comprehensive program for energy conservation. In the end, however, no one person can do

the job. While the President has now placed the future of his energy program in the hands of Congress, it is up to the American public, by way of their elected representatives, to resolve this question without delay.

Like most people in this country, the residents of the 31st District are not rich. An increase in the cost of gasoline means their personal budgets will have to be tightened even more than they are right now. Those budgets are contingent upon steady employment and there is nothing more important to a healthy commerce than the energy needed to operate factories and run our transportation systems. What President Carter is ultimately asking is for us to look ahead to a time when there maybe no alternatives and there is no energy.

The President may have overdramatized somewhat by calling the energy crisis "the moral equivalent of war," but the problem is very real and it could result in a major national disaster. After this past winter, I do not think many in this country—including those who live in southern California—would dispute that. However, it is going to be difficult to tell people who work hard for their dollars that energy costs are going to increase—that the oil companies are not withholding natural gas and oil. That is why I was particularly pleased to see the President recommend the creation of an information system of petroleum production.

After the Arab oil embargo and long lines at the gas station, most people believed the oil companies withheld energy resources to allow the price and oil company profits to go up. Establishment of an independent analysis of energy reserves will bring a measure of credibility that the majority of Americans have felt has been lacking. It will provide a much-needed third party perspective.

Surprisingy enough, even though Los Angeles may be the gas station capitol of the world, efforts have been underway to decrease energy consumption. Almost 63 percent of the cars in the area are small cars so, in this regard, Los Angeles residents are well ahead of the President in doing away with gas guzzlers.

What the crucial point of the entire energy question is that government can only provide the framework. The American public must actually reduce energy consumption. The American people must have confidence that the plan is going to work. Without that assurance, we would be indugling in futility that leaves no incentive for people to change their way of living. If people are going to have to pay more for what they now consider to be a necessity—energy—then they must have assurances that the program will be fair as well.

I personally believe we can accomplish energy conservation if the public can be sure that the plan will work and that it is fair. This morning every special interest group in the country is demanding some type of compromise. "The program is essentially good, but—" Which, put simply means it is fine for everyone else to sacrifice, but not for me. I would like to impress upon my colleagues that the most important interest is not that of a particular group, but whether the country—our whole economy can survive this challenge.

We may not have any choice except to pass this legislation, but listening to the complaints of the coal industry, the auto industry, or the utilities will not solve anything. The crucial aspect of reducing energy consumption belongs to everyone. In all honesty, it has become a question of priorities.

OKTOC COMMUNITY CLUB SYMBOL OF RURAL PROGRESS IN MISSISSIPPI

HON. DAVID R. BOWEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. BOWEN. Mr. Speaker, while I was working in the Second Congressional District this past week, the Jackson Clarion Ledger published a fine article concerning the Oktoc Community Club, located in my district in Oktibbeha County.

The spirit and dedication of the members of the Oktoc Club are but an example of the fine people living in our rural communities throughout the State and Nation, and their hard work and desire to maintain their economic and social well-being. Those of us here in the Congress who work for rural development programs are pleased to see communities such as Oktoc successfully utilizing many of these programs.

As their Representative in the U.S. Congress, I want to salute the Oktoc Community Club on their 50th anniversary. Not only is Oktoc the oldest such community club in the State, but they are one of the most successful in development of their resources. The article in the April 10 Clarion Ledger tells the story:

[From the Clarion-Ledger Jackson Daily News, April 10, 1977]

OKTOC COMMUNITY CLUB OLDEST OF KIND IN STATE

About 125 people gathered at the Oktoc Community Clubhouse recently for a big birthday party, to feast, sing songs and relive highlights of years gone by.

This was not a party for an individual, but for a community. Oktoc celebrated 50 years as an organized community club during its regular 601st meeting. In these 50 years, the club has never missed a scheduled meeting.

The Oktoc Community Club, first club organized in Oktibbeha County, is now the oldest active community club in the state. After discussing forming a community club on March 17, 1927, the Oktoc Garden Club called a special meeting of all community members on March 25. The club was organized and the first group of officers elected.

"The key to the success and long life of this club is its membership," said Fred Blocker, a program participant. "Sure, we've had problems and different opinions through the years, but the community club has held us together."

According to Dan Glover, county agent with the Mississippi Cooperative Extension Service, the seeds were sown for organizing a community club by the late County Agent R. M. Lancaster.

"J. M. Deane, an Extension specialist, also played a leading role in getting the club organized," Glover said.

The primary purpose for the community club is family recreation and education, according to Blocker. "In those early days, Extension was new and had much information to disperse to farmers and homemakers," he said. "They found that community clubs offered a means of more effectively serving the people of the county. The club has been a strong supporter of the Extension Service throughout the years."

A typical meeting in the early days consisted of a covered dish group meal, followed by group singing, a news session, separate programs for the men and women, with participation by the young people in reciting poems or performing skits.

"The first few meetings were held in private homes," Blocker continued. "In a few months we started meeting in the one-room schoolhouse and used this facility for eight years. By 1935 the club secured the Presbyterian church and attached the schoolroom to the church for a kitchen; the facilities are still adequate today."

Blocker was fast to point out that the club has had a major influence on the lives of community leaders.

"The Oktoc Community Club has been a training ground for many county and state leaders," he said.

"The club helped get better roads and better telephone service. Members worked hard to get electricity, which came to the community in 1938," he continued. "In fact, according to the minutes, in the early 1930's, every communty family had a car, musical instruments in the home, electricity and mail delivery to the front yard."

Warren Oakley described the club's highlights during the 1940's and early 1950's.

The improved farming practices reported by the club one year included 1,500 acres of pasture clipped, 12½ tons of slag spread and 100 per cent of barnyard manure put back on the land.

"In 1945, a new feature, called Monthly Newscast, was added," Oakley added. "This was a report to keep members up-to-date on local boys in service—where they were stationed, their addresses, etc. All the boys from the community that served during the war returned to us safetly."

Oakley said the Farm Bureau played an important part in the community during those years. This organization helped with farm-to-market roads, telephone service and health programs.

"In those days, the community was served by a private telephone company with old crank telephones. About 15 families would be on one party line," Oakley added.

The birthday celebration was spiced with dramatized calls on two crank telephones still mounted in the clubhouse. In fact, Warren Oakley demonstrated his secret method of communicating with friend, Fred Blocker, to keep other people off the party line.

In the early 1950's, still another facet was added—the Moon Beamers. "We had so many children that we couldn't hear what was going on in the programs, so the Moon Beamers were organized to entertain the children in the kitchen while the adults conducted the program and business session," Oakley explained.

R. P. Hartness Jr. said one of the community's most popular fund-raising projects is the annual country store, sponsored by the Oktoc Garden Club.

"Proceeds from the country store have helped support many worthwhile projects," Hartness continued. 'We have helped with the hospital equipment fund, county library and various departments at Starkville Academy."

From a young person's viewpoint, William Oakley said many changes have occurred in the club and the community over the years.

But," he added, "some things don't change. The kitchen is still full of kids, and the people of Oktoc are still warm, friendly and loving."

Another young farmer, Everett Kennard, said the future of Oktoc is bright. "We are primarily known as an agricultural community, and Oktoc will continue to occupy a top place among such communities. We now have several generations on the same farms, and this community seems to be the place where people want to locate.

"As long as there is an Oktoc Community, there will be an Oktoc Community Club," he added.

MEDICAL FREEDOM OF CHOICE

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. SYMMS. Mr. Speaker, the following article, "Breaking the Drug Barrier," by Dr. Richard Spark, professor of medicine at Harvard Medical School and Beth Israel Hospital in Boston, is yet another clear indication that the United States does indeed suffer from a drug lag and that the American consumer is being denied access to many new lifesaving drugs because of the FDA's regulatory overkill. Dr. Spark states:

". . . the rigorous requirements legislated by the Kefauver-Harris act [the 1962 Amendments to the Food, Drug and Cosmetic Act] are largely responsible for the drug lag.

Dr. Spark continues:

In 1962, a single new drug could be developed for $1.2 million in the United States and around $900,000 overseas (United Kingdom, Holland, Sweden, France and Germany). By 1972, the cost of developing a new drug in the United States increased to $11.5 million while the comparable overseas figure was $7.5 million. Projections are that in 1977 the development of a single new drug in this country will cost $40 million.

Drs. William Franklin and Francis Lowell state in the New England Journal of Medicine that—

The public does not fully appreciate that stringent drug regulation for society as a whole limits therapeutic choice by the individual physician, who is better able to judge the risks and benefits for the patients. . . . The introduction of new drugs has become extremely expensive, preventing development of drugs for less common indications. Because smaller companies cannot afford to spend several million dollars for the cost of an FDA review, large companies gain a monopolistic position and can maintain high prices.

I have introduced the medical freedom of choice bill, H.R. 54 in an effort to reverse this trend. The medical freedom of choice bill repeals the effectiveness provisions of the 1962 Amendments to the Food, Drug and Cosmetic Act. I urge my colleagues to read the article that follows and to support H.R. 54 by joining the 87 Members who have already cosponsored the bill.

The article follows:

[From the New York Times Magazine, Mar. 20, 1977]

BREAKING THE DRUG BARRIER

(By Richard Spark)

Unfortunately, no drug is completely "safe." For example, there is a medication that, when administered in low doses, may cause indigestion and bleeding disorders, and, in higher doses, may result in marked alterations in blood chemistry, stupor, seizures and, on occasion, death. One would hardly expect a medication with such inherent toxicity to be approved for use by laboratory mice, let alone humans.

Yet the use of this drug—aspirin—is sanctioned by the Food and Drug Administration because it lowers fever and relieves pain more consistently than it produces harmful side effects. It remains on the market because its benefits outweigh its risks.

The benefit-vs.-risk formula has been effectively used to evaluate all drugs. In recent years, however, because of pressure from consumer groups and Congress, disproportionately more attention has been given to the risk side of this equation. As a result, the F.D.A. has been both cautious and sluggish in approving new medications for use in this country.

Regrettably, this slowdown has occurred during an era of major advances in pharmacology. Over the past 15 years, many important new drugs have been developed that represent advances in controlling life-threatening cardiac arrhythmias (irregularities of the heart beat), hypertension, asthma, ulcers, edema and seizure disorders. These medications have been widely used throughout the world but have been unavailable to American patients. Eventually, many of these drugs have been or will be sanctioned for use in the United States. But "eventually" usually means a delay of between 2 to 10 years. This bureaucratic embargo on new drugs has been referred to as the "drug lag" and its significance is viewed with variable concern by different members of the health-care community.

One's perspective of the problem depends upon whether one is predisposed to consider new drugs as primarily harmful or beneficial. Members of consumer groups and of Congress, who generally enjoy the luxury of good health, have focused much of their attention on the harmful effects of medications and see in the drug lag the workings of an admirable "better safe than sorry" policy.

On the other hand, patients who must get along with older medications that are either less effective or more toxic than new drugs that are awaiting approval are likely to disagree. Pharmaceutical company officials who in the past have developed antibiotics, antihypertensives, and other "miracle drugs" are also embittered over the F.D.A.'s predilection for procrastination. They note that in the last 15 years the average time from drug development to marketing has quadrupled, and they are fond of arguing that, with the current climate of restrictive regulations, were aspirin a new drug today it is likely that even it would be a long time in being approved by the F.D.A.

Just why does the drug lag exist? It can be traced back to public apprehensions resulting from a number of drug disasters in the late 1950's and early 1960's, peaking with the thalidomide catastrophe in 1962.

Originally marketed in Europe, thalidomide is a fairly effective sleeping pill, which would probably have been routinely approved by the F.D.A. under earlier procedures. But, while approval was pending before the F.D.A., evidence became public that pregnant women who had been taking the pill in Europe were giving birth to deformed babies. It happened that a bill to require extensive and prolonged testing of new drugs was being considered in Congress at the same time. Public reaction to thalidomide helped propel the legislation, the Kefauver-Harris bill, through Congress.

The Kefauver-Harris requirements have resulted in a staggering increase in the paperwork necessary to document a new drug's safety and effectiveness. Today the F.D.A. must each year review an average of 120,000 pages of complex data for each of around 100 new drug applications. For the 70 physicians and 350 ancillary personnel assigned to new drug applications at the F.D.A., this is a herculean task.

One recent example of what is required for new-drug approval is the application by Abbott Laboratories last year for permission to market Abbokinase, an agent that dissolves blood clots and can be used in the treatment of pulmonary embolism. No less than 428 volumes of research results, totaling 664,000 typewritten pages, were part of the company's approval application. The time-consuming barriers of testing that are reflected in such mountains of paperwork stand in stark contrast to both earlier U.S. experience and current practices abroad. In 1948, for instance, the F.D.A. approved a cough medicine, Benylin expectorant, upon submission of only 73 pages of data. And numerous new drugs that face years before clearance in the U.S. have long since been approved and are on the market in Europe or Japan today.

Moreover, there is little motivation in the F.D.A. to speed any application along for approval, for F.D.A. employees know that might get them in trouble with Congress. This caution was described by former F.D.A. Commissioner Alexander Schmidt when he testified before U.S. Senate hearings on health in September 1974. "In all of our [F.D.A.] history," he said, "we are unable to find one instance where a Congressional hearing investigated the failure of the F.D.A. to approve a new drug. The occasions on which hearings have been held to criticize approval of a new drug have been so frequent in the past 10 years that we have not even attempted to count them. At both the staff level and managerial level, the message . . . could not be clearer. Whenever a difficult or controversial issue is resolved by approval, the agency and the individuals involved will be publicly investigated. Whenever it is resloved by disapproval, no inquiry will be made. The Congressional pressure for negative action is, therefore, intense and ever increasing."

This "Congressional pressure for negative action," the brief moment of glory for not approving thalidomide, and the increasing volumes of data to be received were interpreted as a clarion call for inactivity and had a devastating effect on morale and productivity at the F.D.A.

New drug approval, which had peaked at 240 for the year prior to the Kefauver-Harris hearings, fell to an average of 60 in subsequent years; and in one six-year period, 1967–72, not a single new drug was approved in the cardiovascular area.

While the rigorous requirements legislated in the Kefauver-Harris act are largely responsible for the drug lag, a compounding basic problem has been the failure of the pharmaceutical companies and the F.D.A. to work together toward the common goal of safe and effective drugs.

Drug development is a complex process. Ordinarily, a new drug goes through several phases of testing in different species of laboratory animals to determine if it has therapeutic potential and if it has any major toxic actions. Of the several thousand new chemical entities that are developed and tested, only a handful pass this stage.

Once the new drug is considered safe and

effective for laboratory animals, the pharmaceutical company applies to the F.D.A. for permission to test the new drug in humans. This work is usually farmed out to various clinical investigators at medical centers around the country.

While the patient is taking this new medication, the clinical investigator is obligated to see him at frequent intervals to record the effects of the new drug. Does it lower blood pressure? Does it relieve his arthritis? He must also determine whether there are any deleterious side effects. Did the medication make the patient sleepy, hyperactive, impotent, give him diarrhea, or cause his hair to fall out? The investigator must also be alerted to the unexpected. Does the medication that is supposed to relieve high blood pressure also cause blood cells to hemolyze (rupture), cause an elevation in blood sugar, or damage the kidneys?

The information from these studies is forwarded to the pharmaceutical company sponsoring the drug, which collates the data and submits it to the F.D.A. for approval to market the new drug. This is where problems first develop. Frequently, the F.D.A. will review the material and feel that the studies were designed and interpreted by the drug company in such a way as to prejudice the results in its favor. A series of potentially embarrassing questions may be asked:

Was this an adequate and well controlled study? For example, it is known that most hypertensive patients have marked variability in their day-to-day blood pressure. If a hypertensive patient has a blood pressure of 160/100 on a day when he received no drug and a blood pressure of 150/90 when he received the experimental medication, is this due to the drug or his normal day-to-day blood pressure variation? Are the changes produced by the drug objective or subjective? That is, for the patient with arthritis who gets a new drug and says he feels better, can one also demonstrate that there is measurably less swelling in his joints and greater freedom of movement of his affected extremities?

Are the side effects acceptable when measured against the benefits anticipated from the new drug? A sliding set of standards is used to answer this question, standards that depend on the nature of the disease being treated. A 20 percent incidence of nausea and vomiting may be acceptable for a new drug that is designed to treat certain forms of cancer, but is it acceptable for a drug used to treat a kidney infection? The drug company may have demonstrated that its drug does not adversely alter any of the 12 blood tests that were measured in the laboratory safety screening. Do they know with certainty that a 13th, 14th, or 15th test will not be affected? Can the company be sure that this drug will not cause cancer?

Many of the questions that are asked at this time are valid. Some are merely contentious.

However, if any of the questions cannot be answered to the satisfaction of the F.D.A. or one of its advisory committees, the new drug application is likely to be returned to the pharmaceutical company for more studies. Naturally, the more money invested in research and development, the greater the ultimate cost to the patient when the drug is finally marketed.

In 1962, a single new drug could be developed for $1.2 million in the United States and around $900,000 overseas (United Kingdom, Holland, Sweden, France and Germany). By 1972, the cost of developing a new drug in the United States increased to $11.5 million while the comparable overseas figure was $7.5 million. Projections are that in 1977 the development of a single new drug in this country will cost $40 million.

When the test data finally satisfies the F.D.A. and its advisory committees, there is one final hurdle the wording of the package insert which is written by the pharmaceutical company but must be approved by the F.D.A. The package insert contains brief statements about structure, chemistry, mechanism of action, recommended dosage, toxicity, and, most important, a listing of those specific medical conditions for which the F.D.A. has granted approval for the drug to be used. This last point is a source of great medico-legal concern.

It is true that the package insert tends to be largely ignored. Dr. J. Richard Court, director of the Bureau of Drugs at the F.D.A., notes: "We insist that the drug industry spend several million dollars a year putting an insert in every package, knowing full well that at least 99 per cent of these pieces of paper end up in the waste basket."

In any case, the legal status of the package insert is ambiguous. Thus, the law states that a "new drug may not be shipped in interstate commerce intended for uses not contained in the currently approved labeling." But the same law also states that once a "new drug has been shipped in interstate commerce for its approved use . . . a physician [may] lawfully prescribe the drug for an unapproved use."

Why would a physician want to prescribe a drug for an unapproved use? Primarily because there is also an "approval lag."

Frequently, a drug that is initially marketed for one use will, at a later date, be found to have a second unrelated use for which it has not been approved. A notable example is Xylocaine, which was originally approved and marketed as a local anesthetic—it is the "novocaine" we get when we go to the dentist. Years after it was approved for this use, Xylocaine was found to be extremely effective in controlling life-threatening cardiac arrhythmias that may occur after a heart attack. But it was a full 10 years after the original reports of Xylocaine's effectiveness as an antiarrhythmic agent before it was sanctioned by the F.D.A. for this other use.

During this decade Xylocaine was freely shipped across state lines ostensibly "intended" for its approved use as a local anesthetic. However, unless one is willing to presume that epidemics of dental caries struck our hospitals' coronary care units, it is clear that Xylocaine was being heavily prescribed for an unapproved use.

The fact that there is a double standard of legal responsibility for pharmaceutical companies and physicians with respect to the package insert has been interpreted by some pharmaceutical executives as the first crack in the dike at the F.D.A. The current trend is for the drug company to seek approval for a new drug for whichever indication is likely to meet the least amount of resistance at the F.D.A. Once the new drug is approved for use for any indication and is on the market, the drug company confidently assumes that physicians will prescribe it freely for its other, unapproved indications.

Such machinations in marketing, which have left physicians in a precarious position, are the least of the problems that have been spawned by the drug lag. Fearful that any irregularity in animal toxicity studies will jeopardize their new drug applications, pharmaceutical companies have not always made a full disclosure of their data. The most recent case involved the G.D. Searle Company, which withheld data indicating that two of its products, Aldactone (a diuretic and antihypertensive) and Flagyl (a treatment for trichomoniasis), cause cancer in laboratory rodents when given in extremely high doses for a prolonged period of time.

When the consumer-oriented Health Research Group petitioned to have Flagyl removed from the market because of its demonstrated capacity to cause tumors in mice, the F.D.A. refused. While agreeing that Flagyl was, in the doses used, carcinogenic in the mouse, they challenged the Health Research Group's contention that this was prima facie evidence that it was "unsafe for human use." They pointed out that several agents that are known to cause tumors in animals, such as the antitubercular drug isoniazid and the sedative phenobarbital, do not cause cancer in humans. However, in an effort to mollify the Health Research Group and spank Searle, the F.D.A. did recommend that data on animal toxicity be more prominently featured in the package insert.

For medications that are not approved for any use, patients and physicians have found their own creative solutions to the drug lag. For example, Beclomethasone, a cortisone-like compound, marketed in England in 1972, was immediately recognized as a significant advance in the treatment of asthma, for it can be delivered directly to the lungs, thereby eliminating the deleterious side effects of hypertension, obesity, osteoporosis (thinning of the bones), intestinal bleeding and worsening of diabetes mellitus, side effects that occurred when cortisone was swallowed in tablet form and distributed throughout the body. In 1976, four years after Beclomethasone was introduced in England, it was approved in the United States. Four years is a long time to wheeze. But not for the affluent asthmatics who were able to deal with their English Connection, a cooperative London pharmacist who was willing to fill American prescriptions for Beclomethasone for patients who could then smuggle it back into this country.

Has the more demanding ritual required for new drugs in the United States protected American patients? Apparently not, for there are still a number of agents that have wended their way through the process only to be recalled at a later date because of new evidence. The most prominent examples of this are the minipill and sequential oral contraceptives, which, after approval, were found to cause breast cancer in beagles. A more recent example is the drug Triazure, which was approved for the treatment of psoriasis, only to be withdrawn one year later because it was found to cause arterial thrombosis (blood clots). The system is not fool-proof.

On the other hand, while there have been problems with some more rapidly approved drugs in England, there is no evidence to indicate that during those 15 years when drugs have lagged in this country, the British suffered quantitatively more side effects than have been observed here.

What solutions are there to the "drug lag?" The F.D.A. and the pharmaceutical industry are agreed on the need for a more efficient system to make safe and effective new drugs available to American patients. There are several suggestions as to how this may be implemented. The F.D.A. has proposed that the pharmaceutical companies consult with them at the earliest possible stages of drug development so that a mutually acceptable program of clinical testing can be designed. Presumably this would obviate the need for the F.D.A. to request "just a few more studies" after the drug company had already invested millions of dollars and years of time in programs that were exclusively of its own design.

For their part, the drug companies would like to have the F.D.A. spend less of its time and limited manpower justifying its past actions to Congress and consumer groups and devote more resources to processing new drug applications.

The proposed new liaison between the F.D.A. and the drug companies in the early

stages of drug development may prove to be fruitful. However, it is unlikely that elected officials and consumer groups will abrogate their responsibilities and declare a moratorium on questioning the F.D.A.'s actions.

It may be that the only solution to the problem is international. It should be possible for the F.D.A., England's Committee on Medicines and the comparable national agencies of other interested nations to meet and agree on a uniform set of standards for safety and effectiveness that can be applied internationally to evaluate each new drug. A pool of data could thus be gathered and made available to all participating countries and be analyzed on its merits at approximately the same time to determine whether this international documentation of safety and effectiveness justifies approval of that drug. A collaborative effort of this nature would eliminate needless repetition of research and would go a long way toward lowering the cost—in both time and money—of drug development.

There is every reason to believe that the dramatic advances in pharmacology that we have witnessed for the past 15 years will continue. A more efficient system must be devised for testing and evaluating new compounds so that they will be quickly available at a reasonable cost to American patients.

Side effects of new drugs will, it is hoped, be minimized, but they will not disappear. But then neither will disease. Taking any medication will always involve a calculated weighing of benefits and risks. The drug lag has not eliminated the risks. It has merely delayed the availability of the benefits.

EAST BAY SKILLS CENTER JOB FAIR

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. STARK. Mr. Speaker, I would like to call to the attention of my colleagues the celebration of the Eleventh Anniversary of the East Bay Skills Center of Oakland. Calif., The center which provides training for unskilled residents of the San Francisco Bay area, is holding their annual job fair on April 28, 1977, in conjunction with the anniversary celebration. The job fair encourages the participation of employers of the Bay area in the center's training efforts.

The East Bay Skills Center is a vital manpower training program that offers eduction in skills for unemployed residents of the 5 Bay area counties. The educational program encompasses 15 major occupational areas that provide job opportunities in over 40 specific types of jobs. Graduates of this program are now working successfully in businesses and industries throughout the Bay area.

I want to compliment the East Bay Skills Center for its excellence in developing skills and jobs for citizens of the Bay area, and pledge my support and encouragement for the center's job fair and future participation in our community. The East Bay Skills Center's commitment to the betterment of our State and cities is most deserving of recognition and commendation.

STATEMENT OF THE HONORABLE GERRY E. STUDDS ON A SPEECH DELIVERED ON MARCH 23, 1977, BY THE HONORABLE JOHN M. MURPHY

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. STUDDS. Mr. Speaker, as many Members know, the chairman of the House Merchant Marine and Fisheries Committee, Congressman John M. Murphy, is advocating legislation which would require that up to 30 percent of this Nation's oil in coming years be imported on U.S.-flag merchant marine vessels and that they be manned by American crews. Mr. Murphy presented this position at the annual London Seatrade Conference before 700 of the world's maritime representatives on March 23, 1977.

The speech is an attempt to explain to our allies and others the economic and national security considerations which Mr. Murphy feels necessitate building U.S.-flag ships in the future. The chairman stresses in the speech that this cargo equity device which will be coming to the floor soon is not particularly startling or novel. He points out some of the more than 40 maritime nations who use such cargo devices in many forms and outlines some of the other practices currently in use by these nations which he feels necessitates action by the Congress to revive an aging and dwindling American-flag fleet.

Inasmuch as this legislation is controversial and many of its aspects misunderstood, I commend the speech to my colleagues so that they can become familiar with the basis for the legislation and so that they can gain perspective on some of the motives behind H.R. 1037:

ADDRESS OF HON. JOHN M. MURPHY

Thank you Mr. Chairman, ladies and gentlemen.

It is a great pleasure for me to be here in London to address such a distinguished gathering of experts and representatives from the internationcal community of world shipping. I would thank the editors and publishers of Seatrade magazine for inviting me to participate in this important conference which is of international significance.

I am especially pleased to have this opportunity to discuss such issues as cargo equity and tanker safety, which were several of the topics suggested to me by our host. These are only two of the matters of legislative initiative currently before the Merchant Marine and Fisheries Committee, which I chair, and I know that they are questions which are foremost in the minds at this point in time of international maritime business interests.

In order to give a group such as this a proper perspective from my point I feel it is necessary to briefly restate some of the history of America's merchant marine on the high seas as I see it. It is based on this perception that I plan to move our committee during the months and years ahead.

We in America are a maritime people as was—and is—our mother country, England.

And I am convinced we can be economically strong and independent ashore only as long as we are strong and independent on the oceans of the world.

I might say we took our cue over 200 years ago from the indomitable British, for on the sea—as on the land—Great Britain was indeed awesome having the mightiest Army and Navy on the face of the Earth.

Thus our "Yankee" forefathers turned to the sea—peacefully—for food and foreign trade. We started with the West Indies and then with England. And shortly after our brief encounter with our mother country 200 years ago—who by the way considered our fledging merchant marine a "flea" in its mane—the United States Merchant Marine, the flea, became an eagle.

And we maintained our place on the high seas into the 1900's.

But twice before the 20th century even reached its mid-point, war ravaged the Earth and, twice, America learned the life and death value of a strong merchant marine fleet.

However, we didn't learn our lessons well following the world wars, and with no pressing need for new ships, U.S. shipbuilding declined.

And we lost our competitive edge.

Other nations rebuilt modern fleets that took over more and more of the world's trade—including America's. And so, during the middle of the 20th century we Americans helplessly watched the demise of our own merchant marine.

We finally got ourselves into gear and resolved not to stand by and watch a deepening tragedy. From our point of view we chose not to betray our heritage or surrender our right to independence on the seas.

The U.S. maritime industry—with faltering aid from the government—made an attempt to revive itself. And there were notable achievements by American ship builders:

They regained some of their historic excellence in shipbuilding techniques and technology;

They developed the world's first nuclear powered merchantman;

They developed new techniques to prepare for rising costs and declining supplies of fossil fuel;

They designed an icebreaking tanker to cut a shorter route to Arctic oil;

They revolutionized and streamlined cargo handling and shipping;

They pioneered expeditious and safe containerized shipments; and

They developed ingenious methods to service underdeveloped ports of the world.

But with all of these accomplishments America today finds itself with an almost non-existent merchant marine *fleet*.

We—in the main—depend on foreign flags for imports and exports.

We depend on an illusory concept of "effective U.S. control" or a merchant marine fleet in times of emergency. This was an illusion which President William Torbert of Liberia effectively shattered when he issued an executive order prohibiting any vessels flying the Liberian-flag from participating in the carriage of arms to the middle east, *regardless of ownership*.

And if we remain on our present course, our position will only deteriorate. More and more Americans and U.S. officials are reflecting on the warning of Dwight David Eisenhower when, in our dark days of national peril he cautioned future generations of my country, "never again should we be caught relying on foreign shipping."

Having watched his country build 6,000 merchant marine vessels in the middle of a war, 700 of which plunged to ocean graves, General Eisenhower said, "We were caught flat-footed in both World Wars because we

relied too much on foreign owned shipping. I consider the merchant marine to be our fourth arm of defense and vital to the stability and expansion of our foreign trade."

(That 700 ships by the way compares to our total fleet today of 577 vessels.)

This is some of the historical background and these are some of the developments that the Merchant Marine Committee of the House of Representatives takes into the last third of the 1970's. There is a strong feeling that the time has come when we must begin to restore the American merchant marine flag fleet in future years to the illustrious place it had in our past.

One of the quickest ways to achieve this is to give our fleet the lifeblood of a strong, viable fleet—cargo. And cargo equity has been the first order of business in these beginning weeks of the 95th Congress.

As many of you may know, this is the third time that the United States Congress has addressed itself to a cargo equity principle. Our first legislative efforts was in the 92nd Congress and it ultimately failed in the Senate by a narrow margin. We again considered this matter in the 93rd Congress. That legislation passed both the House and Senate by comfortable margins and the conference report was also approved by both chambers. Unfortunately, the President of the United States pocket-vetoed the bill.

We did not bring up the matter of cargo equity in the 94th Congress because of lack of sufficient support within the administration. The President's pocket veto at the end of the 93rd Congress was based ostensibly on his belief that this measure would create serious inflationary pressures by increasing the cost of oil and that it would stimulate inflation in the ship construction industry. In addition, he felt that it would serve as a bad precedent for other nations, that it would violate our treaties of friendship and convenience, and would invite international retaliation.

I have always felt that President Ford received bad advice in this regard.

Almost the first order of business of the committee after I became chairman this past January was to commence action on a new cargo equity bill. I am very aware of the opposition of the other maritime trading nations of the world to our unilateral cargo equity efforts. I know that the international community has been opposed to our plans in this regard from the very beginning; and that the other maritime trading nations are as adamant in their opposition to our current efforts as they have ever been.

In light of this international opposition, why then has the United States Congress for a third time, embarked upon this legislative course? I believe I can give some explanation for our activity so that you might better understand what motivates us and why we have concluded that some sort of cargo equity device is an absolute necessity for us at this time.

Consider if you will that after World War II, the United States had over 4,800 United States-flag merchant vessels and that today this number has dwindled to 577. Compare that paltry 577, which must serve the needs of the largest trading nation in the world, mind you, to Liberia's 2,600, to Russia's 2,400, and to Japan's 2,000 merchant vessels. Today, the United States commercial fleet is tenth in size, and we are eighth in merchant ship construction.

I must say to you that from our standpoint, this is a tragic and unacceptable state of affairs.

Today, while Soviet-flag ships carry 50 percent of Russia's foreign trade, and Japanese ships carry 39 percent of Japan's foreign trade, U.S.-flag vessels carry less than six percent of our foreign trade, and in dry bulk commodities, it drops to less than two percent.

This decline, of course, has a corresponding impact on the manning of U.S.-flag vessels, and the number of seagoing jobs available to the maritime industry. For example, as of September 1, 1967, there were more than 15,000 licensed officers and some 48,000 unlicensed men—for a total seagoing employment of more than 63,000. In contrast, as of February 1, 1977, there were only 5,994 licensed officers and 14,620 unlicensed men—for a total of 20,614 jobs. By any standards, this is a painful decline from the 1967 figures. It is no great profundity to conclude that something is wrong somewhere in the United States Maritime scheme of things.

Nor do I see any improvement for the U.S.-flag fleet in the immediate future. United States shipbuilding has been tapering off alarmingly in the last several years, *and shipbuilding is the cradle of a potent merchant fleet.* While it is quite true that we still have substantial numbers of vessels under construction in United States shipyards, at the present time very few new contracts are going into the order books of the United States yards so that we are faced with the prospect only two years from now of no building at all in several yards and sharply curtailed building in most of the others. For example, subsidized construction in 1978 is projected for only seven ships, including three liquid natural gas carriers, one barge carrier (LASH), one container ship, and two breakbulk container ships.

I submit that this is meager vessel construction mix for one of the alleged major maritime nations of the world.

I realize that we have all been in the throes of a worldwide maritime recession. *Nevertheless in my view and the view of Congress this Maritime decline must not be allowed to persist.*

To paraphrase the great World War II leader of our host nation, I did not become chairman of the House Merchant Marine and Fisheries Committee to preside over the dissolution of the U.S.-flag merchant fleet.

The facts and figures I have just recited are stark evidence of the tragic decline of U.S.-flag merchant fleet capability. The question for us in the United States Congress is how to arrest this decline and reverse the trend so that we are once again on the upswing with respect to U.S.-flag shipbuilding and United States vessel operation.

In analyzing this difficult situation and examining various alternatives, one always comes back to the one factor I mentioned at the beginning—cargo. This is the element which is the key to the reversal of U.S.-flag merchant fleet fortunes. The United States is one of the major trading nations in the world and we certainly generate sufficient export and import cargo.

200 billion dollars worth to be exact.

Unfortunately, U.S.-flag vessels carry only a small potion of this cargo so that our own participation in the trades is not sufficient to generate United States shipbuilding or maintain an adequate level of United States operation with respect to some segments of our fleet.

After all my years of association with the great port of New York and the Maritime industry, and after 15 years of service on the Merchant Marine Committee, I have become convinced that one of the first steps we must take is to assure that a percentage of petroleum and petroleum products imported into the United States must go on United States-flag bottoms. And I would emphasize to you that we are not talking about liner cargoes or even dry bulk commodities in my legislation. We are mandating only a percentage of petroleum and petroleum products.

I would also emphasize that we are not talking about 100 percent, or 75 percent, or even 50 percent. Our bill would mandate that beginning with 20 percent, then rising to 25 percent, after June 30, 1978, and then escalating to 30 percent after June 30, 1980, of the petroleum and petroleum products imported into the United States should be carried in U.S.-flag vessels. I do not think this is "predatory" on our part to expect this modest percentage to go in U.S.-flag bottoms.

As I mentioned before, we are cognizant of the strong opposition of the international maritime community to United States cargo equity legislative initiatives. I was, and am aware of the great pressures generated against these measures, both domestically and internationally, in the 92nd and 93rd Congresses, and I realize the gathering storm of opposition to our present efforts. The fact that we are apart on this from our maritime partner trading nations does cause me great concern.

There are many matters which necessitate our working in concert in the best interest of international commerce, so I must view anything devisive with concern. However, after the litany of ills I have just recited besetting the U.S.-flag merchant fleet, I think you can understand our position that something must be done. I am convinced that there will be nothing fatal to international trade—or even violative of agreements with our allies—in our requiring that a small percentage of petroleum imported into the United States be carried in our own vessels.

In discussing the outlook for legislation affecting cargo equity in the 95th Congress in this forum, I do not want to argue the pros and cons of each issue affecting the matter, but I did want to point out to you why we view our maritime situation with alarm and why we consider a modest cargo equity device not only justifiable but absolutely necessary.

As Gibbon put it in The Decline and Fall . . ., "The winds and waves are always on the side of the ablest navigators."

Certainly, there is some merit to the arguments raised against cargo equity, and despite the days of hearings held on this subject in two Congresses, such important issues as the legitimacy of the "effective control" fleet and the cost problem are still murky at best. Further, the U.S. State Department has always made a big issue of cargo equity claiming it violates our treaties of friendship and convenience. But after repeated requests, they have failed to ever provide us with a legal basis for their position in this matter.

I do concede that if we are successful, there will be a cost increase to the consumer. How much is a question that has not been determined. Both opponents and proponents have always come in with extravagant claims on each side of the issue. I hope that our present efforts may come up with something more definite with respect to cost to the consumer.

At any rate, I am prepared to accept the reality that there will be a reasonable increase—as was President Carter during his campaign.

This cost to the consumer is justified in my opinion simply by the fact that we will increase the percentage of imports to be carried in U.S.-flag bottoms. At the present time, we are importing 40% of our total petroleum needs and it is estimated that this will rise to 50% this very year.

At the same time, 96% of this import is carried in foreign-flag vessels.

We cannot alleviate this foreign source dependency in the immediate future, but we certainly can and must provide a greater U.S.-flag capability to carry this energy import. I am convinced that we cannot continue to rely on other nations, other flags, other crews to supply 96% of our imported energy requirements. It certainly seems clear to me that economic and national security considerations necessitate providing the availability of U.S.-flag bottoms to trans-

port a greater share of our energy imports. And let me say this—we are not initiating anything that is startlingly novel. The trading nations of the world have long reverted to protectionist devices. In fact, the principle that vessels of our host nation should have cargoes before foreign vessels was first established in 1368 during the reign of Edward III.

I think it would be wonderful if the world in general operated on the basis of "free trade". Unfortunately, the trading world does not conform to the idea of goods competing on an equal basis in an open global market place. In most countries, there is a close linkage between business and government in which tariffs, quotas, subsidies, and other devices are arranged to give advantage to home industries and agriculture.

Communist-bloc countries are state-trading nations.

Government-industry cartels flourish in Western Europe, and Japan, the most aggressive of export nations, is one of the most impenetrable of import nations.

It was not long ago that we all engaged in a monumental international exercise, the UNCTAD code of conduct for liner conferences, which featured a "40–40–20" cargo-sharing arrangement. This international effort is stalled at the present time, but we all know that we are moving in that direction.

Several weeks ago, I set out the various cargo preference devices of varying nations as indicated in our hearing record in the 93rd Congress. One large trading nation took issue with me, in that I had stated that they had a 50 percent cargo preference law.

They claimed that in fact, they did not.

A little examination, however, uncovered the fact that this nation carried between *fifty and sixty percent* of imported petroleum products in its own flag vessels and an additional 25 percent in other flag vessels chartered by its businessmen. I would say to countries such as this, stop your opposition to our unilateral "cargo equity" efforts. Allow us to also carry 50 percent of our oil imports in U.S.-flag vessels, and I will call it anything you want.

I am sure you all wonder—and the operative question is, will our cargo equity efforts succeed this time?

As you know, our previous two efforts ended in failure. I am determined that we shall succeed this time for the reasons I have given here today. We have held hearings on this matter in March, and we have more scheduled in April. The Carter administration witnesses have twice asked for postponement because they were not yet prepared to present a position. I am hopeful that they will be ready the first week in April.

I must say in all candor, the success of our effort depends in very large measure on the position of President Carter's administration. I am hopeful that the administration will see this matter in the same light that the bulk of the U.S. maritime industry and the Congress sees it—*and in the same light they saw it during the election campaign.* However, this is a crucial fact which is as yet undetermined. I do intend to pushing forward in this matter as expeditiously as possible.

I did not really expect to convince you so that you would withdraw your opposition and agree with our efforts, but I do hope that I have been able to explain what we consider to be the reasonableness and logic of our position.

* * * * *

Another matter I have been asked to discuss is the question of tanker safety. In the month of January, we experienced a number of major—and some catastrophic—oil spills and tanker explosions off our coasts. The most publicized episode was, of course, the infamous *Argo Merchant* grounding off Nantucket. In what I would characterize as a typical rush of hysteria in the press and by some of our environmentalists, extravagant claims of damage were made and heavy handed demands for tanker safety resulted.

The United States Senate has combined cargo equity and tanker safety reform into one legislative package. Bills embodying this combination were introduced by Senator Warren Magnuson and Senator Fritz Hollings, and they have been busily engaged in hearings on the Senate side on this bipartite legislation.

We have taken a different approach. We have kept cargo equity as a separate piece of legislation—a separate single principle. We have not introduced any legislation to date relating to tanker safety. It is our intention to examine these recent maritime incidents off our coasts during our Coast Guard authorization hearings next month. At that time, it is our intention to determine exactly what happened in these episodes, the Coast Guard's role, whether the Coast Guard has sufficient personnel and hardware to cope with these situations, and whether there are areas requiring specific hearings and whether additional legislation will be needed. In the event the latter two questions are answered in the affirmative, we will then hold specific hearings in the Coast Guard Subcommittee on these issues requiring attention, and on those matters requiring legislative enactment.

In light of this course of action, I cannot tell at this time exactly what will be required of us with respect to tanker safety. I do know that I do not think this matter should be combined with cargo equity. I think that they should be kept separate and that is how we intend approaching these problems.

Undoubtedly, further action on our part will be required, for example, with respect to safety features such as inert gas systems on all tankers, improved emergency steering standards for all tankers, and backup radar systems with collision avoidance systems on all tankers. In addition, I think it is essential that we examine carefully crew training and crew competence. I feel that the most advanced equipment standards available would not have prevented either the *Torrey Canyon* or the *Argo Merchant* catastrophes since these episodes were clearly the result of human error, human weakness, and human failure. It is incomprehensible why the environmentalists and many of my colleagues continue to beat the wrong drum.

I can agree to a limited imposition of segregated ballast.

I do not subscribe to any mandatory imposition of double bottoms.

When I was the chairman of the Coast Guard Subcommittee, I held extensive hearings on the double bottom question. In addition, my staff and I were members of the U.S. delegation during the October 1973 IMCO international convention for the prevention of pollution from ships held here in London. In fact, my staff was here for the entire conference at which time the conference correctly—and resoundingly—voted down the mandatory imposition of double bottoms.

I am convinced from my studies and investigations that double bottoms will not provide environmental protection as intended and will, in fact, create hazards to safety and navigation inasmuch as they will be a collecting place for dangerous gases and will, in fact, contribute to instability in the event of a grounding. They are, of course, useless in a collision. The evidence indicates that technically, there is no basis of support for the double bottom concept and in fact just the opposite may be true.

I believe that it is an emotional manifestation on the part of those who would protect the environment but do not understand the technical aspects of ship construction and the consequences of this discredited "solution." I cannot agree to impose not only a useless but a harmful standard which will accomplish nothing perhaps but raising the price of ships to an already beleaguered industry while creating the possibility for some really calamitous oil spills the likes of which the world has not yet witnessed.

At any rate, I believe that in the course of hearings in our committee and on the Senate side, these tanker safety issues will receive considerable attention and a thorough airing.

* * * * *

My remarks up to this point have centered on matters which are a subject of some disagreement between the United States and our maritime trading partners. Before closing, I would comment briefly on a subject which is vital to our collective interests and which is of potential danger to our merchant fleets and collective trades. I am referring to the practices of certain Socialist-bloc nations entering the various existing established trades with their newly acquired maritime capability, refusing to join the existing conferences, and undercutting the normal conference rates.

It is obvious if this practice is permitted to continue and the conference system is destroyed, the existing flags will be driven from these trades which will then be dominated by the intruding flags. We find this result completely unacceptable to the United States and I believe it is also unacceptable to the other existing maritime conference members.

In the last Congress, we began to address this problem and dealt exhaustively with legislation which would require these state-controlled carriers to charge rates that are "just and reasonable". In considering whether the rate charged is just and reasonable, the U.S. Federal Maritime Commission, which would have responsibility for administering the law, is to consider whether the rates are fully compensatory, assessed by other carriers in the same trade, required to assure movement of the particular cargo, and other appropriate factors. These so-called control carriers whose rates are challenged sustain the burden of proof, and the FMC is given authority to suspend the rates in question for a period of seven months while a hearing on the lawfulness of the rate is pending. This legislation was strongly supported by the maritime industry, but was opposed by the Great Lakes interests and the shippers.

Shortly after the hearings on this legislation were completed and before the committee could act, the Chairman of the Federal Maritime Commission concluded an agreement with the soviet ministry of merchant marine, now known as the "Leningrad agreement".

In this agreement, the soviet union agreed to charge rates which were not lower than those actually used by the lowest non-soviet carriers in the particular trade, and to begin discussing their membership in the appropriate liner conferences covering United States trades. The Federal Maritime Commission indicates that the Russians to date have shown a willingness to implement the Leningrad agreement. If, however, they should begin to pull back from this implementation, then further consideration and movement of the third flag bill will be essential. *If this should happen, I intend to move forcefully and quickly on this type of legislation.*

Action on our part will be absolutely necessary to protect our already weak U.S.-flag merchant marine *and* our trades.

These are my comments on those subjects which were considered to be of interest by our host. And while I feel all of you might not share the feelings I have on these is-

sues—indeed might oppose them—I ask you to consider the position of my country as we look to the future.

We are not asking for more than many of you already have.

If I were to ask for anything less I would be doing a disservice to the American people whom I represent.

And on reflection, taking a historical look at the position of the United States—past, present and future—I think you *could* agree that what I seek is fair.

I would once again thank seatrade for inviting me to participate in this important conference in this historic mercantile capital of the world and I thank you one and all for your patience and attention.

STATEMENT OF CONGRESSMAN MICHAEL J. HARRINGTON ON PRESIDENT CARTER'S ENERGY MESSAGE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. HARRINGTON. Mr. Speaker, the battle has finally been joined. The cruel hoax of energy independence perpetrated by past administrations has been laid to rest. In its place the President has issued a call for comprehensive action on the energy front which is both serious and realistic. Serious because it acknowledges that America's joy-ride with the world's energy resources is over. Realistic because it recognizes the limits of technology in solving our energy problems and in being honest about the sacrifices that we as individuals and as a nation must make if we are to enjoy an energy future sufficient to sustain this country's social and economic well-being. And realistic because I firmly believe that the American people and the people of the Sixth District are willing to make their fair share of sacrifices in support of a national energy program which is well conceived and well executed.

I am particularly concerned that the sacrifices which are required—sacrifices in conservation, in higher costs, in altered ways of doing business and altered lifestyles—that all these are shared equitably by all regions. In the past this has not been the case. My part of the country consistently has been forced to pay the highest price for national energy initiatives of little if any value to our region. And, as always, low- and middle-income Americans have had to pay more than their fair share. Such inequities cannot continue. I am confident that the President and Congress will respond positively to any suggestions that may be offered up in ways to moderate the negative regional impacts of our national energy program without compromising its overall objectives.

We in Massachusetts and New England are greatly relieved that the entire Nation has at last been given notice that the energy crisis is continuing and for real—something my constituents, who pay 50 percent more than the national average for their electricity and who have paid for past inaction on the energy issue with a significantly decreased standard of living and, in some instances, their jobs, have known for quite some time. Although the price of oil has quadrupled since the OPEC embargo in November of 1973, Massachusetts and New England still are more than 70-percent dependent upon oil and its byproducts for energy. This dependency means that billions of dollars are flowing out of the State and regional economies—most of it to foreign lands—to support our oil habit. With New England and its 40 million people facing economic disaster because America has refused to take the energy issue seriously, President Carter's message—regardless of its specific deficiencies—comes as a refreshing tonic.

To solicit suggestions on the entire range of energy issues, I am scheduling a series of public hearings in the Sixth District of Massachusetts. The process of arriving at a national energy policy and program must be an open one, and I look forward to learning firsthand from businesses and households in my district their thoughts on the U.S. energy predicament and the way the President's proposal would affect their lives. These district meetings are essential because no single person, and certainly not I as a U.S. Representative, can pretend to have all the answers to the energy issue. But if we pool our individual resources and talents, we cannot fail to come up with those answers.

TRANSPORTATION AND THE CARTER ENERGY PROPOSALS

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. SHUSTER. Mr. Speaker, as the ranking minority member of the House Surface Transportation Subcommittee and Chairman of the National Transportation Policy Study Commission, I am particularly interested in President Carter's energy proposals as they relate to transportation. In an effort to join with the White House in a cooperative venture to enact reasoned and meaningful proposals, I would like to offer the following personal observations:

First. The fundamental objectives of the proposed national energy plan appear to be based on reduced energy demand rather than increased energy production. While conservation, a fair pricing policy, and natural marketplace fluctuations will all have an impact on energy resources, I believe more effort should be directed toward increasing energy productivity.

Second. The President's fuel pricing proposals are aimed at achieving parity with the true replacement cost of energy. This is to be at least partially achieved through taxation, which in turn will adjust market conditions allowing the price of energy to reach a natural level. I believe this objective could be accomplished more easily and more fairly by simply decontrolling the price of energy so that the price will accurately reflect natural market conditions rather than artificially induced conditions.

Third. The proposed graduated tax on big gas-guzzler cars and tax credits for the purchase of fuel-efficient cars is one worthy of serious consideration. I first introduced this concept several years ago in testimony before the Ways and Means Committee during consideration of Federal-aid highway legislation, and still believe it has merit.

Fourth. The proposed standby gas tax may prove to be necessary over time, but the inequities in this proposal make it wholly unacceptable except as an emergency measure. For example, any gas tax increase as a penalty for not meeting national energy objectives, without redistributing the money back into transportation programs and facilities, is discriminatory against rural Americans and others who do not have access to mass transit systems. Rural Americans do not have the option to choose an alternative to auto travel, and any penalty imposed on autos or gasoline would place then in a position of disadvantage compared with urban dwellers.

Fifth. I am very concerned about the proposed expanded use of the Highway Trust Fund to compensate States for a loss in gas tax revenue due to reduced auto travel. This concept was first introduced by the Ford administration 2 years ago and was decisively rejected by the Congress. While highway repair and maintenance is critical to the safety of auto travel, and have traditionally been the responsibility of the States, it is not true that State gas tax revenues are devoted exclusively for this purpose. Many States use gas tax funds for State police activities and other programs totally unrelated to transportation.

Using Federal gas tax receipts for repair and maintenance activities would, in my opinion, set a dangerous precedent that could ultimately involve the Federal Government in direct maintenance and repair programs.

If reduced auto travel places some States in a financially depressed condition, I believe that problem should be dealt with on its own merits without additional Federal intervention and intrusion into State highway programs.

Sixth. I agree with the President's proposed repeal of the 10-percent excise tax on intercity buses as an incentive to increase this form of travel. But unless this reduction filters down to the consumer, making intercity bus travel more attractive to more people, it will have no beneficial effect on our national energy program.

Seventh. I was very surprised to learn that the President is recommending the establishment of a commission on national energy transportation systems for two reasons: First, this is inconsistent with the White House initiative to reduce the number of Federal advisory groups as a means of streamlining the Federal bureaucracy. And second, the congressionally created National Transportation Policy Study Commission, of which I am Chairman, has a statutory mandate to include energy resources and needs in its overall evaluation of national transpor-

tation policy. The creation of a separate commission at this time is duplicatory, and I would urge that the White House work with the National Transportation Policy Study Commission to develop national energy transportation recommendations.

Eighth. In summary, I am impressed by the scope and comprehensiveness of the President's energy proposals despite what I believe to be inherent pitfalls and inequities for certain segments of our population. In my capacity as ranking minority member of the House Surface Transportation Subcommittee, and Chairman of the National Transportation Policy Study Commission, I intend to work toward the realization of the President's national energy objectives through the legislative process, and I trust that this first step will illustrate the deep concerns we share about energy independence.

HUMAN RIGHTS VIOLATIONS: CUBA—I

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ASHBROOK. Mr. Speaker, Senator GEORGE MCGOVERN has returned from a trip to Cuba urging closer relations with that country and a partial lifting of the trade embargo. The Carter administration has been reported as trying to expand current fishing negotiations with Cuba into wider ranging ones. From all this it is obvious that there is a move on to eventually reestablish full diplomatic relations with Castro's regime.

President Carter has also enunciated a policy of strong support for human rights throughout the world. The desire to have closer relations with Cuba and the policy of supporting human rights is in some conflict. In addition, there is the issue of Cuban troops in foreign countries, particularly Angola, and its continuing involvement in the internal affairs of other countries.

Let us then take a look at the historical record of Castro's violation of human rights.

After Castro came to power there were the circus-type public "trials." No efforts at due process were considered. The accused were brought before mobs, sentenced and executed summarily. Movies documented the slit-trench scene with the condemned getting their last cigarette and then being machinegunned into their open graves.

In May 1963, the Inter-American Commission on Human Rights of the Organization of American States reported on the situation of political prisoners and their relatives in Cuba. The Commission found that arbitrary arrests were made; they were made without ascertaining if the right person was being arrested; arrests were made in the middle of the night or at dawn; people seeking information on individuals arrested often were arrested themselves; arrests were made without any explanation or warning.

The political prisoners according to the Commission were held in conditions worse than barbaric. Underground dungeons used during the period of Spanish rule were reopened to house political prisoners. Such prisons lack ventilation, light, space, and sanitary facilities. Torture chambers have been opened. Concentration camps have been set up with little shelter, corporal punishment, and forced labor.

Political prisoners—again according to the Commission—have been tortured, threatened with additional punishment, and beaten. Many of these prisoners die because of a lack of medical care; others are driven insane. The families of political prisoners also have been mistreated. This runs from being arrested themselves to having to wait for hours or days at a prison to see a relative when such visits are even allowed.

Some may say that all this is ancient history—that all this happened in the early 1960's and things have changed. The evidence points in the other direction. Thousands of Cubans are still political prisoners and mistreated. Arrests continue.

In July 1975, the International Rescue Committee stated there are still thousands of political prisoners in Cuba. In the words of the International Rescue Committee there is "an unconscionable length of incarceration."

Recently, Of Human Rights carried an article from the Miami Herald of May 1976. According to the article, there exists "the same 'idiosyncratic and extreme totalitarianism of the Cuban penal system' observed by Amnesty International in 1973." Also, according to the article:

> Corroborated reports of incidents within the past four years indicate prisoners have been beaten to the point of concussions, fractured skulls and broken bones for refusing to submit to a nude search prior to the admission of visitors, leading hunger strikes, passively resisting transfer to another jail or cell . . .

Little investigation was given to the Boniato massacre. It has been reported that in 1975 in the Boniato prison one political prisoner contracted tetanus after removing two teeth with the handle of his spoon. The prison holds about 100 or more political prisoners locked inside windowless steelpacked cells. The prisoner was refused medical attention. Inmates banged their protest with their tin cups. According to reports, guards opened the cells and beat the prisoners with rifles and machetes. Guards then opened fire. Two prisoners were killed and 60 to 70 wounded.

The conclusion is inescapable: Castro's regime pays no attention to human rights in Cuba while alleging human rights violations in other countries. To support by words human rights while engaging in activities, to have closer relations with Castro's Cuba where human rights are not respected are two contradictory policies. Castro's regime is no protector of human rights.

SALT AND THE TRANSFER AMENDMENT

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MITCHELL of Maryland. Mr. Speaker, the first concurrent budget resolution for fiscal year 1978 is scheduled for consideration on the floor of the House next week. I have intentions of offering a transfer amendment, in the form of a substitute, to reorder the priorities of the budget resolution as reported out of the Budget Committee, on which I serve. I have received correspondence suggesting that the transfer amendment is in conflict with the SALT negotiations. I hope this short analysis will clarify any misapprehensions experienced by my colleagues on the implications of the transfer amendment on the SALT negotiations.

SALT AND THE MILITARY BUDGET

Cutting the military budget during the SALT negotiations is both responsible and necessary. It is the most important step for Congress to take at this time to achieve the goal of meaningful arms control and reduction.

Arguments have been raised against the Mitchell transfer amendment because of the timing of the SALT negotiations. It has been suggested that Congress refrain from reducing military expenditures while SALT talks proceed.

It would be both counterproductive and unwise to accept these arguments:

First. The SALT negotiations have broken down.

This is untrue. The negotiations are continuing. The Soviet Ambassador has met with Secretary Vance and President Carter to discuss the proposals. Both sides will resume formal negotiations in May in Geneva. Following the initial exchanges after the Moscow meeting, both President Carter and Secretary-General Brezhnev have been unusually cordial and flexible in their public statements. The only reasonable conclusion to draw is that both sides remain deeply committed to achieving an arms control agreement through the SALT framework. The question for Congress to consider is how it can help these negotiations to succeed.

Second. A "real growth" military budget will signal the Soviet Union that it must either accept U.S. proposals or face an enlarged U.S. military threat.

If the premise behind this statement were true—that a threat produces compromises in negotiations—then logically the current alleged "Soviet military threat" that we hear so much about every day should be forcing the United States to make concession after concession in SALT. Clearly this has not happened. The scare campaign about the Soviet military has had the opposite effect in the United States. The same would be true of Soviet reaction to a U.S. threat.

No big power will be coerced or

stampeded into making agreements which compromise its vital security interests. Both sides must be committed to seeking arms agreements as an alternative method of protecting security. If Congress turns the military budget into a club against Soviet negotiators, the Soviet stance would stiffen and the negotiations would be adversely affected.

Third. Adding new weapons systems gives the United States more "bargaining chips" to trade in the SALT talks.

The "bargaining chips" theory is a major reason for the failure of seven years of SALT talks to restrain or reduce nuclear arms. Any weapon lethal enough to be a credible bargaining chip also becomes attractive to the military. These weapons soon generate their own military, economic and political constituency which resists any effort to negotiate them away.

Two of the most dangerous weapons systems now subject of the SALT II negotiations originated as "bargaining chips". The MIRV system was proposed originally as a bargaining chip against the ABM system. ABM's were negotiated away—but the MIRV remained, and the result has been a vast increase in the number of nuclear warheads which threatens, rather than protects our national defense. The cruise missile was funded originally as a bargaining chip following the SALT I agreement. It now threatens to become the roadblock to SALT II.

Previous experience indicates that the "bargaining chip" policy hinders rather than expedites SALT negotiations and the goal of arms reductions.

Fourth. The SALT experts rather than the Congress should decide which weapons systems should be controlled.

This argument is unconstitutional in its implication and irresponsible in its impact. It suggests that Congress should give up its constitutional obligations concerning the military and the power of the purse and hand these powers over to a group of unelected experts who in their greater wisdom will make the best decisions. The expertise and wisdom of our negotiators are high, but nonetheless they are not mentioned in the Constitution. Congress alone is accountable to the American people for budget decisions. It cannot delegate its responsibility.

Fifth. The military budget should be expanded as a hedge against a SALT breakdown.

The fallacy of this argument, regardless of who makes it, is that our national safety will somehow be strengthened if we turn American military forces into a mirror image of the Soviet Union's We do not need to match Soviet spending ruble for ruble or warhead for warhead. We need a defense budget sufficient to meet our defense needs.

It is dangerous, unnecessary and expensive to use the military budget as a signal to Soviet leaders that the United States intends to defend itself even if the SALT talks break down. This is especially true given the U.S. nuclear superiority, which President Carter has discussed. Using this questionable method to communicate a political message may well force us to impose a new authoritarianism at home in order to shift still more resources into the military sector.

If automatic escalation is the price to pay for entering negotiations which subsequently fail, then it must be seriously questioned whether any negotiations should ever be entered.

REDUCING THE MILITARY BUDGET

Cutting the military budget and transferring the savings into social programs is perhaps the most important action for Congress to take both to contribute to successful negotiations and to begin the process of arms reductions. The reasons include:

First. Military restraint improves the negotiating climate.

Congressional action to restrain arms development and to reduce execessive military expenditures will be a tangible demonstration to the world of our intention to accomplish "drastic reductions" of weapons. Such action would demonstrate U.S. goodwill and help create a political climate favorable to securing national security through means other than huge arsenals. The United States holds a commanding technological lead in many weapons systems. Suspending the deployment of the MK 12a warhead—which would give the United States a 5-year lead in hard target kill capability—or suspending the development of the cruise missile—in which the United States holds a 5-year technology lead—would surely improve prospects for successful negotiations without jeopardizing U.S. security.

Second. Agreements to limit arms are more achievable before weapons systems are funded than after they are funded.

Once weapons reach the stage of advanced development or deployment, it is almost impossible to negotiate their elimination. First, technology often outraces negotiation. Weapons are often ready to be used before negotiators have found ways to control them. Second, verification is more difficult once weapons have been fully tested. Who knows whether they have been deployed. Once deployed, who can say if they have been removed? Third, the further a weapon system moves toward production, the bigger the domestic constituency becomes in support of it and thus the more difficult it becomes for political leaders to convince the military establishment to give it up.

The cruise missile is an excellent example of all three problems. During the SALT I and early SALT II negotiations, cruise missile guidance technology had not reached a sophisticated level so the weapon was not included in the totals. But now the cruise missile testing program roars ahead while the negotiators fumble for ways to control it. The verification problems are massive: Once the United States has tested the cruise missile at strategic ranges, how are the Soviets to know that we will not deploy it for strategic uses? Finally, the cruise missile now has firm proponents in the Army, Navy, and Air Force—each has its own variant. It has a big political backing as well.

A more realistic approach to arms reductions is to restrain arms in their early budgetary stages and then to negotiate a permanent prohibition in the SALT talks. Our national defense would have been more secure had Congress taken this step during the MIRV development. The same is true today with the cruise missile, maneuverable warheads and other weapons.

Using the military budget to give the negotiators the opportunity to actually reduce arms would be a major step forward. Cutting the military budget is entirely consistent with the goal of arms reduction through mutual negotiation.

Third. Reducing weaponry below SALT levels is consistent with the purpose of SALT.

One of the President Carter's chief criticisms of the previous SALT proposals was that they set guidelines which expanded levels of weaponry on both sides. In the United States a major cause of this problem has been our policy of regarding every SALT ceiling as a new floor for strategic weapons programs. In essence, we responded to the SALT ceilings as if they were magnets.

The Carter administration will have to change this policy to accomplish its goal of "drastic reductions" in nuclear arms. The SALT ceilings indicate only the upper limit of what is permitted, not the lower limit of what is necessary. For example, the Carter "comprehensive" SALT proposal allows the United States—and the Soviet Union—to expand its warhead arsenal by at least 50 percent. But there is no evidence that automatically expanding warhead deployment makes us more secure or stems the arms race.

There may be honest differences in Congress over how much defense is sufficient for the United States, but in no case should the assumption be made that the SALT ceilings necessarily define sufficiency. A limit may be negotiated higher than sufficiency in order to gain the military establishment's approval of a proposal. In this and other cases, independent reductions by Congress would be a constructive solution to a major problem which has heretofore prevented SALT from reducing arsenals.

Fourth. Certain arms control or reductions are desirable even when they cannot be negotiated.

SALT is not the only way to work for arms reductions. Everything should be done to make SALT successful, but the goal of arms reductions should be approached through other avenues as well.

A major difficulty with SALT is that the negotiating process itself creates new barriers to arms control. Asymmetrical force structures—such as the cruise missile—are hard to balance off against each other. Independent initiatives might control such weapons better than bilateral negotiations. The "internal negotiations" between the political and military leaderships within each country can lead to artificially high ceilings in the "external negotiations" between the two countries. One must ask whether the military is supporting Carter's "comprehensive" proposal because it does not require the United States to give up the B–1, the Trident submarine, the Trident missile, the

maneuverable warhead, the nuclear bomb production, et cetera. In this case, putting together a successful negotiation proposal from the domestic political perspective may have prevented successful negotiations from the arms reduction perspective.

The experience of President Ford shows how the very fact of the negotiations themselves creates a domestic political struggle—in his case the Pentagon won—which jeopardizes arms reductions.

Thus, Congress needs to use its power to forward the goal of arms control and reduction to complement the SALT process and take initiatives when SALT is not the most productive approach. Reducing military expenditures is a good example: SALT may produce savings in strategic weaponry, but the military establishment may demand that these savings be reinvested in conventional forces as its price of endorsing Senate ratification of a SALT II treaty. Lowered military sector expenditures is thus better addressed by congressional action apart from, rather than to rely on, the SALT process.

Fifth. Congress must examine critically the conventional force structure which is not subject to SALT negotiations.

SALT negotiations concern strategic weapons. But strategic forces comprise only 9 percent of President Carter's military budget request—$10.619 billion of $120.373 billion total obligational authority. What about the other 91 percent, which comes to almost $110 billion? Clearly Congress has a responsibility to eliminate waste, trim unnecessary expenditures and reduce unwarranted weaponry from the conventional category. This is where the greatest personnel and procurement costs are located—and where the greatest excess is found as well. Thus, the SALT negotiations should not inhibit Congress in any way from considering and reducing conventional force structure expeditures.

Sixth. The role of Congress to reduce the fiscal year 1978 military budget is especially critical due to the Carter administration's inability to submit its own budget.

The Government's military budget request is a bastard child of two administrations operating under different assumptions about the "Soviet threat," U.S. foreign policy commitments and other crucial budget inputs. As President Carter stated in his fiscal year 1978 budget revisions:

> Because the budget revisions had to be prepared in a short time, radical changes in defense programs are not now proposed.

He did, however, initiate a "major review of U.S. defense policy and military programs" which will be reflected in the fiscal year 1979 budget. Under these circumstances, it is necessary for Congress to look closely at programs which the Carter administration did not have sufficient time to explore. Congress should not regard reducing the military budget in fiscal year 1978 as a posture of opposing the White House. The House Budget Committee has already approved approximately $4 billion in savings below Carter's submission. This process should continue and be addressed in the transfer amendment.

Seventh. National priorities must be reordered and funding transferred from military to social programs as a basic commitment to meeting the needs of the American people for social justice.

Our need for social justice must be given a higher priority in decisionmaking for national security. A fortress America bristling with nuclear overkill but decaying internally is an insane model of national security. We simply cannot afford to exempt the Pentagon from critical appraisal and reductions at budget time while domestic programs are forced to eat inflation or while important national initiatives, such as welfare reform or national health insurance, are postponed.

Under President Carter's "comprehensive" arms proposal offered in Moscow, the United States would be permitted to spend $8 billion in fiscal year 1978 strategic programs. Only $140 million would be actually halted. It would be nothing less than a scandal to negotiate under the banner of arms reduction and then to turn around and spend billions of dollars to expand or modernize our arsenal. We cannot let the SALT dividend evaporate as happened with the Vietnam peace dividend. Even if the SALT talks are successful, we cannot fail to transfer precious tax dollars into the programs responsible for the social and economic well-being of the American people.

PUBLIC STILL WAITING FOR EXPLANATION OF HUSSEIN PAYOFFS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. DRINAN. Mr. Speaker, when Jimmy Carter was campaigning for the Presidency last year, those of us who have fought for increased openness and accountability of the CIA were encouraged by his statements on that issue. He promised to diminish the shroud of secrecy in Government and to reveal the details of CIA mistakes to the American people.

It is therefore disappointing that, as President, Jimmy Carter has followed the lead of his predecessors in closing the lid on disclosures of CIA payoffs to King Hussein of Jordan. Rather than explaining or attempting to justify these suspicious payoffs, the President reacted by criticizing the disclosures and asking the public to accept on faith alone that the payments were justified.

I sincerely hope that President Carter's response in this instance is not a harbinger of things to come. It is vital that the CIA be made accountable to the Congress and the American people for its actions. Such accountability cannot be established without the support of the President.

In the following article which appeared in the May 1977, issue of the Progressive, Prof. Arthur S. Miller of George Washington University School of Law analyzes the constitutional implications of the President's response to the Hussein payoff disclosures. I commend this fine essay to the attention of my colleagues:

CARTER AND THE CIA

If there was any doubt that the CIA is, in fact, a "rogue elephant" out of control, as Senator Frank Church once observed, it vanished when the bribery of King Hussein of Jordan was reported in February. The CIA has been paying off Hussein (among others) for many years, and the action has been condoned by several Presidents.

When the story broke in The Washington Post, President Carter reportedly cancelled the payments. He later charged The Post had acted irresponsibly in publishing the article, especially since it appeared on the very day when Secretary of State Cyrus Vance arrived in Jordan to confer with Hussein. The President then announced he was reducing the number of people privy to CIA covert activities, such as the Hussein payments, from twenty to five.

The President's reaction indicates he has already become a prisoner of "the system"—a captive of the weird reasoning that passes for logic where matters of "national security" are concerned. That conclusion is buttressed by other recent Presidential statements, including Carter's assertion that the Hussein payments were neither improper nor illegal. It is not known whether the payments have been resumed.

The episode, as it unfolded, exposed a direct conflict with Carter's rhetoric during last year's Presidential campaign. It also left a number of questions unasked (by the press) and unanswered.

What, for example, are the criteria by which Carter determined that the payments were not improper? They are hardly self-evident, and the American people—in whom the President professed such great trust during the campaign—are surely entitled to know the means by which he reached that conclusion.

And how did Carter conclude that the payments were not illegal? Under what system of law? International law? Constitutional law? Were the payments authorized by statute—that is, by act of Congress. The answer, of course, is that they were not. Since we are given hardly any details about the CIA's operation, and none about its budget, no one outside the inner circles of the Executive Branch can determine whether considerations of legality ever entered into the decisions that led to such payments.

Furthermore, the secret deal with Hussein is analogous to the secret bombing of Cambodia during the Nixon Administration. In both instances, the only ones kept in the dark were the American taxpayers who must pay for such foreign adventures. U.S. officials knew about them, the recipients knew about them, and surely the Kremlin knew about them, too.

That means Presidents have flouted the Constitution in the past, and announced Carter policy of even greater secrecy will increase the likelihood of abuse in the future. The Constitution provides, in Article I, Section 9, that there be a public accounting of all money drawn from the U.S. Treasury. Were that to be given its plain meaning—"all" surely means all—we would be furnished, in the words of the Constitution, with "a regular statement and account of the receipts and expenditures of all public money. . . ."

Supreme Court saved the day for Government secrecy when it ruled in 1974 (in United States v. Richardson) that a taxpayer did not have "standing" to demand a public accounting. Nixon's legacy—the present Supreme

Court, dominated by the four Nixon appointees—now includes preventing a taxpayer from finding out how tax dollars are spent. As Justice William O. Douglas said in dissent, "secrecy of the government acquires new sanctity" when Richardson's wish merely to know how much of his personal taxes went to the CIA was denied.

Just why Hussein was bribed is not fully clear. What was the quid pro quo? He cannot have furnished much in the way of intelligence, for that is readily and more cheaply obtained by other means. His friendship might have been purchased, though it is difficult to say why he would not want to be a friend of the United States—with or without a cash inducement.

If we turn the question around and ask about the legality or propriety of payments to members of Congress from the Korean CIA, a different perspective emerges. Whether or not indictments are eventually brought against the legislators involved, there is obviously something unsavory about American officials on the take from even a "friendly" intelligence service. Would President Carter consider it improper or illegal for, say, Secretary of State Vance or strategic arms negotiator Paul Warnke to receive payments from the USSR, because the Soviets might be anxious to enter into an arms agreement?

During his campaign, Carter promised less secrecy in government. He now asks the American people to trust him because only he has the facts—precisely what "the best and the brightest" asked of us during the Vietnam war. Congress, furthermore, is of no help. Senator Daniel Inouye's Committee on Intelligence is firmly adhering to the dreary pattern of averting the Congressional eye when the CIA steps out of line. The press, after its initial outburst, is strangely silent.

It would be naive to regard the Hussein bribe as an aberration. Other such payments have been and are being made. Indeed, analogous secret foreign adventures have been a hallmark of Presidential policy since the days of George Washington. But long-standing practice is no justification. As Senator Sam Ervin often observed when faced with similar arguments, "We have had homicide and theft throughout human history, but that does not make murder meritorious nor larceny legal."

The Central Intelligence Agency is "a state within a state"—out of control and protected by a President who promised to reveal the "mistakes" the CIA made. One is reminded of a statement attributed to an anonymous aide of President Kennedy: "Everyone believes in democracy until he gets to the White House and then you begin to believe in dictatorship, because it's so hard to get things done." And secrecy is an essential component of dictatorship.

OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ANDERSON of California. Mr. Speaker, on June 6, 1977, Los Angeles will host for the first time the annual International Convention of the Office and Professional Employees International Union. Those of us familiar with the labor movement in Southern California are quite pleased at the prospect of hosting this auspicious gathering, and we sincerely hope that the members attending the convention enjoy their visit to our city.

The history of the Office and Professional Employees International Union can be traced back to February 24, 1904, when the American Federation of Labor issued a charter to "Stenographers, Typewriter Operators, Bookkeepers and Assistants Union, Number 11597," in Indianapolis, Ind. Today, this same organization is known as Local No. 1 of the Office and Professional Employees International Union.

In October, 1904 a charter was issued to Local 11773—now Local 2—in Washington, D.C. The first charter local on the West Coast—and the third established—was founded on April 3, 1911 in San Francisco, Calif. An international office was established for the first time in Vancouver, British Columbia, on March 26, 1931.

In that time, the idea of a union for office workers was quite innovative, since earlier craft unions had specificallly excluded them from their own ranks. Soon, a local had opened in almost every major city in the United States.

Most of the membership of these early locals consisted of office workers employed in trade union offices. Despite the strong growth of the movement, the locals were completely independent of each other, united only through their charters in the American Federation of Labor.

Passage of the Wagner Act in 1935 and the advent of World War II, combined with the growing inflation and low pay, stimulated the desire of office workers to participate in collective bargaining. This trend was encouraged by the growth of the defense industry. As membership increased, more and more local chapters found themselves dealing with the same employers.

Thus, in 1941 the American Federation of Labor adopted a resolution instructing its officers to establish an International Council of Office Employees Unions. It was formed in 1942 in Chicago, and J. Howard Hicks was elected president. On January 8, 1945, at a constitutional convention in Cincinnati, Ohio; American Federation of Labor President William Green personally presented the charter. The Office Employees International Union had been officially established.

Today, the Office and Professional Employees International Union represents over 100,000 men and women. The scope of its operation has grown tremendously, and its membership ranges from Wall Street, and the Tennessee Valley Authority, and the public utilities, to the entertainment and broadcasting industry in Hollywood.

The current president of the OPEIU, Howard Coughlin, was present during the formative years of the union. He succeeded Paul R. Hutchings in 1953. William A. Lowe now serves as Secretary-Treasurer for the organization.

Los Angeles is a fitting place for a convention of labor leaders in the white collar field to be held. Local 30 of the OPEIU was established here in 1945, and existed earlier as a Federal chartered union. I am positive that the 700 to 1,000 individuals attending the convention in June will be pleased with the accommodations that have been made in their behalf.

Therefore, Mr. Speaker, I would like to take this opportunity to extend my warmest welcome to the members of the Office and Professional Employees International Union as they arrive in Los Angeles for their convention. I am positive that the time they spend in our area will be as enjoyable as it will productive.

RESULTS OF THE QUESTIONNAIRE SURVEY OF THE 2D MINNESOTA CONGRESSIONAL DISTRICT

HON. TOM HAGEDORN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. HAGEDORN. Mr. Speaker, on February 21, 1977, I sent a questionnaire to 175,000 residences in Minnesota's Second Congressional District. The purpose behind the 12-question survey was to get the opinions of my constituents on some of the issues that are expected to come before Congress.

Approximately 30,000 citizens in my district completed the questionnaire and returned it to me. The results of the survey have now been tabulated and they are interesting and important. I am inserting the results in the RECORD for the information and consideration of the U.S. Congress and the President of the United States. The results of the questionnaire follow:

QUESTIONNAIRE RESULTS

[Answers in percent]

1. Do you approve of President Carter's pardon of Vietnam War draft evaders?

Yes	27
No	66

2. Do you agree that the Boundary Waters Canoe Area should be maintained as a true wilderness area rather than divide it into a wilderness and recreation area?

Yes	64
No	29

3. Do you favor the gradual decontrol of the price of natural gas?

Yes	39
No	51

4. Do you believe that the Federal government ought to spend substantially larger sums for public works jobs in an effort to reduce unemployment?

Yes	26
No	66

5. Do you favor the retention of Section 14 (b) of the Taft-Hartley Act which enables states to prohibit agreements requiring employees to join unions in order to hold their jobs?

Yes	72
No	21

6. Do you think there is need for a constitutional amendment which would establish a longer term of Congressmen and limit service to a specific number of terms?

Yes	47
No	45

7. Do you think there is a need for some major changes in the way the trucking industry is regulated?

Yes ---------- 63
No ---------- 22

8. When a vacancy occurs in the U.S. Senate, would you favor an immediate election to fill the seat rather than allow the Governor to appoint a successor until the next general election?

Yes ---------- 72
No ---------- 21

9. Do you favor the creation of a Federal Consumer Protection Agency?

Yes ---------- 40
No ---------- 50

10. Do you favor the establishment of government held grain reserves to protect against future commodity shortages?

Yes ---------- 46
No ---------- 44

11. Would you favor Federal tax credits for those who insulate their homes or otherwise invest in substantial energy conservation efforts?

Yes ---------- 53
No ---------- 40

12. Do you support or favor the concept of regionalism or regional government?

Yes ---------- 31
No ---------- 56

FALN TERRORISM: A SUMMARY OF THE EVIDENCE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. McDONALD. Mr. Speaker, the FALN—Armed Forces of National Liberation—have exploded over 49 bombs since the terrorist group began its career in 1974. FALN has admitted responsibility for the murder of at least four people and for the wounding of scores. On March 1 of this year I provided a survey of support activities for the FALN, and organized resistance to Federal grand juries in Chicago and New York City investigating the FALN's terrorist violence.

I have often been critical of the mass media for failing to report, or minimizing the danger posed by terrorists and their support networks. On this occasion I wish to congratulate New York Times Reporter Mary Breasted for having written a lengthy and detailed account of the FALN and the evidence indicating that a radical clique was able to obtain administrative positions within the Episcopal Church and divert money to support their secret terrorist activities.

Episcopal Presiding Bishop John Allin should be commended and supported for his responsible cooperation with the law enforcement agencies investigating the terrorist group. And the editors of the New York Times should be praised for publishing Reporter Breasted's story, and should be encouraged to assign more staff time to this area of vital public interest in the future.

The article follows:

THREE-YEAR INQUIRY THREADS TOGETHER EVIDENCE ON FALN TERRORISM

(By Mary Breasted)

The dynamite comes from the Southwest. The bombs go off in Manhattan, the Chicago Loop, the Newark Police Headquarters, the nation's capital. The bombers' notes call for Puerto Rican independence, but Mexican-Americans are among the suspects and subpoenaed witnesses.

Episcopal Church officials have received subpoenas for documents and, having complied, now wonder how serious this breached the constitutional barrier between church and state. At the same time, church staff members and voluntary workers wonder who among them might be or once have been political terrorists or known of one.

These are some of the major elements in a tangled three-year investigation of Hispanic-American terrorism, one of the Federal Government's most difficult and extensive investigations, reaching into New York, Chicago, Denver, New Mexico, Southern California and Puerto Rico. Details of the case are only now beginning to emerge.

It is a search for those who set 58 bombs or incendiary devices in the last three years, people who officials believe are members of the F.A.L.N., or Fuerzas Armadas de Liberación Nacional Puertorriqueña—the Armed Forces of National Liberation for Puerto Rico.

As the investigation proceeds, it focuses more intently on persons who served on the Episcopal Church's National Commission on Hispanic Affairs from 1971 through 1976.

The only known member of the F.A.L.N. was a member of that church commission, a quiet young man who served on its theological task force, helping to write a hymnal and book of religious texts in Spanish while, unknown to some of those who worked with him, he rented a Chicago apartment and—according to law enforcement sources—carried into it the materials for making F.A.L.N. bombs. So far the only person who has been charged is that young man, Carlos Alberto Torres. He is wanted on a Federal fugitive warrant and Federal charges of illegal possession of explosives.

Three other persons sought for questioning by the authorities have disappeared, and a fourth, also once on the Episcopal Church's Hispanic commission is a suspect in a dynamite theft and has been subpoenaed to appear before two grand juries working on the case, one in New York and the other in Chicago.

A detail that emerged about two weeks ago was the reaction of a dog trained to detect explosives when it was taken in the New York apartment of Maria Cueto, the former head staff member with the church Hispanic commission.

The dog, whose sense is regarded as highly reliable by police bomb squads but is of uncertain value in court, indicated that it smelled traces of dynamite in Miss Cueto's apartment. The dog's reaction is now being checked through laboratory tests of materials taken from Miss Cueto's apartment, law enforcement sources said.

Miss Cueto went to jail last month after Federal District Judge Marvin E. Frankel rejected her claims of a First Amendment religious privilege to refuse to testify before the grand jury here, and the United States Court of Appeals recently upheld his ruling. Before she turned herself over to Federal marshals, she told reporters that she knew nothing about the F.A.L.N.

FOUR KILLED IN ONE BLAST

The most serious of the bombings for which the F.A.L.N. has taken responsibility—it has not done so for all 58 under investigation—was the blast at Fraunces Tavern in New York on Jan. 24, 1975. Four people were killed in that blast, and 55 others were injured.

Another blast that the group has said it set, a trap in an abandoned East Harlem tenement, blinded a young police officer in one eye and partially crippled one of his arms.

Most of the other F.A.L.N. bombings have damaged only property, exploding late at night inside or near government buildings, large banks or major corporation headquarters. The targets have been as various as the State Department Building in Washington, the Newark City Hall and Police Headquarters, the Standard Oil Building in Chicago and—last weekend here in New York—Macy's, Gimbels and Bloomingdale's.

The demands, stated in typewritten notes left near the bomb sites, have consistently included Puerto Rican independence from the United States. Recent notes have also made dire threats if the cancer-stricken Puerto Rican terrorist, Andres Figueroa Cordero, is not released from Federal prison before his death. He was sentenced to 81 years for his role in the 1954 incident in which five members of Congress were wounded when Mr. Figueroa Cordero and three other Puerto Ricans fired into the House chamber from a visitors' gallery.

Recent F.A.L.N. notes have also asked an end to the grand jury investigations.

CHANCE DISCOVERY IN CHICAGO

Law enforcement officials knew the identity of no one in the F.A.L.N. until the chance discovery last November by the Chicago police of what has come to be known as a "bomb factory" in the apartment rented by Mr. Torres.

Since then, the grand juries have been empaneled and investigators say they are encountering various degrees of cooperation. Six witnesses in Chicago are challenging their subpoenas, and the challenges are in litigation.

Miss Cueto's secretary, Raisa Nemikin, is with her in the Manhattan correctional facility, also jailed for having refused to answer the grand jury's questions. Both women had been granted immunity from prosecution.

Despite the unwillingness of these witnesses, various police and Federal sources have told the New York Times that they have pieced together the following evidence:

The dynamite found in the Chicago apartment of Mr. Torres last fall was stolen last June from a Deer Creek, Colo., construction site.

Other dynamite used in several bombs that failed to explode in Chicago and New York is believed to have been stolen from the Heron Dam site near Tierra Amarilla, N.M., in the late 1960's.

A University of Colorado van used by a Mexican-American student organization was photographed at more than one New York F.A.L.N. bomb site in October 1974 and was reportedly driven in New York about the time of those bombings by Ricardo Romero, a Denver Chicano activist who had served on the church's Hispanic commission The van smelled of explosives, the Denver police said, when it was returned to Colorado and inspected by a specially trained dog shortly after the bombings.

A second batch of dynamite stolen from the Deer Creek construction site late last summer was recovered by the Denver police in the fall. The explosives were found hidden in a crypt in an old cemetery where Crusade for Justice members were working. (The Crusade for Justice, a Denver Chicano political and civil rights organization that has received church commission funds, formerly employed Richardo Romero.)

Nelson W. Canals, who served on the church commission's staff under Miss Cueto in 1974 and 1975, visited the four Puerto Ricans convicted of the shooting in Congress in 1954 and reportedly told his friends

that he was concerned about them, especially about Mr. Figueroa Cordero. Travel records show that Mr. Canals made several trips between New York and San Juan shortly before and after the Fraunces Tavern bombing.

FIRST MAJOR CLUE

The discovery of the Chicago "bomb factory" was the first real lead in the case.

It happened, according to law enforcement sources, after a narcotics addict living in the same building saw Mr. Torres and a companion—identified as Oscar Lopez, who preceded Mr. Torres on the church's Hispanic commission—carrying giftwrapped packages into the apartment.

The addict waited until the apartment was untended, kicked in the door and found 211 sticks of dynamite in a foot locker and a nylon duffelbag, walkie talkies, scores of propane tanks, blasting caps, detonator cord, watches already wired to serve as timing devices and various other incendiary materials.

The addict started to sell the dynamite, and the Chicago police learned of the venture and made an undercover buy, law enforcement sources said. They arrested the addict, who led them to Mr. Torres' apartment.

They walked in on Nov. 3 without a search warrant. The next day, the F.B.I. obtained a search warrant and made its own assessment of the evidence.

The most interesting piece of material was not the dynamite, investigators have said, but an F.A.L.N. communiqué. Written on paper with the group's symbol—a five-pointed star with the letters imposed over it—the communiqué was the first hard evidence about the identities of people in the group.

A Frontier Airlines schedule for Chicago-to-Denver flights also found in the apartment bore the fingerprints of Oscar Lopez, law enforcement sources said, and fingerprints of Mr. Lopez's girlfriend, Lucy Rodriguez, were found on the giftwrap paper.

THE FOUR ARE MISSING

Mr. Torres; his wife, Haydee Beltran-Torres; Mr. Lopez, and Miss Rodriguez all disappeared after the Chicago discovery and Federal investigators have been unable to trace them.

As the government presses its search for Mr. Torres and for the links between the Southwestern dynamite thefts and the F.A.L.N. bombs, it is proceeding on the theory that Mr. Torres and his friends in the F.A.L.N. used the church commission to cover their activities.

One former commission member, Pedro Archuleta of Tierra Amarilla, N.M., was named in a confidential law enforcement document last November as the prime suspect in the theft of the Heron Dam dynamite, which authorities believe turned up later in the F.A.L.N. bombs that failed to go off.

Mr. Archuleta, who has been subpoenaed to appear before both the Chicago and New York grand juries, declined in an interview to answer any questions about the F.A.L.N. or the church's Hispanic commission.

He said he thought his subpoenas stemmed from the bitter local politics of his area, in which he has taken the side of the leftist La Raza Unida Party against the local Democratic organization.

The local leader of the La Raza Unida Party, Moises Morales, who last fall ran unsuccessfully for sheriff against the Democratic candidate, has also been subpoenaed.

Both he and Mr. Archuleta have been asked to supply the Chicago grand jury with handprints, fingerprints, handwriting samples and voice exemplars. Why would their voice samples be wanted? "Well, some of the bombings were reported in telephone calls to the police here, and those calls were recorded automatically," a Chicago law enforcement official said.

EXTENSIVE TRAVEL

Travel records obtained by the F.B.I. from the agency that arranged trips for commission members, Travel Arrangements Inc., show that commission members traveled extensively in the United States and to Puerto Rico between 1971 and 1976. Several present and former commission members interviewed by The New York Times said that their travels had been legitimate journeys to and from the quarterly commission meetings.

Church officials and commission members said that until this year, when the Hispanic commission was reorganized, the group had an annual budget of $300,000 to $400,000, used for projects helping poor Hispanics in various parts of the country as well as for commission members' travel expenses.

An Episcopal church spokesman said that records of the commission's grants had been locked up to prevent any tampering with what might become government evidence.

One of the questions that Raisa Nemikin, Miss Cueto's secretary, refused to answer before the New York grand jury was whether she knew of any commission funds that went to the F.A.L.N.

Partial records made available by the church showed that the commission had funded several projects that its own members were affiliated with. Among these were the Crusade for Justice in Denver, the Puerto Rican High School in Chicago and the Cooperativa Agricola del Pueblo in Tierra Amarilla, for which Mr. Archuleta works.

Not only participants in these projects and commission members who approved the funding, but also law enforcement officials who have examined the projects in the course of their investigations have portrayed the efforts as beneficient, sometimes vital services.

The Tierra Amarilla cooperative spawned the founding of a clinic that provides low-cost medical care to poor Mexican-Americans in remote valleys near the Sangre de Christo Mountains.

The Puerto Rican High School in Chicago has a reputation as a serious institution that, while espousing a radical leftist philosophy, keeps unmotivated students in school and sends most of its graduates to college.

Now, members of the church commission say they fear that their good works will be tainted by a connection in the public's mind between their programs and the F.A.L.N.

One of the accused was acquitted last week, and all charges against the second man were then dropped.

Violence has been common in the Chicano movement in the last decade, but what the bombing and shootouts in Chicano politics might have to do with the Puerto Rican independence movement is something that law enforcement authorities are still trying to determine. Police in Denver point out that an F.A.L.N. communique was printed in the October-November 1975 issue of El Gallo, a newspaper produced by Denver Chicano activities. The Denver police say they believe radicals there are supplying dynamite to groups elsewhere.

When Maria Cueto and her secretary went to jail, they accused the grand jury and the F.B.I. of trying to thwart the Puerto Rican independence movement.

But the questions that the grand jury reportedly put to them were not about Puerto Rican Independence, but about their last contacts with Mr. Torres, the Fraunces Tavern bombing and the possible flow of money from the church commission to the F.A.L.N.

Whatever the Federal investigators' suspicions are, it was clear from interviews with commission members that Maria Cueto was in a position, as chief staff member, to know more than anyone else about how other members were chosen for the commission

How, for example, was Oscar Lopez appointed as representative from the Chicago region? No one interviewed could recall.

In retrospect, some wondered aloud whether a clique of radicals had moved among them, doing the church's work in public while in private setting bombs.

CONSUMERS HAVE A RIGHT TO KNOW

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. FORD of Tennessee. Mr. Speaker, I rise today to reintroduce with additional sponsors H.R. 902, a bill to amend the Fair Packaging and Labeling Act to require that packaged consumer commodities be labeled to show their selling price.

I am proud to inform the distinguised Members of this House that nearly 70 of our colleagues have joined me in cosponsoring this important legislation. Moreover, it has the enthusiastic support of the Retail Clerk's International Association, the Food and Beverage Department of the AFL–CIO, several regional supermarket chains in my congressional district, every major consumer organization in the country including the Consumer Federation of America and, last but most important, the American people.

I have received a number of letters from citizens across the Nation who endorse the concept embodied in H.R. 902, and I would like to take a moment today to share some excerpts from these letters with my colleagues here today:

MEMPHIS STATE YOUNG DEMOCRATS,
Memphis, Tenn.

MR. HAROLD FORD: Thank you for your letter of February 15, 1977, concerning the bill requiring supermarkets to label their goods showing the selling price. I am in favor of your bill and appreciate your endeavors to keep your constituents informed. I myself am employed by the Kroger Company and do not feel supermarkets can justify *not* posting prices; this practice is unfair to the consumer. Please keep the supermarkets from imposing computer-assisted checkout stands.

Thank you again for your concern and dedication.

A loyal Democrat,

MS. LINDA C. WARREN.

MEMPHIS, TENN.
March 18, 1977.

Congressman HAROLD FORD,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FORD: I appreciate the News Release you recently sent to the 8th District. I am sure some of your decisions are not popular with your fellow Congressmen.

I sincerely hope H.R. 902, the mandatory price-marking bill will be made into law in the 95th Congress. That is of importance to every person. It is absolutely a necessity that items for sale have the price marked on them.

Thank you for a job well done and caring for your people in the 8th District.

Sincerely,

MARGARET ODOM,
Treasurer, Tennessee Auxiliary to American Postal Workers Union.

STARKVILLE, MISS.,

DEAR MR. FORD: I totally agree with your bill. I also am for progress but not to the extent of cutting out jobs with our already unstable economy. I have been in the grocery business for about ten years now, and I know how to please the consumer.

Our customers in this area like service, and expect it. . . .

Thank you,

JIMMY CRUMBY.

Mr. Speaker, my esteemed colleague from the Volunteer State, Ms. LLOYD, was kind enough to forward to me a letter she received from one of her constituents about H.R. 902 which I would like to insert in the RECORD at this point:

FULL PACKAGE AND LABELING ACT

SIGNAL MOUNTAIN, TENN.,
March 25, 1977.

Hon. MARILYN LLOYD,
U.S. House of Representatives,
Washington, D.C.

DEAR MRS. LLOYD: It is my understanding that Rep. Ford of Tennessee has introduced, or will introduce, legislation to amend the above Act to require that packaged consumer commodities be labeled to show their selling price.

Recent TV advertisements by IBM have brought home to me the big "selling" act to consumers to support the universal produce code, which will eliminate the requirement that each item have an item price on each item, a grave injustice to the consumer in the low and middle income class.

I, for one, will never buy any item that does not have a unit price thereon. I am all for progress, provided the computer does not take away what I consider my right to have a unit price on the unit itself, rather than a price on the shelf which I cannot take home with me. If the larger chain stores do get this legislation, to eliminate the unit price on each unit, enacted I am sure there will still be Mom and Pop small stores who do not have UPC and the prices on the shelf rather than on the unit. When I get home I want to be able to check my purchases against the tape—can of beans, for example. I want to know three or four weeks later if the price on this particular can of beans, same label, has increased, decreased, or remained the same. When I leave a store I will, under UPC, have only the cashier's receipt which does not show the price of each specific item. As I grow older it is harder to read the numbers now on the shelves in certain chain stores getting ready for the UPC elimination of the unit price. I will not and cannot shop in a "prices-off" grocery store!

Best wishes.

Sincerely,

Mrs. F. PATTON FENTRESS.

The observation made by Mrs. Fentress about the impact of price-removal on elderly Americans was also made by the National Senior Citizens' Law Center last year when they stated, the Universal Product Code "may also pose special problems for those elderly consumers who may have difficulty bending low enough to see the shelf prices or who have poor eyesight."

Mr. Speaker, H.R. 902 is a cautious yet meaningful step intended to safeguard the basic rights of every consumer—the right to know what goods cost. This measure merely requires supermarkets to continue marking prices in items it displays for sale—it does not require them to do anything new.

Presently, H.R. 902 has a broad-based, bipartisan coalition of 69 cosponsors. I am hopeful that additional Members of this body will join me, not only in sponsoring this measure, but in urging the chairman of the Subcommittee on Consumer Protection and Finance of the Committee on Interstate and Foreign Commerce, the Honorable BOB ECKHARDT, to schedule hearings on it soon. Only by swift enactment of this legislation can we prevent any interruption of item-pricing in our Nation's supermarkets.

RICE PROGRAM

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MATHIS. Mr. Speaker, the Subcommittee on Oilseeds and Rice, of which I am chairman, recently recommended to the full House Agriculture Committee that the present rice program be continued basically in its present form for another 4 years through the 1981 crop.

The Rice Production Act of 1975, which created the present program for the 1976 and 1977 crops of rice, set target and loan rates at $8 and $6 per hundredweight, respectively, adjusted yearly thereafter to reflect changes in the index of prices paid by farmers. In response to both foreign and domestic concerns over the availability of this important food commodity, the Rice Act provided that rice allotments would not serve as a restriction on the production of rice but only as a base for computing the quantity of rice placed under loan and to compute disaster and deficiency payments when necessary. The subcommittees recommendation of a 4-year extension of this program is based on the majority's view that the Rice Act is in the best interests of both producers and consumers.

For the 1976 crop, deficiency payments to farmers caused by severely depressed rice prices will probably total about $140 million, down considerably from costs in excess of $166 million for the 1975 crop in the last year of the old program. The Department of Agriculture projects that under the Rice Act these costs will drop in half to around $100 million for the 1977 crop. By all accounts, had the Rice Act not been adopted and the old program had continued, the Government would be acquiring most of our production at huge losses and our export markets would have been lost. Because of unusually favorable growing conditions around the world, rice prices are now at their lowest point in 5 years. If conditions return to normal and prices improve, as many experts predict, the cost to the Government will become virtually nil.

Under present conditions, any dramatic shift downward in the loan and target levels for rice, as some are now advocating, could be catastrophic for producers. At the present target rate of $8.25, the average producer, according to USDA cost of production figures, is barely breaking even. Many other rice producers who have lower yields or above average production costs are experiencing benefit of deficiency payments, which may be as high as $55,000 for a grower with a large allotment and big outlays, rice producers are at best recovering their cost of production.

In my opinion, the Rice Act, while imperfect, has been a substantial factor in preventing the wholesale bankruptcy of the rice growing industry, a situation that would be intolerable for the producing regions, the consuming public, and millions of individuals overseas who depend on America as the world's only major exporter of rice. Few Americans are aware that the number of farmers in the United States is declining at an alarming rate, and that the farm population has dropped by 15 percent in just the last 6 years. Unless this number is stabilized soon, our food production may fall under the control of a few oligopolistic corporations, and the days of relatively low food prices will have gone the way of cheap energy.

Although the Commodity Credit Corporation has received under loan a considerable amount of rice this year, world market prices are still above the CCC's cost of acquisition. Therefore, the CCC reserves do not represent losses to the Government. Curiously, critics of farm programs often refer to the costs of these programs as "losses," although we do not hear of the annual expenditures of an agency like HEW as $170 billion in "losses," or that the Government "lost" $5 billion on food stamps in 1976.

Deficiency payments to producers of rice have not been an unfair amount. Total payments in 1 year for rice stabilization are equal to the average outlays of about 6 hours by HEW or a half day by DOD. In conclusion, the present program has proved to be one of the more effective programs of the Federal Government, and I hope the subcommittee's recommendation for a 4-year extension will be enacted.

PETITION TO THE SECRETARY OF AGRICULTURE ON THE QUALITY OF FOOD IN FEDERALLY ASSISTED FEEDING PROGRAMS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MILLER of California. Mr. Speaker, today a number of nutrition, consumer and children's groups nationwide are joining to sponsor "Food Day" meetings and activities on behalf of improved nutrition programs in our schools and in support of increased attention to nutrition education.

As part of the "Food Day" activities, the following petition was presented to Secretary of Agriculture Bob Bergland calling for improvements in the quality of food served in federally assisted feeding programs:

PETITION TO THE SECRETARY OF AGRICULTURE ON THE QUALITY OF FOOD IN FEDERALLY ASSISTED FEEDING PROGRAMS

We, the undersigned Members of Congress, are greatly concerned about the quality of food being offered to children who participate in the federally-assisted feeding programs in schools, day care centers and child care institutions. The kind of food served shapes children's eating habits for the rest of their lives and has a direct effect on children's health.

The United States Department of Agriculture (USDA) is responsible for insuring that these programs provide meals meeting minimum standards based on nutritional analyses. Unfortunately, USDA has allowed, and even encouraged, the use of non-nutritious and imitation foods. Furthermore, it has dropped its ban on the sale of junk foods in schools participating in lunch and breakfast programs. USDA has also ignored the growing body of nutritional research which indicates that too much fat, sugar, salt, and cholesterol and too little fiber in our children's diets contribute to tooth decay, obesity, heart disease, and other health problems. In addition, the use of fresh, locally grown and prepared food, which serves farmers' interests and reduces energy costs, is becoming the exception rather than the rule in our federal child feeding programs.

Therefore, we the undersigned Members of Congress, demand that USDA take the following steps to insure the quality of the food reaching our nation's children in the federally subsidized food programs:

1. Study the nutrient content of school breakfasts and lunches cooked on-site, prepared in central kitchens, and shipped cooked and frozen from other cities (pre-plated). The nutrient content should reflect food "as eaten."

2. Adopt nutritional standards that would reflect the need for (1) the amounts of all vitamins and minerals currently recognized to be part of a nutritionally adequate diet, (2) a diet low in sugar, salt, fat, and cholesterol and adequate in fiber content, and (3) nutrients to come as much as possible from natural foods.

3. Evaluate the nutritional, social, psychological, environmental, economic and cultural impact and possible consequences of preplated meals and machine-vended foods.

4. Encourage school food programs to be used as learning laboratories for effective nutrition education.

5. Ban the use of fabricated foods until nutritional research shows that such foods both meet high nutritional standards and promote sound eating habits in children.

6. Strictly control or ban from school foods any additives, such as artificial colorings and preservatives, that might represent a health risk to children.

7. Issue instructions which, to the maximum extent possible, encourage on-site preparation of food, the hiring of local people to work in the food programs, the buying of fresh foods from local farmers and merchants.

8. Issue regulations to insure that food service workers have adequate training to prepare appealing, nutritious, inexpensive food.

9. Reissue its ban on the sale of non-nutritious foods that compete with the sale of the authorized school lunch and recommend to school boards that nutritious foods (nuts, yoghurt, fresh fruit, etc.) be substituted for non-nutritious foods (soda pop, candy, potato chips, etc.) in all school vending machines and snack bars.

10. Adopt regulations that would insure the involvement of students, parents and school board officials in menu planning, preparation, and service of food.

11. Issue regulations which establish a pleasant cafeteria environment by requiring a lunch period of at least thirty minutes and encouraging schools to have teachers, the elderly and other adults with students.

12. Establish an office of Deputy Director for Nutrition, Child Nutrition Division, to promote good nutrition in every possible way in their programs.

Henry A. Waxman, 24th District, California; Bruce F. Vento, 4th District, Minnesota; John J. LaFalce, 26th District, New York; Herman Badillo, 21st District, New York; Gladys Noon Spellman, 5th District, Maryland; Walter E. Fauntroy, District of Columbia; William M. Brodhead, 17th District, Michigan; Robert W. Edgar, 7th District, Pennsylvania; Richard L. Ottinger, 24th District, New York; Morgan F. Murphy, 2nd District, Illinois; Leon E. Panetta, 16th District, California; Barbara A. Mikulski, 3rd District, Maryland; James C. Corman, 21st District, California; Cecil Heftel, 1st District, Hawaii.

Tom Harkin, 5th District, Iowa; John F. Seiberling, 14th District, Ohio; Lester L. Wolff, 6th District, New York; Richard Nolan, 6th District, Minnesota; Thomas J. Downey, 2nd District, New York; Richard A. Gephardt, 3rd District, Missouri; Norman Y. Mineta, 13th District, California; Matthew F. McHugh, 27th District, New York; Helen S. Meyner, 13th District, New Jersey; Robert W. Kastenmeier, 2nd District, Wisconsin; Philip R. Sharp, 10th District, Indiana; Yvonne Brathwaite Burke, 29th District, California; Shirley Chisholm, 12th District, New York; Patricia Schroeder, 1st District Colorado; Edward W. Pattison, 29th District, New York; Anthony Toby Moffett, 6th District, Connecticut; Don Edwards, 10th District, California; George Miller, 7th District, California; Ted S. Weiss, 20th District, New York; David E. Bonior, 12th District, Michigan; Glenn M. Anderson, 32nd District, California.

UNDOING OF THE SERVICE STATION

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. HANSEN. Mr. Speaker, service station operators have had problems of pressing concern for a number of years, problems which seem to be getting progressively more acute.

The following article by Nicholas von Hoffman depicts the operators' serious problems in classic Von Hoffman style.

I do not subscribe to proposals to break up the major oil companies, but I do agree the little guy is overmatched and the consumer continues to get less service for more money.

I insert the following article:

UNSERVICE STATIONS

(By Nicholas von Hoffman)

It's a bit late in the day, but the major oil companies are admitting that they have been hosing their gas station operators just as the dealers have charged for years and years.

"The big companies didn't give a damn about gasoline marketing; it was just a necessary evil," Maurice Holderaf, the former top marketing official for Shell Oil, told The Wall Street Journal's Peter B. Roche, who writes (March 28): "The purpose of the service station was to keep pumping as much gasoline as possible—whether at a profit or not—so the companies could make their big profits at the wellhead."

The Journal asserts that the oil companies have looked on their gas stations as "loss leaders," a management philosophy which explains why the dealers have been screaming for decades that they're little better than impecunious, indentured servants to Exxon, Mobil, Texaco and the rest of the major oil companies.

From this unlooked-for source also comes the validation of the oil company critics who have charged that these gigantic corporations manipulate their books so as to hide their true profit-and-loss picture to escape taxation. By running their gas stations as a bookkeeping loss and pretending their profits come from drilling and pumping they can exploit particularly generous tax gimmicks like the famous oil depletion allowance. (The oil depletion allowance has now been cut back but there are other clauses in the tax which are as good if not better.)

These admissions strengthen the case of those pushing for oil company divestments, that is telling the so-called integrated companies that they can discover crude and pump it, but they can't be in the refinery business also, or the pipeline business, or the gas station business.

In the last five years 37,000 gas stations have been closed, most of them by major oil companies who intend to do with the owner-operator gas station what the giant supermarket chains did to the small owner-operator grocery store a generation ago. Goodbye to those TV commercials with the nice guy in overalls helping the cute little girl put air in her tricycle tires while the music-over chorus sings, "I can be very friendly, yes I can."

In the gas station of the future, if Exxon has its way, will be an indifferent attendant seated in a bullet-proof-glass box into which you will slip your money through a slot before you pump the gasoline into your car yourself. If your windshield is covered with mud and crud, bring along a bottle of Windex, good buddy, or use your shirttail. The new, modern gasoline station like new, modern super markets will feature no conveniences and no services whatsoever. You get no mechanic, you get no air for your tires, you get no credit card, and, most of all, you get no help.

In return for paying through the slit in the glass, you will pay more per gallon. There's no way around it because the conversion is going to cost tens, if not hundreds of millions of dollars. And this at the very time when you can't pick up a business publication without reading of some oil company executive lamenting "the capital shortfall" which is depriving the industry of the money it needs to discover and drill. Talk about profligate waste and madness, the industry proposes to junk 189,000 already-built, already-paid for, perfectly functional gas stations when it says it's short of cash.

Presumably the oil companies want to convert their retail operations because they believe high-volume chain outlets with few employees is the economical way to go. That's what they thought in the food business when such enormous financial muscle was put on the mom-and-pop stores to drive them out of business. But the calculations were wrong. Experience has taught that small chains with but six or seven stores have the lowest costs, and that, far from being uncompetitive, mom-and-pop-type convenience operations like 7–11 do far better than hold their own against the grocery giants.

If the gas stations of our country are closed, it won't be because they are intrinsically unprofitable but because the oil companies own them and the oil companies want to close them. Another source of small-scale entrepreneurial strength will be weakened, and what has been a labor intensive activity will be made overly technological and capital intensive for no very good reason.

Divestiture has been opposed for decades because people say the oil company isn't a monopoly in the ordinary sense. Its sin is

bigness wherein a large corporation controls everything from the extraction of the raw product to its retail sale, but bigness by itself, as this case shows, can be intolerable.

A SOUND PENSION FUND—WHAT IS IT?

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. PICKLE. Mr. Speaker, occasionally we note an alarming statement that pension fund investments are not doing well. Or we might hear an assertion that such-and-such a pension fund has to be sound because it has "never lost a dime." Or we see a statement that such-and-such a pension fund must be doing well because it has a rate of return better than some other investments.

These statements are often off the mark.

As stipulated in the Pension Reform Act passed in 1974—ERISA—the purpose of a pension fund is to preserve the fund for the use of the beneficiaries. It is not to "make money."

The investment policies of ERISA are important because they go not only to the history or record of a pension fund's investments, but to the very structure of those investments. The fiduciary guidelines in this law go to the potential of loss. Funds must be invested so that the potential of large losses is minimized.

An article in the Sunday, March 27, New York Times offers further insight into the meaning of ERISA and into why the law's fiduciary regulations are so important. I would like to reprint that article at this time:

SOME ANSWERS FOR PENSION FUNDS

(By A. J. C. Smith)

The results of pension fund investment in North America during the last decade have been disappointing. A survey of 78 bank commingled equity funds showed that only 21 matched or bettered the Standard & Poor's 500-stock index during the first half of the 1970's.

Today more than $220 billion is invested in private pension plans covering about half of all workers in commerce and industry. With government plans, the total invested comes to more than $400 billion. Pension fund investment performance is obviously important.

A variety of explanations has been offered for the poor performance: a business recession, continuing inflation, the unpredictable behavior of the stock market or, less kindly, incompetent investment management. But the real explanation seems more likely to be found in a more fundamental shortcoming: a failure to define the problem.

When the wrong people, members of the investment community, are asked the wrong question—"How can we get the largest return on investment on these funds?"—getting the wrong answer is almost inevitable. If the basic approach is wrong, then conscientiously developing skills and improving techniques will achieve little.

The purpose of a pension fund is to finance a pension plan. It is impossible to understand the nature and purpose of pension funds without an understanding of pension plans.

It is true that pensions were once regarded as gratuities for long service, with their payment and financing completely under the control of the employer. Then it was reasonable for the employer to see the pension fund as an extension of his business, subject to the same balance of risk and reward that was part of the strategy adopted for the company as a whole. But today pensions are almost universally regarded as deferred compensation.

The pension plan is the device used to pool the employee's deferred earnings with those of other employees of his own and other generations so that he can arrange to spread his earnings during his working life systematically over his natural life and support himself and his dependents after retirement.

This view of the pension plan required a change in the philosophy of investment. And it's true there has been a change in attitude toward pension fund investment. It is difficult to say whether this has resulted from a new understanding of the purpose of the pension fund, or the generally moribund performance of the stock market or, perhaps, the emphasis in the Employee Retirement Income Security Act on fiduciary responsibility.

The legislation has had a significant and beneficial effect. Storing value, preserving capital and accepting responsibility for taking what is, in effect, the beneficiary's money are ideas that are at last getting the emphasis they deserve.

So far so good. It is certainly true that we needed to rethink carefully our approach to the pools of money that represent the efforts of employees to defer their compensation by storing some current earnings. It is important that such funds be invested with the awareness that they are accumulated savings for pensioners and sometimes for widows and orphans. They should not be treated as counters for scorekeeping in a trading game devised by the investment community.

There are some signs that the change in attitude to pension fund investment is in fact providing a new approach to the problem. Recognition is being given, at least in form, to the need to have a specific investment policy, which common sense has always demanded and the Employee Retirement Income Security Act clearly mandates. The objectives, strategies and techniques should be chosen thoughtfully with regard to the final purpose—the payment of pensions—rather than glibly in terms of the jargon of asset mixes, portfolio volatility, beta coefficients and so on.

It is encouraging to note that portfolio selections are more often being based on old-fashioned fundamentals like the determination to preserve capital and the expectation of continuity and growth of income. Of course, capital has to be preserved in terms of purchasing power, which in today's economic environment means it must be made to grow in dollar value to offset the effect of inflation.

But on the other hand, there is also a tendency to adopt defensive attitudes which are in the last resort irresponsible because satisfactory results are sacrificed to maintain a record of actions beyond any possibility of criticism. This is one of the inevitable but discouraging reactions to the recent legislation—a predictable reaction of which Congress should surely have been cognizant when passing massive legislation to correct minor abuses.

The pension fund investor should obviously take the long view because pensions are accumulated over employees' working lifetimes. There is usually little risk attached to this approach because the demands of a pension fund do not generally exceed current income, so that liquidity is not required. In spite of this, investment managers and plan sponsors have too often chosen fixed-interest investments and investments with market values that are not expected to fluctuate to avoid showing investment results that appear unsatisfactory in the short run.

The actuarial profession, in setting the assumptions about the future to be used as the basis for calculating contributions, has sometimes defensively insisted on an unduly conservative forecast with respect to the return on investments. Current contribution requirements are consequently increased beyond the necessary level, and the plan sponsor is restrained from making benefit improvements that would further increase his costs.

What can be done to protect our pension funds from the impact of the latest fashions in institutional investment, to preserve the savings of millions of employees and, in the long run, to insure the continued availability of this pool of capital in the private sector of our economy?

First, responsibility cannot be left in the hands of Wall Street. An introspective institution concerned with the technicalities of trading financial instruments is not best suited to taking care of the futures of our citizens, without some direction.

Plan sponsors must accept the obligation to arrange for the investment of pension funds with the understanding that these are accumulations of the employees' savings in the expectation that, when they have to be used after retirement to purchase goods and services, they will have retained their value. (Of course, if government allows inflation to reduce radically the value of the dollar, it is unlikely that any practicable pension fund investment can protect employees' savings.)

The primary objective of the pension fund is to provide income to retired employees by maintaining the real value of current earnings, deferred to provide pensions. It is only a secondary objective to reduce the amount of current wages or salaries that need be deferred and to eliminate subsequent need for supplementary contributions by earning a satisfactory return on vested funds.

One of the consequences of the Employee Retirement Income Security Act is the shifting of the ultimate legal obligation for pension benefits from the pension fund to the plan sponsor. This does not diminish the responsibility of the others involved in funding a pension plan—the investment manager and the actuary—but there obviously are decisions that the plan sponsor alone is equipped to make.

Contemplation of the purpose of the pension fund provides another insight that should be influential in determining the way in which it is invested. A pension plan is a very long-term financial arrangement—and in the large majority of cases its growth is systematic. The payments to be made into and out of a pension fund can usually be predicted with some accuracy. Even when some unforeseen event occurs that changes the trend, it is usually possible to deal with any adverse effects on the pension fund gradually over an extended period.

There do appear to be signs of a shift toward sounder pension fund investment, with emphasis on fundamental long-term objectives. This will continue if plan sponsors accept their responsibilities and investment managers direct their strategy to preservation of value over the long term.

A MEMORIAL HONORING LT. FRANK WASKOWICZ OF CHICAGO

HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. FARY. Mr. Speaker, April 18, 1977, marked the 35th anniversary of the first American air raid on Tokyo. As the war progressed the courage of our American pilots did more and more to help swing the pendulum of World War II in our favor. I had the pleasure of knowing

one such pilot who was particularly brave and patriotic—Lt. Frank "Fritz" Waskowicz of Chicago.

We were close as young men in Chicago. Fritz answered the call of our great country and became a pilot. All who knew him were proud of his military accomplishments and admired his courage and determination.

Mr. Speaker, it was in September of 1942, while involved in a military operation against the enemy, that Lieutenant Waskowicz paid the supreme sacrifice for his country—life itself. He was reported missing in action over the Solomon Islands never to be heard from again.

His passing grieves me even today, but Lieutenant Waskowicz has not been forgotten by the people he fought so gallantly to protect. Recently a committee of community leaders from Lieutenant Waskowicz's neighborhood in Chicago held a memorial in his honor. It warmed the hearts and brought back many pleasant memories to those who attended this memorial.

Lieutenant Waskowicz's brother, Dr. A. T. Waskowicz, along with other members of Fritz's family, Bernice Gorell, Helen Dominion, John Troike, and August Troike, accepted a plaque on behalf of the entire Waskowicz family. Two plaques were assembled in honor of Lieutenant Waskowicz. One plaque had a picture of Fritz as a football player, and the other showed him as a pilot.

These plaques were sponsored and purchased by the Veterans of Foreign Wars Post, American Legion Posts, and Kiwanis Organizations. Each half-year a commander from the VFW Post addresses an assembly of the most valuable players and presents awards to the outstanding athletes. It is hoped that the deeds and heroics of Lieutenant Waskowicz which instilled Americanism and patriotism in the younger players will long be remembered.

Like many of these young players, Lt. Frank Waskowicz was born and raised in the Back of the Yards community of Chicago. He participated, with a characteristic vigor, in football, wrestling, and boxing, starring at Cornell and Davis Square Parks Elementary School, en route to greater fame and tougher competition at Lindblom High School, and then at Washington University where he achieved All-American honors, starring in the Rose Bowl Game—Washington versus Pittsburgh—and climaxing his career by being named the most valuable player.

Answering the call of his country, he enlisted in the Army Air Corp and was commissioned as a lieutenant. At Pearl Harbor he was wounded, and later was reported missing in action over the Solomon Islands.

One of the eloquent speakers who addressed the memorial was Joseph Meegan, secretary of the Back of the Yards Council. He spoke of the tremendous boxing programs that took place in the 1930's and 1940's at Cornell and Davis Square Park and commented that Lieutenant Waskowicz "was a very active athlete who participated in all sports."

The neighborhood council's summer boxing program for youngsters of Chicago was started by the late Mayor Richard J. Daley and will continue under the sponsorship of the present mayor, Michael A. Bilandic. An explanation of the program was highlighted by the introduction of the former middleweight champion of the world, Tony Zale. Mr. Zale presented trophies to a group of outstanding boxers from the Cornell and Davis Park area. There were also boxing exhibitions featuring the outstanding novice boxers from the two areas.

During the memorial I had the opportunity to meet with many of the community's leaders, including members of the committee which organized the memorial; Comdr. John Szalflarski, Town of Lake; Comdr. John Lavrik, Ted Stempien Post; Comdr. John Novak, J. J. Zientek Post; Comdr. Al Hubbel, McKinley Post; Comdr. Chester Stachyra, Darius Garenas Post; Dr. Poronsky, Kiwanis Stock Yards District; Stanley Brode, J. J. Zientek Post; Joseph P. Wagner, Jr., Town of Lake; Comdr. Ted Markowicz, Our Boys Post, and representatives from the Veterans Posts Women Auxiliaries.

I was also afforded the pleasure of meeting with many of the political leaders present which included Mayor Michael Bilandic, Senator Richard M. Daley, Senator Frank Savickas, Representative Michael Midigan, Alderman George Kwak of the 12th, Representative Edmund Kornowicz of the 23d, Judge Art Cieslak, and Circuit Court Judge Joseph Power, all of whom lent their wholehearted support and leadership to this affair.

In attendance were religious leaders such as Msg. John Koziol, pastor of St. Joseph Elementary School who talked with me about Lieutenant Waskowicz's school days at St. Joseph's.

Former Lt. Gov. Neil F. Hartigan presented the family with a personally inscribed plaque and gave an excellent speech ending his remarks by exhorting the audience of "hereditary patriots" to fight for their country with "every ounce of strength" they possess.

Mr. Speaker, at this memorial I was proud; proud not only for Lieutenant Wakowicz and his many tributes, but for this fine area of Chicago with its people so conscientious that they recognize and praise—even long after his death—a man like Lieutenant Waskowicz. It is easy to see where many of Fritz's virtues were first planted.

FIREMEN HONORED

HON. ROBERT E. BADHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. BADHAM. Mr. Speaker, I would like to call the attention of my colleagues to the outstanding and dedicated services rendered to their cities by three firemen, who were honored today, April 21, by the Newport Harbor-Costa Mesa Board of Realtors at the annual "Fireman of the Year" awards ceremonies.

The three men chosen for their distinguished service to the public are Capt. Gerald Poarch of the Costa Mesa Fire Department, Glenn Sekins, a paramedic of the Orange County Fire Protection Agency serving the city of Irvine and Capt. Richard Ellerman, who served the city of Newport Beach until he was retired because of industrial injuries last year.

It is indeed an honor for me to rise today to call public attention to the activities of these three superb citizens, who have demonstrated their interests in the public welfare for years by their selfless efforts above and beyond the call of their normal firefighting and public safety responsibilities.

Capt. Gerald Poarch, who has served Costa Mesa for the past 15 years, has devoted countless hours to improving the emergency services rendered by the department in his city. He spent his own time obtaining credentials to certify instructors in first aid and has been the fire department's representative to the council of emergency services.

Additionally, Capt. Poarch has been a member of the Costa Mesa Hospital Auxiliary, active in the fourth grade junior fireman program and chairman of the recycling committee, part of the city's beautification committee.

Glenn Sekins has dedicated himself to service to the youth of Irvine, as an advisor for the Search and Rescue Post No. 891 and by working with the Irvine Unified School District, where he was instrumental in setting up an interaction video television program, to explain the duties of the paramedics to the students and to further acquaint students with all fire department programs.

Furthermore, he has been involved in the new firearms counselor program in Irvine, where the youths of Irvine come to the station to talk to firemen about their problems and gain an outside view on how to cope with them.

Capt. Richard Ellerman, who joined the Newport Beach Fire Department after 11 years of military and U.S. Post Office service, was the epitome of a thoroughly professional fire-fighter during the 19 years he served honorably in the city's department.

Ellerman was known as "Mr. Reliable" by his fellow firemen for the efficient, brisk and expedient manner with which he always carried out his duties and service to the city.

It is with pleasure that I describe to the members of this honorable body the dedication shown by Gerald Poarch, Glenn Sekins and Richard Ellerman in serving their communities, all of whom are in the 40th Congressional District of California. I am proud to know that public service, no matter how backbreaking, how thankless, or how monotonous, can attract men of the calibre of these three men who were honored today in Newport Beach, Calif.

H.R. 6407—AN ACT TO AMEND THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. MADIGAN. Mr. Speaker, yesterday I introduced a bill—H.R. 6407—which

will make several changes in the U.S. Department of Agriculture, Farmers Home Administration, farm ownership and operating loan programs.

This bill is similar to a bill considered in the House Agriculture Committee in the 94th Congress, but which was not reported out of the Committee primarily because there was not sufficient time to take action upon it. It is also similar to a bill—S. 312—introduced by Senator BELLMON of Oklahoma.

There is a need to increase the loan limits for Farmers Home Administration loans, both for ownership and operating loans. The present limits were established in 1970, and I need not remind farmers or lenders that inflation has lifted land values and machinery prices tremendously in the ensuing years.

The credit needs of farmers have risen drastically, and neither the private sector nor the Farmers Home Administration is meeting those needs. This bill by lifting certain limits placed on loans in the Consolidated Farm and Rural Development Act should prove of great help to young farmers starting out in the business of farming. Moreover, it should permit the Farmers Home Administration to work more closely with private lenders, improve quality and expand credit services to all rural borrowers, and insure fiscal restraint and responsibility in the administration of these essential credit programs. I emphasize the latter, because I assume the Farmers Home Administration will continue to manage these programs with some fiscal discipline so that they will not engender larger defaults or be viewed as driving up land prices for farmers.

There are few sectors of our economy that have been as adversely affected by the high costs of oil imports in recent years as the farm sector. Yet, it is the farm sector that is feeling the credit pinch most and is contributing most in offsetting our Nation's balance of payments deficits from burgeoning oil imports.

In the bill I have introduced, I have increased the maximum interest on loans for water and waste disposal systems and essential community facilities made or insured, other than guaranteed, to 5½ percent. Loans made or insured, other than guaranteed, under sections 304(b) or 310B will also be increased in that they will bear interest at a rate determined by the Secretary based on the cost of money to the Treasury.

I have taken this step with the hope that by so doing, the amount of money made available for these purposes will be increased. For instance, I am hopeful that with a 5–12 percent interest rate on community facilities loans we will see some support by the Carter administration and that USDA will urge the Appropriations Committee to increase the amount of funds available for those purposes based on the increased rate of interest to the borrowers and the decrease in subsidy by the Government. It seems to me that if the borrowers can have some confidence that a greater amount of funds are going to be available to them if they are willing to receive less subsidy, that the support may be there to gain acceptance of an increase in this rate of interest on such loans. However, if experience proves that even though the rate of interest has increased on such loans as community facilities or water and waste disposal systems and the amount of money made available for such loans remains the same, then it seems obvious to me that the borrowers will tend to resist any further increase in the rate of interest. So our experience under this bill if it were to become law, it seems to me, will determine the future of how these loans will be handled in the future and whether increased rates of interest resulting in concurrent increased availability of money can be sold as a credible policy in the rural areas.

It well may be that in the course of hearings on a bill such as this, the issue can be "flushed out" fully and commitments either can be made by the administration and the Congress that if interest rates are increased on some of these loans, that the amount of funds made available will also be increased.

If any savings may be effected from the enactment of a bill such as this, I suggest that those funds be utilized for emergency, disaster or crop insurance programs which Congress may enact.

A summary of H.R. 6407, which appears below, explains in greater detail the provisions that are included therein:

SUMMARY OF PROPOSED LEGISLATION

Section 1 makes corporations and partnerships eligible for farm ownership loans as long as the entity does not become the operator of a larger than family-size farm. The credit elsewhere test would apply to both the entity and the principal stockholders or partners. However, the credit elsewhere test would be eliminated for guaranteed loans.

Section 2 authorizes farm ownership type loans up to $200,000, instead of the present $100,000, and up to $300,000 for guaranteed loans. It eliminates the $225,000 total indebtedness restriction that may exist against a farm. It also eliminates the requirement that the county committee certify as to the maximum amount of such a loan.

Section 3 simplifies the definition of "rural", gives a preference to municipalities having a population of not more than 5,500 for subtitle A loans other than business and industry ones, eliminates the confusing "urbanized and urbanizing" test for business and industry loans, and authorizes the Secretary to determine population levels on a when-needed basis.

Section 4 provides that for any loan made under subtitle A on a guaranteed basis, the interest rate will be negotiated between the borrower and the lender. It increases the maximum interest to 5½% on loans for water and waste disposal systems and essential community facilities. Loans made or insured (other than guaranteed) under sections 304(b) or 310B will bear interest at a rate determined by the Secretary of Agriculture after considering the cost of money to the Treasury. It also permits an add-on for the latter loans of not to exceed 1%. Business and industry loans made on an insured basis would continue to be made at their present formula interest rate which permits a slightly higher rate of interest than the proposed cost of money formula for other subtitle A loans. The last amendment in this section would delete the requirement that the Secretary hold any required escrow funds in a segregated account.

Section 5 eliminates the maximum dollar limitation on the amount of new loans that may be held in the Ag. Credit Ins. Fund, as other funds administered by FmHA. It also adds language that would permit the Agricultural Credit Insurance Fund and the Rural Development Insurance Fund to be used to pay holders of any paper sold from the Funds the amounts represented by deferred interest. This will permit the Secretary more discretion in structuring the repayment terms of loans, particularly to young farmers.

Section 6 adds a new section which would authorize the Secretary to purchase the guaranteed portion of any outstanding guaranteed loan from the holder and to use the assets of the Ag. Credit Ins. Fund and the Rural Development Ins. Fund for such purposes.

Section 7 eliminates the transfer of employment and overproduction determinations required by section 310B of the Consolidated Farm and Rural Development Act, as well as deleting the Dept. of Labor certification, where the FmHA financial assistance does not exceed $500,000 or where employment will not be increased by more than 20 employees. The time period the Secretary of Labor has in which to certify as to compliance with restrictions (1) and (2) of section 310B of the Consolidated Farm and Rural Development Act would be shortened from 60 to 30 days.

Section 8 does for operating loans the same thing that section 1 does for farm ownership type loans, including the elimination of the credit elsewhere test for guaranteed loans.

Section 9 increases the operating loan limit from $50,000 to $100,000, and provides for guaranteed operating loans a ceiling of $200,000. It also deletes the requirement that the county committee certify as to the maximum amount of operating loans.

Section 10 provides that the interest rate for guaranteed operating loans will be one negotiated between the borrower and lender, and provides that the Secretary shall set the interest rate after considering the costs of money to the Treasury.

Section 11 deletes Puerto Rico and the Virgin Islands from the eligible areas for emergency loans since these areas are covered by a new proposed definition in section 15. Similar changes are being made in other sections of the Consolidated Farm and Rural Development Act. This section also specifies that an eligible partnership for an emergency loan must be a U.S. partnership. A similar requirement is already imposed on corporations.

Section 12 authorizes loan and grant activity to continue as to existing projects financed in a rural area after the area ceased to be rural.

Section 13 empowers the Secretary to establish an appeal procedure from determinations made by the county committees.

Section 14 exempts guaranteed loans from the credit graduation requirements. It also makes a technical amendment consistent with the amendments made by sections 1 and 8 exempting guaranteed farm ownership and operating loans from the credit elsewhere test.

Section 15 inserts a new definition in the Consolidated Farm and Rural Development Act which increases the jurisdictional area which FmHA may serve to include all commonwealth territories, and possessions of the U.S.

Section 16 specifically authorizes Congress to establish FmHA program levels. Where such a level is established, it must contain both an insured and a guaranteed amount.

Section 17 empowers other Fed. Agencies to become jointly involved with the financing of any program FmHA can finance.

STATEMENT CONCERNING H.R. 6474; A BILL TO MAKE CLARIFYING AND TECHNICAL AMENDMENTS TO TITLE I OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CONYERS. Mr. Speaker, as the title of this bill explains, its purpose is only to clarify a small section of Public Law 94–503 which reauthorized the Law Enforcement Assistance Administration September 30, 1976. The section in question is that one creating an Office of Community Anti-Crime Programs, section 101(c). The Law Enforcement Assistance Administration was concerned that the language in the legislation was vague and they may not be able to carry out the congressional mandate without clarifying congressional intent. The Subcommittee on Crime, which I chair, authored the section and reported a bill with this section in it to the full Judiciary Committee on May 7, 1976. The committee reported H.R. 13636 to the House on May 15, 1976 with section 101 (c) included in toto. The House agreed to the bill on September 2, 1976 without changing the section in question. Several times in the aforementioned legislative process statements were made by myself and my chairman, Congressman RODINO, as to the extreme importance of this section and the program emphasis it represents. The House and Senate met on September 27, 1976 to confer on their respective bills to amend the Omnibus Crime Control and Safe Streets Act. What emerged was Public Law 94–503, signed October 15, 1976, which contained the referenced section just as it appeared in my subcommittee print.

The concept of the program was to encourage community crime prevention programs by creating anti-crime programs to provide direct grants to groups in which members of the community or neighborhood participate. It was felt by the House of Representatives that the new wave of crime reduction activities had to emerge from the grass roots of the country. The Public Law authorized $15 million to be set aside from LEAA's $753 million budget for these purposes The House and Senate Appropriations Committee then appropriated the $15 million for these specified purposes. This was in October. It is now April and not one penny of that money has gone to a deserving group or any group for that matter. I, on November 23, 1976, wrote a letter to LEAA detailing what was Congress' intent in creating the new program. LEAA, on November 24, 1976, requested from the Controller General of the General Accounting Office an interpretation of the legislation. We received on March 3, 1977 a legal opinion from GAO which states there is no need for LEAA to expend any of the funds authorized or appropriated for the purposes set out in the legislation, that is, community anti-crime prevention. This opinion is totally contrary to the whole legislative process and an affront to the Congress. This bill is an attempt to redress the wrong committed upon Congress. Copies of these communications are included for the record.

The technical amendments in H.R. 6474 should adequately clear up any questions as to the intent of the legislation. They answer questions put to GAO by LEAA; namely, does the new Office of Community Anti-Crime have grant making authority?

The answer is yes. It was stated repeatedly in the subcommittee markup and in the committee that the new office would make grants to or contracts with groups, agencies, institutions and organizations which are private and nonprofit to perform effective community crime fighting activities. This office was separated from the normal administrative structure of LEAA for a reason. It would be directly under the Deputy Administrator for policy development. This means it would exist outside of the present Office of Regional Operations. We wanted the office separate so it would get the high visibility it deserves and also so its administration would not be confused with the discretionary fund operations. This is a program whose administration should differ slightly from that of the discretionary fund. We wanted projects to be funded directly from the LEAA Office of Community Anti-Crime programs to eligible grantee groups outside of the normal block and discretionary grant process. These projects would be funded with SPA knowledge however. In fact, another portion of the law requires that the SPA assure the participation of community group members on their advisory boards. It was hoped that these members would lobby successfully with the SPA's for adoption of their projects by the State. The clarifying language in my bill should make it evident that the newly created office is authorized to make and administer grants and contracts.

Who should receive these grants and contracts?

It is stated explicitly that private nonprofit organizations, institutions, agencies and community groups are eligible grantees. There is no necessity for groups to be incorporated to receive these grants as the bill states.

Is there a necessity for the grantee to supply match money?

There is no requirement for match. The funding is up to 100 percent. It was always believed by Congress that the projects involved would, for the most part, comprise very small money awards. Even so, a neighborhood group may not be able to raise a sum to match these grants. Therefore, there is no match requirement.

What would be the purpose of the grants?

The awards would go for the purposes described as examples in the House report of May 15, 1976—H.R. 94–1155—and repeated in this bill. Many of these projects may be described as "victim prevention." In some cases, they would cost no money at all except to send a trained community organizer to a neighborhood to explain good crime prevention activities. LEAA already has 3–5 years worth of reports on successful projects which could easily be replicated. The other type of crime prevention project which requires some use of research into the root causes of crime could be more costly, such as job programs for neighborhood juveniles. There was never in Congress any intent that very large amounts of money would be spent to have an outside group administer this program. It is expected that LEAA would handle grant administration internally. To reiterate that intent, I have placed a percentage limit on the money that can be used for technical assistance grants.

Can the Office of Community Anti-Crime use any part of the $15 million for technical assistance as required in section 101(c)(1)?

LEAA may use part of the $15 million to perform the technical assistance provided for in the legislation. They are cautioned, however, not to award a large grant to an outside contractor to perform the services they are capable of doing in-house since the act allows them this money to be used internally. We have found ever since 1973, when Mr. Santarelli was Administrator, an in-house capability existed to disseminate information to applicants on types of projects and to train citizens to run effective community anticrime programs. We realize the office may need assistance in affirmatively identifying those community groups which could be effective grantees.

What role do the SPA's play?

SPA's may take over the auditing and administering functions of these grants in accordance with their existent letters of credit.

Are grants limited to section 301(D)(6) of part C of the act?

No.

Are these part C grants pursuant to section 306(a)(2)?

No.

Let me assure you, Mr. Speaker, I have worked with the Department of Justice, LEAA General Counsel, the ranking minority members on our Committee Mr. MCCLORY, and the Senate Judiciary Committee to gain their approval of this technical amendment.

ROBERT ABEL, M.D., EAST ROCKAWAY KIWANIS CITIZEN OF THE YEAR

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. LENT. Mr. Speaker, on May 6, the Kiwanis Club of East Rockaway, N.Y., my hometown, will honor as its Citizen of the Year, Dr. Robert Abel, a 30-year resident of East Rockaway. I am delighted to join with my fellow citizens

in paying tribute to this outstanding servant of the public.

This year's Kiwanis theme is "Pride in Our Community." Dr. Abel, through his sefless service to his community, truly exemplifies that theme.

Dr. Abel serves currently as department surgeon of the East Rockaway Fire Department and the East Rockaway auxiliary police; as president of Hose Company No. 1 of the East Rockaway Fire Department; secretary of the E.R.F.D. rescue squad; medical adviser for emergency medical services training for the Nassau County Department of Health; and in a number of other capacities. He also teaches three separate courses for emergency medical training at South Nassau Communities Hospital.

Long before becoming an M.D., Dr. Abel was a member of the East Rockaway Fire Department rescue team. He still responds to fire alarms and rescue calls, and he has been responsible for saving many lives through his dedication.

There is a bumper sticker which says "Firefighters Still Make House Calls." Dr. Robert Abel is a physician who still makes house calls, and he is deserving of the gratitude of the community. His is a record of public service which is uncommonly fine.

H.R. 6464, TO STOP AG-LAND

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ABDNOR. Mr. Speaker, today I have introduced H.R. 6464, to amend the Internal Revenue Code of 1954 to deny tax exemption to any otherwise tax-exempt organization which invests in farm real property.

This bill is a reintroduction of H.R. 4789, which I introduced on March 9, and 11 of my colleagues have now joined me in cosponsorship. They are Mr. MOFFETT, Mr. MOORHEAD of California, Mr. NOLAN, Mr. PATTERSON, Mr. RICHMOND, Mr. SEBELIUS, Mr. SIMON, Mrs. SMITH, Mr. STANGELAND, Mr. STEERS, and Mr. TAYLOR.

Chairman ULLMAN of the Ways and Means Committee, to which H.R. 4789 has been referred, has indicated this legislation may be considered later this year and early next year when the committee takes up the administration's tax reform proposals. Accordingly, a number of my colleagues and myself addressed a letter to Dr. Laurence N. Woodworth, Assistant Secretary for Tax Policy, U.S. Department of the Treasury, urging the administration's attention to this issue and a definitive policy statement from the President.

Although the outcry which developed over the particular proposal which received public attention has apparently resulted in its withdrawal, tax exempt organizations do not require approval from IRS to purchase farmland. In fact IRS would be prohibited from divulging information about such purchases, and it is possible they have already occurred and could continue without public awareness.

Those who wish further information on this vital issue may see my remarks on pages E1363–E1365 of the March 9 CONGRESSIONAL RECORD, which also contains the text of H.R. 4789. The Subcommittee on Family Farms, Rural Development, and Special Studies has held hearings on the Ag-Land I proposal, and a review of the hearing record will reveal the concern it has generated.

In my view it is of extreme importance and some urgency that we act to remove this threat to the future of the family farm system.

MOVING THE MAILS: THE TORTOISE EXPRESS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. CRANE. Mr. Speaker, for most of us, as each day goes by, it becomes clearer and clearer why persons and firms are trying every possible means of circumventing the U.S. Postal Service when conveying messages from one location to another. It can also be deducted, without a special commission and a 3,000 page, 6-month study, that the Postal Service's future looks bleak. Since the study is before us now and the results do not reveal much information that we were not already aware of, I would like to include in the RECORD an article from the Alternative—March 1977—that highlights one incident where the Postal Service "lost," but nevertheless, "won."

[From the Alternative: Mar. 1977]

MOVING THE MAILS: THE TORTOISE EXPRESS

(By Herbert W. Stupp)

"Do you know the way to San Jose?" was Dionne Warwick's dulcet question back in the summer of 1968. But if her question were directed in 1977 to the United States Postal Service—even its San Jose office—the answer would have to be no.

Such, in sum, is the plight of California clothing retailer Mel Solomon. Mr. Solomon's shop, Sportique, depends on a mailing list that is regularly serviced to attract about 85% of its business. In handling third-class flyers announcing an annual summer sale, the Postal Service delivered between 8,000 and 10,000 of Mel's mailers too late or not at all. Plotting out prior performances of Sportique's summer sales, Mr. Solomon determined that the bungled postal delivery had lost him well over $20,000 in profits.

Mr. Solomon's first impulse was to sue the Postal Service for damages, but he was barred from so doing by the provisions for sovereign immunity of the government in the Federal Code. So Mr. Solomon decided on another course of action—bringing suit against the individuals he ascertained as responsible for his loss. His attorney, Roger Marzulla, posits that there is no legal impediment to prosecuting individual postal workers for damages arising from their action or inaction. Indeed, there are at least fifteen precedents in American and British law whereby postmasters were held liable for heedless supervision. Most of these cases were brought in the 19th century.

U.S. District Judge Robert Schnocke, upon hearing Marzulla's argument in court, ruled that individuals employed by the federal government did not have unlimited immunity from suit while executing "non-discretionary" duties of their employment. The case was then transferred to a Judge Harris for trial.

The trial itself was Hollywood stuff. If Messrs. Solomon and Marzulla had staged auditions for the consummate federal bureaucrat to cast as defendant (read: "heavy") for maximum benefit in their crusade, they would have been hard pressed to improve on William Lawrence, the San Jose postmaster and one of nine original defendants in the suit. Mr. Lawrence's arrogance quotient is high, even considering his chosen field. When asked by the Judge why no "delayed mail report" was filed, or why he didn't attempt to isolate the employees responsible for the negligence, Mr. Lawrence replied: "Because, well, employees, your Honor, when it gets down to 'did you,' are not about to admit that they knew that 2,000 pieces were buried under something. So when you ask them, they will deny they were there." The Judge laughed. And asked what his normal procedure would be, were Mr. Solomon to call and complain about tardy delivery of his mailing, Mr. Lawrence countered with: "If Mr. Solomon called me and complained about such a thing, I would tell him, 'I do not believe you.' Then, I will look into it."

Clever cross-examination by Roger Marzulla enabled the plaintiff to focus his legal attack, after trial evidence pointed toward the negligence being insulated within the San Jose Main Post Office. In his final argument, Marzulla exculpated seven of the defendants of any negligence, leaving the San Jose postmaster and assistant postmaster, William Lawrence and Wilmer Bennett, as the sole respondents to the suit.

After four days, the trial concluded. The Court concurred with virtually all of Solomon's legal contentions—that he had lost $20,000 to $30,000, that the San Jose post office had failed to deliver promptly some 8,000 pieces (and failed altogether to deliver 2,000)—but nevertheless ruled that postal employees were immune from legal liability. The Judge ruled that individuals who are employed by the Postal Service are part of its organic whole, and are hence not liable to litigation incurred by their work habits, unless negligence can be linked directly to them. When I asked William Lawrence for comment on the decision, he told me smugly, "The Federal judge's ruling is rather complete."

But Solomon and Marzulla remain undaunted. They have filed an appeal in the Ninth District of the Federal Circuit Court of Appeals, and they intend to carry their legal action as far as their resources and jurisprudence will allow them. An organization based in Washington, the Citizens Legal Defense Fund, has begun to aid the appeal, and has provided $2,000 thus far. Solomon has spent $7,000 of his own funds on the suit. A spokesman for the CLDF, Len Theberge, stressed that the Solomon case had "very significant implications" which could ". . . hold public employees to the same degree of liability as private employees."

It appears that the Solomon case could indeed set a precedent extending liability for federal employees in executing or neglecting their duties. Even the potential of such a weighty legal occurrence ought to qualify Mr. Solomon's case for occasional attention from the networks and the great national newspapers. But after scattered reports around the country, the case has been neglected.

The tribulations of the long-suffering Mel Solomon are exceptional, but not entirely unique. My own mail consciousness has been raised by two particular attempts to communicate with me via the Postal Service. One letter took a year to reach me in New York, having been mailed in Washington. Another, along with a check, took six months from Ithaca, New York. This sort of experience has won countless converts to the Eleventh Commandment of doing business

in New York, "The check is in the mail," without which the town might collapse.

The sheer cost of postage has stampeded people into circumventing the federal mails. The Narragansett Electric Company of Providence, Rhode Island, for example, initiated hand delivery of bills to about a quarter of its 250,000 subscribers. The messengers are Narragansett employees who would have been laid off, but for this ingenuity.

Since 1971, when the independent Postal Service was duly constituted, first-class rates have escalated from 6 cents to 13 cents per ounce. Currently, the organization wolfs down a lump sum appropriation of $1.6 billion, and President Carter is expected to make good on a campaign pledge to make the Postmaster General's post a political appointment once again.

And yet there are developments to cheer the hearts of those who long to see the federal monopoly over the mails felled. J. Edward Day, who was U.S. Postmaster General in the early 1960s, has filed a suit on behalf of the Association of Third Class Mail Users challenging the constitutionality of the Postal Service's monopoly of third-class mail. "We want to have available to us the alternative of using private carriers," he unashamedly told an interview in October. Which goes to prove that given time, even a former Postmaster General can become as wise as Solomon.

NEW YORK STATE CELEBRATES ITS BICENTENNIAL

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. KEMP. Mr. Speaker, the history of my State of New York is the story of the growth of democracy in a wild, untamed land, of the struggle for political and social freedom, and of the establishment of a respect for the fruits of a person's labor and for the property rights that this respect engendered. It is the story of strength in the face of hardship, of the thirst for freedom of a few Yankee "rebels," and the coming of age of one of the Thirteen Original Colonies of these great United States. It is the story of America.

From the original settlement of what was to become the great State of New York, this area attracted settlers of all faiths and nationalities, because of its widespread reputation for tolerance to divergent interests and groups. It was here that the famous John Peter Zenger trial was held in 1733 that was to prove a landmark in the Colonies' fight for freedom of the press.

The first settlers brought with them a sense of order and stability, and a desire to establish a democratic and responsive government. Although the first Dutch and English proprietary Governors in New York were practically autonomous in their rule, gradually an advisory council was established, and later an assembly—which, although subject to veto by the Governor or the Duke of York, was to gather considerable authority in the eyes of the people, and play a substantial part in the Revolution.

It was during the fight for independence that New York proved to be the cornerstone of American resistance to the British troops. Because of New York's strategic location, separating New England from the rest of the colonies, the chief avenue of attack to British Canada on its northern border—also the British military headquarters for the entire New World—it was generally considered that whoever controlled New York controlled the American colonies. As England increased its demands on the colonists in the way of tightened trade and navigation laws and higher taxes, New York played a leading part in American resistance movements. In 1765, the Stamp Act Congress met here to register opposition to the British stamp tax. Later, "Sons of Liberty" erected "Liberty Poles" throughout New York State to dramatize their defiance of English authority. Emotions ran deep on both sides of the independence question, and both sides gathered in size and force.

After the bloody battles of Lexington and Concord, New York was drawn irrevocably into the fierce conflict. The British stockaded their garrison in New York City as the Revolutionary forces captured the important New York forts of Ticonderoga and Crown Point. On July 9, 1776, the New York provincial congress signed the Declaration of Independence, and firmly committed the State to the war for independence. Whigs and Tories fought bitterly, often relative against relative, and the British gained ground in the crucial Hudson River-Champlain Valley.

That summer, Philip Livingston, (one of New York's signers of the Declaration of Independence), joined with two other prominent New Yorkers, John Jay and Gouverneur Morris, to form a committee to draft New York State's first State Constitution. The Convention of 1776–1777 was to acquire the nickname, "government on the run," because the British troops forced it to migrate first to Harlem, then to Kingsbridge, Philipse Manor, Fishkill, Poughkeepsie, and finally, Kingston. There, at Kingston, the constitutional committee was to present its masterpiece—the New York State Constitution—a document that was to outlast the Continental Articles of Confederation by over 30 years. It was a shining example of democracy in action, establishing a bicameral legislature with an Assembly and a Senate, a judicial branch with lifetime appointments for judges, and the first elected governor in the entire fledgling United States. The new Constitution was adopted on April 20, 1977, and proclaimed on April 22 from a platform mounted on a hogshouse. The government of New York was officially established.

In the fall of that same year, New York troops turned the tide of the Revolution at the Battle of Saratoga, and after many more grueling years, joined in the joyous celebration of a free land, the United States of America.

As we join with the citizens of New York State and the New York Legislature as they gather in Kingston this week to commemorate the dedication and the foresight of the framers of our State constitution, let all of us take just a few moments to reflect on the price of peace and freedom, and of those precious liberties that we now enjoy as a result of the efforts of those courageous patriots who fought for their country in every state and region, 200 years ago.

THEY BAKE TO PERFECTION

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. HANSEN. Mr. Speaker, there is, as the following article says, something very satisfying and comforting about a perfectly baked potato.

Read on and learn how you can savor this Idaho delight plain—or with the usual seasonings, and not fear any dietary consequences.

THEY BAKE TO PERFECTION

(By James A. Beard)

In my youth I used to travel back and forth on the train between Oregon and New York. I had the choice of the Great Northern or Northern Pacific, the Milwaukee or the Union Pacific and being a great eater, I almost always took the Northern Pacific because it had a reputation for extraordinarily good food and was known as "the line of the great big baked potato."

The potatoes, specially grown for the Northern Pacific, were huge, weighing over a pound each, and they were always perfectly baked, a great feat in the galley of a dining car, you must admit. They came from the kitchen split and dripping with butter and one ate them with fresh steak, or chops, or fried chicken, sometimes with fresh trout put aboard at one of the station stops. They had a quality one seldom finds and they baked to perfection. I have never forgotten how good they were.

There is something very satisfying and comforting about a perfectly baked potato. The beautiful floury lightness and delicious crisp, chewy skin with an earthy flavor intensified by the baking process need no dressing up. I prefer to savor that earthy flavor with just freshly ground pepper and a little salt (if I am allowed it)—no butter, no sour cream, no chives. Maybe a little bit of butter with the skin, but more often only more pepper and salt.

It's good to know that eating a plain baked potato, with butter or trimmings, is a very low-calorie experience. A potato has only about 90 calories, and a good deal of riboflavin, iron, thiamin, niacin and vitamin C. The Department of Agriculture research division tells us that a diet of whole milk and potatoes would supply almost all the food elements necessary for the maintenance of the human body.

So many people who are dieting say they love potatoes but wouldn't dare to eat them because they are fattening. That's hogwash. Ounce for ounce, a potato has about the same number of calories as an apple, pear or banana, and it is certainly more filling and satisfies the craving for something different in taste and texture from the usual diet foods.

Of course, if calories don't count with you, there are many ways to eat a baked potato—with good sweet butter, salt and pepper, with yogurt, sour cream or creme fraiche, maybe some chopped chives or crumbled bacon or finely cut green onions.

Or you can bake your potatoes, take them out of the oven, cut off about a quarter inch across the top, scoop out the pulp, mix it with butter, bacon bits, chopped onion and parsley and shredded Gruyere cheese, return it all to the shell, dot with butter, sprinkle with Parmesan cheese and pop in a 350-de-

gree oven for 15 minutes to reheat and blend the flavors.

Then there's that extraordinarily good first course or luncheon dish of baked potato with caviar that was first served, if I remember rightly, on the Hamburg-American Line, and then taken up by other steamship lines.

For this you bake the potatoes in a 400-degree oven until fluffy and tender, break them open, add a large spoonful of caviar and a spoonful of sour cream and serve at once. You can sprinkle the sour cream with chopped chives or onion, if you like, but it is not really necessary. Just the combination of the hot fluffy potato and the delicious caviar, with the benison of sour cream, makes this a never-to-be-forgotten treat.

Another way to bake potatoes is to slice them in thirds straight across, arrange them on a lightly buttered baking sheet and bake them for about half an hour at 450 degrees until they are crisp, brown and puffed on the surface and moist inside. I also happen to like overbaked potatoes—potatoes baked at 400 degrees for 2 hours instead of one, which gives you a thicker, crispier skin with less of the white starchiness. Somehow, when baked this way, the potatoes take on an entirely different flavor.

I often bake the skins, after removing the baked potato pulp for another dish. When all the pulp is removed, cut the skins into strips about an inch wide, with scissors, put on a baking sheet, brush them generously with melted butter, season with salt, pepper and a dash or two of Tabasco and either put in a 475-degree oven or under the boiler until they brown and become quite crisp (if you use the broiler, make sure they don't burn). Served with drinks, as an hors d'oeuvre, they are better than any potato chip.

ISRAEL EXPO '77 TO BE HELD IN WORCESTER, MASS.

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. EARLY. Mr. Speaker, the Jewish Community of Worcester, Mass., is planning an 8-day "Israel Expo '77" to take place from May 8 to May 15, 1977. The Jewish Community Center and its grounds will be transformed into a miniature Israel, portraying the country in all its aspects: religion, business, science, agriculture, life styles, food, and entertainment.

It is with great pleasure and pride that I recognize the cultural and educational importance which this week-long "happening" will have on the entire community. Hundreds of volunteers and professional technicians have been donating their time and contributing their efforts to insure that the project achieves the tremendous success it richly deserves. In addition to involving the total Jewish community—10,000-member—Israel Expo has sought the active cooperation of Worcester's other religious groups and the business and academic communities as well.

Mr. Speaker, this project is the first of its kind to be undertaken in New England. It has been pioneered by several other communities across the country and received tremendous public reception. More than 30,000 visitors from all over New England are expected to attend and enjoy the many unique and exciting features of Expo.

The event is being cosponsored by the Worcester Jewish Community Center and the Worcester Jewish Federation, with the cooperation of the synagogues and affiliated Jewish organizations. The purpose of Expo is to deepen understanding and knowledge of Israel's 5,000-year history and achievements as a modern state among both Jews and non-Jews.

From 10 a.m. to 10 p.m., May 8 through May 15, the Community Center on Salisbury Street will become a living, walk-through panorama of Israel, featuring large-scale replicas of the Western Wall and the Jaffa Gate. Visitors of all faiths and ages will be invited to "come walk this land." They will have the chance to experience the sights, sounds, and smells of life in Israel—walk through the Jaffa Gate to Old Jerusalem, bow their heads at the Western Wall, feast on "falafel," "kebags," "shashlik," and other delicacies, visit a working kibbutz, hunt for bargains in an old city bazaar, and much more.

Mr. Speaker, I offer my highest words of commendation and praise to the many persons who have actively been participating in the planning of this great event. I am, indeed, proud of my constituents for their efforts in this undertaking, I wish them tremendous success, and I eagerly look forward with much enthusiasm to visiting Israel Expo.

At this point, Mr. Speaker, I would like to include a list of some of the attractions planned for this event, for the information of my colleagues:

ATTRACTIONS PLANNED

A reproduction of the Western Wall, part of the wall Herod built in the 1st century B.C. around the Temple in Jerusalem.

A replica of the Jaffa Gate, one of the 8 gates through which one enters the old walled city of Jerusalem.

A display of the only copy of the Dead Sea Scrolls in the Western Hemisphere. The exhibit will include an exposé of the Scrolls' "Worcester Connection."

A working Kibbutz, constructed and lived in by teenagers; including lookout tower, gardens, livestock and chickens.

Models of Jerusalem and Massada, the fortress on which hundreds of Jews committed suicide in face of imminent capture by Romans after a three year siege two thousand years ago.

A walk-in archeological model of a Tel, with collections of artifacts dating from different periods of Israel's history.

A typical Old City Bazaar, selling Israeli fashions, jewelry, rugs, wall hangings, etc. in a wide range of prices.

An Art Exhibit of Israeli painting and sculpture made available by Boston and New York galleries, on sale in a wide range of prices.

A Cabaret presenting Fashion Shows and Night Club entertainment by professional Israeli performers.

A Restaurant and Snack Bars featuring Israeli food, emphasizing Middle Eastern specialties and Central European kosher food.

An exhibit of current and ancient Coins and Stamps.

A Biblical Garden featuring ancient and modern plants referred to in the scriptures.

A Ham Radio Station transmitting messages to and from Israel.

A "walk" through the history of the Holocaust, with special sound and light effects, starting in Hitler's Germany and ending with embarkment to Israel.

Displays demonstrating Israeli Scientific, Industrial and Irrigation techniques and the development of medicine and health care in the modern State.

Mini-lectures, Films, and Slide Shows on various aspects of life in Israel.

AMERICAN TRAUMA SOCIETY

HON. BARBARA JORDAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Miss JORDAN. Mr. Speaker, I would like to bring to the attention of my colleagues the existence of the American Trauma Society, an organization incorporated in 1968 to combat our national epidemic of trauma. The American Trauma Society is a national, not-for-profit, voluntary health organization which brings together health professionals and interested lay persons. Currently, the society is a network of 34 incorporated State divisions—and an additional number of city or community units—with headquarters in Chicago, Ill.

From April 28, 1977, to May 1, 1977, the American Trauma Society will hold its fifth annual meeting at the Shamrock Hilton Hotel in Houston, Tex. On this fifth anniversary of the actual organization of the society, it is holding its annual meeting in Houston to honor its Texas division, which was the first officially chartered ATS division.

This annual meeting itself brings the society to a new level of organizational consciousness. On Saturday, April 30, 1977, the society will present officers or executives from more than 20 trauma-related organizations and agencies in a special 1-day forum entitled "Trauma Is Everybody's Business."

Presentations will fall under six major areas of concern: Prevention, first response, qualified assistance, hospital facilities and personnel, and rehabilitation. Organizations now making special efforts in each area will have an opportunity to explain just what it is they are doing, what successes they have had so far in their work, and how other allied organizations can help increase the effectiveness of that organization's efforts.

Organizations and agencies participating in "Trauma Is Everybody's Business" are: The Division of Emergency Medical Services of the Department of Health, Education, and Welfare; National Safety Council; American Telephone & Telegraph; National Association for Search and Rescue; American Heart Association; American National Red Cross; National Association of EMTs; International Association of Fire Chiefs; Department of Transportation; Military Assistance in Safety and Traffic; American College of Surgeons; American Hospital Association; American College of Emergency Physicians; Emergency Department Nurses Association; American Dental Association; American Medical Association; American Burn Association, National Paraplegia Foundation; Shriners Burn Program; and, the Veterans' Administration.

The successful presentation of this forum will represent a major American Trauma Society effort to begin fulfilling

one of its basic goals; To organize and coordinate all persons—lay and professional—involved in trauma awareness, response, and care for the acceptance, promotion, and support of optimal trauma response and care within the community.

Other goals of the Society are:

Increasing public knowledge and understanding of trauma, motivating each person so the toll of trauma is reduced through personal action at the community and national level;

Promoting and supporting the initial and continuing education of physicians, nurses, and allied health personnel involved in trauma response and care; and,

Supporting research and the systematic gathering of data to determine the effects of trauma and to improve the care of the trauma patient.

Trauma means injury, any kind of injury. Often, we think of an injury as occurring from "just an accident," but 105,000 Americans did not call their injuries "just an accident" in 1974. They died from trauma.

Trauma is the leading cause of death among all persons aged 1 to 38. It is the fourth leading cause of death among persons of all ages; 11 million Americans suffered disabling injuries in 1974, and 380,000 of these suffered permanent impairments from their injuries.

In total, an estimated $43 billion is spent each year in the United States to pay trauma's toll. One out of every eight hospital beds is occupied by a trauma victim. These are more beds than are required for all births and for all cardiac patients, and four times the number needed for all cancer patients.

Much can be done to prevent or lessen the impact of trauma. In industries where safety practices have been applied conscientiously, the toll of death and disability has been reduced by more than 50 percent. Even the low 20 percent use of automobile safety belts is credited with saving 3,000 lives each year. According to the National Academy of Sciences, 15 to 20 percent of the deaths due to trauma could be prevented each year by improving emergency medical services throughout the Nation. This could result in 20,000 lives saved every year.

One key to reducing the toll of trauma is an aroused, enlightened, and involved public. The American Trauma Society is hard at work creating just such a public. The other key to reducing the toll of trauma is an aroused, enlightened, and involved health profession. The American Trauma Society is also hard at work encouraging and assisting just such a profession.

A EUROPEAN COMMUNITY DECLARATION ON HUMAN RIGHTS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. FRASER. Mr. Speaker, the European Community's protection of human rights has recently been reinforced by a joint declaration by leaders of its institutions. The very successful European Convention on Human Rights, ratified in 1950, has now been formally backed by the European Parliament, the European Council of Ministers, the European Commission, and the European Court of Justice. This establishes a pattern for the sort of human rights protection many of us seek for the world-at-large.

This April 5, signing of a declaration on fundamental human rights by Community leaders in Luxembourg again emphasized the importance of human rights to the nine nations that comprise the Community. It was, in effect, a reaffirmation of the human rights values common to these nations as these rights are expressed in their own constitutions and in their common institutions.

I would like to place in the RECORD a "Background Note" describing the signing. Published by the European Community Information Service, the note testifies to a very successful human rights effort:

A EUROPEAN COMMUNITY DECLARATION ON HUMAN RIGHTS

A declaration on fundamental human rights was signed in Luxembourg today by the President of the European Commission, the President of the European Parliament, and the President of the European Council of Ministers. The signing underlines the importance that the institutions of the European Community place upon human rights as they are defined in the constitutions of the Member States, and in the European Convention on Human Rights.

Fundamental rights are, in the first place, an essential part of the Community legal order. There are provisions in the Treaty of Rome, whose aim, or at least, effect, is to guarantee and improve the position of the individual in the Community. On the basis of some of these articles, the European Court of Justice has been able to give important judgments on the protection of fundamental rights.

It is a central belief of the Community that the individual citizen should be protected against the arbitrary use of official power, and although it is manifested in different ways, this basic aspect of democracy is present in the constitutions of all the member states. The Commission has consistently stated that there can be no democracy without the recognition and protection of human rights, and guaranteed freedom of the citizen, and it is because of this insistence on human rights within democracy, coupled with economic strength, that the European Community is proving able to influence the reestablishment of fundamental rights outside its own borders.

Because of its nature, and the ideals of its founding treaty, the Community has consistently refused membership by nondemocratic states. When the "Colonels" came to power in Greece in 1967, the Community "froze" its association agreement with Greece as an act of censure. One of the first acts of the democratic government of Greece when it returned to power was to seek full membership of the Community. It is no accident also that the government of Portugal, as part of its efforts to protect, and stabilize a fledgling democracy, recently established after 48 years of dictatorship, should, as one of its first acts of foreign policy, formally apply for Community membership.

In both these cases, the attraction of the Community was twofold. Both the economic opportunity and well being that come from access to Community markets, and the politically stabilizing effect of belonging to a union of nations committed to democracy, drew Greece and Portugal toward the Community. Within the Community structure, the basic rights of the citizens of these countries will not only be better protected, but have also, a European dimension.

Spain, too, as she moves toward the establishment of a political democracy is being encouraged to do so by the knowledge that when this is achieved, she will be eligible for membership of the Community.

All three of these nations are important to the Atlantic alliance. Their stability and the freedom of their citizens is crucial to the stability of the world.

Thus, in the pursuit of its founding ideals, and its emphasis on human rights, the European Community shares with the United States part of the task of encouraging and protecting democracy and individual freedom around the world.

FAIR HOUSING MONTH

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. DODD. Mr. Speaker, today I am introducing a resolution designating the month of April as Fair Housing Month. Nine years ago this month, the Fair Housing Act of 1968 which guarantees all Americans the right to live where they wish to live, when they wish to live there, for as long as they can afford to do so became law.

Although this act has done much toward insuring that every American has decent housing, the last 9 years have also revealed weaknesses in the law which need to be corrected in order to provide for its effective enforcement. So, on this 9th anniversary of the enactment of the fair housing law, let us dedicate ourselves to making the necessary changes in the law which will make good the promise of protection against discrimination that the Federal Government made to all Americans in 1968.

The resolution I am offering today calls on the Congress to rededicate "itself to the promulgation and practice of the letter and spirit of the fair housing law so that fair housing will become a right that can be realized by every American."

With the passage of this law, the Federal Government extended to housing its formal acceptance of the principle that black Americans so valiantly fought for all through the 1960's—no American should be denied his constitutional right to equal protection of the laws, because of his race, religion, or national origin.

While many still hailed the passage of this landmark piece of legislation, it became more and more clear that the law's failure to grant the Federal Government strong enforcement powers made it almost impossible for HUD to process housing discrimination complaints in a timely manner and, therefore, greatly reduced the number of cases that HUD could successfully resolve.

In testimony last September before the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee, on which I had the honor of

serving in the last Congress, former HUD Secretary Carla Hills said:

Respondents know all too well that HUD has no meaningful enforcement power . . . and many have virtually ignored (HUD's) conciliation efforts because they have no inducement to cooperate.

Similarly, the U.S. Civil Rights Commission has also found that the law needs to be significantly strengthened.

Mr. Speaker, justice delayed is justice denied—and a right that is thwarted is a right denied. No longer can we in the Congress deny all Americans their rights by not giving HUD and the Justice Department the kind of strong enforcement authorities they need to make fair housing a reality in practice and not just meaningless words, once stated and now forgotten.

A lot can be done by the administration acting under its own authority, by assigning more people to enforce the law, but unless the Congress gives HUD the statutory authority it needs, these additional personnel would not have the tools they need to make this law work.

I am happy to say that legislation has already been introduced in this Congress which will significantly strengthen the law. A bill, H.R. 3504, introduced by Representative DON EDWARDS, chairman of the Subcommittee on Civil and Constitutional Rights, would grant the administration important new enforcement powers such as the authority to issue cease-and-desist orders and the authority to initiate a suit without having to establish a pattern or practice of discrimination as is now required.

Mr. Speaker, with these authorities HUD and the Justice Department can make this law work, but they need our help. I ask all my colleagues to support both this resolution and the strengthening of the Fair Housing Act of 1968.

The resolution follows:

RESOLUTION

Resolved,

Whereas it is the policy of the United States to guarantee to every citizen the right to fair housing; and

Whereas this right and the responsibilities attendant on it are set forth in the National Fair Housing Law, Title VIII of the 1968 Civil Rights Act; and

Whereas, since 1968, the Month of April has been set aside each year for commemoration of the Fair Housing Law; now, therefore, be it

Resolved, That the House of Representatives (the Senate concurring) recognizes the month of April as Fair Housing Month and that the Congress of the United States hereby rededicates itself to the promulgation and practice of the letter and spirit of the Fair Housing Law so that fair housing will become a right that can be realized by every American.

WILL THE HUMAN RIGHTS ADVOCATES CONDEMN SLAVERY

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. McDONALD. Mr. Speaker, a number of the leading "human rights" advocates have demonstrated a peculiar sense of priorities. They single out for particular condemnation countries fighting terrorists and restricting the ability of Marxist-Leninists to organize revolutionary armed struggle and those with "minority governments" such as South Africa and Rhodesia.

Existence of a "minority government" is stated by some of these "human rights" advocates as ipso facto "repressive." Few mention the record of oppression and injustice compiled by the majority of the so-called majority rule African countries, where military dictators and their cliques inflict torment on people of their own, as well as other races.

The London-based Anti-Slavery Society for the Protection of Human Rights has documented the existence of slavery instituted by the Government of Equatorial Guinea, along with other abuses in other countries. An article based on the British organization's work in the Review of the News—April 20, 1977—points out that the United Nations has a double standard on human rights issues. In the words of Anti-Slavery Society Secretary Col. Patrick Montgomery, "There is of course a tacit understanding at the U.N. about which countries may be openly reviled for their disregard of human rights."

The current U.S. Ambassador to the United Nations should be asked to demonstrate the depth of his commitment to human rights by speaking out against slavery before that international body. The article follows:

ANDREW YOUNG IGNORES SLAVERY IN BLACK AFRICA TODAY

(By John Brennan)

Three hundred years after Roots author Alex Haley's reputed ancestor Kunta Kinte was stolen from the gardens of Gambia and transported to the New World aboard the *Lord Ligonier*, black leaders of newly "liberated" African countries have reinstated human slavery.

The London-based Anti-Slavery Society For The Protection Of Human Rights has furnished your correspondent with documented details and confirmed in a trans-Atlantic interview, for instance, that President Francisco Macias Nguema of Equatorial Guinea is now the dictator of a state in which slavery is official policy. And the Society charges that the United Nations knows all about the slavery in Equatorial Guinea but has done nothing about it. The Russians and their sympathizers are dictating that the eyes of the world be turned instead toward Rhodesia and South Africa, the two great African prizes being sought by the Soviets.

Perhaps not one American in ten thousand can point out Equatorial Guinea on a map, although its location is well known to Communist strategists. It is a sweltering country located both on and in the Atlantic just north of the Equator and below the great westward bulge of Africa. There is the large island of Macias Nguema Biyogo (785 square miles), and such lesser islands as Corsico, Great and Small Elobey, and Pigalu. They would have important strategic value in any military conflict between global powers.

Macias Nguema Biyogo was known by the more romantic name of Fernando Po until 1973 when President Macias modestly named it after himself. We will refer to it as Fernando Po in this article to avoid confusion. This is the dread "Nanny Poo" of the slaving days before European colonists put a stop to the peculiar institution, and it lies much closer to the coasts of Nigeria and Cameroon than it does the land sections of Equatorial Guinea. Fernando Po was discovered by the Portuguese in 1472 and ceded to Spain in 1778 in a sort of swap which gave Portugal large tracts in South America. Britain, in agreement with Spain, used Fernando Po as an advance naval base in its actions against slavers. The British outlawed slavery in 1807 and the Spanish in 1817.

In the mid-1800s, cocoa beans were brought from the West Indies and planted on Fernando Po where they thrived to such an extent that Equatorial Guinea's chief money crop today is cocoa, reputedly the finest in the world. But the Spanish faced a problem in expanding cocoa production there. The island natives, the Bubi, were too few in number to work the plantations. The colonists thus turned toward the continent itself as a source of labor, particularly an area known as Rio Muni, the territory that is the mainland section of Equatorial Guinea today.

Rio Muni is bounded by Cameroon to the north and by Gabon to the east and south. The hot humid climate seemed ideal for developing great cocoa and coffee plantations, and the large population seemed to guarantee a large labor pool. But Rio Muni was populated not by a few docile Bubi who quickly adjusted to working with the Spanish, but by the Fang—a tough, cohesive, nationalistic tribe more than 150,000 strong. The Fang were not interested in the arduous working conditions on Fernando Po. They preferred to raise their own coffee and cocoa on small family plots, and the few who did take employment on Fernando Po quickly won reputations as difficult and disagreeable workers. The Spanish thus turned to nearby Nigeria for workers.

When the first winds of independence began to blow in Equatorial Guinea their effects were first felt among the Fang of the mainland. Spanish rule ended in October, 1968, and it was a Fang named Francisco Macias Nguema who was elected President. By 1972 he had rewritten the Constitution and proclaimed himself "President-For-Life." Political murders, jailings, torture, and exiling became commonplace as Macias took his country into the Communist orbit.

The *Eurova* yearbook says: "In 1974 there were reports of several attempted coups-d'etat, the leaders of which have been executed. It is reported that over 100 political detainees have committed suicide, that all Catholic priests and nuns have been arrested and that one quarter of the population has fled the country due to Government oppression. President Macias has control of the radio and press and all citizens are forbidden to leave the country. Equatorial Guinea is a member of the Organization of African Unity and the United Nations."

But it remained for the Anti-Slavery Society to point out to a world unwilling to listen that President Macias, imitating the savages, had formally imposed slavery on his people.

The Society reported in November 1976 that working conditions on the island of Fernando Po had deteriorated seriously. Macias's henchmen were not the type to listen to complaints. When Nigerian laborers rallied to demand payment of wages, 95 were slain. Suzanne Cronje, in a research report for the Anti-Slavery Society, revealed that "In 1975, after fresh allegations of brutality, including the ill treatment of embassy staff, the Nigerian government repatriated its nationals. Ten thousand were flown home in December and many more came by sea. By the end of January, 1976, 25,000 of the 45,000 Nigerian laborers had been repatriated."

The loss of the Nigerian labor force left President Cacias's cocoa-based economy on the edge of disaster He ordered his guards

to capture between 2,000 and 2,500 people in each of the ten mainland districts of the Rio Muni. These people were then shipped like Kunta Kinte to Fernando Po where they were pressed into slavery to replace the Nigerians. All this took place without a word of protest from a United Nations Development Program which was not only operating on the island but was fully aware of what was happening to the inhabitants. The fact that 20,000 people were impressed into slavery was simply ignored!

The magazine Anti-Slavery Reporter for November 1976 states that "The inhabitants of Fernando Po and its labourers imported from the mainland are now forbidden access to its beaches while for others—including United Nations Development Programme personnel—government authorization on payment of a fee is required for each visit to the shore. The inhabitants say these measures are intended to discourage escape" of the pathetic slaves.

President Francisco Macias followed this action with a decree in March 1976 making it compulsory for all citizens over the age of 15 to serve a term at manual labor as slaves in government plantations and mines.

Yet the role of the United Nations on Fernando Po and in Rio Muni has been one of collaboration with President Macia's slave program. Suzanne Cronje concludes her study of Equatorial Guinea by charging that "an essential part of the success of this regime has been the silent complicity of foreign governments, business firms and the United Nations agencies."

The Anti-Slavery Society points to the presence of the Soviets in the Equatorial Guinea area. The Macias Government has maintained the friendliest relations with Moscow, although some of the envoys Macias sent to the Soviet Union have since fallen from grace and been murdered. Macias granted Moscow a deep-sea fishing base in Malabo, and the U.S.S.R. is supposedly carrying out a pilot "fishing" project.

Questioning the role of the Soviets in the area, the Anti-Slavery Society observes: "Since Angola became the subject of bitter international dispute Fernando Po is more valuable than ever because of its strategic potential and it seems likely that this consideration explains the Soviet presence as well as *America's unwillingness to embarrass Equatorial Guinea by asking awkward questions.*" *

United Nations Ambassador Andrew Young, who recently made a tour of certain African countries and embraced black dictators while he castigated Rhodesia and South Africa, is unlikely to be the first American Ambassador to ask the awkward questions. Young has that sort of tunnel vision which allows him to see only the problems in Rhodesia and South Africa while ignoring the monstrous violations of human rights—including outright slavery—in countries ruled by black governments.

Equatorial Guinea's neighbor, Cameroon, also retains slavery despite being a member of the United Nations with a vote equal to that of Ireland or Switzerland. Missionaries have done their best to free the slaves, but Leftist Cameroon still has harems into which girls are kidnapped and kept in slave captivity. As Colonel Patrick Montgomery, Secretary of the Anti-Slavery Society, wrote in *Contemporary Review* for August 1973: "One, Atajumba, was kidnapped as a gift on her way to her wedding. It took her nine years to escape over the 20 ft. wall surrounding the harem of the Lamido of Ngaoundere in Cameroon. She said she would rather die than go back. The Lamido of Rei Bouba, who until 1969 was allowed to regard himself as the owner of his 50,000 subjects, still possesses a harem believed to be three hundred strong."

The Anti-Slavery Society has also received reports in recent years that a number of Cameroon Africans were sold as slaves in Saudi Arabia to pay for the return flight of a noble pilgrim from Cameroon. This would be an exception, where until 15 years ago such sales were the rule. Oil wealth has eliminated the need for slavery in Saudi Arabia. King Faisal decreed slavery illegal in 1962 and sent a royal commission about the country to pay indemnities to anyone wishing to accept the state's offer for freeing his slaves.

Reports of chattel slavery in Africa come also from the Central African Empire, until recently more modestly named the Central African Republic. Following the pattern set by so many black nations after "liberation," Marxist Jean-Bedel Bokassa, the elected "President" of the country, proclaimed himself emperor in a manner he thinks worthy of Napoleon or . . . Charles de Gaulle. Bokassa served 23 years in the French Army and is an admirer of both French leaders.

Emperor Bokassa, whose nation has full representation at the United Nations and a vote equal to that of Canada or the United States, has inflicted a savage rule on his country. He not only believes in slavery but is reputed to have celebrated a recent Mother's Day by having all men who had committed offenses against their mothers taken from the jails of the Central African Empire and publicly executed.

But the story of much of Africa's slide into a giddy and oftentimes cruel primitivism is not being told in the West. Only Idi Amin of Uganda receives severe criticism, and one notes that he became a target only after he refused to join in a federation with his Marxist neighbors. Otherwise our mass media would no doubt shrug off his reported crimes against his people as mere excesses not to be taken too seriously. Most Americans have heard of the mysterious death of an Anglican Archbishop in Uganda, but how many know that Marxist Sékou Touré of Guinea put a Catholic archbishop behind bars for life seven years ago, or that President Mobutu of Zaire forced Cardinal Mulala to flee for his life? And who remembers the events in Stanleyville in November 1964, during the "liberation" of the Congo, when the saintly Dr. Paul Carlson and other missionaries were murdered by the Simbas?

The one group that seems to have struggled in the face of apathy and antipathy to bring the story of the violation of human rights in much of Africa to the attention of the conscience of the West has been the Anti-Slavery Society For The Protection Of Human Rights.

The Society was founded in 1937 as *The Aborigines Protection Society*, and merged with another anti-slavery society in 1909 to form the present organization. Its leaders say it has no political or religious bias, and it is supported entirely by private subscription. The Society claims to be the sole source of published material on contemporary slavery throughout the world, and has consultative status with the United Nations Economic and Social Council. But it has few illusions about the hypocrisy and duplicity of the United Nations.

The Secretary of the Anti-Slavery Society, Colonel Patrick Montgomery, M.C., wrote in 1973 that "there is of course a tacit understanding at the U.N. about which countries may be openly reviled for their disregard of human rights." Colonel Montgomery says there is a double standard there on slavery and that the Afro-Asians and the Communist delegations consistently vote together "to block or delay every attempt to make progress on human rights."

The Colonel cites as an example of this duplicity the "U.N. Convention on the Abolition of Slavery, The Slave Trade and Practices Similar to Slavery," to which 81 member states put their signatures in 1956 at the Anti-Slavery Society's urging. But to this day, Colonel Montgomery points out, "no machinery exists to implement it. No single U.N. employee has a duty to inform himself about slavery, let alone do anything about it."

"Furthermore," the Colonel continues, "no government has yet allowed its delegations to call for such machinery. Were it not for the importunity of non-government organizations, the [anti-slavery] Convention itself would not exist—at least in the form it does—binding its signatories to eradicate not only chattel slavery in which persons are owned but also debt bondage, serfdom, [and] the exploitation of children."

"One or more of these institutions survives at least vestigially in forty countries," the Colonel says. And this does not count the Marxist-Leninist nations where slaves "have been taken out of private ownership by the Communists, who in the Soviet Union hold an estimated one million in forced labour camps." The Reds nationalize everything—including slaves.

We asked Colonel Montgomery if the Marxist states of Africa interfered with the work of the Society, and he replied that they certainly do not love it. Montgomery urged those interested in learning about slavery in the Soviet Union, today, to read Solzhenitsyn's The Gulag Archipelago, Part II, Chapter 5. The Communists are the world's biggest slaveholders.

Colonel Montgomery cites the difficulty of working with slave owners at the U.N. while trying to put a stop to slavery. He recalled when the United Nations' "Working Group of Experts on Slavery" submitted its report to the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities. There were five international lawyers in the group, and its formation was the result of 18 years of continuous pressure by the Anti-Slavery Society. But when the report was submitted to the Sub-Commission the Russian member, a Mr. Smirnov, immediately criticized it, noting that the report contained 200 pages but was supposed to have been "brief." He further alleged that it contained nothing new. Then he said that when he reached a reference to a "discredited" author, Aleksandr Solzhenitsyn, he stopped reading at once. The reference was on Page 5.

But while the Soviets, their satellites, and the Afro-Asian bloc can be accused of blocking serious attempts to protect human rights, so may the United States. Ambassador Andrew Young, the former Atlanta Congressman who is a close friend of President Carter, has made it perfectly clear that the Carter Administration, speaking through his mouth as our Ambassador to the United Nations, is just as unwilling to criticize the outrages of black African nations.

Carter crony Young went so far as to blame whites for the alleged murders and persecutions occurring in Uganda under Idi Amin. He was quoted in the *New York Times* as saying "there are a lot of other people responsible for the death and bloodshed that we now have in Uganda." Asked if he meant

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* Suzanne Cronje, in *Equatorial Guinea, The Forgotten Dictatorship* (The Anti-Slavery Society, London, 1976), asks: "What action, for example was taken by the foreign friends of Saturino Ibongo, a young diplomat who had graduated at the prestigious University of Navarre in Spain and then gone on to study international relations in America. At independence Macias had urged him to abandon his studies 'in the interest of our great nation' and become Equatorial Guinea's first ambassador to the United Nations. He complied but in less than four months he was recalled for 'urgent consultations.' On arrival at the airport in Malabo he was accused of being an accomplice of Atanasio Ndongo: protesting his innocence, he was taken behind a nearby bush and summarily executed within minutes."

the British, Ambassador Young reportedly replied that he would rather not say but had certainly "heard that charge."

Young, who embarrassed the United States almost as badly when he praised Cuban soldiers for "stabilizing" the situation in war-torn Angola, declared that Britain is "chicken" on racial matters at home and abroad, and charged America's longtime friend with having "institutionalized" racism more than anyone else "in the history of the earth."

Ambassador Young, who should have been summarily discharged from his post, did make one bit of sense in his anti-British tirade on BBC. "I would think," he is quoted by the *New York Times* as declaring, "that at some point we are going to have to realize that we are not going to be able to do business with black Africa on one set of principles and then deny that set of principles totally in doing business with white Africa."

Of course, Ambassador Young. And we will know you mean what you say when we hear you protest slavery in the black-ruled countries of Equatorial Guinea, Cameroon, the Central African Empire, and other vicious Marxist states that whirl in the Soviet orbit. Surely, Mr. Ambassador, you are against slavery!

NEW MINIMUM WAGE BILL OPPOSED BY NEW YORK TIMES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ASHBROOK. Mr. Speaker, the Subcommittee on Labor Standards of the House Education and Labor Committee has been holding hearings on H.R. 3744, a new Federal minimum wage bill. Enactment of this legislation would have severe repercussions on our economy.

An excellent analysis of the minimum wage appeared in the March 21, 1977, edition of the New York Times. It was in the form of the lead editorial, "The Minimally Useful Minimum Wage." With analytical precision—and rare economic insight—the Times editorial exposes the fallacies of the minimum wage and sets forth the economic dangers that would result.

The editorial points out that passage of H.R. 3744 would result in large numbers being laid off or forced into the fringe of the labor market not covered by the minimum wage laws. The Times makes a rough calculation that those who would be degraded economically would be between 200,000 and 1 million. Another little-recognized threat of the minimum wage is also discussed in this editorial. It is the forced geographical shift of poor and unemployed between major labor areas in this country.

In addition, the Times looks at the proposal of tieing future minimum wage increases to an economic index. And indexing does not come out well.

Judging the issue of minimum wages, with or without indexing, the Times says "Whatever the merits of minimum wages in the past, they make little economic sense today, whether determined by indexing or in the old fashioned way." The concluding paragraph sums up the issue of minimum wages pointedly: "A higher minimum wage is no answer to poverty, and the indexing gimmick can not work any better to improve the lot of the neediest citizens."

While I disagree with the editorial's conclusions that a lower minimum for youth would not be helpful, I concur with the Times that even with a compromise in this area a higher minimum wage makes little economic sense today.

I believe that after reading this editorial, many Members of this House will believe as I do: that this timely editorial from the New York Times makes an important contribution to exposing the fallacies of the minimum wage.

Mr. Speaker, for the information of my colleagues I include the following editorial from the New York Times:

[From the New York Times, Mar. 21, 1977]

THE MINIMALLY USEFUL MINIMUM WAGE

Congress will debate a new minimum wage this spring, but this time there's a twist. Organized labor, drained by the battle to raise the wage floor every few years, is pushing for a permanent solution: indexing. This approach, proposed by John Dent, chairman of the House Labor Standards Subcommittee, would replace the current $2.30 minimum with an index keyed to the average manufacturing wage Chairman Dent wants the minimum set at 55 percent of that average wage—about $2.85 an hour this year—and 60 percent in 1978, about $3.30. With such an index, the minimum wage would automatically be tied to the fortunes of industrial workers, eliminating the need for periodic Congressional amendments.

Since the Depression, liberals have favored higher minimum wages while conservatives have resisted. But this debate has become sterile. Whatever the merits of minimum wages in the past, they make little economic sense today, whether determined by indexing or in the old-fashioned way.

Organized labor favors a high minimum wage because that reduces management's resistance to union recruiting. Where cheap alternative sources of labor are eliminated, high-priced union labor no longer looks so bad to company managers. Support for a wage floor also comes from people with generous hearts. Is it fair, they ask, to require anyone to work for $70 or $80 a week, the take-home pay of employees earning the $2.30 minimum?

It may not be fair, but a higher minimum offers no remedy. Some businesses that pay low wages respond to an increased wage floor with or without an index—by cutting back operations or switching to labor-saving techniques. According to the Department of Labor, eight million workers would be directly affected by the $2.85 minimum. A majority would probably benefit from higher paychecks. But some workers would be laid off or forced into the fringe of the labor market not covered by the minimum wage laws. Just how many jobs would disappear is not known; rough calculations put the figure between 200,000 and one million.

Snowbelt representatives, eager to stanch the flow of industry to the South, offer an additional rationale for minimum wages. They argue that urban living costs and union pressure force companies in older cities to pay high wages, even without a minimum wage. Thus a substantial boost in the minimum would fall most heavily on the low-wage states, and make them less of a lure to corporations in the North.

A higher floor would indeed make Northern cities more competitive with small towns in Mississippi. But a hitch remains: Some poor people would benefit at the expense of other poor people. And if a higher minimum wage did shift more unskilled jobs to the Snowbelt, would anyone up North really want the result—more unemployed people in Mississippi with no choice but to head for those jobs in Detroit?

Some proponents of higher minimum wages suggest a compromise: to raise the minimum for adults, but to exempt teenagers, the group that is most vulnerable to layoffs. The idea has a certain appeal. Young workers need the extra money less than the typical adult, who must support a family. Exempting teen-agers, however, would induce employers to substitute cheaper young labor for more expensive adult labor, a substitution of dubious social benefit. The idea looks particularly bad after the discovery by Edward Gramlich, a Michigan economist, that many teen-age workers are members of middle-class families, not the intended beneficiaries of a lower youth minimum.

A higher minimum wage is no answer to poverty, and the indexing gimmick can't work any better to improve the lot of the neediest citizens.

ILLEGAL ALIENS

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ABDNOR. Mr. Speaker, there is not a single State in our Nation untouched by the problem of illegal aliens. Some are more affected than others because of their proximity to international borders and the resultant caseload imposed on officials of the Immigration and Naturalization Service in these areas.

The problem also touches States like South Dakota which might be considered remote for those illegally entering the country, yet official estimates show that we have up to 2,000 such cases. The nationwide influx of illegal aliens has had enormous impact on our unemployment situation and it is for this reason that I was pleased to join my colleague, Hon. TRENT LOTT, in sponsoring H.R. 4449, the Immigration and Jobs Displacement Reform Act.

Last Sunday, in a thoughtful editorial, the Sioux Falls, S.D., Argus-Leader addressed the overall problem of illegal aliens. I would like to share their comments with my colleagues:

CONGRESS SHOULD ACT ON ILLEGAL ALIEN PROBLEM

The federal government has taken its first major step in its campaign to combat the problem of illegal aliens: distribution of new identity cards to the four million aliens who are legally entitled to live and work in the United States.

The new card is said to be counterfeit-proof. It cost $15 million to develop and it will take five years for the government to replace the current green card which the U.S. Immigration and Naturalization Service (INS) says is too easily forged. The five-year period seems entirely too long for the bureaucracy to take.

The new card has a photo, a fingerprint and a signature. The photo cannot be peeled off and replaced. Characteristics of the signature and fingerprint are encoded in a 50-digit identifying number that can be read by INS computers.

The new card, or something like it, may be required of every American worker, not just aliens, before long under programs that are under study in both Congress and the Carter administration. Action is necessary because of the increasingly serious problem of illegal aliens in this country. The esti-

mates on their number range from 4 million to 12 million. The increase each year is a half a million to a million.

MOST ILLEGAL ALIENS FROM MEXICO

About 80 per cent of the illegal aliens in this country are from Mexico, which has population pressures from one of the western world's highest birth rates and economic pressures in meeting its people's rising expectations. The fence along part of the friendly border between Mexico and the United States is no deterrent. Wetbacks who are caught are sent home by plane; they can try again another day to lose themselves in this country.

Leonard Chapman Jr., commissioner of INS, has estimated that illegal aliens cost the taxpayers about $13 billion a year "by taking away jobs from legal residents and forcing them into unemployment, by illegally acquiring welfare benefits and public services, by avoiding taxes."

One way that the government could effectively cope with the problem of illegal aliens is to enact legislation that would prohibit their hiring and penalize employers who do. U.S. Rep. Joshua Eilberg, D-Pa., who heads the House subcommittee on immigration, is sponsoring a bill aimed at penalizing employers who knowingly hire illegal aliens.

Attorney General Griffin Bell says the Carter administration will support legislation making it illegal for employers to hire illegal aliens. The United States is one of the few countries in the world that has no such law. Such a law could do a lot to reduce the unemployment rate.

AMNESTY WOULD BE A MISTAKE

There has been a lot of loose talk in this country about granting amnesty to the illegal aliens who are already here. This would be a serious mistake. It would penalize aliens who have sought to comply with the law, and have waited patiently under the quota system to live and work in this country. It would also invite virtually everyone in the world to come to the U.S.A. by any means possible in the hope that illegal entry would be forgiven again in the future.

The United States' "good life" is the spur that beckons Mexicans north of the border. A Mexican who is lucky enough to have a job and who earns the equivalent of $4 a day in his own country can make $16 to $20 in the United States if he can cross the border and avoid law enforcement officers.

If the present trend of illegal immigration continues, the millions of additional Mexicans and other Hispanic people could change the characteristics of the population, and increase the requirements for all kinds of services and the pressures on the environment.

There are some things this country can do to ease Mexico's plight: by reviving the bracero program to supply farm labor on a legal basis when it is needed and by increasing trade south of the Rio Grande. Most Mexicans in this country, whether here legally or illegally, have made a worthwhile contribution to their chosen second home. Some of them do hard work spurned by American citizens; others compete in all areas of employment.

A TOUGH, INHERITED PROBLEM

The Carter administration has a real tough problem on its hands. It's an inherited problem—and doing something about it has been put off for too long. There is a movement now for a solution—and Congress should provide the necessary legislation.

It may come to the point that the land of the free and the home of the brave will require national identity cards for all its citizens to preserve a way of life that the whole world envies.

THE NATIONAL COUNCIL OF CHURCHES AND AFRICA: ACCOMMODATING TERRORISTS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. McDONALD. Mr. Speaker, in March the National Council of Churches conducted a week of meetings in New York City and upstate New York called a consultation on Southern Africa. The conference was designed to pressure prominent black African religious leaders into nonopposition or even alliance with the Soviet-sponsored terrorist movements thereby neutralizing religious leaders around which moderate, multiracial coalition governments might be built. The second purpose of the meetings was to develop concrete support from the U.S. religious community for the new Communist regimes in Angola and Mozambique, as well as for the Soviet-supported terrorists.

Whether or not the National Council of Churches and it allies were successful in this is debatable. Clearly a number of the moderate African church leaders were aware of what was going on, but their indignation was guarded since the NCC had been presented to them not as supporting the Marxist terrorist factions but as a "responsible" organization.

Preparations for the NCC consultation on Southern Africa moved into full swing early in February 1977, when the conference's principal organizer, Rev. Robert C. S. Powell, staff director of the Africa Committee of the Division of Overseas Ministries of the NCC, contacted a State Department political affairs official, Frank G. Wisner. Following the discussion with Powell, Wisner approved the sending of an unclassified State Department telegram to the American Embassies in South Africa, Zambia, Mozambique, Botswana, Lesotho, and Swaziland which read in part:

Subject: National Council of Churches of Christ Conference on the Church and Southern Africa.

1. The National Council of Churches (NCC) is sponsoring a conference on the Church and Southern Africa at Utica, New York, March 7–11. About 50 persons have been invited to participate. Foreign participants will have travel expenses and accommodation paid for.

2. NCC has asked us to alert posts to possibility of visa applications from personnel whose names listed below. Conference attendees will, of course, have to meet requirements for visa issuance. Should post have any question about individual applicant please advise department.

3. List of invitees is as follows:

NAMIBIA

Mr. Daniel Tjongarero.
Pastor Zephania Kameeta.
Reverend Cleopas Dumeni.

SOUTH AFRICA

Reverend John Thorne.
Mr. Oliver Tambo (currently working in Lusaka, Zambia).
Dr. Manas Buthelezi.
Bishop Desmond Tutu (Bishop of Lesotho, residing in Maseru).
Reverend Alan Boesack.
Mr. Revelation Ntoula.
Mrs. Mablietsa.
Reverend E. T. S. Buti, Sr.
Mrs. Sally Motlana.

ZIMBABWE

Mr. C. D. Watyoka.
Mr. Max Chigwida.
Dr. John Kurewa.
Bishop Abel Muzorewa.
Mr. Nathan Shamuyarira.
Mr. Oaanan Banana.

MOZAMBIQUE

Rt. Reverend Dinis S. Sengulane.
Mr. Rogerio Daniel Juane (Ndawana).
Reverend Isaac David Mahlalela (aka Machlalela).
Most Reverend Alexandre Dos Santos.

ANGOLA

Bishop Emilio DeCarvalho.
Madame Josepha Luis Antonio Neto.
Pastor Mbala Manual Lucumbona.

OBSERVERS

Zambia—Most Rev. Emmanuel Milingo, Archbishop of Lusaka.
Swaziland—Rt. Rev. Mandla Zwane, R.C. Bishop of Swaziland.

Oliver Tambo is president of the African National Congress—ANC—of South Africa, a revolutionary group with offices in London and Lusaka but whose literature is printed by the East Germans. ANC is controlled by the Soviet-directed South African Communist Party. ANC conducted a terrorist campaign through its "armed struggle" cadre called Spear of the Nation in the 1960's; it claims a major share of responsibility for the violent rioting which disrupted South Africa during 1976 and is active among the labor movement.

Tambo is a member of the presidential committee of the World Peace Council, a Soviet-directed front which campaigns for Western disarmament while providing logistical support for Soviet-approved Marxist terrorist groups. Tambo did not attend the NCC "consultation." Instead he participated in the official founding conference of the Communist Party which rules Mozambique, FRELIMO. FRELIMO Chairman Samora Machel, the president of Mozambique, told his followers that there must be "iron organization and discipline" in the new "vanguard Marxist-Leninist party" in order to "combat internal reaction" and "direct, organize, guide, and educate the masses towards building socialism."

Tambo and the leaders of the principal terrorist movements of Southwest Africa—Namibia—and Rhodesia—Zimbabwe—received assurance of support from Machel whose country has provided other terrorist groups with training bases. Stated the Mozambican Communists:

The Mozambican revolution is an integral part of the world proletarian revolution. Internationalism is a constant, major and fundamental feature of our revolution.

Late in March, Tambo and Joshua Nkomo of the Zimbabwe African People's Union met with Fidel Castro in Angola, to coordinate what sort of military and political support might be made available to the southern African terrorist forces.

Another terrorist leader who did not appear in person at the "consultation" was Abel Muzorewa, a Methodist bishop,

who from Zambia now heads a splinter group called the United African National Council. During the 1960's and early 1970's, Muzorewa was a leader of the African National Council—ANC—of Rhodesia which served as the umbrella coordinating group for the main Marxist terrorist organizations. These were—and are—the Maoist Zimbabwe African National Union—ZANU—and the pro-Soviet Zimbabwe African People's Union—ZAPU. Muzorewa was a leader of one of the ZANU factions.

Three years ago the ANC split on ethnic and political lines, not over using terrorism to intimidate innocent civilians. When ZANU Gen. Robert Mugabe, commander of the largest terrorist forces, formed an alliance of convenience with the staunchly pro-Soviet Joshua Nkomo of ZAPU, Muzorewa was left out. Now that the Soviet bloc, the Organization of African Unity and the five "frontline" states have recognized the Nkomo/Mugabe-led Zimbabwe Patriotic Front—ZPF—as the "only authentic and legitimate representative of the people of Zimbabwe," and are supplying funds and guns only to the ZPF, Muzorewa is without a power base.

During the past several months the former terrorist bishop has somewhat cooled his violent racist rhetoric and has reportedly made overtures that he would like to be considered a leader of Rhodesian moderates. The ZPF would no doubt like to neutralize that potential and cut Muzorewa off from his U.S. supporters. During the 1960's Bishop Muzorewa received support from the National Council of Churches and had spoken at NCC meetings in the United States.

Although the terrorist superstars did not attend the NCC's meetings, several second-rank terrorist leaders and Communist officials who should not have qualified for U.S. visas did attend. They will be discussed at length later in this report.

The conference was throughout organized and conducted by the National Council of Churches. Although the U.S. Catholic Conference was listed as a cosponsor, its involvement was small. The NCC organized the meetings, selected the invitees, and paid the travel and hotel expenses of participants; the USCC's contribution was making available the Bergamo East Conference Center in Marcy, N.Y., a suburb of Utica.

Activities opened on March 5 with a "Teach-in on Southern Africa" sponsored by the NCC's Africa Committee and held at Riverside Church. Sunday, March 6 featured a "Service of Prayer and Witness with the People of Southern Africa" with drumming and dancing in which Rev. Isac David Mahlalela, general secretary of the Christian Council of Mozambique, read a three-sentence poem in praise of the Marxist-Leninist Frelimo party:

> Today our Revolution is a great flower to which each day new petals are added.

The "church militants" concluded the service with an unsubtle choice for a recessional, "Rise Up O Men of God."

From March 7–11, the consultation meetings were held in Marcy, N.Y., near Utica.

The conference was opened on March 7 with an address by Rt. Rev. Desmond Tutu, Bishop of Lesotho—Anglican. Bishop Tutu said that in his opinion a race war was inevitable. He concluded:

> What is surprising is that blacks generally still want to speak to whites and still long for a peaceful but just solution. But this can't go on forever. We have no other option but to resort to violence.

Bishop Tutu expressed no concern with the illegitimacy of terrorism as a tactic for attaining and maintaining power. He likened the so-called liberation movements to the "underground resistance movements during the last World War" and to those Germans who sought to assassinate Adolph Hitler, a tyrant.

Terrorism is violence directed against the civilian noncombatant segment of the population in order to intimidate them and thereby attain a political or military goal.

Terrorism is not unconventional or guerrilla warfare against military targets. When the Nazi army took civilian hostages that was terrorism. Those resistance groups which attacked Nazi military targets were not terrorists. The ANC's attacks were directed against civilians. The Southwest Africa People's Organization—SWAPO—has had its snipers carry out assassinations of anti-SWAPO leaders. The victims of ZANU and ZAPU in Rhodesia have been overwhelmingly civilians living in rural villages and on farms; and the revolutionary groups have obtained recruits by mass kidnapings of schoolchildren. In each instance the goal has been to destroy the civilian leadership and terrorize the population into submitting to the terrorists. If an organization conquers civilian resistance by terrorism and then begins to attack military targets, the organization cannot be considered nonterrorist. It will use terrorism whenever it feels that would serve its purposes.

Bishop Tutu was followed by three other speakers active in terrorist support work in this country, George Houser of the American Committee on Africa—ACOA—Timothy Smith of the NCC's Interfaith Center for Corporate Responsibility—ICCR—and Rev. Powell.

George M. Houser, executive director of the American Committee on Africa since 1955, has long been an apologist and publicist for Marxist African revolutionaries. The ACOA was established early in 1952 as Americans for South African Resistance in anticipation of "acts of resistance" to be conducted by the Communist dominated African National Congress. At that time Houser was working with the militant socialist/pacifist Fellowship of Reconciliation and was serving as executive secretary of the Congress of Racial Equality. Houser made initial contact with the ANC via Bill Sutherland, an American with the American Friends Service Committee who has worked with African Marxists since the early 1950's.

Since then the ACOA has distributed propaganda, directly contributed funds to the "liberation movements," paid the travel expenses to this country for innumberable revolutionary leaders such as the late Amilcar Cabral, and arranged for their speaking and fundraising tours.

In his address, Houser noted that a number of the revolutionary movements were being supported by the Soviet Union. He warned that unless America immediately abandons its economic, strategic and political interests in South Africa, an "international conflict involving the "great powers" could erupt. Houser said he believed this country would not abandon South Africa "without a fight" but that U.S. participation in a worldwide effort to isolate South Africa economically, politically, and culturally would substantially aid the "liberation forces."

Tim Smith then took up ACOA's theme of economic blockade to cripple the South African economy, his specialized area of expertise. A Canadian educated at the University of Toronto—B.A. 1966—Smith's interest in African matters began in 1966 when he was sent to Kenya by Operation Crossroads Africa of whose board of directors he was a member in 1970.

While attending Union Theological Seminary, Smith served on the Southern Africa Committee of the University Christian Movement, the "Christian new left" counterpart to Students for a Democratic Society. Smith remains a member of the now independent Southern Africa Committee which continues to be a militant advocate for the African Marxist guerrilla movements through its monthly magazine, Southern Africa. The committee has stated it is under investigation by the Department of Justice for possible violations of the Foreign Agents Registration Act, and is being represented by Peter Weiss, National Lawyers Guild law partner of William Kunstler, who both tried to join the defense team for the Baader-Meinhof gang in West Germany in 1975. Weiss has been a leader of ACOA since 1961, and currently serves as ACOA counsel.

Tim Smith is a member of the ACOA board. He has held executive positions with the Committee for a Free Mozambique, a support group for the Marxist-Leninist FRELIMO; the Interfaith Committee on Social Responsibility in Investments; the Church Project on U.S. Investment in South Africa; and the Council for Christian Social Action of the United Church of Christ.

Smith described how the projects he had been associated with worked to persuade American corporations to divest themselves of their investments in southern Africa from the days of the Polaroid boycott to the antichrome ore import agitation and the proxy fights and disruptions of stockholder annual meetings. Smith attacked U.S. companies who pay fair wages to their African employees of all races as "aiding racism," presumably because this does not contribute to a revolutionary situation.

Reverend Powell then stated that the purpose of the "Consultation on Southern Africa" was to find ways that the U.S. churches can work with the southern African churches "for justice and reconciliation."

The remaining days of the "consultation" were devoted to drafting statements on the five targeted southern African regions: Angola, Mozambique,

South Africa—Azania—Rhodesia—Zimbabwe—and Southwest Africa—Namibia.

Control over the results was maintained by the choice of leaders and recorders for the meetings. The Angola task force was led by Fr. Rollins Lambert of the U.S. Catholic Conference and by Bishop Emilio de Carvalho, a supporter of the Marxist-Leninist MPLA regime installed by Cuban mercenaries equipped by the Soviet Union. The report drafted stated that the Angolan churches have a role "working with the government in the process of national reconstruction," and in supporting the rulers of the new Soviet satellite "in playing a critical role in the struggle against white minority rule and exploitation in South Africa, Namibia, and Zimbabwe." This refers to the terrorist training camps and bases in Angola maintained by the MPLA regime in support of SWAPO, ANC, and others.

The Angolan report recommended that—

The U.S. churches support a broad educational effort among their people which will lead to understanding and appreciation of Angola—of the * * * aims of the Angolan government in constructing a new society—of the threat from within and without which Angola faces as it builds anew * * *.

In plain English this calls for promoting the Soviet-dominated regime, its goals to build a Marxist-Leninist society, and condemning those pockets of resistance against the MPLA/Cuban forces.

Other recommendations included a church campaign for U.S. diplomatic recognition of the Angolan regime—as a preliminary to economic assistance—which would seriously hamper the remaining anti-MPLA resistance; and that the U.S. churches provide direct "material and financial assistance for the reconstruction of Angola" which "should come in response to specific requests" and be channeled in ways acceptable to the churches and to the Angolan Government."

The leading participants in the task force on Mozambique included Rogerio Daniel Juane Ndawana, who admits to being a functionary of the FRELIMO Marxist-Leninist vanguard party; Ruth Minter, an activist with the Southern Africa Committee; and Archbishop of Maputo, Most Rev. Alexandre Dos Santos. The Mozambican report asserted that "The church is grateful to FRELIMO for its liberation" which included the confiscation by the state of all church-run schools, hospitals and clinics. It suggests U.S. churches send aid to the "Christian Council on Mozambique, and direct to the government" and that any new, FRELIMO-approved "missionaries" will have to be "part-time church workers who also work in government institutions."

The task force on Zimbabwe demanded "an immediate transfer of power to the majority," claiming "gradual reform only prolongs the suffering." The report condemns institution of any internationally funded plan to subsidize the evacuation of Rhodesian whites. Last summer at a Capitol Hill Fund for New Priorities conference, the Rhodesian terrorist representatives from the various factions united in opposition to the evacuation plan, stating they preferred a "quick kill" policy to collect the "blood debt." Again, church aid and logistical support for the terrorist "liberation forces" was requested.

The South African task force contained similar provisions, with a call for economic pressure. It read in part:

The churches of North America have extensive contacts with South African churches, or others, and are often called upon to support the work of the churches, or others, involved in the liberation struggle. Such support should be provided—spiritual, moral and material—in so far as possible in order both to give evidence of solidarity in the struggle and to help those most involved in risk and danger in the struggle.

I would note in conclusion that a number of functionaries of Marxist terrorist organizations participated in the NCC "consultation." And although the NCC has denied any terrorists participated in the meetings, the evidence was provided by the NCC in the biographical sketches of foreign participants which it distributed to other attendees:

Josefa Luis Antonio Neto was jailed briefly by Portuguese authorities as a member of the MPLA.

Max Tongai Chigwida—"member of the Branch and District Executives of the United African National Council" and its "Publicity and Information Secretary (all honorary) since the end of the Muzorewa faction.

J. W. Zvomunondita Kurewa—"Administrative Assistant to Bishop Muzorewa of the United Methodist Church since November 1975."

Rogerio D. Juane Ndawana, a functionary of FRELIMO and employee of the Marxist-Leninist government of Mozambique.

I would also note in passing the number of representatives present from the World Council of Churches—(WCC)—whose Special Fund to Combat Racism has made substantial grants to the Marxist terrorist movements of Southern Africa and to their support groups in the United States. As I detailed in my report of January 19, 1977, the WCC provided substantial funding for ACOA's Washington Office on Africa, a registered lobbying group; to Africa News, a revolutionary news service disseminating communiques from and informat about the terrorists which is headed by William and Ruth Minter of the Southern Africa Committee; to the terrorist American Indian Movement—(AIM)—and to another U.S. terrorist support group, the Puerto Rican Solidarity Committee.

Attendance at the "consultation" included the following persons:

USCC/NCC CONSULTATION ON SOUTHERN AFRICA

Angola

Bishop Emilio de Carvalho, Methodist Bishop of Angola.

Madame Josefa L. A. Neto, General Chairwoman of the Angola Methodist Women's Society, MPLA.

Mozambique

Most Rev. Alexandre Dos Santos, Roman Catholic Archbishop of Maputo.

Rev. Isaac D. Mahlalela, General Secretary, Christian Council of Mozambique.

Mr. Rogerio D. Juane Ndawana, Mayor of Matola City, Methodist Circuit Steward, Frelimo.

Rt. Rev. Dinis S. Sengulane, Anglican Bishop of Libombos.

Namibia

Dr. Lukas de Vries, President, Evangelical Lutheran Church in South West Africa.

Rev. Kleopas Dumeni, Evangelical Lutheran Ovambokavango Church.

South Africa

Dr. Allan Boesack, Dutch Reformed Church of South Africa, Chaplain at the Cape University.

Dr. Manas Buthelezi, Bishop of Central Diocese, Evangelical Lutheran Church in Southern Africa.

Rev. E. T. S. Buti, Sr., Moderator, Nederduitse Gereformeerde Kerk of South Africa.

Rev. Boganjalo Goba, United Congregational Church of Southern Africa.

Mrs. Deborah Mabiletsa, Director of Women's Work, South Africa Council of Churches.

Mrs. Sally Motlana, Officer of the South African Council of Churches, Vice Chairlady, General Committee, All Africa Conference of Churches.

Mr. Revelation Ntoula, Communications Officer, South Africa Council of Churches.

Rev. John Thorne, President and General Secretary-Elect of the South Africa Council of Churches.

Rt. Rev. Desmond Tutu, Anglican Bishop of Lesotho.

Zimbabwe

Rev. Max Chigwida, Professor of Theology, Epworth Theological Seminary, Salisbury, Presbyterian Church of Southern Africa, V-ANC.

Dr. J. W. Zvonumondita Kurewa, Administrative Assistant, Rhodesia Annual Conference, United Methodist Church; V-ANC.

Mr. D. C. Watyoka, General Secretary, Christian Council of Rhodesia.

OBSERVERS

Africa

Most Rev. Emmanuel Milingo, Roman Catholic Archbishop of Lusaka (Zambia).

Father Joseph Ossei, General Secretary (Roman Catholic) Symposium of Episcopal Conferences of Africa and Madagascar (Ghana).

Most Rev. Mandlenkhosi Zwane, Roman Catholic Bishop of Manzini (Swaziland).

Mr. Thomas Leeuw, Student (South Africa).

Europe

Rev. Georges Andrie, Staff member of the Department Missionnaire de Eglises Protestantes de Suisse Roman.

Trevor B. Jepson, Society of Friends, Chairman of CCSA.

Mr. Ninan Koshy, Staff, Commission of the Churches on International Affairs, World Council of Churches.

Mr. Baldwin Sjollema, Commission on the Programme to Combat Racism, World Council of Churches.

Rev. James L. Wilkie, Executive Secretary (Africa), British Council of Churches.

North America

Dr. Bernard Brunsting, Reformed Church in America.

Bro. Joseph Davis, S.M., National Office of Black Catholics.

Ms. Adissa Douglas, IFCO.

Mr. Charles Brewster, New World Outlook, United Methodist.

Mr. Timothy Smith, Interfaith Center for Corporate Responsibility, ACOA Executive Board.

Ms. Therese Drummond, Agricultural Missions, NCC.

Dr. Norman Thomas, Faculty, Yale Divinity School.

Prof. Peter Walshe, Dept. of Government and International Studies, Notre Dame U.

Catholic Relief Services Representative.

Ms. Kathleen Wills, IMPACT, NOBC.

STAFF

Mrs. Barbara Brown.
Ms. Ginni Davis-Cook.
Mr. Willis Logan.
Fr. Robert C. S. Powell.
Mr. John Schultz.

North Americans

Ms. Barbara Barnes, Southern Africa Committee.
Mrs. Marion Bingley, The Episcopal Church.
Dr. Isaac Bivens, United Methodist Church, ACOA Executive Board.
Mr. Ray Brubacher, Mennonite Central Committee.
Dr. John Buteyn, Reformed Church in America.
Dr. Maynard Catchings, NCC.
Mrs. Rose Catchings, United Methodist Church.
Mr. Clarence Cave, United Presbyterian Church, USA.
Dr. John Collier, African Methodist Episcopal Church.
Dr. Gerald Currens, Lutheran Church in America.
Dr. J. Harry Haines, United Methodist Church.
Rev. Barry Hopkins, American Baptist Churches.
Mr. Paul Hopkins, United Presbyterian, USA.
Mr. George Houser, American Committee on Africa.
Ms. Violet Ifill, YWCA.
Rev. Roger Ingold, Church of the Brethren.
Prof. William Keeney, Mennonite Central Committee.
Rev. James Kirkwood, United Church of Canada.
Rev. James Knutson, American Lutheran Church.
Fr. Rollins Lambert, U.S. Catholic Conference.
Mr. M. Hershey Leaman, Eastern Mennonite Board of Missions and Charities.
Ms. Jane Leiper, NCC Washington Office.
Mr. Edgar T. Lockwood, The Washington Office on Africa, ACOA Executive Board.
Rev. J. Murray MacInnes, Anglican Church of Canada.
Dr. Chester Marcus, United Church Board for World Ministries.
*Dr. Clinton Marsh, United Presbyterian Church, USA.
Dr. Edward C. May, Lutheran Council in the USA.
Rev. David Miller, Presbyterian Church in the United States.
Rev. Ruth Minter, United Church of Christ, Southern Africa Committee.
Dr. Robert G. Nelson, Christian Church (Disciples).
Ms. Paula Newburg, Amnesty International.
Rev. Richard J. Niebanck, Lutheran Church in America.
Dr. Roland Pfile, Christian Church (Disciples).
Mr. William Schaufele, Department of State.
Bill Sutherland, American Friends Service Committee.
Mr. Robert Smylie, United Presbyterian Church, USA.
Dr. Eugene L. Stockwell, DOM/NCC.
Dr. David Stowe, United Church Board for World Ministries.
Mr. Mark Tatchell, Anglican Church of Canada.
Lyle Tatum, American Friends Service Committee.
Ms. Alice Wimer, DCS/NCC.

*Chairperson.

SOCIALIST WORKERS PARTY SPIES ON RIVAL MARXIST-LENINISTS: PART II

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. McDONALD. Mr. Speaker, here is the second part of the reports on Maoist Communist groups which appeared in the new confidential publication of the Trotskyite Socialist Workers Party, Party Organizer, of March 21, 1977:

REPORT ON THE RCP'S 'CONFERENCE ON THE INTERNATIONAL SITUATION' HELD IN NEW YORK CITY, NOVEMBER 20, 1976

(By Les Evans)

This gathering, subtitled the "Conference on the International Situation, War, Revolution, and the Internationalist Tasks of the American People," was organized by the Maoist Revolutionary Communist Party and its youth affiliate, the Revolutionary Student Brigade. It was the largest Maoist meeting yet held in New York, drawing between 1,100 and 1,500 people as compared with about 900 for the "united front" meetings of two years ago to discuss Maoist regroupment between the RCP, the October League, and the *Guardian*. Unlike the previous meetings, this one was strictly an RCP affair, boycotted by both OL and the *Guardian*. Its aim was to establish the RCP's hegemony in the Maoist movement, especially in New York, and to settle a debate in the RCP's ranks and with other Maoist organizations over what China's foreign policy really is.

The size of the conference can be explained by two factors. First, it was advertised widely as a broad, nonsectarian discussion of world affairs. A number of big-name sponsors were secured including Nobel Prize winners and prominent China scholars. Second, it was built through a full-scale national mobilization of the RCP's membership with large delegations from the Midwest and the West Coast. (Many of the listed sponsors did not attend the conference, and three of them publicly withdrew their sponsorship the day before the meeting on the grounds that "it began to have the feeling of a left-sectarian event" [Prof. Richard A. Falk].)

Invited speakers who did attend included Dave Dellinger, Eqbal Ahmad, Dave McReynolds, Prof. Mark Selden, and organizations such as the Iranian Student Association, Indian Peoples Association in North America, and Vietnam Veterans Against the War. The steering committee passed a motion that no Trotskyists would be permitted to speak, but Ralph Schoenman was invited to be on the panel debating China's foreign policy. Evidently the organizers were unaware that his views on this question are similar to those of the SWP.

It was clear that for the RCP the real debate was between themselves and Willian Hinton. Hinton defended the position—which is China's actual policy—that the Soviet Union is the "main danger" and that Maoists should now seek an alliance with American imperialism against the USSR. The RCP position is equal blame to the "two superpowers" and a rejection of support to Washington. The "third" tendency permitted by the organizers was comprised of generally unaffiliated radicals who would uphold the view that the United States is the main danger, although with the exception of Schoenman most of these were half-Maoists who held that the Soviet Union was "probably" capitalist. No one openly defending the Moscow line participated.

The format was a three-way, equal-time debate, repeated throughout the day on different aspects of the attitude toward the United States and USSR. The RCP, whose members were a clear majority of the participants, at the beginning tried to keep its members polite and permit an exchange of views within the narrow framework of positions represented. As the day wore on, it became clear that its members weren't used to this and they became more and more hostile to the non-RCP speakers.

In the morning there was a three-way opening debate between Hinton; Nick Unger of the RCP; and Eqbal Ahmad, who held that the Soviet Union was capitalist but that the Soviet navy was not a threat to the Third World.

This was followed by two sets of workshops, run consecutively. The largest were on Angola in the morning and on China's foreign policy in the afternoon. I went to both, which were attended by about 400 people each. The audience was almost equally divided in the Angola workshop, with a slight majority for the RCP. The RCP defended the proposition that no support should have been given to any of the three nationalist groups in the civil war, but that the Cubans were "capitalist mercenaries" fronting for the Soviet Union in an attempt to turn Angola into a Soviet colony. They openly stated that Cuba had restored capitalism. Their opponents, mostly "Third Worldists" and *Guardian* types, supported the MPLA as "socialist" and backed the Cuban-Soviet intervention. The Spartacist League participated actively, criticizing the characterization of the Soviet Union and Cuba as capitalist. They were loudly abused by the Maoists but usually managed to finish their speeches in the question period.

The China foreign policy panel consisted of Ralph Schoenman, William Hinton again, and Clark Kissinger, former SDS and antiwar activist, who is now a hard-line RCP supporter although he may not be a member. Schoenman presented a revolutionary Marxist criticism of Chinese foreign policy, peaceful coexistence, and the lack of socialist democracy in China. About halfway through his speech, the audience got the drift of where he was going and the Maoists began to shout abuse and to boo him. He was defended by a significant minority of the audience. At the end he was jeered by about three-quarters of those present, but the other 25 percent applauded him loudly. This was clearly more than just the Spartacists and included many independents present and perhaps some RCPers who believed in democratic procedures.

Kissinger began by attacking the "Trots" and justifying the imprisonment of the Chinese Trotskyists. ("Once when speaking on China a fervent young man demanded to know why China had released a large number of Kuomintang war criminals but still kept Trotskyites in jail in China. I replied that I did not know precisely but that the penal policy in China is to work for idealogical reformation of the person and I could only conclude that Kuomintang generals were more liable to this process than Trotskyites.") This was applauded by the Maoists.

Kissinger's basic line was that China's policy of friendship for imperialism and for dictatorships in the colonial world was only a government-to-government policy, but that on a party-to-party level it still promoted revolution.

Hinton disputed Kissinger, but while he presented the actual policy, he was a poor debater and failed to cite any documentary proof. The whole debate turned on the "or-

thodoxy" of what Peking's line was supposed to be and not very much on the merits of the conflicting interpretations, and Hinton failed to make a serious case, out of incompetence.

The evening session was another three-way debate, between Hinton, Dave Dellinger, and Bob Avakian. Here the mask was taken off and the session was turned into an RCP victory rally. A standing ovation was organized for Avakian when he appeared on the platform. He shouted insults at the Guardian and the OL and proclaimed the RCP correct against Hinton and that it was the revolutionary party in the United States. He succeeded in whipping up his members and convincing the great majority of them that Hinton did not represent the real line: that it was possible to remain a Maoist and still be anti-imperialist and keep the Peking franchise.

The OL boycotted the conference on the grounds that "revisionists" were permitted to speak. They sent in a few people to participate from the floor in the question periods. One of them demanded to know what position Avakian had on the "gang of four." Avakian replied that the RCP was still considering this and had not made up its mind. It appears that despite his demagogy, the RCP has already lost the Peking mandate: Hsinhua has already printed lengthy excerpts from the October League's Call supporting the purge.

(Also in the question period, Avakian defended Stalin's reign of terror in the 1930s as a "great achievement of socialism" and promised that the RCP would know how to deal with "external and internal enemies" in the future.)

This conference reflects the fact that the RCP has become clearly the largest Maoist organization in the country. Judging from the applause in the evening "rally," some 700 or 800 of those present considered themselves Avakian supporters. Significantly, the conference projected no action of any kind and discussed no specific anti-imperialist struggles taking place in the United States today. Its purpose was to convince the membership of the RCP that they could at the same time retain the position of being a general anti-imperialist organization and still claim the authority of the Chinese state. The generally high spirits of the final meeting indicate that Avakian succeeded in this purpose for the time being.

Nevertheless, such a "victory" is plainly an ephemeral one. It rests on a deliberate "misunderstanding" of Peking's line that is certain to be revealed to even the least conscious RCPer in the period ahead. The fact that the RCP felt the need to permit the kind of debate that did take place at the conference shows that this is an issue of crisis proportions for them and that the crisis will be renewed and deepened not far down the road.

Most of the participants were young. Talking to a few of them I got the impression that many of them are in the RCP for largely accidental reasons. The leadership and the basic cadres are hard Stalinists of the most unregenerate type who are completely cynical about workers democracy and are openly against it. Even their commitment to "anti-imperialism" seems tactical, based on the realization that it is impossible to build anything in this country on the Hinton-Peking line. (Hinton advocated a campaign to pressure the Pentagon to send more arms to Japan and NATO and a campaign to oppose trade with the Soviet Union.) Many of the young RCPers and members of the RSB genuinely believe that there is socialist democracy in China and that is why they are Maoists. They are ignorant of Soviet history and accept what they are told about Stalin and Trotskyism, but they are genuinely repelled by the Soviet Union. (They accept without question that the Soviet Union is "capitalist," an assumption that underlies the whole current line of all the Maoist groups.)

(Even the OL is afraid to go the whole route with Peking and Hinton. Their official position is that the Soviet Union is the "main danger" and that they should wage a propaganda offensive against the USSR and the CP as "capitalists," but they stop short of an open bloc with Washington.)

If we can participate in the debate that is taking place and point out to some of the young RSBers the difference between what their leadership tells them Peking stands for and what it really stands for, we may have an effect in preventing the RCP from consolidating its hold on a number of young radicals who have joined it for reasons quite different from the policies it really represents.

MAOIST YOUTH ORGANIZATION IN THE U.S.

(By Rick Berman)

This report is based on information from the Young Socialist Alliance organizational tours and from phone calls to about fifteen cities.

The Revolutionary Student Brigade, the RCP's youth group, is probably about the same size as the YSA. Until about a year and a half ago, the RSB was a somewhat heterogeneous youth group. The Revolutionary Union was the most influential tendency in it and determined its national policy, but other Maoists also participated. In some chapters there were battles for leadership between RU and non-RU forces.

About the time RU decided it was the new communist party and changed its name to the Revolutionary Communist Party, it also decided that the RSB should affiliate to the RCP as its youth organization. The RSB held a special conference in the fall of 1975 to declare its support to the RCP.

The RCP openly sets the line of the RSB. For example, at the RSB conference in the fall of 1975, RCP leaders announced who would be the RSB national office staff. RSB members had no control over this.

The RSB publishes a regular monthly newspaper called Fight Back. Fight Back is more professional, and probably has a wider circulation on campus, than any of our other opponents' youth press.

The RSB's main activity is basic propaganda work. They have regular literature tables up on campus, they hawk Fight Back and Revolution, hold campus forums on different political issues, and are pretty thorough about paste-ups. On most campuses they are probably at least as visible as the YSA.

Like the RCP, the RSB is extremely sectarian and does not often participate in action coalitions around particular issues. When they participate in a struggle, they generally set up their own ultraleft "coalition" apart from any broader coalitions that exist. Often their "coalitions" include only RSB members and sympathizers.

I haven't been able to discover any important issue in the Black struggle that the RSB is involved in. From what we know, they have a smaller Black membership than the YSA. But they probably do have an edge over the YSA in Chicano and Asian-American members. Their isolation from the Black struggle is a result of their racist opposition to busing and affirmative action.

Comrades in California report that the RSB has lost some influence in recent months, particularly among Chicano students. The RSB abstained on the two most important issues Chicano students are involved in on campus: the campaign to pass Proposition 14 and the strugle to overturn the Bakke decision.

One struggle that the RSB has been involved in is the International Hotel struggle in San Francisco. This is a struggle against the eviction of mainly elderly Asian-American tenants. The RSB and the RCP have their own "coalition" on this issue, but since the RSB is the only organization working on this issue on campus, it has become identified with it on many campuses in the Bay Area.

The RSB works closely with a large number of Iranian students. One wing of the Iranian Student Association is in general political agreement with the RCP and RSB.

Vietnam Veterans Against the War is an RSB front group, which it captured several years ago. VVAW has a national newspaper and exists on some campuses in different parts of the country.

Until this fall, campus cutbacks and tuition hikes were the most prominent issues in the RSB press and it has been quick to initiate actions around these issues. On campuses where the YSA has participated in cutbacks fights, the RSB usually pulls out of coalitions and tries to set up its own coalitions, but in some areas such as New Jersey, it has been influential in broader coalitions.

This fall the RSB's major campaign was a campaign for a boycott of the presidential elections. Their main slogan was "Politicians Fight for $ Interests." At the University of California Berkeley campus, for example, they asked people to wear black armbands on election day to demonstrate their refusal to vote.

On other campuses the RSB challenged the Democrats to debate. They also challenged the YSA to debate them on the question of the elections in New York, at Kent State University, and in Boston. Our debates with them weren't too fruitful. Few independents attended, and the RSBers refused to discuss the main political issues raised in the election campaign, focusing their remarks on why bourgeois elections are a fraud.

These debates were a departure from previous RSB policy. They have a long record of trying to prevent Trotskyists from speaking at events they participate in. They have also threatened and at times physically attacked members of th SWP and YSA. In addition, they usually refuse to speak on the same platform with bourgeois politicians. I think this departure from their usual policy reflects the problems they had convincing their members, sympathizers, and contacts of a boycott position on the elections when both the SWP and the CP ran well-published campaigns. Fight Back carried a full-page article on why the Camejo-Reid campaign was a "phony left" campaign.

When I was in Madison, Wisconsin, this fall, about the time we found out about these challenges to debate, I asked an RSB member if they would challenge us to a debate in Madison. He explained to me that their policy was to debate us in cities where the YSA is bigger than the RSB, particularly in the big Eastern cities. So apparently these decisions to debate us were part of a national policy known to their membership, not isolated decisions by local leaderships.

Also, individual members of the RSB have approached YSA members privately to discuss China. These kinds of conversations between RSB and YSA members over coffee or a beer to talk about politics rarely happened in the past.

This fall the YSA has recruited a few former RSB members, mainly through the Camejo-Reid campaign.

The RSB generally abstains from struggles in the women's liberation movement. They oppose the Equal Rights Amendment and believe that defending abortion rights is un-

important. On campuses all over the country they held anti-ERA forums on International Women's Day last spring.

Right after Mao died, the RSB held memorial meetings on campuses all over the country. We don't have reports on how successful these were. *Revolution* reported that these meetings occurred on more than sixty campuses across the country. If this is accurate, it is another indication that the RSB is roughly the YSA's size.

In some cities during the past year or so, we've found that the RSB leaves different campuses as the YSA moves onto campus. They don't try to challenge us. That's been the case in Newark, Baltimore, Oakland, and Cleveland, for example. But in other cities that hasn't happened. For example, in San Jose, comrades reported that the RSB brought new people onto campus for reinforcement as the YSA began to grow.

In some areas the RSB is growing and getting some people who should be in the YSA. Although we don't have accurate figures, my impression is that they are stronger in more campus towns, regional areas, than the YSA.

One other thing I wanted to add is that comrades may have noticed an article in the issue of *Revolution* published right after the RCP's July 4 demonstration in Philadelphia. It pointed to some thinking in the RCP about setting up another youth group in addition to the student-based RSB. The article made a big point that a number of unemployed youth from street gangs attended their demonstration, and that there was potential to build a youth organization to attract people like that, separate from a student organization. The RCP hasn't said anything more specific about this, but it's worth noting.

I'd also like to report some information on the Communist Youth Organization, which is the October League's youth group. We know very little about it. The CYO is quite a bit smaller than the RSB. It is only about a year old. They claim they had 200 people at their founding conference; it could have been even smaller.

The OL does most of its campus work in its own name. Even on campuses where it has students and regular activity, only rarely is its activity carried out in the name of the CYO. My own opinion is that OL hasn't decided if it wants to build a separate youth organization.

CYO publishes on an irregular schedule a newspaper in a newsletter format, only 4 to 6 pages. It doesn't take up particular issues being discussed on campus.

ARE THERE DOVES IN THE KREMLIN?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 1977

Mr. ASHBROOK. Mr. Speaker, from time to time we are regaled by Kremlinologists with stories of how there are doves and hawks in the Kremlin. To encourage the doves, the argument goes, we must be reasonable and responsible in our dealings with the Soviets. Such reasonableness and responsibleness often translates into caving into Soviet demands.

Recently, Daniel Graham, former head of the Defense Intelligence Agency, put the whole notion of doves and hawks to rest. His article was published in the Washington Post. It deserves attention not only in the Congress but in the State Department and the White House. The text follows:

KREMLIN DOVES AND HAWKS: A "FALLACIOUS NOTION"

(By Daniel O. Graham)

The recent series of columns in The Post by Victor Zorza about hawks and doves within the Soviet leadership is palpable nonsense. When a Post editorial picked up the fallacious notion of a counterpart to the U.S. hawk-dove political alignment in the Kremlin, it became too much for anyone remotely familiar with the facts to bear in silence.

Brezhnev came to power in the U.S.S.R. via a coup against Nikita Khrushchev, which was fully supported by the Soviet military. One of the main complaints the military had against Khrushchev was that he had entertained to some degree the heretical Western doctrine of mutual deterrence. He had stated publicly that both societies—capitalist and Communist—would be destroyed in a general nuclear war. He cancelled naval construction programs, deactivated some ground divisions and reduced Soviet forces to a mere 3.6 million. These were among the "hare-brained schemes" that the military could not abide.

Brezhnev took exactly the hawkish measures required of him. He poured resources into the Soviet military machine at an unprecedented rate. The Strategic Rocket Forces got six completely new ICBM systems and numerous modifications as well. The bomber force got a new strategic bomber. The Soviet navy got several models of missile launching submarines and a high rate of attack submarine and surface ship construction. The Soviet army got 30 more divisions, new tanks and armored personnel carriers, new tactical missiles and an entire new fleet of tactical aircraft for support. Brezhnev and company committed 26 divisions to crush the deviations of Dubcek's Czechoslovakia from the Soviet model. This is Brezhnev the dove?

Under the tutelage of Chairman Brezhnev, the heretical notion of Khrushchev that military forces might better be designed to deter rather than fight and win wars has been discarded. Although he occasionally argues that nuclear war menaces mankind, he has never repeated the Khrushchev heresy that the Soviet state would perish in a nuclear war. Further, he has boasted that "precisely" Soviet military might has "forced" detente upon the United States. There is not a shred of evidence that Brezhnev and his Zorza-alleged dovish majority has stopped or even slowed any Soviet military program in the SALT-detente era.

How can one conclude that an effective dovish faction exists *at all*, let alone dominates the Kremlin's present policies?

Brezhnev's insistence on fast progress toward new SALT agreements, in Zorza's theory, means that hawks are discontent with the results to date and threatening his position. Why should Brezhnev *not* press for quick new SALT agreements? From his point of view, both SALT and detente in general have argured well for the relative power of the Soviet Union as well as his own personal power. Why should the Soviet military balk at SALT, which to date has restrained their opponents' military programs and left their own unfettered?

Zorza noted that two marshals had changed jobs. Kulikov moved from his job as chief of the general staff to take direct command of the entire Warshaw Pact. He was replaced by Ogarkov. Since Ogarkov had been the military representative on the Soviet SALT delegation, Zorza assumes that he is a dove relative to Kulikov. He paints Kulikov's reassignment as punishment of a sort for being a hawk.

This is pure speculation. The Kulikov transfer is by no means a demotion. Command of the Warsaw Pact has in the past been the stepping stone to greater things. Grechko went from that position to Minister of Defense. There is no reason to believe that Ogarkov's views differ from those of Kulikov. His former position on the Soviet SALT delegation means only that he was well trusted by the military.

As for Lt. Colonel Rybkin's article, also cited by Zorza, Zorza reports it as an example of conversion from a hawkish to a dovish view. But Rybkin has always followed the party line faithfully and today is not dovish at all. He states that there will always be a real threat of war until the entire world is in the Communist camp. If his article is read in full, it is apparent that in his remark that more nuclear weapons are not helpful, he was talking to the *United States*, not the Soviet Union.

The motion that some mirror-image of the U.S. situation, including its civilian-versus-military contest for resources, can be entertained only by those ignorant of the nature of the Soviet state. In the U.S.S.R., as in the Russia of the tsars, the military establishment has been the backbone of society, *not* a social overhead as in the democratic countries of the West. With relative power shifting to the favor of the Soviet Union, we cannot afford more blunders based on this brand of bad analysis. In the end they could prove fatal.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings when scheduled, and any cancellations or changes in meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the Office of the Senate Daily Digest will prepare such information daily for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD.

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 Friday, April 22, 1977, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 25

8:00 a.m.

Agriculture, Nutrition, and Forestry

To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.

322 Russell Building

9:00 a.m.

Human Resources

Employment, Poverty, and Migratory Labor Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1978 for the Legal Services Corporation.

Until 1 p.m. 4232 Dirksen Building

9:30 a.m.

Appropriations

Interior Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Forest Service.

1114 Dirksen Building

Veterans' Affairs

To hold hearings on S. 247, to provide recognition to the Women's Air Forces Service Pilots.

Until noon 318 Russell Building

10:00 a.m.
Armed Services
General Legislation Subcommittee
To meet in closed session to consider proposed fiscal year 1978 authorizations for the Defense Civil Preparedness Agency.
224 Russell Building
Banking, Housing, and Urban Affairs
To hold hearings on the nominations of John H. Dalton, of Texas, to be President of GNMA; William J. White, of Massachusetts, to be a member of the Board of Directors of the New Community Development Corporation; and Ruth Prokop, of the District of Columbia, to be General Counsel of HUD.
5302 Dirksen Building
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings on S. 1250, proposed fiscal year 1978 authorizations for the Coast Guard.
5110 Dirksen Building
Energy and Natural Resources
To resume hearings on S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.
3110 Dirksen Building
Environment and Public Works
Subcommitttee on Water Resources
To hold hearings on proposed fiscal year 1978 authorizations for river basin projects.
4200 Dirksen Building
Governmental Affairs
Energy, Nuclear Proliferation, and Federal Services Subcommittee
To resume hearings on S. 897, to strengthen U.S. policies on nuclear nonproliferation, and to reorganize certain nuclear export functions.
6202 Dirksen Building
Judiciary
Antitrust and Monopoly Subcommittee
To resume hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.
2228 Dirksen Building
Select Ethics
To hold an open business meeting to discuss committee organization, to be followed by a vote to close the meeting to discuss certain classified business.
1417 Dirksen Building

APRIL 26

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building
9:00 a.m.
Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To continue hearings on proposed fiscal year 1978 authorizations for the Legal Services Corporation.
Until 11.30 a.m. 424 Russell Building
9.30 a.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for the Department of Justice.
S-146, Capitol
Human Resources
Subcommittee on Labor
To hold hearings on S. 995, to prohibit discrimination based on pregnancy or related medical conditions.
Until noon 4232 Dirksen Building
Select Small Business
To hold hearings on problems of small business as they relate to product liability insurance.
1202 Dirksen Building
10:00 a.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Urban Mass Transportation Administration.
1224 Dirksen Building
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings to receive testimony in connection with delays and congestion occurring at U.S. airports-of-entry.
5110 Dirksen Building
Environment and Public Works
Subcommittee on Water Resources
To hold hearings on projects which may be included in proposed Water Resources Development Act amendments.
4200 Dirksen Building
Governmental Affairs
To consider pending nominations; S. 826, to establish a Department of Energy; S. 904, to establish a center within OMB to provide current information on Federal domestic assistance programs; and to discuss committee funding resolution.
3302 Dirksen Building
10:30 a.m.
Commerce, Science, and Transportation
To hold a business meeting.
235 Russell Building
11:00 a.m.
Select Small Business
To resume hearings on S. 972, to authorize the Small Business Administration to make grants to support the development and operation of small business development centers.
S-126, Capitol
2:00 p.m.
Appropriations
Legislative Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Legislative Branch, on funds for the Senate Disbursing Office.
S-128, Capitol
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of Justice.
S-146, Capitol
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.
1224 Dirksen Building
Select Intelligence
To meet in closed session to consider proposed fiscal year 1978 authorizations for Government intelligence activities.
S-407, Capitol

APRIL 27

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building
8:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on S. 1069, increasing authorizations for programs under the Toxic Substances Control Act for fiscal years 1978 and 1979; and S. 899, the Toxic Substances Injury Assistance Act.
235 Russell Building
9:00 a.m.
Governmental Affairs
Governmental Efficiency and District of Columbia Subcommittee
To hold hearings on S. 1060, to restate the charter of George Washington University; S. 1061, to allow continued Treasury borrowing by the District of Columbia; S. 1062, to change the fiscal year of the Armory Board; S. 1063, to allow the issuance of revenue bonds by the District of Columbia for the building of university facilities; S. 1101, to terminate the District of Columbia borrowing authority from the Treasury for sewage works; S. 1102 to allow the District of Columbia to enter into interstate compacts; and S. 1103, to allow the States to sue for taxes in the District of Columbia Superior Court.
Until 11:00 a.m. Room to be announced
9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building
Human Resources
Subcommittee on Labor
To continue hearings on S. 995, to prohibit discrimination based on pregnancy or related medical conditions.
Until noon 4232 Dirksen Building
Select Small Business
To hold hearings on proposed fiscal year 1978 authorizations for programs of the Small Business Administration.
424 Russell Building
Veterans' Affairs
To hold hearings on S. 1189, H.R. 3695, H.R. 5027, and H.R. 5029, authorizing funds for grants to States for construction of veterans health care facilities.
Until 12:30 p.m. 318 Russell Building
10:00 a.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Judiciary.
S-146, Capitol
Appropriations
Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Urban Mass Transportation Administration.
1224 Dirksen Building
Energy and Natural Resources
To consider pending calendar business.
3110 Dirksen Building
Human Resources
Health and Scientific Research Subcommittee
To consider S. 708, to revise and strengthen standards for the regulation of clinical laboratories.
Until noon 1318 Dirksen Building
Judiciary
Subcommittee on Juvenile Delinquency
To hold hearings on S. 1021 and S. 1218, to amend and extend programs under the Juvenile Justice and Delinquency Prevention Act.
2228 Dirksen Building
Rules and Administration
To mark up S. 708, to improve the administration and operation of the Overseas Citizens Voting Rights Act of 1976, and to consider proposed authorizations for activities of the Federal Election Commission for fiscal year 1978.
301 Russell Building
Select Intelligence
To hold hearings with a view to determining whether disclosure of fiscal year 1978 budget figures for Govern-

ment intelligence activities is in the public interest.
S-407, Capitol

2:00 p.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Japan-United States Friendship Commission, and the office of the Special Representative for Trade Negotiations.
S-146, Capitol

Judiciary
To hold hearings on S. 1231, to increase authorizations for the Civil Rights Commission for fiscal year 1978.
2228 Dirksen Building

Select Intelligence
To continue hearings with a view to determining whether disclosure of fiscal year 1978 budget figures for Government intelligence activities is in the public interest.
S-407, Capitol

APRIL 28

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

9:00 a.m.
Governmental Affairs
To hold hearings on the nominations of Gladys Kessler, Robert M. Scott, Robert A. Shuker, Annice M. Wagner, and Paul R. Webber, each to be a judge of the District of Columbia Superior Court.
457 Russell Building

9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To continue hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

Human Resources
Child and Human Development Subcommittee
To consider S. 961, to implement a plan designed to overcome barriers in the interstate adoption of children, and proposed legislation to extend the Child Abuse Prevention and Treatment Act.
Until 10:30 a.m. 4232 Dirksen Building

10:00 a.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Federal Maritime Commission, Renegotiation Board, and SBA.
S-146, Capitol

Appopriations
Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.
1224 Dirksen Building

Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold hearings on proposed fiscal year 1978 authorizations for the SEC.
5302 Dirksen Building

Energy and Natural Resources
Energy Research and Development Subcommittee
To resume hearings on S. 419, to test the commercial, environmental, and social viability of various oil-shale technologies.
3110 Dirksen Building

Environment and Public Works
Nuclear Regulation Subcommittee
To resume hearings on proposed fiscal year 1978 authorizations for the Nuclear Regulatory Commission.
4200 Dirksen Building

Finance
To mark up proposed legislation authorizing funds for fiscal year 1978 for the U.S. International Trade Commission, and to consider pending nominations.
2221 Dirksen Building

Human Resources
Health and Scientific Research Subcommittee
To hold hearings on biomedical research programs.
Until 12:30 1202 Dirksen Building

Select Intelligence
To continue hearings with a view to determining whether disclosure of fiscal year 1978 budget figures for Government intelligence activities is in the public interest.
S-407, Capitol

10:30 a.m.
Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To consider H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242, to provide employment and training opportunities for youth.
Until 2:00 p.m. 4232 Dirksen Building

APRIL 29

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

8:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To continue hearings on S. 1069, increasing authorizations for programs under the Toxic Substances Control Act for fiscal years 1978 and 1979; and S. 899, the Toxic Substances Injury Assistance Act.
6202 Dirksen Building

9:00 a.m.
Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To consider H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242, to provide employment and training opportunities for youths.
Until 2 p.m. 102 Dirksen Building

9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To continue hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

Human Resources
Labor Subcommittee
To continue hearings on S. 995, to prohibit discrimination based on pregnancy or related conditions.
Until noon 4232 Dirksen Building

10:00 a.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee.
To hold hearings on proposed budget estimates for fiscal year 1978 for the Judiciary and FCC.
S-146, Capitol

Banking, Housing, and Urban Affairs
Rural Housing Subcommittee
To hold hearings on rural housing legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building

Energy and Natural Resources
Subcommittee on Parks and Recreation
To hold hearings on S. 1125, authorizing the establishment of the Eleanor Roosevelt National Historic Site in Hyde Park, N.Y.
3110 Dirksen Building

MAY 2

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S.275 to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

10:00 a.m.
Rules and Administration
To hold hearings to receive testimony in behalf of requested funds for activities of Senate committees and subcommittees.
301 Russell Building

MAY 3

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

9:30 a.m.
Judiciary
Antitrust and Monopoly Subcommittee
To hold oversight hearings on the effectiveness of antitrust enforcement by the Justice Department and FTC.
2228 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold oversight hearings on U.S. monetary policy.
5302 Dirksen Building

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on proposed legislation amending the Federal Trade Commission Act.
5110 Dirksen Building

Energy and Natural Resources
Energy Conservation and Regulation Subcommittee
To hold hearings to receive testimony on Federal Energy Administration price policy recommendations for Alaska crude oil.
3110 Dirksen Building

Rules and Administration
To hold hearings to receive testimony in behalf of requested funds for activities of Senate committees and subcommittees.
301 Russell Building

10:30 a.m.
Commerce, Science, and Transportation
To hold a business meeting.
235 Russell Building

2:30 p.m.
Banking, Housing, and Urban Affairs
To mark up S. 208, proposed National Mass Transportation Assistance Act, and on proposed fiscal year 1978 authorizations for the SEC.
5302 Dirksen Building

MAY 4

9:30 a.m.
Judiciary
Antitrust and Monopoly Subcommittee
To continue oversight hearings on the effectiveness of antitrust enforcement by the Justice Department and FTC.
2228 Dirksen Building

10:00 a.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget

estimates for fiscal year 1978 for the Federal Highway Administration.
1224 Dirksen Building

Banking, Housing, and Urban Affairs
To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building

Commerce, Science, and Transportation
Consumer Subcommittee
To continue hearings on proposed legislation to amend the Federal Trade Commission Act.
235 Russell Building

Energy and Natural Resources
Parks and Recreation Subcommittee
To hold hearings on H.R. 5306, Land and Water Conservation Fund Act amendments.
3110 Dirksen Building

Rules and Administration
To hold hearings on S. 1072, to establish a universal voter registration program, S. 926, to provide for public financing of primary and general elections for the U.S. Senate; and the following bills and messages which amend the Federal Election Campaign Act: S. 15, 105, 962, and 966, President's message dated March 22, and recommendations from the FEC submitted March 31.
301 Russell Building

MAY 5

9:30 a.m.
Judiciary
Antitrust and Monopoly Subcommittee
To continue oversight hearings on the effectiveness of antitrust enforcement by the Justice Department and FTC.
2228 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building

Commerce, Science, and Transportation
Consumer Subcommittee
To hold hearings on S. 957, to promote methods by which controversies involving consumers may be resolved.
5110 Dirksen Building

Rules and Administration
To continue hearings on S. 1072, to establish a universal voter registration program; S. 926, to provide for public financing of primary and general elections for the U.S. Senate; and the following bills and message to amend the Federal Election Campaign Act: S. 15, 105, 962, and 966, President's message dated March 22, and recommendations of the FEC submitted March 31.
301 Russell Building

10:30 a.m.
Commerce, Science, and Transportation
To hold a business meeting.
235 Russell Building

MAY 6

10:00 a.m.
Banking, Housing, and Urban Affairs
To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building

Rules and Administration
To continue hearings on S. 1072, to establish a universal voter registration program; S. 926, to provide for public financing of primary and general elections for the U.S. Senate; and the following bills and messages to amend the Federal Election Campaign Act: S. 15, 105, 962, and 966, President's message dated March 22, and recommendations of the FEC submitted March 31.
301 Russell Building

Select Small Business
To hold hearings to investigate problems in development of timber set-asides.
424 Russell Building

MAY 9

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.
235 Russell Building

MAY 10

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.
5110 Dirksen Building

10:00 a.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Federal Railroad Administration (Northeast Corridor).
1224 Dirksen Building

Banking, Housing, and Urban Affairs
To resume oversight hearings on U.S. monetary policy.
5302 Dirksen Building

Governmental Affairs
Subcommittee on Reports, Accounting and Management
To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.
6202 Dirksen Building

10:30 a.m.
Commerce, Science, and Transportation
To hold a business meeting.
235 Russell Building

MAY 11

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.
235 Russell Building

Judiciary
Antitrust and Monopoly Subcommittee
To continue oversight hearings on the effectiveness of antitrust enforcement by the Justice Department and FTC.
2228 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To resume hearings on H.R. 5294, S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.
5302 Dirksen Building

Rules and Administration
To mark up S. 1072, to establish a universal voter registration program; S. 926, to provide for public financing of primary and general elections for the U.S. Senate; and the following bills and messages to amend the Federal Election Campaign Act: S. 15, 105, 962 and 966, President's message dated March 22, and recommendations of the FEC submitted March 21.
301 Russell Building

Veterans' Affairs
To mark up S. 1189, H.R. 3695, H.R. 5027, and H.R. 5029, authorizing funds for grants to States for Construction of veterans health care facilities.
412 Russell Building

MAY 12

9:30 a.m.
Judiciary
Antitrust and Monopoly Subcommittee
To continue oversight hearings on the effectiveness of antitrust enforcement by the Justice Department and FTC.
2228 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To continue hearing on H.R. 5294, S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.
5302 Dirksen Building

Governmental Affairs
Subcommittee on Reports, Accounting and Management
To continue hearing to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.
6202 Dirksen Building

MAY 13

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee
To continue hearings on H.R. 5294, S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.
5302 Dirksen Building

MAY 16

10:00 a m.
Banking, Housing, and Urban Affairs
To hold oversight hearings on federally guaranteed loans to New York City.
5302 Dirksen Building

MAY 17

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue oversight hearings on federally-guaranteed loans to New York City.
5302 Dirksen Building

MAY 18

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.
1224 Dirksen Building

Banking, Housing, and Urban Affairs
To continue oversight hearings on federally guaranteed loans to New York City.
5302 Dirksen Building

Governmental Affairs
Subcommittee on Reports, Accounting and Management
To resume hearings to review the processes by which accounting and auditing practices and proceduers, promulgated or approved by the Federal Government, are established.
6202 Dirksen Building

2:00 p.m.
Appropriations
Transportation Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.

1224 Dirksen Building

MAY 19

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on S. 695, to impose on Federal procurement personnel an extended time period during which they may not work for defense contractors.

5302 Dirksen Building

MAY 20

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue hearings on S. 695, to impose on Federal procurement personnel an extended time period during which they may not work for defense contractors.

5302 Dirksen Building

MAY 23

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue hearings on S. 695, to impose on Federal procurement personnel an extended time period during which they may not work for defense contractors.

5302 Dirksen Building

MAY 24

9:30 a.m.
Select Small Business
To resume hearings on alleged restrictive and anticompetitive practices in the eyeglass industry.

424 Russell Building

10:00 a.m.
Governmental Affairs
Subcommittee on Reports, Accounting, and Management
To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

MAY 25

9:30 a.m.
Select Small Business
To continue hearings on alleged restrictive and anticompetitive practices in the eyeglass industry.

424 Russell Building

MAY 26

9:30 a.m.
Select Small Business
To continue hearings on alleged restrictive and anticompetitive practices in the eyeglass industry.

424 Russell Building

10:00 a.m.
Governmental Affairs
Subcommittee on Reports, Accounting, and Management
To continue hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

JUNE 13

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold oversight hearings on the cable TV system.

235 Russell Building

JUNE 14

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue oversight hearings on the cable TV system.

235 Russell Building

JUNE 15

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue oversight hearings on the cable TV system.

235 Russell Building

CANCELLATION

APRIL 28

9:30 a.m.
Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To continue hearings on S. 1069, increasing authorizations for programs under the Toxic Substances Control Act for fiscal years 1978 and 1979; and S. 899, the Toxic Substances Injury Assistance Act.

154 Russell Building

HOUSE OF REPRESENTATIVES—*Friday, April 22, 1977*

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thine, O Lord, is the greatness, and the power, and the glory, and the victory, and the majesty; for all that is in the Heaven and in the Earth is Thine; Thine is the kingdom, O Lord, and Thou art exalted as head above all.—I Chronicles 29: 11.

"For the beauty of the Earth,
For the glory of the skies,
For the love which from our birth
Over and around us lies;
Lord of all, to Thee we raise
This our prayer of grateful praise."

We thank Thee for this land of liberty in which we live and pray that we may ever be a people mindful of Thy favor and glad to do Thy will. Bless our country with honorable industry, sound learning, and pure religion. Save us from violence, discord, and confusion, from pride and prejudice, and from every evil way. Fashion us into one people eager to walk in the ways of righteousness, justice, and good will for our own good and the good of all mankind. In periods of prosperity keep our hearts filled with gratitude and in times of trouble let not our trust in Thee fail; for Thine is the kingdom, the power, and the glory forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Is there objection to the approval of the Journal?

Mr. SYMMS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. ROSTENKOWSKI. Mr. Speaker, I move that the Journal be approved.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. ROSTENKOWSKI).

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. SYMMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 326, nays 8, answered "present" 1, not voting 98, as follows:

[Roll No. 145]

YEAS—326

Abdnor	Beard, R.I.	Brown, Ohio
Akaka	Beard, Tenn.	Broyhill
Alexander	Bedell	Buchanan
Allen	Benjamin	Burgener
Ambro	Bennett	Burke, Calif.
Ammerman	Bevill	Burke, Fla.
Anderson, Calif.	Biaggi	Burke, Mass.
	Bingham	Burleson, Tex.
Anderson, Ill.	Blanchard	Burlison, Mo.
Andrews, N.C.	Blouin	Burton, Phillip
Annunzio	Boggs	Butler
Applegate	Boland	Byron
Archer	Bonior	Caputo
Ashbrook	Bonker	Carr
Ashley	Bowen	Carter
Aspin	Breaux	Chappell
AuCoin	Breckinridge	Chisholm
Badham	Brinkley	Clausen, Don H.
Badillo	Brodhead	
Bafalis	Brooks	Clawson, Del
Baldus	Broomfield	Clay
Baucus	Brown, Calif.	Cleveland
Bauman	Brown, Mich.	Cohen
Coleman	Gilman	Lehman
Collins, Ill.	Ginn	Lent
Collins, Tex.	Goldwater	Levitas
Conte	Gonzalez	Lloyd, Calif.
Corcoran	Gore	Lloyd, Tenn.
Cornell	Gradison	Long, La.
Cornwell	Grassley	Lott
Coughlin	Gudger	Lujan
Crane	Guyer	Luken
D'Amours	Hagedorn	Lundine
Daniel, Dan	Hamilton	McCloskey
Daniel, R. W.	Hammer-schmidt	McCormack
Davis		McDonald
de la Garza	Hanley	McFall
Delaney	Hannaford	McHugh
Dellums	Hansen	Madigan
Dent	Harkin	Maguire
Derrick	Harrington	Mahon
Derwinski	Harris	Markey
Dickinson	Harsha	Marks
Dicks	Heckler	Marriott
Dodd	Hefner	Martin
Downey	Heftel	Mathis
Drinan	Hillis	Mattox
Duncan, Oreg.	Hollenbeck	Meeds
Duncan, Tenn.	Holt	Meyner
Eckhardt	Holtzman	Michel
Edgar	Hubbard	Miller, Calif.
Edwards, Calif.	Huckaby	Miller, Ohio
Edwards, Okla.	Hyde	Mineta
Eilberg	Ichord	Minish
Emery	Ireland	Mitchell, N.Y.
English	Jeffords	Moakley
Ertel	Jenkins	Moffett
Evans, Colo.	Jenrette	Mollohan
Evans, Del.	Johnson, Calif.	Montgomery
Evans, Ga.	Johnson, Colo.	Moore
Evans, Ind.	Jones, N.C.	Moorhead, Calif.
Fary	Jones, Okla.	
Fascell	Jones, Tenn.	Moorhead, Pa.
Fenwick	Jordan	Mottl
Findley	Kastenmeier	Murphy, Ill.
Fisher	Kazen	Murphy, N.Y.
Fithian	Kemp	Murphy, Pa.
Flood	Ketchum	Murtha
Flowers	Keys	Myers, Gary
Flynt	Kildee	Myers, Michael
Foley	Kostmayer	Natcher
Fountain	Krebs	Nedzi
Fowler	LaFalce	Nichols
Frey	Lagomarsino	Nix
Fuqua	Latta	Nolan
Gaydos	Le Fante	Oberstar
Gephardt	Leach	Obey
Giaimo	Lederer	Ottinger
Gibbons	Leggett	Panetta