receiving medical services from the institution, but only to the extent that—

"(A) the institution has provided notice to the individual, in accordance with subsection (c)(1), that such disclosure may be made, and

"(B) the individual, or his authorized representative, has not notified the institution of an objection to disclosing part or all of such information.

"(6) LAWFUL JUDICIAL OR ADMINISTRATIVE PROCESS.—A medical-care institution may disclose personal medical information pertaining to an individual pursuant to a lawful judicial or administrative summons or subpena, and if such a disclosure is made the institution shall, for at least five years or the life of the information disclosed (whichever is longer), retain the summons or subpena with the information and permit inspection by the individual upon request.

"Contents of Authorization Form; Retention of Copy of Form

"(g)(1) A medical-care institution shall not disclose personal medical information pertaining to an individual pursuant to an authorization of the individual unless such authorization—

"(A) is in writing and is dated,

"(B)(i) is signed by the individual, if the individual—

"(I) is not a minor and is not legally incompetent, or

"(II) is a minor and is not legally incompetent and the information relates to any of the services that are described in subparagraphs (A) through (D) of subsection (a)(2) and are sought by or provided to the minor; or

"(ii) is signed by a person lawfully authorized to act on the individual's behalf, if the individual is—

"(I) legally incompetent or

"(II) is a minor and is not legally incompetent and the information does not relate to any of the services that are described in subparagraphs (A) through (D) of subsection (a)(2) and are sought by or provided to the minor; and

"(C) specifically authorizes that institution to disclose information of a specified nature to specified persons or entities for use only for specified purposes and only for a specified and reasonable period of time (which may not exceed one year),

and, if information is disclosed pursuant to such an authorization, the authorization (or a copy thereof) shall be retained by the institution with the information or in a form which permits inspection by the individual upon request for at least five years or the life of the information, whichever is longer. The individual may at any time revoke such an authorization with respect to information not yet disclosed.

"(2) A medical-care institution shall maintain, with respect to such an authorization for disclosure of personal medical information, an accurate accounting of (A) the date, nature, and purpose of each disclosure made pursuant to the authorization, and (B) the individual or entity to whom the disclosure is made, shall retain such accounting with the authorization, and shall permit the individual providing the authorization with the opportunity to inspect and copy such accounting.".

(3) The amendments made by paragraph (2)(B) shall apply to services provided by medical care institutions, under the programs established under titles XVIII and XIX of the Social Security Act, on and after July 1, 1979.

By Mr. VOLKMER:

Strike out paragraph (2) (that is, lines 12 through 14 on page 105) of proposed subsection (p) of section 1903 of the Social Security Act, and redesignate succeeding paragraphs accordingly.

Page 105, strike out lines 12 through 14, and redesignate succeeding paragraphs accordingly.

H.R. 595

By Mr. STEERS:

Strike section 2(a) and insert the following:

"SEC. 2. TERMINATION AND RE-ESTABLISHMENT OF THE RENEGOTIATION BOARD

(a) Section 102(c) of the Renegotiation Act of 1951 (50 U.S.C. App. 1221(c)) is amended by striking the entire subsection and inserting in lieu thereof the following language:

"SEC. 102. (c) TERMINATION AND RE-ESTABLISHMENT OF THE RENEGOTIATION BOARD

(1) The Renegotiation Board shall not accept any filings following September 20, 1976.

(2) The Renegotiation Act of 1951 (50 U.S.C. App. 1211 *et seq.*) shall remain in effect for one year following the date of enactment of this Section in order to clear or determine pending filings. During this one-year period, the Board shall be governed by, and operate pursuant to, the provisions of the Renegotiation Act of 1951 as amended through September 30, 1976.

(3) The Renegotiation Act of 1951 shall again become effective only when:

(a) The President finds that a national emergency exists in accordance with the terms of 90 Stat. 1255 or pursuant to:

(1) The outbreak of war declared by or against the United States, or

(2) The initiation of an overt military action by or against the United States, or

(3) The outbreak of a major insurrection with the United States, or

(4) The emergence of some other situation endangering the security of the United States;

and

(b) The President makes a determination that the operation of the Act is necessary to meet the national emergency declared according to the provisions of Subsection 1.

(4) Upon such finding and determination, the Renegotiation Act shall become effective as amended to the date it becomes effective.

(5) It shall remain in effect for one year following the date of termination of such national emergency."

H.R. 6796

By Mr. GARY A. MYERS:

On Page 23 after line 7, insert the following paragraph: *"Provided,* That prior to the obligation of any funds authorized pursuant to this Act for research, development, assessment, evaluation and other activities at the Barnwell Nuclear Fuels Plant related to alternative fuel cycle technologies, safeguard systems, spent fuel storage and waste management, a program plan be submitted to the Committee on Science and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate for their approvals. The Administrator is authorized to solicit proposals for any of the aforementioned activities. However, before any of these activities are undertaken, the Administrator is required to transmit the plan containing a description of such activities together with all pertinent data to such Committees and wait a period of thirty calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) unless prior to the expiration of such period each such committee has transmitted to the Administrator written notice to the effect that such committee has no objections to the proposed action."

EXTENSIONS OF REMARKS

ANTHONY R. PUSKARZ, SR., MAN OF THE YEAR

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SARASIN. Mr. Speaker, on September 24, the Polish-American Business and Professional Association of New Britain, Conn., will be honoring Anthony R. Puskarz, Sr., as its 1977 Man of the Year. I would like to take this opportunity to congratulate Mr. Puskarz personally, and to inform all of my colleagues of the contributions and achievements of this worthy individual who has done so much for his community and fellow Polish-American citizens.

But first, I would like to tell you a little about this honor which Mr. Puskarz will be receiving. The Man of the Year Award is sponsored annually by the Polish-American Business and Professional Association to benefit their scholarship fund. Over the years, the PABPA has distributed over $23,000 in scholarships to students of Polish heritage going to college. The award serves to honor Polish Americans who have contributed of their time and effort in service to their local communities, and who also serve as fine examples to young Polish Americans.

No one could be more deserving of this honor than Anthony Puskarz, Sr. Currently, he is president of Art Press Inc., a commercial printing and lithography firm which he founded in 1932. At the same time, Mr. Puskarz serves as chairman of the printing craft committee of E. C. Goodwin Technical School and is an active member of the Printing Industry Association of Connecticut and Western Massachusetts. He is also a 35-year member of the International Typographical Union Local 679.

In addition, Mr. Puskarz serves his community in many diverse areas. He is a director and corporator of the Burritt Mutual Savings Bank and serves as chairman of the advisory board of the Slater Road branch of the bank. Moreover, he has a strong commitment to social service as witness by the fact that he serves on the advisory board of the New Britain Chapter of the Salvation Army and is a corporator of the New Britain General Hospital.

As for civic organizations, he is currently serving his 20th term as recording secretary for the Polish-American Business and Professional Association. In addition to this, he manages to find the time to remain active as a member and past president of the Kiwanis Club of New Britain, and a member of Falcons Nest 88, Fraternal Order of Eagles, Pol-

ish National Alliance Group 2093, and the Polish Roman Catholic Union.

But, perhaps, Anthony Puskarz is best known to most people for his music. As a former well-known orchestra leader, his DANA orchestra, later known as Tony Puskarz and the Diplomats, was popular among polka fans in the Northeast for over 25 years. He made over 40 records for Decca, Coral, Musico, Musicraft, Elite, Continental, and Polo recording companies. Among his many top hit recordings, the "Rain Rain Polka" was his most popular. For 38 years, he has been a member of the New Britain Musicians Union Local 440, contributing greatly to the vitality of the local music scene.

Puskarz's reputation in polka music was nationwide. He broadcast his first radio program over radio station WNBC, now WPOP. He was the first polka disc jockey on WKNB, now WRYM; he later broadcast from WHAY, now WRCQ. His broadcasts would feature live studio programs with his own orchestra playing the music.

Mr. Puskarz recently served as one of five members of the electoral college of the Polka Hall of Fame, a national organization which honors personalities who have made outstanding contributions to the advancement and promotion of polka music. Needless to say, his many fans were deeply disappointed at his retirement from the music field in the early 1960's.

It should be evident from all this that Anthony Puskarz, Sr. is by no means your average citizen, but rather a talented, gifted individual who has chosen to spend his life dedicated to the happiness and well-being of others. For this and all of his outstanding achievements, the choice of him for the Man of the Year Award can scarcely be challenged.

I would like to add my voice to the chorus of congratulations to Anthony Puskarz, Sr. for his personal achievements in the fields of art and music, and for all that he has contributed to the pride of the Polish-American community in New Britain, the State of Connecticut, and nationwide.

TRIBUTE TO MRS. CARMEN CIDDIO GALLEGOS

HON. PETE V. DOMENICI

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Tuesday, September 20, 1977

Mr. DOMENICI. Mr. President, in spite of this country's tremendous medical capabilities and its complex and elaborate health care delivery system, there are many women in the United States who for one reason or another do not deliver their children with the help of a physician or in a large sophisticated hospital. This may be due to location, for example, in rural areas; or simply because some people just cannot afford the services of a busy doctor or the facilities provided by city hospitals. These mothers often avail themselves of the services of a midwife as an alternative method of childbearing.

Having delivered over 5,000 babies, Mrs. Carmen Ciddio Gallegos is certainly experienced in her specialty. She has provided personal and concerned care to many mothers and infants in San Miguel County for many years. Her skill and expertise have undoubtedly instilled confidence in her patients.

A midwife has several responsibilities, some of which may be quite unexpected. She is called upon to offer advice, provide comfort, cope with adverse conditions, and sometimes provide prenatal and postnatal care as well as delivering the baby safely. She is "on call" night and day, and travels countless miles to offer her services throughout the community.

As for the patients of the midwife, an expectant mother frequently can expect more personal care than she might get from a busy physician or hospital staff. The prospective mother may feel more comfortable having her children in her own home, and asking her many questions to the midwife, for the midwife usually has a greater sensitivity to the mother's needs. The ability of the midwife to communicate with the members of the community provides the families with a secure feeling that might not be possible in the more impersonal and strange surroundings of a hospital.

Mrs. Carmen Ciddio Gallegos is an asset to San Miguel County. Over the years, she has faced many problems and unusual situations in delivering children and has always met the challenge. The respect she receives from her patients and the community attests to her skill and service to others. She should be proud of her achievements in a demanding, yet satisfying endeavor. I know that we here today are all very proud of Mrs. Carmen Ciddio Gallegos, and we are grateful for her service.

PUBLIC UTILITIES REGULATION POLICIES

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. WALSH. Mr. Speaker, the attached resolution adopted by the Tompkins County Chamber of Commerce summarizes the attitude of the body with respect to proposed changes suggested in this legislation with respect to public utility regulatory policies.

This resolution was adopted unanimously by the board of directors of the Tompkins County Chamber of Commerce on August 17, 1977. The resolution reads as follows:

RESOLUTION

Whereas, "A Bill to Establish a Comprehensive National Energy Policy" No. S-1469 was introduced in the U.S. Senate on May 5, 1977 by Senator Henry M. Johnson, and

Whereas, Part E of said S-1469 dealing with the "Public Utility Regulatory Policies" fails to recognize the many different types of elective requirements and consumer needs not only between the States but also within the States which are monitored adequately by respective State Utility Commissions which were established to monitor such needs on an individual and continuing basis, and

Whereas, to create a Federal organization to oversee and duplicate the efforts of the States in this area, such action can do nothing but add to consumers' costs and be contrary to President Carter's expressed desire to streamline the Federal bureaucracy, and

Whereas, The Federal Government will now become involved in the retail pricing of electricity in the interstate market. This pricing is effectively being accomplished by Public Utility Commissions in each State. This bill would in effect make the State Commissions a branch of the Federal Government with authority only over matters that are specifically filed with the Federal Energy Administrator or no authority if the Administrator feels that they are not following Federal guidelines. Is the Federal Government willing or does it have the manpower to accept this responsibility?

The bill intends that by adopting a national policy of marginal cost pricing no State will be placed at an economic disadvantage. It also assumes that each State if not mandated by Federal policy will not change historical design of rates. However, this is contrary to what is actually happening within the States. Many State Commissions, including New York's, are presently investigating the benefits of marginal cost pricing in rate design. Further, while marginal costing is desirable and theoretically possible, we must realize that theory and practical application do not always follow a logical and simple progression. To mandate a country-wide system of marginal costs and to couple it with non-declining rate blocks will have the effect of an immediate increase in the cost of electricity, to the business community.

The bill is contradictory in the fact that marginal cost pricing will not apply to the residential consumer. They are the only consumers whose rates can be set lower than marginal costs dictate. This assumes that they are not adding to the peak loads which in many cases is not factual.

The adoption of marginal cost pricing before a full economic study of its impact can be completed could cause a switch to other fuels by all consumers. This would be contrary to the stated national policy of reducing our dependence on the limited fossil fuels, oil and natural gas, in place of our abundant supplies of coal and uranium.

The criteria of sales of over 750 million KWH per year for non-regulated utilities before having to comply with the bill will exclude all but a few of the municipal and cooperative electrical systems. These systems historically have a higher growth rate than the regulated utilities and provide them a great economic advantage not by economic competition but by regulation.

The financial integrity of the regulated utilities will be greatly threatened by this legislation. Inflationary pressures have caused the utilities to seek rate hikes which presently contain long delays. The uncertainty of jurisdiction of rate cases between State Commissions and the Administrator and further delays can only lead to a further decline in investor confidence in utility stocks and bonds. Inability to raise capital will not only cause a curtailment of needed construction for new consumers but reduce the reliability of service to existing customers.

Now therefore be it resolved, that the Tompkins County Chamber of Commerce desires to express its opposition to Part E, S-1469 and urges you to vote against S-1469, Part E which deals with the "Public Utility Regulatory Policies."

The above resolution was passed unanimously by the Board of Directors of the Tompkins County Chamber of Commerce at its regular meeting in Ithaca, New York on August 17, 1977.

SOME SALARY CUTS WE CAN ALL SUPPORT

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. HYDE. Mr. Speaker, last week I introduced legislation, H.R. 9040, which will drastically cut the salaries of official U.S. representatives to the World Bank, the International Monetary Fund, and the Asian and Inter-American Development Banks.

The current taxable equivalent salaries of some of these individuals are higher than that received by Treasury Secretary Blumenthal who earns $66,000 annually. The following table shows current tax-free net salaries, and the taxable gross equivalent:

SALARIES OF U.S. EXECUTIVE DIRECTORS AND ALTERNATES TO THE INTERNATIONAL FINANCIAL INSTITUTIONS AND TREASURY DEPARTMENT OFFICIALS

Position	Net salary	Taxable gross equivalent*
World Bank (IBRD):		
U.S. Exec. Dir.	$47,605	$83,830
Alt. U.S. Exec. Dir.	37,658	61,730
International Monetary Fund (IMF):		
U.S. Exec. Dir.	47,605	83,830
Alt. U.S. Exec. Dir.	37,658	61,730
Inter-American Development Bank (IDB):		
U.S. Exec. Dir.	44,985	78,820
Alt. U.S. Exec. Dir.	35,675	57,920
Asian Development Bank (ADB):		
U.S. Director	------	42,350
Alternate U.S. Dir.	------	36,550
U.S. Department of Treasury:		
Secretary of Treasury	------	66,000
Asst. Sec. of Treasury	------	50,000
Dep. Asst. Sec. of Treasury	------	47,500

*The figure for taxable gross equivalent salary for employees of the World Bank, the IMF and the IDB is the grossed-up salary figure paid to the U.S. representatives and assumes a spouse, two dependents and District of Columbia residence. The Asian Development Bank's U.S. Director does not enjoy "tax free" status, but receives added compensation to equate his salary with that of a Chief of Mission (Class 2) under the Foreign Service Act of 1946.

Source: Senate Report 95-352, Library of Congress and International Monetary Fund.

Mr. Speaker, the figures speak for themselves. The U.S. Executive Director of the World Bank earns a taxable equivalent salary of $83,830 annually, with take-home pay of $47,605; while his counterparts on the International Monetary Fund and the Inter-American Development Bank earn taxable equivalent salaries of $83,830 and $78,820, respectively, or take-home paychecks of $47,605 and $44,985 respectively.

Year after year Congress is asked to vote bigger and bigger foreign aid packages. Many of us in Congress view the high salaries of international bureaucrats with indignation and frustration. The enthusiasm of our constituents for foreign aid is limited enough, without having to explain these exorbitant salaries. Congress cannot touch the salaries of most of these organizations' employees because, as international organizations, they are not under direct congressional jurisdiction.

Defenders of the current salary levels make a variety of arguments in support of the high salaries including the need to attract highly competent employees, and the necessity of equating their pay levels with those of the best paid national bureaucracies. But the mission of these organizations—to channel international assistance to the poor in lesser developed countries—makes such high salaries repugnant to aid contributors and aid recipients alike. Put very simply, every dollar paid in salary is a dollar less for development aid.

I do not expect the employees of the World Bank to work for an unfair or inadequate salary, nor one that is not commensurate with their important responsibilities. But these goals can be obtained within sensible and prudent limits.

I have written to the House conferees on the foreign assistance appropriations bill, urging their support of the other body's language reducing salaries of official U.S. representatives at the multilateral development banks. While there is a minor problem with the language as it applies to our Asian Development Bank representative, on the whole it is an innovative approach which deserves the support, not only of the conferees, but of the full House. Should the Senate approach not find its way into law, I will urge quick hearings within the Banking Subcommittee on International Development Institutions on my measure, H.R. 9040.

This bill would prevent U.S. executive directors of the international financial institutions from accepting a salary greater than an Executive Level IV position, or $50,000. Alternate directors could accept only $47,500. The difference between these limits and what they now earn would revert to the institution.

Compared to the overall problem, this is almost a symbolic gesture. The more general problem of an overpaid international bureaucracy remains. But this does put other governments and the employees of these institutions on notice that the Congress will not keep funding institutions that lavish their employees with high salaries and benefits. Hopefully, other governments will follow our lead.

NOTICE OF HEARINGS ON PROPOSED NATIONAL DOMESTIC DEVELOPMENT BANK

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, on October 4, 5, and 18, the House Subcommittee on Economic Stabilization, which I chair, will hold hearings on legislation proposing the establishment of a national domestic development bank and related proposals. It is our intention to hear testimony from a wide range of public and private individuals and organizations concerning the capital needs faced by local governments and a variety of public policy instruments proposed for meeting these requirements.

Because of time constraints, oral testimony will be received only from selected witnesses, which, in the opinion of the subcommittee, are likely to best represent the interests affected. However, written testimony will be accepted for the record. For further information, interested persons may contact the hearing clerk, Subcommittee on Economic Stabilization, Room 2220, Rayburn House Office Building, (202) 225-7145.

AGAINST MILITARY UNIONS

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. BEARD of Tennessee. Mr. Speaker, as a member of the House Armed Services Committee, I have watched the development of the military unionization issue with deep concern, and I must note, growing concern.

From all indications, military unions have a serious detrimental impact on the over-all effectiveness, discipline and readiness of Armed Forces. Findings by Gen. George Brown, Chairman of the Joint Chiefs, has demonstrated that every country that has had a servicemen's union has paid a terrific price in operational effectiveness.

The Americn Federation of Government Employees (AFGE) at their recent national convention passed a resolution to accept military personnel into their ranks. A post convention poll of the entire union membership indicated that the rank and file overwhelmingly favor a moratorium on military unionization activities. However, opponents of military unionization should not be lulled into a false sense of security. These poll results reflect only a feeling among the AFGE membership that civilian issues are a more immediate concern than attempting to unionize the military. This is likely to be only a temporary condition. The AFGE leadership is not about to give up the substantial economic and political gains which would result from bringing the military into the union fold.

The Congress has already evidenced widespread concern for the problem posed by the threat of a military union. To date, 21 bills have been introduced in the House, and two in the Senate which seek to ban such unions. Of these bills, only one has been acted upon by either Chamber. That bill, S. 274 withstood the test of extensive Senate scrutiny and passed on September 16 by a vote of 72-3.

I have been an advocate of House action on this question for some time,

unfortunately, to no avail. However, it is now clear from the overwhelming Senate vote that speedy action by this House is essential.

Mr. Speaker, while I am a cosponsor of legislation to prohibit military unions, I will today introduce legislation identical to that already passed by the Senate. It is my hope that this will once again draw attention to the urgency of this issue and the need for immediate consideration of this question by this body.

CONGRESSIONAL SALUTE TO THE HONORABLE FRANK VON ATZINGER, ESTEEMED CHIEF OF POLICE OF NORTH HALEDON, N.J., OUTSTANDING CITIZEN AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. ROE. Mr. Speaker, on Friday, September 23, the residents of North Haledon, my congressional district, State of New Jersey will gather in testimony to the outstanding public service rendered to our community, State, and Nation by one of our most distinguished public safety officers, the Honorable Frank von Atzinger, chief of the North Haledon Police Department, good friend, leading citizen, and great American.

As Chief von Atzinger retires from his law enforcement career, I am pleased to join with his many, many friends in deep appreciation of all of his good works and share great pride in the success of his achievements with his wife, Alice, and son, John.

Mr. Speaker, Chief von Atzinger has indeed earned the highest respect and esteem of all of us for the quality of his leadership and highest standards of excellence in seeking to achieve optimum public safety for all of our people. He was appointed to the North Haledon Police Department in 1947. He served in all official ranks of the North Haledon Police Department—sergeant to captain—and on January 1, 1967, attained his present high office of public trust as chief of the department.

Chief von Atzinger is a lifetime resident of my congressional district. He was born in North Haledon, N.J., and served overseas with the U.S. Army in World War II before joining the North Haledon Police Department.

Throughout his lifetime Chief von Atzinger has forged ahead with dedication, devotion, and sincerity of purpose in combatting crime and protecting the life of our people. We applaud his knowledge, training, hard work, and personal commitment that has enabled him to achieve the fullest confidence and strongest support of the people of our community. He has always applied the most sophisticated and advanced techniques of his profession.

He has won more than 1,000 trophies and medals in shooting competition and holds a highly coveted award in the Oldtimers Hall of Fame for national competition. He has received many decorations for distinguished public service including the Mayor's Medal, Unico Medal for law enforcement, and citizens' awards.

Chief von Atzinger has been a stanch supporter and active participant in many civic and community improvement programs and we applaud the quality of his leadership endeavors for three decades in the vanguard of our public safety officers.

Mr. Speaker, it is, indeed, appropriate that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America and I am honored and privileged to call your attention to his lifetime of outstanding public service. As Chief von Atzinger retires his official leadership badge of courage and valor as the esteemed chief of police of North Haledon, N.J., I respectfully seek this national recognition of his contribution to our country in placing others above self in providing safety on the streets, security in the home, and optimum public safety for all of our people. We do indeed salute Chief Frank von Atzinger of North Haledon, N.J., for his contribution to the quality of life for the people of our community, State, and Nation.

BALTIC HUMAN RIGHTS RALLY

HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. BLANCHARD. Mr. Speaker, world attention will soon be focused on an event which will play a future role in the nature of East-West relations. On October 4, the Conference on Security and Cooperation in Europe will convene in Belgrade, Yugoslavia, to review the implementation of the Helsinki Final Act, signed in 1975 by 33 European states and Canada and the United States. These 35 signatory nations have set the task for themselves of attempting to insure a stable, and above all, a just peace in Europe. Prominent matters of discussion will center on human rights, economic cooperation and the self-determination of peoples, all specified within the Helsinki Act.

To underscore the necessity of considering the just status of all European peoples, Americans of Estonian, Latvian, and Lithuanian descent from throughout the United States are gathering in Washington on September 24, to express their great concern for the Baltic States. Estonia, Latvia, and Lithuania, independent nations prior to World War II, since that time have been under the harsh rule of the Soviet Union and have not been accorded the free expression of their natural human and national rights, a continuing injustice which has not been lessened by the Soviet Union's agreement to the Helsinki Act.

The Baltic human rights rally will commence at 11 a.m. on September 24, by the Lincoln Memorial reflecting pool, with many prominent speakers as well as Baltic cultural performances. I urge my fellow Members to take note of this assemblage and of our duty to be mindful of the many European peoples and states which have not as yet been accorded their rights under the Helsinki Final Act. As this act makes clear, friendly relations among the participating states can come about only when there is a recognition of the "universal significance of respect for and exercise of equal rights and self-determination."

OFFSHORE OIL AND GAS

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. BAUMAN. Mr. Speaker, as a member of the Ad Hoc Committee on the Outer Continental Shelf, I know offshore oil and gas exploration and production are crucial components of this Nation's drive to produce new energy sources. The Federal Government has played a determining role in the progress of this area of the energy situation. Whether that role will be a negative one depends a great deal upon the kind of legislation this Congress passes concerning Federal laws governing the Outer Continental Shelf.

The Banner, of Cambridge, Md., recently offered its many readers some thoughts on the bill soon to come out of the Senate. The Banner points out that all too often Government has impeded progress in this field rather than encouraged it. I commend the Banner's thoughts on this matter to my colleagues:

OFFSHORE OIL AND GAS

Most Americans would agree that this country needs more oil and gas to solve its energy problems. They would also acknowledge that exploration for oil and gas on the outer continental shelf should be an important part of America's drive for energy independence. The question of how such exploration should proceed is a matter on which there is a staggering diversity of opinion.

The U.S. Senate recently revised the Outer Continental Shelf (OCS) Lands Act by a vote of 60–18. Senate Majority Leader Robert Byrd, D-W. Va., said the measure would "enable our petroleum companies to accelerate their efforts to explore the outer continental shelf." Sen. Russell Long, D-La., contends the law will impede "production of oil and gas in areas where we are most likely to get them."

Who is correct? The Senate revision of the OCS act alters the bidding and leasing procedures and increases the number of regulations that oil companies would have to deal with. The industry believes that present regulations are acceptable and that more intervention by government will hamper operations.

It is easy to sympathize with these objections. Congressional approval would be required on a development and exploration plan submitted by the U.S. Geological Survey. Imagine some long-winded senator expounding on the merits of the plan. Multiply that by 100, include the in-house maneuvering which accompanies such proceedings and the oil companies' fears seem well-founded.

The OCS revision must now go to the House. We hope representatives recognize the pitfalls in the Senate measure. Government

has many strengths, but speed is not one of them. If this country truly is involved in the "moral equivalent of war," speed in developing domestic energy resources would seem to be of the essence.

THE MEANING OF OUR NATIONAL ANTHEM

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SHUSTER. Mr. Speaker, I would like to submit to my colleagues an inspirational article by the Rev. Charles William Hanko, chaplain of the Pennsylvania Chapter of the American Legion. Reverend Hanko explained in an excellent manner the deep-seeded reasons why our National Anthem means so much to so many Americans:

THE PADRE'S CORNER

(By Rev. Charles William Hanko)

Recently, an outstanding television presentation carried an account of a woman's attempt to replace the present National Anthem due to its emphasis upon the heroic deeds of the American Military. She cannot realize why an anthem, symbolic of the Republic, should be based upon her military might and upon killing.

Need the American people be reminded that such thinking is far from the Spirit which Francis Scott Key imparts. It is not the glorification of war, but, the valor of those who were willing to sacrifice their lives that Free-Men, everywhere, might continue in this blessed state to which they were endowed by the Creator. It is their example which gives strength to the Nation and to Free-Men and insures that God-given "Rights of Life, Liberty, and the pursuit of Happiness" to all.

If one will only think, it is the willingness to sacrifice life upon the Altar of Freedom that brought the United States to her exalted position of world leadership. When certain would-be "leaders" failed to realize this, we began to lose the esteem of the international community. This Nation no longer presented the answer to their prayers as "the land of the Free and the home of the Brave."

The purpose of an anthem for any nation is to inspire men in "thought, word, and deed": to bring to him a willingness to exert his utmost endeavors in service to God and to Man. Jesus, by his death at Calvary for the sins of man, sacrificed His all to insure "Eternal Salvation" and changed the History of the World and set the foundations for Western Civilization. The American Youth—at Lexington and Concord, at New Orleans, at Vicksburg, at San Juan Hill, at Verdum, at Normandy and at Iwo Jima, at Kumwha, at Pleiku (among other battles)—gave hope to man of the American intention to insure Freedom to all by the sacrifice of their lives. These asked, not that someone else give to assure life: they gave their own lives that others might live and signed this binding obligation in blood.

What greater witness could be given to the world of the love of a Nation for humanity than the most beautiful word of "The Star Spangled Banner?" May she ever wave over "the land of the Free and the home of the Brave." May we ever sing these resolves with every effort that they require with meaning and in our every action.

May God continue to bless America that she might continue to be the hope of the World in the Spirit of Him who established her.

BOAT CASES FROM VIETNAM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. EILBERG. Mr. Speaker, my Subcommittee on Immigration, Citizenship and International Law of the Committee on the Judiciary recently held hearings on granting parole to an additional 15,000 Indochinese refugees. Of these 15,000, some 7,000 are known as "boat cases," a term used to describe those Vietnamese nationals who risking their lives and the loss of all their worldly possessions, escape clandestinely from Vietnam by boat in the hopes that they will be picked up at sea and taken to an asylum area from where they can be resettled in a new country.

The article reprinted here which appeared in the New York Times on August 25, 1977, vividly depicts the inhumane attitude adopted by certain countries and ship captains which violates the traditional maritime concept of aiding persons in distress on the high seas.

Under this new program, the United States is providing for the resettlement of all "boat cases" presently found in some 11 countries in Asia. It by no means solves the problem.

These refugees will continue to come out and they will continue to be ignored by ships and countries until some permanent international solution is found.

Should we, as each buildup occurs, continue to authorize new refugee programs? Or should we seek to enlist the cooperation and good will of all countries to come up with some definite commitments for relief?

I have called for an international conference on Indochinese refugees to consider not only the "boat cases," but also the "in-camp" refugees in Thailand where that population continues to increase.

My appeal has fallen on deaf ears—no government department or international organization has deemed the question to be important enough to convoke such a conference preferring to seek solutions on an ad hoc situational basis.

I renew my appeal. The sooner this is done, the greater number of lives we will save.

[From the New York Times, Aug. 25, 1977]

MORE SHIPS IGNORING VIETNAM'S REFUGEES—CAPTAINS SAID TO SPURN APPEALS FOR FEAR OF REDTAPE AND LOSSES

(By Henry Kamm)

KOBE, JAPAN, Aug. 21.—The three groups of Vietnamese refugees sheltered in a Roman Catholic home in this port city have been recovering from their arduous escapes by small boat since May.

The 104 persons—about one-third of them children—spend their time learning English from a priest, watching television in a language they don't understand, reliving awful memories and waiting for an embassy to give them a visa to a place of permanent refuge.

Since Japan refuses to consider asylum for anyone, their hopes center on the United States, France and Australia. They have vaguely heard of the American decision last month to admit 7,000 "boat people," but no official has talked to them about it, and they can only hope.

Their memories are of fears of being caught, of drownings, of death of hunger, thirst or exposure and of constantly bailing out their rickety craft while retching with seasickness.

Those were the dangers they expected when they set out. And they can speak of them matter-of-factly. But they cover with smiles and little laughs their embarrassment over the anger they feel about the many ships that passed them by while they were adrift at sea.

ASIAN COUNTRIES RELUCTANT

Before they were rescued—each group by a Japanese merchant vessel—they had all tasted the bitterness of having ship after ship ignore their pleas and S.O.S. signals and abandon them to the sea, with food, water and fuel running low, passengers ill and the coast far off.

Since the heavy refugee flow from Vietnam began last year, there have been increasingly frequent reports of violations of the traditional requirement that all ships encountering others in distress come to their rescue.

In shipping circles here and in Southeast Asia, it is recognized that the violations have become everyday occurrences and suspicions are voiced that some companies may have ordered their captains not to pick up "boat people."

The reason is that almost all Asian countries are reluctant to grant refugees even temporary shelter and have made serious difficulties for captains wishing to let these passengers off at their next port of call.

Great losses of time, danger to cargoes and governmental bureaucratic complications have ensued for shipping lines. How many lives have been lost because of the reluctance of ports and ships to rescue these refugees will never be known.

Merchant vessels are not the only suspected offenders. The leader of a group of 28 refugees that set out from Saigon May 8 said that on May 10 their boat flashed an SOS to the Australian naval vessel Vendetta. The vessel pulled up by the fishing boat. The Vietnamese group leader—he did not want his name printed for fear of reprisals against his relatives in Vietnam—asked for help and said that some people aboard were ill.

PASSED BY 21 SHIPS

While Australian sailors leaned over the rail to photograph the scene, the captain replied that he regretted he could not take the refugees aboard because his ship was on patrol. The refugee leader said the Australians then lowered medicines, water and fruit juice to them and a map indicating that Malaysia was 20 hours away. The Vendetta, a large destroyer that is listed as carrying a crew of 320, returned to its patrol.

"We had hoped to be invited aboard," the refugee leader said.

The next day said the leader, a former Education Ministry specialist, 21 ships passed within their sight in 12 hours. The Vietnamese signaled with flares and homemade flags, but no ship acknowledged the signals.

"I thought that they were busy, or because they had to feed us, or because they had difficulties with governments for political reasons," the refugee leader said in apology for those who failed to try to save the lives of his group, which included three young children and a pregnant woman.

Members of one group that left Vietnam from Cam Ranh on July 12 reported having passed within 50 yards of a ship bearing an Esso band around its smokestack on July 14 and being ignored by its crew. The 56 refugees on the boat later narrowly escaped capture by Chinese in the Paracel Islands, where they stopped to ask for drinking water before being rescued by a Japanese freighter.

LET OUR ALLIES SHARE DEFENSE RESPONSIBILITIES

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mrs. HOLT. Mr. Speaker, in the CONGRESSIONAL RECORD of September 13, our colleague from Massachusetts (Mr. STUDDS) inserted a newspaper editorial complaining that economic motivation enters American decisions to sell arms to other nations.

Our colleague obviously agrees with the editorial. In his own remarks for the RECORD, he says that economic considerations "should not be allowed to dictate foreign policy decisions in a manner which does harm to our long-range international goals."

Mr. Speaker, he does not identify those goals, nor does he identify where our foreign arms sales are conflicting with those goals. I believe that our arms sales have been entirely consistent with maintaining the collective security of the United States and her allies by deterring the aggressive military imperialism of the Soviet Union and its clients, and shoring up our faltering economy by maintaining a large volume of exports. These are very worthwhile goals.

I would emphasize, Mr. Speaker, that the collective security of the non-Communist world is of paramount importance, and my use of the term "security" includes economic concerns of extreme gravity.

For example, the Soviet Union has a foreign policy goal of gaining control of Mideast oil resources without which the free world economy would collapse. The survival of the free world depends absolutely on preventing that calamity. For this purpose we sell arms to our allies in the Mideast, and when we sell arms to oil-producing allies, we are helping to pay for the oil we buy from them.

There is nothing immoral in selling arms to American allies for the purpose of enabling them to defend their independence against potential aggressors. There is nothing immoral in assisting them to defend natural resources that are vital to the entire free world. There is nothing wrong with helping them to defend critical, strategic areas in our global defense system. And there is nothing wrong with selling arms for such purposes when those sales enable us to buy materials and products that we need.

Of course, we sell a wide variety of products to other nations, including food. Unfortunately, we are not selling enough. Even with arms sales, America will be losing an estimated $25 billion this year because our imports are so much greater than our exports. A continuation of this trend is a serious danger to our economy.

According to the editorial submitted by our colleague from Massachusetts, the Carter administration approved $3.4 billion in arms sales during its first 7 months. This gives us some idea of the importance of these sales to the American economy in terms of income and jobs.

The gentleman from Massachusetts has strongly objected to the proposed sale of seven AWACS aircraft to Iran for an estimated $1.2 billion. I cannot understand why he protests.

Iran is a longtime ally of the United States, a major oil producer for the free world, a stabilizing military power in the Mideast, and has a 1,250-mile border with the Soviet Union and an 873-mile border with Soviet-armed Iraq. Iran carries an awesome responsibility for the defense of the Persian Gulf states and Saudi Arabia with their enormous reserves of oil.

AWACS (Airborne Warning and Control System) will improve the air defense capability of Iran, and the defense of Iran is of critical importance to the United States and the Free World.

Mr. Speaker, we live in a dangerous era in which we should assist allies important to the collective security of the free world, and it is impossible to separate military security from economic security.

There was a time, even very recently in our history, when we responded to aggression by sending our troops. Today we have asked our allies to carry a greater burden for the common defense and supply them with the arms they need.

Where is the error in this? Where is the immorality in this? I do not see it, Mr. Speaker.

AN AGENCY WE DON'T NEED

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. ABDNOR. Mr. Speaker, it is only going to cost each taxpayer a nickel a year.

That is what we are hearing about the proposed Consumer Protection Agency.

We have heard the same story before but the record shows: Equal Employment Opportunity Commission 1965 budget $2.5 million, 1977 budget $66.85 million, a 2,574-percent increase in 13 years; Environmental Protection Agency 1971 budget $1.29 billion, 1977 budget $2.76 billion, a 114-percent increase in 7 years; OSHA 1971 budget $15.2 million, 1977 budget $130.3 million, a 758-percent increase in 7 years; Consumer Product Safety Commission 1973 budget $13.55 million, 1977 budget $39.8 million, a 194-percent increase in 5 years.

With our past record, we can hardly hope that with modest beginnings a Consumer Protection Agency budget will remain modest.

Some other reasons we do not need this agency are reflected in this recent editorial from the Hot Springs (S. Dak.) Star. I commend it to the attention of my colleagues:

MORE "BIG BROTHER!"

Unless Congressmen hear otherwise from their constituents, a bill defeated last year calling for the creation of a new super-government agency will be passed this year.

The Senate and House will soon be asked again to act on legislation that would create another layer in the sandwich of Federal Bureaucracy.

The new Consumer Advocacy Agency and its army of lawyers would seek to oversee and intervene in the affairs of other layers of bureaucracy, the regulatory agencies, which have already been created by Congress.

Those in favor of such an agency say the people are demanding this new bureaucracy to "protect" them from the dishonest businessman, even though many of the existing regulatory agencies were set up to do just that. What about the Consumer Protection Agency, for example?

The crux of the problem seems to be this. Do the American people want to cure the problems of bureaucracy by creating more bureaucracy? We thought that just the opposite was true. The people are tired of government and want less of it, not more.

We hope the public is finally beginning to see the light. The federal government can "protect" us all right into bankruptcy. The average citizen today doesn't mind being protected. What he does object to is the government treating him like a dummy when it comes to consumerism.

We think the creation of the Consumer Advocacy Agency would be just another step closer to the Big Brother form of government illustrated so well in George Orwell's fictitious novel, "1984". We hope it never becomes a reality.

A MULTIFACETED APPROACH TO STEEL INDUSTRY PROBLEMS

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. NOWAK. Mr. Speaker, there has been a great deal of public debate recently on the problems confronting the domestic steel industry, including the rising tide of foreign imports. The reality of these problems was manifest in the 37th Congressional District of New York, which I am privileged to represent, when Bethlehem Steel Corp. last month announced plans to reduce production and drop 3,500 jobs at its facilities in Lackawanna, N.Y.

Mr. Speaker, following is a copy of a statement I submitted today to the House Ways and Means Committee whose Subcommittee on Trade is conducting a hearing on the world steel trade situation. This hearing is a most timely and urgently needed one, especially in light of the retrenchments and job reductions that have occurred recently in this essential domestic industry.

STATEMENT OF REPRESENTATIVE HENRY J. NOWAK OF NEW YORK

Mr. Chairman, I would like to commend the Subcommittee for convening this hearing on the world steel trade situation—a matter of vital interest to our nation's economy and that of the entire Free World. Few industries are as basic and essential as steel to the modern economy.

I hope that an immediate by-product of this one-day hearing will be a more extensive congressional review of this complex matter to continue focusing national and international attention on the need to seek positive, balanced solutions to the difficulties that have developed in world steel trade.

In terms of our domestic steel industry, it is clear that we are experiencing serious economic problems.

There has been much vocal debate in recent months on the extent and causes of the domestic steel industry's problems. The litany of alleged causes—foreign imports, federal tax policies and environmental regula-

tions, rising labor and material costs, disappointing productivity, government jawboning, plant obsolescence, corporate mismanagement, industry pricing practices, steel substitutes—is extensive and hotly debated.

It would take an enormous amount of study to be classified as an expert on the causes of the steel industry's difficulties. It does not take long, however, to understand clearly the effects of these difficulties.

The impact recently was felt most harshly in the 37th Congressional District of New York, which I am privileged to represent. Bethlehem Steel Corporation, the nation's second largest steel manufacturer, announced on August 18 that it was reducing steelmaking capacity at its Lackawanna, New York, complex from 4.8 to 2.8 million tons and cutting its work force from 11,500 to 8,000. In the late 1960s, employment at this plant was as high as 20,000.

Earlier, Bethlehem Steel had announced a similar cutback at its Johnstown, Pa., facilities, reducing production capacity from 1.8 million to 1.2 million tons and cutting the work force from 11,400 to 7600. Prior to these two cutbacks, Bethlehem Steel this summer had announced the closure of two bar mills at Bethlehem, Pa., rolling mills in Lackawanna and South San Francisco, an iron ore mine near Morgantown, Pa., an iron ore pelletizing plant at Cornwall, Pa., and a bolt plant in E. Chicago, Ind.

This retrenchment has not been limited to Bethlehem. In recent months, belt tightening measures have been announced by various steel manufacturers. U.S. Steel, warning that its South Works in Chicago was "in danger" of closing, confirmed a 10 to 20 percent reduction of salaried workers in its Chicago-based Central Steel Division.

Wheeling-Pittsburgh Steel Corp. announced it too was carrying out extensive cost-cutting operations that "will involve several millions of dollars." Lykes Corp. cut 150 salaried employees at a Youngstown, Ohio, facility. Jones & Laughlin Steel cut salaries of 350 management employees 10 per cent. Kaiser Steel Corp. said it will close three rolling mills affecting 300 jobs.

This pattern of retrenchment is most disturbing. The long-range implications to our national economy of these cutbacks in productive steelmaking capacity are also of deep concern. For example, Bethlehem Steel's production cutbacks at its Lackawanna and Johnstown plants alone represents a reduction of 10 per cent in its total steelmaking capacity.

Industry experts say the United States has become the only industrialized nation in the entire world that is not self-sufficient in steelmaking capacity. That means at times of peak demand our domestic industry cannot meet the need and we must rely on foreign imports.

Simultaneously, these same experts predict a need to increase—by as much as 25 to 30 million tons—our steelmaking capacity by the early 1980s to meet anticipated domestic market growth.

If this projection materializes and our domestic steelmaking capacity continues to erode, our nation would become more and more dependent on imported foreign steel. This gloomy prospect prompted one industry executive to suggest that continuation of current trends will lead the United States to an OPEC-oil-like situation regarding steel products. Under this scenario, we would face chronic domestic shortages of steel, pay premium prices for imports, fuel inflationary trends and add to our balance of payments deficit.

The bottom line is that an essential domestic industry is in trouble.

There are foreign and domestic policy ramifications to the problem to any possible solutions.

Perhaps the most volatile and visible ingredient in the current problem is the issue of steel imports.

I believe the federal government immediately must begin to demonstrate a greater sense of public urgency about the steel industry's difficulties.

The loss of jobs in the steel industry is as real and ruinous to our economy as job losses in the color-TV, shoe and textile industries. It is imperative to give as much attention to the problems confronting the steel industry as we have to these other commodities.

At a briefing the International Trade Commission (ITC) conducted last month for congressional staff members, it was pointed out that the following 17 unfair advantages are often cited by the domestic industry in their complaints about steel imports:

1. Predatory pricing;
2. Pricing in U.S. markets at below cost of production;
3. Selling in the U.S. market at less than fair value;
4. Price discrimination in sales to U.S. customers by importers;
5. Foreign producers often receive a variety of export incentives or subsidies, including depreciation bonuses based on percentage of export sales;
6. Border tax rebates;
7. The forming of cartels to allocate and limit production of particular products and to set prices; cartels are permitted for the group purchasing of scrap (illegal under U.S. law);
8. Market disruption by foreign suppliers—curtailing shipments into the United States during periods of peak demand such as 1974 when imported steelmill products often sold at premiums ranging from 20 to 50 percent over domestic articles but increasing shipments during recessionary periods at prices far below domestic prices;
9. Increased imports into the United States as a result of the bilateral agreement restricting Japanese exports to the EEC. Negotiations of the EEC to obtain similar agreements from Spain, Sweden, and Switzerland;
10. The growing cartelization of the EEC;
11. The rapid imposition of special surcharges on specific imports in the United Kingdom;
12. The inability of world producers to sell steel in Japan at any price;
13. Subsidization of coal production in Europe and the United Kingdom;
14. The flow of government funds into the foreign steel industry which allows for low or no interest government loans to steel producers;
15. The establishment of export cartels in Japan;
16. The manipulation of exchange rates;
17. Heavy financial losses that foreign producers sustain year after year operating as instruments of national policy—not on the same profit motive which U.S. producers operate.

These repeated industry allegations have been challenged in some circles.

However, the unquestioned fact remains that foreign imports are relentlessly acquiring a greater and greater share of our domestic market for steel. The ITC stated:

"In 1977, the level of imports have reached about 18 per cent of U.S. consumption; of course, in the Western U.S. market, import penetration is about 35 to 40 per cent of U.S. consumption and, needless to say, with respect to some product lines, imports exceed U.S. production."

In 1976, for comparison purposes, foreign steel accounted for 14 per cent of our domestic consumption.

I believe a case has been made for the seriousness of the import problem on our domestic industry and that case should be reviewed at the federal government level with more dispatch and with a greater degree, a much greater degree, of concern and urgency.

Serious questions have been raised. We should be more actively seeking answers.

The import question is a complex one, with vast international economic implications. The solutions lie somewhere between the extremes of free trade and protectionism. The steel industry has not sought new protectionist legislation, but rather asks that present laws be administered more expeditiously and more aggressively.

There is no sense pretending we are operating in a free market situation. With foreign governments directly or indirectly subsidizing exported steel products and our own government directly or indirectly affecting domestic production—via environmental control regulations, for example—we are hardly functioning in a laissez faire economic environment.

Government interference or involvement here and abroad is part of the problem. The government must also be part of the solution.

As the most immediate step, I would suggest that we in the Congress should urge the Administration to signal our trading partners strongly—particularly the Japanese and the European Economic Community—that world steel trade problems must be addressed posthaste.

That point can be made at the next scheduled session of the Organization for Economic Cooperation and Development (OECD), which includes representatives from the major industrialized nations, in Paris on Sept. 29. Exchanges of additional information on the various nation's steel-related problems and discussion of these problems are scheduled. We should emphasize that the time is overripe for seeking solutions to steel trade problems.

The European nations are reportedly experiencing steel industry problems too. Even the Japanese reportedly are troubled by sagging orders and bloated inventories. The steel problem is a global problem. The United States cannot solve it alone. We must have a multi-lateral discussion to establish more equitable trade practices. We need and want those discussions to begin now.

Certainly to be explored would be the possibility of voluntary export restraints, the type negotiated with Japan and the European Economic Community after the alarming increases in imported steel in the United States in the late 1960s.

The Trade Act of 1974 gave the President and the Executive Branch broad authority and flexibility in dealing with trade matters. In addition to pressing for immediate multilateral talks on steel, however, I would hope the Administration would also be urging the EEC and Japan—through whatever channels possible—to exhibit some interim voluntary restraint on steel exports.

Simultaneously, the President should urge the Treasury Department to accelerate its investigations of anti-dumping complaints and firmly administer these anti-dumping statutes as a clear signal that we do not intend to tolerate any unfair trade practices.

Ignoring the problem will not make it disappear. Continued retrenchment and job losses by the domestic steel industry can only increase demands for protectionist measures—like higher tariffs or countervailing duties—which could be counter-productive and prompt retaliation abroad.

On the domestic policy side, the Council on Wage and Price Stability reportedly is on schedule in meeting a Sept. 30 deadline for a study the President ordered of the domestic steel industry. The study is to identify the reasons for domestic steel price increases, examine the impact of federal poli-

cies on the industry and identify any actions Washington can take to moderate cost and price increases.

Certainly, air and water pollution abatement requirements figure largely in the steel industry's costs. I hope the Council will make some suggestions for potential relief in this area.

One industry suggestion that should be examined in the upcoming tax reform hearings before the Ways & Means Committee is that companies be allowed to write off immediately their investment costs in non-productive pollution abatement facilities and equipment.

Proposals for some reduction in the corporate income tax rate and a liberalization of the investment tax credit also could help the industry meet its modernization needs. For example, Bethlehem Steel Corp. officials have suggested that the investment tax credit be set permanently at 12 per cent.

I have introduced legislation that would provide a 15 per cent investment credit applicable to plant and equipment expenditures in high unemployment areas. I would respectfully urge the committee to seriously consider this concept of targeting business tax incentives. This would provide help where it is needed the most—in our aging cities and high unemployment areas.

The problems of our domestic steel industry are multi-faceted. While the federal government has a role to play, it is not a federal government job alone. State and local governments must review the impact of their environmental and taxing policies on industry. And labor and management have prime responsibilities to work jointly to improve the industry's condition.

Reviving the health of the steel industry long-term will require this very type of cooperative action on many fronts. The important thing is that we cannot allow the situation to deteriorate further. Action is long overdue.

ESTIMATES OF SOCIAL SECURITY RETIREMENT BENEFITS NOW AVAILABLE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. VANIK. Mr. Speaker, I am pleased to report that the Social Security Administration is adopting a new procedure to make it easier for people nearing retirement age to get a computerized estimate of their benefit rate.

Under the new procedure, a worker can determine his social security benefits upon retirement by writing to the Social Security Administration, P.O. Box 57, Baltimore, Md. 21203, requesting a statement of earnings and estimates of retirement benefits. The letter of request should include the worker's name, address, social security number, and date of birth.

Since actual social security benefits can not be determined until retirement, the estimate that will be given only takes into consideration social security earnings up to the date the estimate is requested. In addition, the estimates will be based on present law's benefit tables and will not take into account any future automatic increases due to rises in the cost of living.

The Social Security Administration plans to evaluate the procedures to see if it can also make the computerized benefit estimates available to people under age 55, and to provide advisory information to those uninsured workers who request a benefit estimate.

This additional service will be extremely worthwhile. It is important that our citizens who are nearing retirement age, know in advance what their social security retirement benefits will be since to many it is the only or main source of income upon retirement.

SALUTE TO WOMEN'S AMERICAN ORGANIZATION FOR REHABILITATION THROUGH TRAINING

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. ADDABBO. Mr. Speaker, this October marks the 50th anniversary of the Women's American Organization for Rehabilitation Through Training (ORT). Appropriately, this golden jubilee will be celebrated at the 24th biennial convention to be held in the golden city of Jerusalem during October 23–27, 1977.

Founded in 1880, ORT is the largest nongovernmental vocational agency in the world. Created to provide skills and trades to Jewish people the world over, ORT now boasts 800 training units in 30 countries. Annually, more than 76,000 students are trained in 90 trades. Through the Women's American ORT, the expertise and experiences of the parent organization have flourished in America. Currently, there are 130,000 members across the United States, with 3,000 of these located in my home county of Queens, N.Y., alone.

In recent years, the terms "career" and "comprehensive" education have highlighted our discussions of the need for relevant and practical learning experiences. Women's American ORT can be credited with the foresight of recognizing this need since the time of its inception. At the forefront of the ongoing struggle for quality education, this exemplary organization is one of the finest examples of dedication and service to all mankind.

On this golden occasion, I urge you and my colleagues to join me in saluting Women's American ORT and its students everywhere.

ORGANIZATION FOR REHABILITATION THROUGH TRAINING,
Queens Region, N.Y., August 24, 1977.

DEAR FRIEND: The 3,000 members of the Queens Region join with 130,000 members across the United States in celebrating the 50th Anniversary of Women's American ORT. This Golden Jubilee will be celebrated at the 24th Biennial Convention in Jerusalem October 23–27, 1977.

For almost a century ORT has provided skills and trades to Jewish people wherever there is a need. The present ORT Network embraces 800 training units in 30 countries. More than 76,000 students are being trained annually in 90 trades. More than 1,500,000 people have been trained since its inception in 1880. ORT is the largest non-governmental vocational agency in the world.

Women's American ORT has championed the cause of bringing ORT's expertise and experience to the United States. It has become increasingly involved in promoting relevent quality education in this country with special emphasis on "Career" and "Comprehensive" education.

We will be compiling a Greeting Book and we would be most appreciative if you would join in the celebration of this Golden Anniversary in the Golden City of Jerusalem by saluting the work of Women's American ORT and its 50 years of service to mankind.

On behalf of the Queens Region and our students everywhere, my sincere thanks for your interest and support.

Kindest regards,

TERRY HOFFER,
Queens Region,
Parliamentarian, Publicity and
Public Relations Chairman.

SOME DEREGULATION DEEMED WISE

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SIMON. Mr. Speaker, as chairman of the task force of the Budget Committee, which includes regulation, we held hearings to get some kind of feel for what is happening in the transportation area.

While the precise course the Nation should follow is not clear, it is obvious that the right form of deregulation can help the consumer, will not hurt the transportation industry, and can have a deflationary impact on the economy.

The aspect of the protection of the consumer was touched upon recently in a column in the New York Times of August 7, by Tom Wicker.

That column is worth reading, and I commend it to my colleagues who did not happen to see it when it appeared:

SPEAKING FOR THE PUBLIC

(By Tom Wicker)

In 1976, the eleven major American airlines spent $2.8 million for outside counsel to represent airline interests in regulatory proceedings before the Civil Aeronautics Board. That same year, public interest organizations spent the grand sum of $20,000 on representation at C.A.B. proceedings.

That's one of the findings in a report about to be released by the Senate Committee on Governmental Affairs. The report will detail findings of a study showing that regulated industries usually predominate over public interest advocates in both formal and informal regulatory agency proceedings.

In more than half the formal proceedings the committee studied, there appeared to have been no public interest participation at all. In informal proceedings there was virtually no such participation; and even when the public interest groups did enter particular cases—like that of the airlines—they were overwhelmed by the regulated industries involved.

That gives particular urgency to one bit of pending legislation to which Congress will return after its summer recess—the bill that would create an Agency for Consumer Protection. In its report the Governmental Affairs Committee strongly supports creation of such an agency as a means of increasing public interest participation in regulatory proceedings

That, of course, is also a major reason why business groups—particularly the Business Roundtable and the United States Chamber of Commerce—have so strongly opposed the consumer agency. This is the eighth year that the proposal has been before Congress, usually passing one or the other of the two houses, but always falling before the guarantee of a veto from Presidents Ford or Nixon.

Now, however, the Carter Administration is solidly behind the consumer agency bill. That gives the measure a chance that it has never had before, but it hasn't alleviated the powerful opposition of the business groups that have thwarted the proposal in the past. And no wonder.

The agency would be small by Washington standards—funded at $15 million the first year, $25 million thereafter—but it might well have considerable kick. Not only would it have the power to represent consumer interests before the regulatory agencies, cross-examining witnesses and examining documents, but it could appeal the decisions of those agencies to the Federal courts.

Nor would the agency's powers be purely reactive. It might, for example, petition the Food and Drug Administration to take a drug off the market if it believed the drug held some potential hazard to the public. It could act as a watchdog on, say, airline fares. It could make sure that various health and safety regulations were being complied with. And it would have a research component empowered to gather and publish information of interest to consumers.

Not unnaturally, business groups see in the proposed A.C.P. a potential threat to comfortable ways of doing business and to the cozy relationships some regulated industries have with their regulators. But the Carter Administration recently succeeded in squelching one of the long-standing arguments against the need for the agency—that it would create a costly new bureaucracy.

Budget Director Bert Lance announced that if the A.C.P. were approved, 26 separate consumer offices scattered through the Government could be eliminated, along with their 200 employees, at a savings of $11.6 million annually. Another $8.5 million would be saved, Mr. Lance said, by rescinding the "consumer representation plans" required of all Government agencies by the Ford Administration—plans Mr. Lance suggested had been meant only to forestall Congressional approval of the consumer agency.

If these savings materialize as promised, the A.C.P. actually would cost less in its first year than now is being spent on consumer "protection." Ralph Nader's organization recently generated an effective letter-writing campaign on behalf of the proposal, and polls by both Daniel Yankelovich and Louis Harris show overwhelming public support.

But in the Senate, that current master of the filibuster, Jim Allen of Alabama, is ready to do his stuff on behalf of business, so Majority Leader Robert Byrd won't even bring the bill to the floor until the House passes it. That body plans a vote in September or October—but only if the Administration and the bill's sponsors believe they have the votes to pass it. That's a big if, in a House that took ten years to pass the relatively weak legislation to control strip-mining that President Carter has just signed.

H.R. 4544—BLACK LUNG BENEFITS REFORM ACT

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. PURSELL. Mr. Speaker, although I was unable to be present for the vote on final passage of H.R. 4544, the Black Lung Benefits Reform Act, due to pressing business in my district, I did want to indicate my full support of this bill. As a member of the Education and Labor Committee I voted to report the bill favorably, and it would have received my vote again on the House floor, had I been able to be present.

H.R. 4544 serves to correct many of the deficiencies and inequities of the black lung program which have surfaced since the inception of this program 7 years ago. Miners risk their lives daily to supply this country with energy and I believe justice is long overdue for them. I support the permanency of this program, but fervently hope that all concerned will continue to work for the prevention of this disease in the future.

I congratulate my colleagues on passage of this bill and again, reiterate my full support of it.

AIRBAG LOBBY STILL LONG ON RHETORIC, SHORT ON HARD EVIDENCE

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SHUSTER. Mr. Speaker, I commend for my colleagues consideration a thoughtful article on the airbag which appeared in today's Wall Street Journal. I would take slight exception to their statement that the evidence that sodium azide has mutagenic properties is not a definite point. While it is true that there may be alternatives for inflating the airbag, none have been addressed in the NHTSA order. Only sodium azide has been dealt with in the final order and the environmental impact statement; and the EIS failed to even mention the mutagenic and possible carcinogenic problems. That failure, by itself, is sufficient reason to disapprove the order at this time.

The article follows:

[From the Wall Street Journal, Sept. 20, 1977]

CRASH COURSE

During our recent crash course on air bags, we learned more than we have had an opportunity to relate. Since Congress is currently studying whether or not to overturn the decision effectively mandating the device, perhaps it could use a review of the evidence on which that decision was based.

The chief evidence on effectiveness of the air bag, as it appears in the National Highway Traffic Safety Administration docket giving Transportation Secretary Adams's decision, is a study comparing the number of injuries in air bag cars with the number "expected" in conventional vehicles. NHTSA found that air bags would eliminate 58% of injuries in all accidents and 52% in frontal collisions. The order specifically rejects the argument that the device should not be mandated "in the absence of statistically significant real world data which confirm its estimates of effectiveness."

Since these numbers were not entered into the docket for examination and debate before the final decision, the details of the calculations are hazy. But a couple of things seem reasonably clear. First, the data are not statisically significant; that is, the observed differences between air bag and conventional cars could occur by chance. Second, the data suggest that air bags are less effective in frontal collisions, in which they deploy, than in non-frontal collisions, in which they do not deploy. On the basis of data that could occur by chance, and are obviously suspect besides, consumers are being asked to shell out $2 billion a year.

The decision also specifically rejected a General Motors study showing the air bag no more effective than seat belts used 20% of the time. GM matched all air bag crashes with similar crashes of conventional cars, selected by computer and experts who did not know what injuries had been sustained. After the matches had been made the injuries were compared, and the results suggest the air bag simply does not work very well. In rejecting this study and choosing the NHTSA one, the order says, "General Motors is a vastly interested party in these proceedings, and the positions that it adopts are necessarily those of an advocate for a particular result."

Joan Claybrook is head of NHTSA and Secretary Adams' chief adviser on the issue. Before joining the administration she was director of Ralph Nader's Congress Watch. More specifically, Ms. Claybrook was Mr. Nader's spokesman on air bags. She got into the issue as deputy to Dr. William Haddon, then in government and now the insurance industry lobbyist who runs around Washington telling his auto industry counterparts, "You have blood on your hands." Ms. Claybrook rejects GM's data on the grounds that GM is an interested party.

It would appear that until pressured by air bag opponents, NHTSA attempted to suppress one recent test unfavorable to its case. Calspan Corp. crashed four air bag cars into four conventional cars in slightly off-center frontal crashes, measuring the forces sustained by dummies and cadavers. None of the four occupants wearing seat belts sustained gravitational forces above the standard for fatality. But three of the four air bag cases showed fatal forces.

Rep. Bud Shuster, Congress's leading air bag opponent, seems to have turned up some trouble with sodium azide, a chemical currently used to explode the devices. It has shown mutagenic properties and may be carcinogenic. This revelation reduced Ralph Nader to all the same apologies polluters always offer (see quote on this page). It is scarcely a definitive point, since other explosive devices could be used. But as Rep. Shuster points out, that NHTSA worked up an environmental impact statement without discovering the problems is indicative of the haste with which this order was promulgated.

Now, none of the studies above is very conclusive. What we need most of all is more data, as former Transportation Secretary Coleman's previous decision recognized. But the data so far tend to suggest that the air bag's effectiveness has been greatly overrated. If Congress lets them, Secretary Adams and Joan Claybrook may be mandating the device just as we learn it doesn't work.

BERT LANCE'S TROUBLES

HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. HILLIS. Mr. Speaker, the Bert Lance affair has received a great deal of publicity during the last few weeks. The Senate hearings on Mr. Lance were carried to the entire Nation live by the major TV networks. Major newspapers

and virtually every weekly newsmagazine, have carried feature articles on Mr. Lance's troubles. More importantly, the Bert Lance affair has preoccupied the attention of the President during a period when much more important matters are being neglected. You might think that everything that could have been said about this matter has already been published. However, I believe one important aspect of this entire matter has been overlooked.

There has been much speculation that some career civil servants, within the Justice Department and the Department of Treasury, neglected their duties and responsibilities in investigating Mr. Lance prior to his confirmation as Director of the Office of Management and Budget. There is evidence that this neglect was intentional in hopes of remaining in the good graces of the new administration. As a result, the entire Nation, including the President himself, has been subjected to a regrettable episode.

Perhaps even more than those of Mr. Lance, the activities and motives of these civil servants should be examined. The taxpayers of this Nation should not be forced to pay the salaries of Government employees who are more concerned with their own security and advancement than they are with the best interest of the United States.

H.R. 6216

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. O'BRIEN. Mr. Speaker, since 1968 second-class publications dealing with agriculture have been benefited from a "science of agriculture" postal rate which reduces their mailings below those for other second-class publications.

There are many other informative, high quality farm magazines that do not receive this preferential treatment. They are mailed free of subscription charges to persons associated with a particular commodity or segment of the agricultural industry. They do not qualify for the second-class mailing privilege but are charged the higher rate charged to controlled circulation publications.

In April I introduced H.R. 6216 which would simply make controlled circulation publications relating to farming eligible for a "science of agriculture" rate. Today I have reintroduced that measure with Congressmen CLAIR BURGENER of California, LARRY WINN of Kansas, TENNYSON GUYER of Ohio, BILL KETCHUM of California, and WALTER JONES of North Carolina as cosponsors.

When Congress initiated the science of agriculture rate in 1968 most second-class farm publications were locally owned publications mailed largely within their own and adjoining States. Many of them have since been acquired by large diversified corporations and their earnings are among the highest in the magazine field. Controlled circulation farm publications, on the other hand, are primarily owned by independent businessmen who cater to a specialty market. Under our bill they will continue to pay higher rates than the second-class farm publications but the extra advantage given the second-class magazines by the science of argiculture rate will be eliminated.

THE WAY WE EAT

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. RICHMOND. Mr. Speaker, the American public is becoming increasingly aware of the direct relationship between good nutrition and good health. I would like to share with my colleagues the second in a series on food and nutrition that recently appeared in the Wall Street Journal:

[From the Wall Street Journal, June 21, 1977]

THE WAY WE EAT—MORE FOODS TODAY ARE "FRESH" FROM FACTORIES AND QUICK TO PREPARE

(By Victor F. Zonana)

Fresh Horizons bread looked like a winner.

Perfected last year by the Continental Baking Co. unit of International Telephone & Telegraph Corp., Fresh Horizons is low in calories and high in natural-fiber content. Although priced at a premium 65-cents-a-loaf to reflect the cost of this fibrous material, the product seemed sure to appeal to the weight-conscious and to natural-food buffs.

For a while, it did. In the first several months following Fresh Horizons' nationwide introduction last fall, sales "far exceeded our expectations," a Continental Baking spokesman says.

Then in March, Sen. George McGovern, the the South Dakota Democrat who chairs the Senate Select Committee on Nutrition, announced he was "shocked" to learn that the source of Fresh Horizons' fiber content was "sawdust" and "woodpulp." Added the Senator: "As one who grew up in the Great Plains, I assumed that the fiber was the natural fiber found in wheat."

Indignant Continental Baking officials hurried to explain that Fresh Horizons doesn't contain sawdust or wood pulp, but highly refined cellulose powder derived from wood. (Natural fibers, whether from wheat, wood or vegetables, are thought to aid the human digestive process.) And in Fresh Horizons' case, substituting the powder for flour enabled the company to keep the product's calorie content 30% below that of white bread, officials argued.

The damage, however, was done. Fresh Horizons' sales, which had reached a high in February, fell across the country. "They are now rebounding," says Robert B. Keane, a Continental Baking vice president, "but we still aren't back up to the peak."

The Fresh Horizons episode is a sign of the times Today, more than half of what we eat already has been altered, "enriched" or otherwise changed by food manufacturers. And a study by Arthur D. Little, Inc., the consulting firm, calculates that about two-thirds of our food now comes frozen or refrigerated, while much of the balance—from cereal to instant soup—has been processed to the point that it needs no special care.

CONTROVERSIAL ALTERATIONS

Whether these alterations involve the addition of a single ingredient or the application of complex technology, they are increasingly controversial. Cyclamates, saccharin, and a number of other additives have come under fire as health hazards: never before, food industry executives complain, have Americans been so suspicious of how their food is made. Some critics, meanwhile, simply object to all changes modern foods undergo between the farm and the dinner table.

"Food should be a link to nature, especially for all our people who live in the big cities," says Michael Jacobsen, director of the Center for Science in the Public Interest. "The American public should feel and believe that food comes from farms, not factories."

The trend, however, has long been in the opposite direction. Humans have processed their food ever since cavemen started salting and smoking meats. A breakthrough in food preservation came in 1810, when Nicholas Appert showed Napoleon I how the French army's food could be preserved by storing it in airtight glass containers. Cans soon followed. By World War II, food scientists had learned how to reduce eggs, milk and juices to powdered form.

Now, many in the food business predict there soon will be even fewer "fresh" meats and "fresh" produce in the nation's supermarkets—and more chemically-treated hybrids designed to survive the rigors of long-distance transportation.

TECHNOLOGY'S ROLE

"Fresh foods spoil too fast," says Glenn Stelzer, sales director of the food and fragrance development department at Hercules, Inc., a chemical company. "You just can't move them to the consumer fast enough." Adds Ferguson Clydesdale, nutrition professor at the University of Massachusetts: "There's no possibility of feeding our nation without the use of technology, and that means processed foods."

Food manufacturers also stress technology's role in the ease with which many foods can be prepared these days. Yet there's often a trade-off involved. Agriculture Department economists, for instance, found that 64% of the processed foods examined in a recent study were priced higher than the equivalent amount of homemade foods. Some examples: Turkey tetrazzine costs about 42 cents a serving when prepared from scratch, but almost 79 cents a serving when purchased in a frozen package; homemade fried chicken is about one-third the price of chicken that comes covered with factory-prepared batter.

Larry G. Traub, who authored the government study, points out that the higher prices of processed convenience foods "reflect the extra labor and energy that go into them." Determining the consumer's actual cost of using them is also difficult, he adds, because many people aren't sure what their own time is worth in dollars and cents.

Industry critics, however, say that food manufacturers oversell convenience. Sidney Margolies, a syndicated columnist who writes on consumer-related issues, offers one striking example, canned franks-and-beans. "Franks and beans canned together cost more than if you buy the two separately," he says. "What the hell is the labor factor of boiling a frankfurter and mixing it with a can of beans?"

As food wends its way to the grocer's shelf, it is likely not only to be canned, frozen or refrigerated, but also flavored, colored, thickened or condensed; the average American, by one estimate, consumes nine pounds of additives alone every year. And to counter charges that they are selling "empty calories," cereal makers and other food manufacturers are also adding vitamins and minerals to their product. (Less frequently, however, are they removing the sugars that provoked those charges.)

Some additives, such as artificial colors, are used only to enhance the visual appeal—and thus the sales—of foods. Even nutritious

additives have their drawbacks. Kellogg Co., for instance, recently reduced the iron content of its Frosted Rice cereal to 10% of the government's "recommended daily allowance" from 25% after consumers discovered they could move flakes of the cereal around with magnets. As a company spokesman explains it, "we had problems evenly distributing the product's sugar coating," which contained microscopic, ground particles of pure iron, a common additive in flour and baked goods. Now, the spokesman avers, Frosted Rice can't be moved with magnets unless "they are very, very strong."

SEAFOOD IN KANSAS

But other additives are necessary if we are to keep eating the foods we do. Without preservatives, for instance, New Yorkers would have to give up most fruit in winter and Kansas Citians would have to forgo seafood. Often the only sacrifice is taste: Tomatoes, oranges and bananas picked green and then artificially ripened with gases may be able to withstand the journey to faraway markets, but when they get there, food critics say, their "fresh" flavor is missing.

The future promises even more highly-processed foods. Already, for instance, McCormick & Co., a supplier of additives to the convenience-food industry, has chemically recreated in its laboratories "almost every flavor known to man," a spokesman tells a visitor. "Meat, fruit, cheese, wine, vegetables—you name it, we've got it," he says, pointing to hundreds of vials stored on shelves.

Using chemicals like these, other scientists have created the first generation of "engineered foods"—artificial meats made from vegetable protein, cheese and egg substitutes, and other products. In a process that resembles the manufacture of nylon, the Worthington Foods division of Miles Laboratories has been taking protein-rich soybeans, refining them and spinning them into long-thin fibers. Then with flavorings, colors and texturizers, the soybean fibers are transformed into meatlike products, ranging from artificial chicken to artificial bacon. These items, Worthington officials say, contain far less cholesterol than do real meats.

This technology hasn't yet advanced to the point where the taste and texture of meats can be exactly duplicated. Scientists say they have had the best luck with imitating the texture of hamburgers and meatballs, but the ersatz steaks and roasts are still too grainy. (For this reason, Worthington's products are sold mostly in specialty stores to those who won't eat meat for religious or health reasons.)

PREDICTED: A COVERUP

Nonetheless, "all the big food companies are waiting for a technological breakthrough—or for the price of real meat to go through the ceiling—before introducing their own texturized soy protein," says William Hale of Arthur D. Little. He also predicts these meat substitutes will first enter the American diet through the institutional-foods market, where companies will be able to "sneak them in and cover them up with lots of sauce."

Not all the new food-processing technology has proved successful. Freeze-drying, a by-product of the space program that allows a manufacturer to condense and preserve foods by removing the water content, enjoyed a flurry of interest in the late 1960s. But because the process requires large amounts of what has become very expensive energy, it's now only used to make freeze-dried coffee and a few "instant" foods.

A more recent development is the "retort pouch," a packaging process that promises to both save energy and eliminate the need for cans and freezers. By placing foods in foil and plastic containers and then cooking them in large retorts, food manufacturers say they can reduce the time—and thus the amount of fuel—needed to sterilize foods in the canning process. The retort pouch also can accommodate foods such as gravy and meat slices that currently must be frozen to be preserved. The Food and Drug Administration, however, hasn't approved the process because of questions about the sealant that will be used to close the filled pouches.

Food manufacturers are also turning back to the farm, buying acreage outright or gaining control over crops through long-term contracts with growers. One reason they're doing so, industry analysts say, is to ensure steady supplies of foods at stable prices. Another reason: to begin manufacturing food before it reaches the factory.

"By producing many of our own ingredients, we can assure ourselves of the qualities we need at our own quality specifications," says a researcher at Campbell Soup Co. For instance, to turn out tomatoes with what it says are "superior flavor, nutrition and processing characteristics," Campbell supplies growers with seeds developed by its research department. Other food companies, meanwhile, are studying use of the "square" tomato, a laboratory breakthrough with a rectangular shape that's said to be easier to pack and more resistant to bruising.

SOUTH JERSEY HONORS NATIONAL GUARD

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. FLORIO. Mr. Speaker, I am pleased to announce that September has been proclaimed "Get Your Guard UP" month in recognition of the fine service that the National Guard has provided to the State of New Jersey.

The National Guard is of critical importance to every citizen of our State—and every State. In times of national crisis, the National Guard is mobilized for the defense of the citizenry. When natural disasters strike, the National Guard provides well-trained units to establish order and organize relief efforts; services that are important to us all.

For these and other reasons, I urge all citizens to support the efforts of the National Guard, and I would like to call the attention of my colleagues to the following proclamation:

PROCLAMATION

Whereas, the citizens of South Jersey are active members of National Guard Units which train in New Jersey, while countless others are non-unit members or have served in the military at one time in their lives and

Whereas, these citizen soldiers of the National Guard both locally and nationally have been mobilized numerous times for national defense and civil disorders or disaster during the history of the national guard.

Whereas, these citizen soldiers of the National Guard have chosen to increase their ranks to be better prepared to serve the community, state, and nation in times of need.

Whereas, 50th Armored Division commanded by Major General Herman Tenkin is New Jersey's major National Guard unit.

Therefore we the elected representatives of South Jersey proclaim the month of September as "Get Your Guard UP" month, and we urge all citizens to support the National Guard in their effort to increase their ranks, enabling them to help in making this country a better place to live.

JUGGLING SOCIAL SECURITY

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. CONABLE. Mr. Speaker, 10 days ago the minority leader joined with me and other House Republicans in presenting an alternative approach to solving massive twin problems involving financil restoration and equity strengthening of the social security system. In brief, our proposal suggested that: First, the system could be put on a sound financial footing for at least 75 years; second, that a number of inequities, especially with respect to the treatment of women could be corrected; and third, that the insurance character of the system could be strengthened—all without increasing taxes above present law levels until 1982 and with a total tax rate increase above present law of less than 1¼ percent per employer, employee, and self-employed person.

The proposal has met with some welcomed and encouraging response from public and press. Earlier, I asked that a Wall Street Journal editorial, commenting on the proposal, be included in the RECORD. Today, I ask unanimous consent that another editorial, this one from the Washington Star, be included in the RECORD.

The article follows:

JUGGLING SOCIAL SECURITY

The greatest vulnerabilities of the Social Security system in recent years have been intellectual poverty and political timidity. Democrats and Republicans alike have addressed the intimidating problems largely by calling for ever higher taxes on an ever rising wage base.

Into the leaking dike of Social Security President Carter has jammed these same two fingers—increasing taxes and wage ceilings—and added a third: Using general revenue to keep the trust funds from going broke. The general revenue provision is one the President will "insist on," says HEW Secretary Joseph Califano.

That's a desperate lunge. It would require substantial borrowing by the Treasury and a consequent increase in the public debt and additional pressure for higher taxes. The general receptivity of Congress to the use of general revenue was indicated several weeks ago when the Senate Finance Committee by a convincing 11–3 vote rejected such tinkering.

But the most encouraging development on Social Security was the thoughtful reform package offered by six House Republicans, including Minority Leader John Rhodes. It marks a clear GOP alternative to the tatterdamalion notions of the Democrats.

Made public just before the Social Security subcommittee of the Ways and Means Committee took up the issue this week, the Republican proposal would put the system on a sound financial footing for the next 75 years, its architects contend: It would solve the immediate shortfall in the two major trust funds and strengthen the insurance—as opposed to the welfare character—of Social Security.

Already this week, the subcommittee has approved two of the GOP plan's general provisions—to lift the ceiling on allowable earned income by beneficiaries, and to require federal, state and local municipal employees be in the Social Security system. Inclusion of federal workers would end a conspicuous inequity—the ability of fed-

eral workers rather easily through moonlighting or after the earlier retirement allowed by their pension plan to earn the minimum Social Security benefit.

The Republicans would prefer that their reform package be considered in its totality. But, of course, that will not occur. However, the GOP proposal should be, and seems to be, stimulating the members of the House subcommittee as they grapple with the severe deficiencies of the system—the Disability Insurance Fund expected to be exhausted by 1979 and the Old Age and Survivors Insurance Fund by 1983.

A major thrust of the plan would be "decoupling"—eliminating the redundant adjustments for both price and wage inflation in calculating benefits. These two changes, the Republicans say, would reduce the long-range Social Security deficit by "slightly more than half."

Another substantial change would be the gradual advancement, from 65 to 68, of the age for full retirement benefits—the change would not begin until 1990 and not reach maturity until 2001, a phasing that takes into account increasing longevity and health among the population. That seems eminently sensible.

There would be a tax increase under the GOP plan—as its sponsors correctly point out, "There are prices to pay for the problems [the plan] solves." This increase would come, for employes, employers and the self-employed, in three stages: 0.5 per cent in 1982; 0.3 per cent in 1990; and 0.4 per cent in 2000. "This means that tax rates would rise, under this proposal, less than 1¼ per cent over a 75-year span." Among the "obvious alternatives" noted by the Republicans, of course, is the Carter administration's hope of removing all wage ceilings and having taxes paid on total earnings. There may be better ways to discourage personal initiative, but an ad infinitum bite like that is a sure one.

There are terrible difficulties in reforming so massive a mechanism as Social Security. The tendency has been merely to shore up an eroding foundation. That is not what is needed, and the GOP proposal seeks to avoid delusory fiddling.

There is no compelling reason that major Social Security legislation be completed in this session of Congress. The very complexity of the issue argues for greater deliberation—to avoid, for a blatant example, the 1972 mistake of double indexing.

The administration calls Social Security action a "must" for this session. It should be no such thing.

Representative James A. Burke, D–Mass., chairman of the subcommittee, the other day doubted that "Solomon with his wisdom could solve all the problems of Social Security before Congress adjourns this year."

The obvious moral: Don't try.

SAN FRANCISCO CHRONICLE URGES PRESIDENTIAL ACTION

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SIMON. Mr. Speaker, I was pleased to note that the San Francisco Chronicle editorially supported a move that many of us who are interested in history are making, requesting President Carter to formally declare Dr. Samuel Mudd innocent of a conspiracy against his country for having set the broken leg of John Wilkes Booth following the assassination of President Lincoln.

The Chronicle editorial is brief but to the point.

[From the San Francisco Chronicle, Aug. 22, 1977]

PLEA FOR DR. MUDD

It was a justifiable act of medical necessity and compassion that got Dr. Samuel Alexander Mudd in trouble for setting the broken leg of John Wilkes Booth after he had shot President Lincoln, and the doctor, perhaps even deceived as to Booth's identity by his bearded disguise, should never have been sent to prison for it.

There is now a move to reverse Dr. Mudd's conviction by a military court of conspiracy to assassinate the Civil War President. President Carter is asked to do this by executive order. Mr. Lincoln, we are sure, would approve.

THE REVOLUTIONARY COMMUNIST PARTY FORMS NEW VIOLENCE-ORIENTED FRONT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. McDONALD. Mr. Speaker, although the Maoist Communists of the Revolutionary Communist Party (RCP) headed by Robert Avakian is in apparent disfavor with Peking's new rulers over the "Gang of Four" controversy, the group continues to expand and build a clandestine apparatus of full-time revolutionaries preparing for an armed struggle to overthrow our Government. The RCP's belief that it will take from 10 to 15 years to be strong enough for such an attempt should not be grounds for disinterest by the U.S. law enforcement and intelligence communities.

The Revolutionary Communist Party was able to bring 3,000 militant and highly disciplined cadre/demonstrators to Philadelphia last July for a counter-Bicentennial march. The RCP leaders and their fronts such as the Revolutionary Student Brigade and the Vietnam Veterans Against the War have repeatedly engaged in violent physical confrontations with law enforcement officers as part of a deliberate strategy of building a reputation as "cop fighters."

I find it of more than passing interest that the featured speaker at the founding of a new RCP front, the National Workers Organization (NWO), in Chicago over the Labor Day weekend was one Buddy Cochran. Cochran is charged with assault after the car he was driving injured persons observing a rally put on by the Ku Klux Klan in Plains to embarrass not only the President and the citizens of Georgia, but all Americans. Cochran was quoted as having told the public rally:

The only mistake I made was misjudging my speed. I wanted to sideswipe the platform, not drive through it.

For additional background on the RCP and its latest front, I recommend the following article which apeared in the September 16 issue of the Information Digest, a newsletter which monitors many violence-prone and terrorist political and social movements. The article follows:

RCP FORMS NATIONAL WORKERS ORGANIZATION

The founding conference of the National Workers Organization (NWO) was held September 3–4, 1977, at the Pick Congress Hotel, Chicago, IL. Organized by the Revolutionary Communist Party (RCP) as a front principally for factory workers in the basic industries, the RCP established some thirty-one local Organizing Committees for a NWO, coordinated from 343 S. Dearborn St., Rm. 1405, Chicago, IL 60604 [312/663–4310, 4311]; 4409 West North Avenue, Milwaukee, WI 53208 [414/445–5816]; 164 11th Street, Oakland, CA 94607 [415/832–9749] and other locations.

Pointing to the weeks of demonstrations against evictions of residents at the decaying International Hotel in San Francisco, a pamphlet publicizing the conference stated "We, the individual workers and rank and file groups that make up the Organizing Committee For A National Workers Organization are a part of this resistance."

The purpose of forming the NWO is "to further promote this resistance, to deepen our roots among the working people of all industries, to add more fighters to the cause of the working class."

Tightly controlled by experienced RCP cadre, those attending were told in advance that the rank and file workers would "get together to share their experiences and anger from a thousand battles. And that is when the active fighters for the working class will sit down and decide what has to be done to advance in our common cause."

Following the conference a public rally was held. The featured speaker was a Buddy Cochran, 30, who is free on $50,000 bond while awaiting trial on eight counts of aggravated assault from an incident in which 32 persons were injured when Cochran's car rammed through a crowd of 250 persons observing a Ku Klux Klan rally on July 4 in Plains, GA. At the time of his arrest it was reported Cochran said he drove into the crowd to defend "black workers" who were "some of his best friends." Cochran told the National Workers Organization militants that in driving his sports car into the crowd. "The only mistake I made was misjudging my speed. I wanted to sideswipe the platform, not drive through it."

Violence was featured in a number of "building actions" to publicize the NWO. For example, in Houston, TX, on 8/2/77, Betty L. Sullivan, 28, and Joseph M. Sullivan, 27, a member of the United Steelworkers of America, were arrested on disorderly conduct charges in the disruption of a seminar being given by Advanced Management Research, a frequent target for NWO/RCP disruptions. The Sullivans were released after paying fines in court.

In San Francisco on 7/27/77, NWO activists Victor S. Sakellar, 28; Paul Kleinnan, 27; John Tompkins, 29; and George Casazza, 29, were arrested on battery on a police officer and other charges following an anti-Advanced Management Research demonstration at the Hyatt hotel in which some 70 NWO supporters participated.

The Revolutionary Communist Party (RCP) was founded as the Bay Area Revolutionary Union in 1968. From its beginning it professed Marxism-Leninism-Mao Tse Tung Thought and its ideology, supported "people's war," and its leading members, including chairman Robert Avakian, have frequently traveled to the People's Republic of China. In December 1975, the Revolutionary Union changed its name to RCP and appeared to receive Peking's approval as the leading contender for Maoist orthodoxy until the death of the Chinese Communist dictator last year. The RCP then supported the faction lead by Mao's widow, the "Gang of Four," and lost favor with the winning faction. The RCP's rival, the former October League, now

the Communist Party, Marxist-Leninist (CP-ML), is clearly Peking's choice at present among U.S. Maoist groups.

The RCP operates a number of front groups which are the recruiting ground and training center for candidates for RCP membership which is deliberately kept small in number. Principal RCP fronts include the Revolutionary Student Brigade (RSB), Vietnam Veterans Against the War (VVAW), the Bay Area and the NY-NJ United Workers Organizations; and the Unemployed Workers Organizing Committee (UWOC).

The RCP is organized along clandestine lines in preparation for an eventual armed revolution. The lowest level of membership in the RCP apparatus is a cell called a "collective," whose organizer is its "chairman." Frequently only the chairman and one or two others are RCP members with the rest being participants in fronts and study groups. An area's local Executive Committee (EC) is composed of the RCP organizers—the collective chairmen. Each EC has a subcommittee termed a "proficiency committee" that is responsible for developing methods of waging a violent revolutionary struggle such as accumulating firearms and explosives and training the membership in their use, physical training, and development of tactics for the frequent demonstrations and confrontations with law enforcement.

Above the EC is the Regional Committee formed from selected Executive Committee members within a region. These committees supervise the ECs and ensure that the directives of the National Committee headed by Chairman Avakian, are carried out.

The RCP and its subsidiary fronts are active in Seattle; San Francisco; Honolulu; Los Angeles; Chicago; Cincinnati; Detroit; Milwaukee; Cleveland; Buffalo; New York City; Philadelphia; Baltimore; Greensboro, N.C.; Atlanta; and Houston, Tex.

The RCP concentrates its recruiting in basic industries, with the United Steelworkers of America (USWA) and the United Auto Workers (UAW) being areas of concentration. In the UAW, the RCP operates the Auto Workers United to Fight (AWUF) caucus; and in the USWA runs several small caucuses in the locals such as Steelworkers on the Move, Steel Unity, and the Steelworker Organizing Committee. From its Greensboro base [919/273-3356], the NWO is attempting to recruit J. P. Stevens employees into its ranks and is planning to produce yet another industry-oriented newspaper, The Textile Workers Voice.

CONSTITUTION WEEK

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. BRECKINRIDGE. Mr. Speaker, I am pleased to rise today to honor a dedicated and loyal Lexington chapter of the Daughters of the American Revolution in my home town of Lexington, Ky. The ladies of the Lexington D.A.R. Chapter remind me that September 17, 1977 marks the 190th anniversary of the adoption of the Constitution of the United States of America. In order to accord official recognition of this memorable anniversary, and to the patriotic exercise that will form a noteworthy feature of the occasion, Public Law 915, signed by the President of the United States on August 2, 1956, guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

Mr. Speaker, I am honored to join with the D.A.R., and citizens everywhere in celebrating "Constitution Week." The resolution adopted by the Congress on July 23, 1956, and introduced by former Senator William F. Knowland is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to designate the period beginning September 17 and ending September 23 of each year as Constitution Week, and to issue annually a proclamation inviting the people of the United States to observe such week in schools, churches and other suitable places with appropriate ceremonies and activities.

1984 AT COORS: POLYGRAPHS ON DEMAND

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mrs. SCHROEDER. Mr. President, on August 30, 1977, the Denver Post printed a letter to the editor from a striking Coors brewery worker in which he explains the reasons for the strike, and refutes assertions made by the company in a recent full page ad.

On August 27, 1977, the Rocky Mountain News did an article in which the striking workers claim their Coors beer boycott is having an effect.

I commend both of these items to the attention of my colleagues:

[From the Denver Post, Aug. 31, 1977]

GOAL OF STRIKING EMPLOYES

To The Denver Post:

I would like to make some comments regarding the full page advertisement which appeared in The Denver Post Aug. 19 regarding the strike and boycott against Coors Brewery.

Before you decide not to support the boycott, please consider these facts, it is not true that 1,472 members of Brewery Workers Local 366 walked off their jobs on April 5, 1977. Some members never honored the strike for one hour or one day. When the strike vote was held by the union, 1,162 members voted, with 1,154 of that number voting to strike if Coors continued to insist on changing contract language pertaining to seniority rights and polygraph requirements, 8 members abstained and there were no votes to accept the company's proposal.

Due to a series of letters sent to the employes by Coors in which the employes were threatened with loss of their jobs, approximately 900 members eventually returned to work. Nearly 600 members have continued to strike for the issues that the original 1,154 voted to strike for.

It is a fact that Local 366 did not go on strike for 20 years, however, regressive contract language was not proposed during that time to the extent it was in the new contract proposal taking effect Jan. 1, 1977.

The contracts with Operating Engineers Local 9, Laborers Local No. 720, Construction Drivers and Transportation Drivers (who are both represented by Local No. 366) are probably basically the same as the latest proposal to Local 366 covering the production and maintenance workers in the Brewery. However, there are a couple of things which need to be pointed out.

1. These Locals never had any language protecting senior employes in the event of a lay-off.

2. There is basically no shift work involved so shift preference by seniority is not a factor.

Coors states that Local 366 doesn't have the support of the majority of its own members which is true to a degree, but 92.4 per cent of this membership voted for Local No. 366 to represent them in a Colorado Labor Peace Act Election in December 1976. While 900 members did not have the courage to support the strike they voted for, I believe there is more sentiment for the union among the non-strikers than Coors is aware of.

Coors is right when it claims thousands apply for jobs each year. In earlier statements Coors stated that the average annual income for production workers is $19,500. Now it says this figure is for a production worker on universal shift schedule. I have worked at Coors for nearly 18 years and never have approached an income of $19,500 per year. This is an excellent income but it should also be explained the hours required to earn this amount would include Saturdays, Sundays and holidays.

The latest contract proposal would require an employe to take a polygraph test at any time a supervisor requested him or her to do so. Refusal would be grounds for immediate discharge. This is an addition to the polygraph test required for preemployment tests. It is highly degrading for an honest, hard working employe to be forced to submit to such a test at the whim of his supervisor.

The striking employes are not out to break the Adolph Coors Company but only want to put enough economic pressure on the company to obtain a fair and equitable contract proposal which would recognize years of faithful and productive service with the company and eliminate some of the polygraph language, the results of which are not admissible in any court in the land.

DON JORGENSON.

Arvada.

[From the Rocky Mountain News, Aug. 27, 1977]

STRIKERS CLAIM BOYCOTT SUCCESSFUL

Striking employes of the Adolph Coors Co. claimed triumphantly Friday that the boycott of Coors beer appears to be a success in California.

Coors dropped to second place for June beer sales in California for the first time in several years.

Jim Silverthorn, president of Brewery Workers Local 366, said the drop can be attributed largely to the boycott instituted by the union shortly after the strike began in April.

Silverthorn said California sales figures for June, reported Aug. 19 by the U.S. Brewer's Association, have given strikers a tremendous "morale boost."

June was the third straight month in which Coors sales dropped in California, Silverthorn said. California sales account for 45 per cent of all Coors sales, he added.

Coors had 29.1 per cent of the California beer market in June, compared with 31.9 per cent for the Anheuser-Busch Co., Silverthorn said. He said this represents a Coors sales decrease of 134,355 barrels of beer from last June, which is a 23.7 per cent decline.

A spokesman for the Golden brewery Friday night said, "Coors still remains the sales leader in California in terms of accumulated sales for 1977.

"The figues for the second quarter, the 12 weeks to June 12, are the result of a variety of marketing factors, including more competitive conditions and price discounting by competitors and to a minimal degree to the production setback caused by the walkout in April and the resulting boycott."

HUMAN RIGHTS

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. RINALDO. Mr. Speaker, on June 5 of this year, his eminence John Cardinal Krol, archbishop of Philadelphia, delivered a profoundly moving address on human rights to the sixth annual Polish Festival at the Garden State Arts Center, Holmdel, N.J.

This speech forcefully calls upon free people throughout the world to fight to preserve the religious, cultural, and political rights of all people; and more importantly, it is an open challenge to Communist regimes to live up to the "paper promises" they have made since the success of the Bolshevik revolution in 1917.

As Cardinal Krol stated, Poland today is a battlefield. And whether or not the forces of justice and freedom will win depends on our strength, our fortitude, and our faith in God.

Mr. Speaker, I would like to include the text of Cardinal Krol's speech with my remarks so that my colleagues will have the benefit of reading this important statement:

HUMAN RIGHTS

I express my very deep appreciation for the invitation to share with you at least this religious part of the Polish Cultural Foundation festival. I am humbled by the invitation to speak to you and I am quite sure that all the thoughts that have gone through my mind, and my attempt to set them into what might be a coordinated message, will probably not be as successful as I would like it to be.

But I speak to you today on a subject that is quite current, a subject which frequently finds its way into the headlines, into articles, into editorials, and that is the subject of human rights.

We know that the second Vatican Council brought in bold relief the insistence on the dignity of man and on the sacredness of human rights. It was at the synod of 1974 in Rome that the Holy Father, together with the bishops assembled in that synod, issued a message on human rights. The message said that no nation today is faultless where human rights are concerned. It called upon all to promote human rights and to give hope to those who suffer violation of their rights. In that brief message special attention is gvien to, first, the right to life which is being violated today by abortion, euthanasia, torture, acts of violence against innocent parties, the scourge of war. Secondly, the right to eat. Millions in the world today are undernourished. Millions face starvation, and die of it. The third was political-cultural rights, and the message insisted that individuals should have an effective role in shaping their own destinies. They have a right to participate in the political process freely and responsibly. They have the right to be educated and determine the education of their children. They have a right to be secure from arrest, torture, imprisonment for political or ideological reasons. And the fifth caption was the right of religious liberty. Today this right is denied or restricted by diverse political systems in ways which impede worship, religious education and social ministry. And the message says, "We call upon all governments to acknowledge the right of religious liberty in words, and foster it in deeds, to eliminate any type of discrimination, and to accord to all, regardless of their religious convictions, the full rights and opportunities of citizens."

We affirm our determination to foster human rights and reconciliation everywhere in the Church and the world today.

Why do I speak to you about human rights? Actually, the history of Poland has a brilliant jewel, a document submitted by Pawel Wlodkiewicz to the Council of Constance. That document came to full expresson 500 years later in the second Vatican Council's declaration on religious liberty. It has been a long Polish tradition that the violation of human rights anywhere in the world was the concern of everybody. And it was that kind of a conviction that brought Tadeusz Kosciuszko to these shores to fight according to the motto of Poland: 'For yours and our freedom.' There has been a deep appreciation of human rights throughout the history of Poland.

We can go back another 300 years to the Statutes of Kalisz in 1254. This federal statute made it a crime, severely punishable, for defacing or demarking a Jewish synagogue, a Jewish cemetery, or in any way taking actions against the Jewish residents of Poland. These statutes are a matter of historical record.

Even before the Magna Carta was signed in England there was a document which bound the nobility to respect the rights of the peasants in Poland. Human rights is something which is a part of us, and the importance of it in the life of every Pole is something that cannot be gainsaid. Life does not hold importance if there is no freedom.

In 1939, a few days before war broke out in Poland, I was walking in the uplands, as they call them, 'Pod Karpaty' section from which my dad emigrated. At this time practically all the manpower, the horsepower, had been drafted in preparation of the war which did take place in a matter of days. I ran into three relatively young men. They had been to the village tavern. They were returning to their homes. They were married men with families and children. On the eve of their departure for the army, they greeted me deferentially. I asked them, "You are going to war. Do you think you have any chance?" And they looked at me astonished! "That does not make a bit of difference! We must fight, chance or no chance!" I said, "What happens should you be attacked from the rear, by the Soviets?" "Then we will be fighting two devils instead of one."

The ideology of these people is absolutely unbelievable, and yet, that is the ideology which has a tradition of almost a thousand years in Poland.

The Church spoke about the human rights in a specific message in 1974. The Church does not have an army. It cannot impose its way. But moral persuasion is a factor in human life. I do not say that the Church's message of 1974 was the sole cause for the Helsinki meeting, but the reality is that on August 1st, 1975, there was an accord reached at Helsinki with 35 nations, including the Vatican, in which the nations pledged to respect fundamental rights, including the right of religious freedom. The communist countries agreed to open gradually their closed societies, and to permit freer exchange of ideas and information with the West. There was to be closer contact between peoples of the communist western worlds, more freedom to travel, to meet, to talk without government interference.

It would be pessimistic to say that the accord has not produced good results. And it would be untrue to say that all of the agreements have been respected. They have not. In spite of the Helsinki Agreement, Radio Free Europe is still being jammed, and the truth, freedom of expression, is not being recognized in Czechoslovakia, Bulgaria, Poland. The radio is being jammed. The people are being insulated against any information from the outside. In Czechoslovakia, Vasil Bilak, the propaganda chief, said, "The party does not ascribe any magical importance to the conclusions reached at Helsinki. Any overestimation of them could lead to unjustified illusions, and such illusions could be very dangerous and harmful." And we know that one of the party officials of Russia said that the Helsinki Agreement can in no way interfere with the ideology of the communist party.

But, we still speak out. The bishops of America have been eloquent and actually under the chairmanship of our Bishop Dougherty, the Commission on Justice and Peace in the world has spoken out strongly and positively. The Holy Father is doing that. Two months ago, on April 4th, in receiving the credentials of the Iranian ambassador, he said, "The Holy See carries the responsibility for a message of universal well-being. It takes to heart the rights of persons and peoples so that in liberty, justice and equality, they might reach the conditions which human development requires." And he said that all men must be firmly determined to consolidate through peace, which goes hand-in-hand with the advancement of human rights, the establishment of greater justice for everyone, and help to places and peoples less fortunate.

There is another great churchman who is speaking out for human rights, eloquently, forcefully, and wisely. Just a month ago on May 3, at the Marian Shrine of Our Lady of Czestochowa in Poland, Cardinal Primate of Poland, Cardinal Wyszynski, said, "It is not enough to pray for religious liberty." He said, "While we have rights, we also have the obligation to demand that in our nation, believers have the protection of law." He urged Catholics to remind law enforcers that each man should be assured that his ties to the Church, and his wish to profess Christ's Gospel, will be respected always. He urged all the Poles to assert their rights and to give their children a religious education. He said, "We cannot be made to become atheists in our country through force, through violence, or through a situation in which children hear nothing in schools about Jesus, the Gospel, or the history of the Church in Poland." He charged the government with trying to replace the Church's sacramental system, and its rituals, with secular ceremonies. He says, "No one can replace by force our sacramental system with secular ceremonies which for Catholics and Christians have no meaning. The bottom line of any discussion on justice and peace must be respect for human rights."

We are dealing internationally with an integrated philosophy of communism. The constitutions of communist nations do have the words guaranteeing freedom of expression. In fact, just yesterday, there was released a new draft of a constitution in the Soviet Union. This first revision of the 1936 Constitutional Charter of Joseph Stalin, like its predecessor, repeats the declarations about the guarantees of freedom of speech, assembly, religion, and other ostensible privileges. But it also adds, the exercise of rights and freedom shall be inseparable from the performance by citizens of their duties. It mentions obligations to Soviet laws, of all religious beliefs. But we must ask, how can a system that has declared war to death against religion and religious beliefs say that it does recognize something which it intends to destroy. Let us look at the record. Let's stop listening to the promises of communism, and let's look at their record of performance.

Poland, for almost 30 years, has been the battlefield of the two greatest ideologies of the world—atheism and belief in God. The government has control of the press, of the electronic media, of education, most of the charitable institutions. It exercises a tight

control on printing, duplicating materials. The Church has only a limited press and a limited opportunity of communications. And yet, after 30 years, that atheistic campaign has not succeeded. Not only is the faith of the people of Poland preserved, but the Church in Poland is strong. Today, over a thousand missionaries have left Poland in the past dozen years to serve in different parts of the world. Poland is helping the faith in other areas. The atheistic campaign is not succeeding.

We cannot panic or be scared by the progress of communism. It has made tremendous progress. It has since the last world war extended its control from 7 to 35 percent of the world's population, from 18 to 25 percent of the land area of the world. It has made progress. But, has it sold its doctrine to the people? That's another question. The fact is the campaign of atheism is not successful.

Communism says it's for the proletariat, for the working man, and according to the doctrine of Marx, it's the working man who must have the ownership, the control, and the use of the means of production. Communism is anti-capitalistic. But what has it achieved? It has merely exchanged private capitalism for state capitalism. To this day, after 60 years of experience, the working man in the communist nations does not own the means of production. He does not control it, and he does not have use of it for his own benefit.

Communism has conducted a systematic, intensive antireligion campaign. Has it succeeded? It hasn't. Svetlana Alliluyeva, the daughter of Stalin, when she came to the United States, one of the first things that she had to do was to embrace a religion. She made some beautiful statements, that she could not live without a God. While she has been totally isolated from any religious instruction or influences, yet, when she came to the United States, the greatest hunger that she had was for God, for religion.

And there are young people today in Russia under the Soviet domination who are bearing witness to the truth of what Saint Augustine said 15 centuries ago: "You have created us, for You, O Lord, and our hearts are restless until they repose in You." Communism has not succeeded in exterminating, extirpating a sense of religion. Furthermore, the Marxian system of collectivism makes the State all important and makes the individual subject to the demands and the needs of the State. That means since they deny the existence of God, that no man can claim God-given rights which our Constitution declares and protects. And secondly, because the State is important, the individual then becomes a servant, a slave of the State. That is a philosophic principle of Marxism which controls. For example, in the 80 years of Russian Czarism there were about eighty people executed a year. In the '37, '38 '39 disturbance under Stalin in Russia, there were 40,000 a month executed in Russia. Earlier in the twenties there was an artificially created famine which called for the extermination, the death, of some six million peasants in the Ukraine. That was supposed to set the whole economy proper. So these people became expendable.

Communism was the first in the history of the world to introduce the slave labor camps, the Siberian camps; the first one to introduce the practice of putting people on barges and sending them out to the open sea to be drowned; the first one to introduce an artificial type of registration so that the State can have full control of every individual. It was the first to introduce the system of hostages. If they could not reach an individual, they would reach his wife, his children, his parents.

The suppression and repression of human rights is not an accident of the system of communistic philosophy. It is a normal fruit, and a normal product of such a philosophy. For that reason, when we read about the guarantee of human rights under the Marxist system, we should understand that there are always the qualifications that collectivism and the State is more important than the individual. Since Marxists deny the existence of God, they must deny the claim of any human being that he has God-given rights, which governments must respect.

I speak to you about this today, and perhaps too long, but it is important for us, as Americans, to appreciate the freedom that we have here. It is important for us as Americans, and Catholics, to understand what is taking place not only in Poland, but in all of the areas occupied by the integrated, philosophical system called Marxism.

We are gathered here today, most of us Poles, most of us indebted to our religious and cultural heritage to Poland. I have tried, not by denouncing but by explaining some principles and some realities bearing on human rights. The first reason why we are here in this stadium is this altar. In the long tradition of Poland, in every trial, in every need, in every joy and every sorrow, Poles were at the altar begging God and His Blessed Mother. And just in case you're wondering, this extremely beautiful Chasuble is one which was presented to me at the time of the Eucharistic Congress by the bishops of Poland with the hope that it might inspire people to intensify their prayers to the Blessed Mother. This year we celebrate the 60th year of the Apparitions of Our Lady of Fatima, which occurred even before the Bolshevik revolution of 1917, of October. She has predicted what was going to happen. She asked for prayers. So we are assembled here for prayers, and I beg of you, my dear brothers and sisters, that during this Eucharistic Sacrifice, you do offer prayers to Almighty God for the protection of human rights everywhere in the world, but especially for religious freedom, freedom for the Church, in our beloved ancestral home of Poland. God bless you.

BLACK LUNG

HON. DOUGLAS APPLEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. APPLEGATE. Mr. Speaker, yesterday, September 19, 1977, the House of Representatives took the necessary steps in not only repairing a bureaucratic blunder, but also in recognizing and dealing with a dreaded disease, pneumoconiosis, commonly referred to as black lung.

Ever since the first black lung legislation was passed in 1965 and administered by the Department of HEW, the amount of redtape that had to be dealt with was overwhelming; indeed, too much so for some applicants. The situation deteriorated even more following the transferring of the program to the Department of Labor. Most recent counts estimate that of the 104,000 claims filed with the Department of Labor, 50,000 have been denied, 50,000 are backlogged and only 4,000 applicants are receiving their rightful benefits.

But, through this correcting piece of legislation, H.R. 4544, much of the redtape will be cut away to get the benefits to those people who need them, and need them now, not in 2 or 3 years.

This bill is a good bill, and is one that is equitable to all parties concerned. I believe the objective of the bill, that being the transfer of liability for benefit payments to the coal industry from the general taxpayer, can and will be achieved.

While obtaining black lung benefits may not be a cure for this awful disease, that eventually makes life not worth living, they certainly help to pay the way for the affected individuals who cannot work any longer because they cannot breath well enough.

Mr. Speaker, I commend my colleagues of the House for acting in a most diligent and responsible manner and I thank them on behalf of our coal miners.

AUTOMATIC SEAT BELTS SAVE LIVES

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. WAXMAN. Mr. Speaker, on June 30, 1977, Secretary of Transportation Brock Adams issued DOT Standard 208, occupant crash protection. The regulation would require that by 1984 all automobile manufacturers must provide front seat occupants with passive restraint devices effective in 30-mile-per-hour frontal collisions. As my colleagues are aware, frontal collisions are responsible for over 70 percent of all automobile fatalities.

The passive restraint ruling is a performance standard which allows automobile manufacturers maximum engineering flexibility in incorporating passive crash protection in their products. Two passive restraint systems, the airbag and automatic seat belt, currently comply with the DOT standard and have been subjected to strenuous laboratory and on the road testing. This extensive test experience has demonstrated their value in saving lives and preventing serious injuries in automobile accidents.

The current debate over the passive restraint standard has focused attention on the airbag. While the airbag is, of course, an inexpensive and highly successful automobile safety device, many of my colleagues have expressed their interest in knowing more about the test experience and success of the automatic seat belt.

Recently I requested the Department of Transportation to prepare a summary of the test experience and safety record of the automatic seat belt. The DOT informed me that in the United States alone, over 79,000 Volkswagen "Rabbits" have been sold which utilize automatic seat belt systems. To date, United States on the road experience with these vehicles totals over 1.2 billion vehicle miles.

Accident data collected by the Fatal Accident Reporting System (FARS) of the National Highway Traffic Safety Administration documents the increased passenger safety of automobiles equipped with automatic seat belts. The fatality rate for "Rabbits" equipped with automatic seat belt systems was less than

one-third that of "Rabbits" equipped with conventional active seat belt systems.

The accident fatality data highlights the success of the automatic seat belt in reducing automobile fatalities as well as the overall reasonableness of Secretary Adams' decision. Like the airbag, automatic seat belts are a proven lifesaving device. I strongly urge my colleagues to support Secretary Adams' passive restraint decision and ask that the DOT's letter documenting the success of the automatic seat belt system be printed in the RECORD at this point.

The letter follows:

WASHINGTON, D.C.,
September 19, 1977.

Hon. HENRY A. WAXMAN,
U.S. Representative,
Washington, D.C.

DEAR MR. WAXMAN: You recently requested information on the field performance of passive belt systems in Volkswagen Rabbits. I am pleased to report that we have just completed an updated analysis of the performance of passive belts in comparison with active safety belts in Volkswagen Rabbits based on data contained in the Fatal Accident Reporting System (FARS) of the National Highway Traffic Safety Administration. This new information is that the fatality rate in passive belt Rabbits is less than one-third that in conventional Rabbits.

There as approximately 79,000 Rabbits with passive belts on the nation's highways that have traveled about 1.2 billion vehicle miles. Nearly 300,000 Rabbits with active systems have traveled about 4.8 billion vehicle miles. There have been only six reported fatalities in the passive restraint cars—a rate of .50 per 100 million vehicle miles—compared with 81 deaths in active belt cars for a rate of 1.7 per 100 million vehicle miles.

The passive safety belt is one system that can be used by auto manufacturers to meet the requirements of the Transportation Department's Standard No. 208, Occupant Crash Protection. This standard requires the installation of passive restraint systems to protect front seat occupants in crashes beginning with all full-sized passenger cars in model year 1982. All intermediate and compact cars would have to be so equipped in model year 1983, and all passenger cars would be required to have passive protection systems by model year 1984.

We have had some normal technical complications in determining compliance with the passive restraint standard in tests conducted in 1975 and 1976 on Volkswagen Rabbits. Out of a total of eight tests, two showed values of head injury criteria that exceeded the maximum allowed in the standard. A simple design change in the 1976 models eliminated any potential for a recurrence of this problem.

In two other tests, the instruments indicated a loading on one thigh bone of the passenger dummy that was above the maximum allowed in the standard. However, it was concluded that these readings were a result of instrumentation error rather than a non-compliance of the crash protection system. In the two most recent compliance tests on Rabbits, conducted earlier this year on 1975 models, the passive belt Rabbits were found to meet the requirements of the current standard.

Analysis of test data from Volkswagen and from the NHTSA contractor conducting the tests have convinced the agency that the Rabbits with passive safety belts meet the requirements of the passive occupant crash protection standard.

There have been other indications of the improved safety in Volkswagen Rabbits with passive belts. In a preliminary analysis of insurance claims data released last July, the Highway Loss Data Institute found a reduction of between 19 and 27 percent in the frequency of claims in passive belt Rabbits compared with active belt Rabbits, both overall and as a function of collision claims associated with injury.

I want to emphasize that while the information is preliminary, it tends to confirm the DOT's determination of the effectiveness of passive restraint systems in reducing deaths and serious injuries in automobile crashes.

The data on passive belts reflect the combined benefits of improved usage and the value of belt systems when used. This information clearly supports the wisdom of Secretary Adams' decision to require passive restraints in all new cars.

If we can provide you with any additional information, please let us know.

Sincerely,

HOWARD DUGOFF,
Acting Administrator.

KENNY O'DONNELL—CASUALTY OF HISTORY

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. EARLY. Mr. Speaker, on Friday, September 9, 1977, a dedicated public servant died. That man was Kenneth P. O'Donnell. He is best known, perhaps, for the time he served in President John F. Kennedy's administration. Listed officially as Appointments Secretary to the President, he was much more than that. Many consider him to have been one of President Kennedy's closest and most trusted friends and advisers. Yet in that time, he never allowed his position or power to get the better of him. Kenny, as he was known to all, always held fast to such cherished virtues as humility and a real sense of compassion for others. In a very real way, Kenny exemplified the ideals on which a democracy flourishes and he dedicated his life to public service to a degree which is rare.

A native of Worcester, Mass., and the son of a Holy Cross football coach, Kenny grew up with an Irish affection for sports and politics. His association with the Kennedys began during his Harvard days, where he was a close friend and roommate of Bobby's. They were teammates on the Harvard football team for several years, and Kenny ended his Ivy League career in grand style—by scoring the game winning touchdown against Yale, despite the fact that he was playing with a broken leg.

Upon his graduation from high school in 1942, he enlisted as a cadet in the Army Air Force. Kenny flew 30 missions as a bombardier in a B–17 squadron, and was shot down once but escaped. He emerged with the Distinguished Flying Cross and Air Medal with Four Oak Leaf Clusters.

Many of us will long cherish and remember the occasions when we sat, with mixed feelings of pain and joy, and listened to Kenny tell, with genuine pride, stories about the "days of Camelot." Always, these delightful stories seemed tainted with the sad recollection of that awful day in November of 1963, when our President, his boss—his friend, was murdered.

In a September 10 Boston Globe article, Mike Barnickle expressed a very accurate assessment of Kenny O'Donnell when he said:

> . . . Others wrote books and made money and floated into big jobs and traded on the years that poets now call Camelot. But Kenny came home and slugged away at life.

At a time when questions of morality and integrity in our Government arise, it is indeed comforting and reassuring to know that there are people like Kenny O'Donnell, who are willing to dedicate themselves to public service and the good of mankind. Coming from a middle-class family, Kenny had a special feeling for the goals and aspirations of the great mass of our people, and surely his presence in our Government served to enhance these. Kenny O'Donnell combined a highly developed knowledge of the political process with his remarkable sense of justice, compassion and integrity.

At funeral services held for Kenny on September 12, Senator EDWARD KENNEDY quoted from the poem, "Ulysses," by Alfred Lord Tennyson. He said that "its words symbolize the odyssey of public service undertaken by Jack and Bobby and Ken and all the others who sailed with them in search of a better future for their children and their country."

Kenny O'Donnell is dead at the age of 53. He will be sorely missed by those who knew him, but we shall all long cherish the memories of such a truly fine man.

I am pleased to call to the attention of my colleagues, the well-deserved tribute offered by Mike Barnicle in the Boston Globe on September 10:

KENNY O'DONNELL "CASUALTY OF HISTORY"

(By Mike Barnicle)

Kenny O'Donnell died at the Parkman Hospital in Dallas, a little after 1 o'clock on the afternoon of 22 Nov., 1963.

For the record, it will read that Kenneth P. O'Donnell, former appointments secretary to President John F. Kennedy, died on Sept. 9, 1977 at Beth Israel Hospital in Boston in the 54th year of his life, but that is just the sense of things medical.

Kenny O'Donnell, out of Worcester and Harvard and World War II, was not a sad man. He was just a man who walked well with the sadness around him.

"In a sense, he was a real casualty of history," Dick Goodwin, a friend who worked with the man in the White House years, was saying. "Maybe the one thing he really found meaningful was working for Jack Kennedy. He had his life invested in Jack Kennedy. You won't find many guys like Kenny."

Kenny O'Donnell went to Washington in the '50s to work for Robert Kennedy, who was then a counsel for a Senate committee investigating the rackets in America. On the disbursing rolls in the United States Senate the name was listed as Philip K. O'Donnell; but it was Kenny.

It was always "Kenny."

Later, in the White House, if you wanted to see the President about something as big as civil rights in Selma or as small as a postmastership in Salem, the answer was always the same: See Kenny.

Kenny O'Donnell was a guy who never

forgot who he was or where he came from. He sat in surroundings where grown men would put on airs and hold teacups, their pinky fingers pointed skyward, their minds on money or some special appointive job.

But Kenny O'Donnell was special. In a world where people would sell their souls and their ideals for a sneak peek at power, in a business where men think of resumes before reason, O'Donnell stood with his word and his word you could take to the bank.

"Yes" means "yes." "No" meant "no" and there were very few "maybes." Kenny O'Donnell was not a man of in betweens.

He had his troubles and found out in 1966, in a run for governor, that magic could not be transferred. He never made a lot of money because of who he was or where he worked. He knew the tough times of death and family sorrow but he never bent with the wind or the polls.

His friend, Junior Carr, used to call him "Blackface" and "Indian Eyes" and that he was. But, in the later years, sitting there at the front table in Duke Zeibert's restaurant in Washington, he could talk for hours, giving counsel, telling stories and all of it tempered with the tears that ran through his mind and colored his memories.

On a June night in 1968, in his room in the Mayflower Hotel in Washington, Kenny O'Donnell talked by phone to Bob Kennedy a few minutes before Kennedy descended to the ballroom of the Ambassador in Los Angeles and death. The two, brothers in a shared ordeal of pain, talked in the hardly verbal language of men chasing a dream: not one of restoration. One of doing things right.

A few days later, on Kennedy's funeral train, O'Donnell was sitting with someone else, his face one tight line, his eyes blank with a quiet pain. "He was one great son of a bitch," O'Donnell said. And that was all he said. That was enough. That was Kenny.

"There were always guys who would talk. Talk was cheap," his friend John Reilly, former Assistant Attorney General of the United States, was saying about O'Donnell. "Sorensen, Schlesinger, they would talk.

"There were guys who would go in to the President and say that we had to go easy on civil rights, that we should wait until after we got reelected in '64. But it was Kenny who would go in and say 'hey, Mr. President, we should do this now. We have to do it now because it's right.' "

In 1968, when all the politicians and family groupies were telling Bob Kennedy not to challenge Lyndon Johnson, it wasn't Ted Sorensen or McGeorge Bundy, or the other gilt-edged Ivy Leaguers who stood up in the room in the Regency Hotel in New York City. It was Kenny O'Donnell, son of Cleo, from Worcester and from common sense.

"You've got to run," he told the man. "This war is a terrible thing. Kids are dying who shouldn't be dying and you have to run, not for the country, not for yourself and not for anyone here in this room. You have to run to help end that war. Maybe you'll lose. But you've got to run."

That fall, when the air was full of Nixon and all the frauds and fakers were taking a walk from Hubert Humphrey because of their own self defined sense of virginity and righteousness, it was Kenny O'Donnell who was with Hubert Humphrey.

"Why?" he would say, when asked. "Because Hubert is a good man. He's just had a . . . job, that's all. But he's a good man and he's decent and he'll end the war. And what do you think Nixon will do? That's why."

Others wrote books and made money and floated into big jobs and traded on the years that poets now call Camelot. But Kenny came home and slugged away at life.

"I got to laugh at all these guys who talk about working in the White House," he used to say, "and what a tough job it is, all the hours and everything. Tough job my . . . It was the best job I ever had."

Kenny O'Donnell had nothing to prove, had no chip on his shoulder and didn't think that the world owed him a living. He had a healthy sense of what real things were all about.

"What would you have done with the tapes if you were in the White House?" he was once asked.

"Tapes?" O'Donnell asked. "What tapes? We had a terrible fire in the White House basement last night. Smoke. Confusion. God, it was awful."

After President Kennedy died, there were a ton of appointments pending on the new President's desk. John Reilly's was one of them, a nomination for a seat on the Federal Trade Commission.

"How'm I doing?" Reilly asked his friend O'Donnell one day.

"You're going to be all right, don't worry about it," Reilly was told at a time when there were fears of a New Frontier purge in Washington.

A few days later, Lyndon Johnson found Reilly's papers right at the top of the pile. He called O'Donnell into the oval office and asked him: "Who the hell is this Reilly?"

"Personal friend of Mayor Daley's," O'Donnell said. "Very close. A power."

"Oh sure," Johnson said meekly. "I remember him."

Reilly, bottom line, was only one thing: A friend of O'Donnell's and a Kennedy man early. That was enough.

So Kenny, you'll always be there, pal. Right at the front table in Duke's with your half smile and your bent hand in your pocket and your mind on what's right and your voice always able to be counted on in separating conscience from crap.

As his friend Junior Carr said of the man: "There was no whore in him."

SUPERINTENDENT SULLIVAN HONORED

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SARASIN. Mr. Speaker, today we hear a great deal about problems with law enforcement officers, poor community relations, a demoralized police force, a rising crime rate, and so forth. Because of this, we very seldom hear about those dedicated men and women who serve unstintingly as law enforcement officers. Thus, at this time, I would like to draw particular attention to one man who has done so much to bring credit to the profession of law enforcement and the respect and esteem it holds among law-abiding citizens. This man is a son of Waterbury, Conn., and he is Frederick T. Sullivan, superintendent of police of the Waterbury Police Department.

On September 12, Superintendent Sullivan was installed as the new president of the New England Association of Chiefs of Police, Inc., an organization dedicated to interstate cooperation in law enforcement. He was the unanimous choice of the Connecticut delegation and also of the association. At his installation in Bretton Woods, N.H., Superintendent Sullivan was presented with a resolution passed by the Connecticut State House of Representatives honoring his achievements in the law enforcement field. On September 23, he will be honored at the Waterbury Lodge of Elks No. 265 for his long career of dedicated service to the community.

Superintendent Sullivan has been with the Waterbury Police Department since 1939. Thereafter, he moved swiftly through the ranks until he became superintendent in 1968. He served in the U.S. Coast Guard during World War II, and later broadened his police training by attending the FBI National Academy in Quantico, Va.

Not only is the superintendent respected in Connecticut and New England for his professionalism and dedication, but he also has a strong following among the Federal law enforcement agencies. He has maintained his close ties with FBI Academy graduates, and in 1976, he was elected president of the Connecticut Chapter of the FBI National Academy.

This man has done a great deal to advance the cause of enlightened law enforcement in the State of Connecticut. He served on the first Connecticut Task Force on Narcotics, and is a past chairman of the task force. In recognition of all his activities on the State level, he was this year elected President of the Police Association of Connecticut.

Despite his involvement with Federal and State law enforcement, Superintendent Sullivan has maintained a high level of competence and effectiveness at the local level in Waterbury, Conn. Recently, he worked hard to obtain a new building in Waterbury to house the police headquarters. He has a strong and loyal following among the rank and file, and there can be no doubt that his leadership and command of his position is widely respected.

I want to take this opportunity to add my voice to the tribute that is being paid Superintendent Sullivan. I am proud that he is from Waterbury, and that he has dedicated his life to service not only to his home town, but also to the State of Connecticut, and the whole of New England. For through his outstanding contributions and achievements, he has served to enhance public trust and faith in effective, compassionate law enforcement. Beyond this, he is an outstanding individual for whom this honor is well deserved.

ITC INTEREST IN MEAT PRODUCTION

HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. PRESSLER. Mr. Speaker, I would like to thank the International Trade Commission for the interest which it has shown in meat production, an industry which is critically important to my native State of South Dakota and to this country as a whole. I would like to expend my time before this body by discussing two major areas of concern: First, I would like to touch lightly upon the disastrous effects which are being

felt in the beef industry. Second, I would like to move on to two factors which I would like to see the Commission consider in its proceedings.

My initial subject—the harm being incurred by the meat producing industry—is a well-documented one. My staff contacts with the ITC have indicated to me that the Commission was generally convinced that harm was being incurred during its 201 investigation. Similarly, the Council on Wage and Price Stability in its comments during the 201 investigation tacitly admitted the need for a remedy by not addressing the damage being caused in the industry. They, instead, only addressed alternative remedies for the harm. Additionally, the Congressional Research Service, in its references to hearings held in 1975 on this subject—hearings, which, I might add, were held at the beginning of the current low side of the cattle cycle—noted the existence of "a general state of economic hardship and, in some cases, threatened insolvency among beef producers". Finally, there can be no more eloquent testimony to the hardship of producers than the fact that our cattle raisers have not been able to recoup their cost of production during the 1974–1977 timeframe.

I will not consume this body's time by repeating the remedies to this problem which have been more than adequately outlined in Senator McGOVERN's statement on this subject. It should be sufficient to note that I also support the solutions which are expounded upon therein to include a countercyclical quota formula, wider quota coverage, and more favorable activation and enforcement machinery.

With these thoughts in mind, I would like to move on to my second subject—two factors which I would like to see considered in this investigation:

Factor 1: Previous protection given to the producers of manufactured products has had an indirect, but nonetheless negative, effect upon beef producers. As we protect domestic manufacturers at the expense of labor-intensive foreign producers, we increase factor payment to American capital at the expense of foreign labor. This has an indirect negative effect on beef producers by reducing the scope of their market. As we take foreign exchange out of the hands of meat hungry individuals, especially in Asia, we reduce overall demand by paying a major component of that exchange to capital investment—which, of course, does not commensurately increase meat consumption. In that light, the great bulk of protection which has been provided for the domestic manufacturing industries of this country has been at the expense of meat producers. At this time, I do not feel able to discuss the comparative merits and demerits of such a policy in the manufactured products market. I suggest, however, that domestic beef producers should not be made to bear the brunt of trade barriers which are designed to reach the laudable goal of protecting domestic manufacturers. They should therefore be entitled to protection from foreign imports in the domestic market since our protective policies have reduced their foreign markets.

Factor 2: Trade policy in the past has been predisposed against agriculture. Examples of the industrial orientation of our policy are so numerous that they only bear cursory mention: The general agreement on trade and tariffs tariff schedules favor industrial products; we allow EEC importation of vast amounts of industrial products, yet we do not take substantive action when they reject our dairy exports; industrial imports must bear the label of the country of manufacture, yet agricultural imports do not; industrial imports must meet domestic quality standards, however, in many cases we accept foreign quality standards and/or inspection for agricultural imports; the United States insists on reciprocity with foreign governments on sales of industrial, but not agricultural, products; there is no single department which formulates agricultural trade policy as there is with industrial trade policy in the Commerce Department; and, finally, as grain embargoes in recent years demonstrate, there is unequal treatment under the law for agricultural and industrial embargoes.

In summary, Mr. Speaker, we—and I am referring to the Federal Government as a collective whole—must realize that the beef producers have borne the burden of a trade policy which is predisposed against them. The deleterious effect of this trade policy is now becoming apparent in unfair beef prices and the potential for the eventual collapse of the family farm in this area. Such an occurrence—resulting in greater market concentration, reduced supply and increased dependence on imports—can only precede a dark future for both consumers and producers.

ARE TEXTILE JOBS EXPENDABLE?

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. MANN. Mr. Speaker, it is my information that Burlington Industries plans to hold a press conference in New York City tomorrow morning to spotlight continuing concern over the textile and apparel import problem. Pursuant to this effort, Burlington delivered to me, in my capacity as chairman of the Informal House Textile Committee, a comprehensive position paper which forcefully points up the sensitivity of the textile and apparel industries to imports and the necessity for U.S. trade policies which will safeguard this vital economic sector.

As international trade negotiations in the coming months produce important agreements on future levels of foreign imports, it is important that Members are aware of the effect these decisions will have on the largest industrial employer in the United States—the textile and apparel industries. Therefore, I commend Burlington's position paper to Members' attention. The text follows:

ARE TEXTILE JOBS EXPENDABLE?

The Carter Administration appears increasingly to be placing creation of jobs at the top of its priority list; there's talk again of Humphrey/Hawkins; Chairman Ullman suggests that the new tax package be constructed to create incentives for business to provide more jobs; Vernon Jordan and other national leaders have expressed bitter disappointment over the job plight of minorities. But in the Administration's actions there is a great inconsistency. While a strong concern for jobs is being expressed by the Administration, its bilateral textile trade negotiators are preparing to export more jobs from the United States to the Far East. So, on the one hand there is a great hue and cry for the creation of jobs, yet on the other hand we see the systematic destruction of hundreds of thousands of jobs in the domestic textile and apparel industry.

This industry, which includes textiles plus related apparel, is highly labor intensive; indeed, it is the largest industrial employer in the United States. Moreover, 23 percent of its 2.3 million jobs are filled by minorities, and 65 percent are filled by women.

Because of the failure of the Administration through Ambassador Strauss and his trade negotiators to limit import growth to a level related to total U.S. market growth, the export of jobs from this industry to the Far East continues and will in all likelihood accelerate as more and more American producers are forced out of business. This prospect effectively prevents expansion of the domestic textile and apparel industry, thus further aggravating the unemployment situation through failure to provide jobs for a growing labor market. This uncertainty in the textile and apparel industry also contributes to the business downturn and does not bode well for any contribution from it toward full recovery of the U.S. economy.

We hear arguments put forth from the Administration and certain members of the academic community to rebut complaints of job loss and of business uncertainty. We are told that free trade is essential to the economic well being of the United States and of the rest of the world. We are also told that imports are essential in the battle against inflation.

We support the concept of "free trade" as a guide for international economic well being so long as the trade is "fair trade". The economic theory of the necessity for free trade fails, however, when the trade between nations is not in actuality free but rather involves foreign subsidies, national and international cartels of foreign producers and dumping practices of exporters, as well as exploitation of workers abroad who are forced to work long hours for subsistence wages.

In short, it must be recognized that textile products comprise the primary area in which developing countries aggressively seek exports without regard to profit. In a great many cases the free enterprise system of the U.S. textile industry is really competing head on with the monopolistic powers of foreign governments. Moreover, the export situation faced by domestic producers is not a free market since many of these exporting countries have closed their markets to United States textile and apparel products.

In the context of this imbalance we have to wonder why, after acknowledgment by the Administration of the critical situation facing the U.S. textile and apparel industry, agreements are still being negotiated by the Government which continue to permit imports to take more and more of the domestic market. Is the reason for permitting imports to grow at a rate greater than domestic market growth one of concern for the workers in these Far Eastern countries? If so, we call attention to a recent article from the Fair-

child news service entitled "Korea Seeks More U.S. Textile Makers." That article states that "Employment in the texitle industry [Korea] has been steadily increasing year after year." It points out that employment in this industry in Korea has increased since 1973 by 65½ percent. This vigorous growth is in marked contrast with the loss of more than 300,000 jobs in the textile and apparel industry in the United States during the seventies. Assuming there is no reduction in the rate of growth of imports, then the United States will suffer the loss of at least an equal number of textile and apparel jobs by 1985.

Thus, a major contribution of the United States to the economic growth of Korea does not take the form of direct foreign aid to which all U.S. taxpayers contribute, but rather consists of the sacrifice on the job of each and every displaced American textile worker.

It is argued that imports have a deflationary effect in the marketplace, and it is true that in some cases they supply the opening price points for apparel in the United States. However, as has been pointed out in a recent report by the Library of Congress, imports often reflect only a greater markup for retailers—not savings to the consumer. More than that, however, there is a point at which imports become inflationary, and the evidence is clear that this point has been reached. Our industry had an overall trade deficit of $2.8 billion in 1976 which could easily grow to twice that size in the next three or four years. Although Secretary Blumenthal has recently proclaimed that the U.S. trade deficits are beneficial for the U.S. economy, it appears that the rest of the world does not agree with him. Since making his statement, the dollar has fallen significantly in purchasing power, a situation which creates further inflationary pressures in this country.

When jobs are lost in the textile and apparel industry, the disruption to the U.S. economy is more severe than in other industries. The displaced workers are frequently entry-level people from minority groups, and the job market is inelastic. The payments to these displaced workers in the form of unemployment insurance and other welfare payments do not constitute payments for production and in themselves are inflationary. Also, the Administration's Adjustment Assistance Program assumes that displaced textile and apparel workers are both retrainable and relocatable and that more highly skilled jobs are available in industries not affected by imports. Experience does not substantiate these assumptions.

In addition, after imports capture a very substantial portion of a domestic market, their prices frequently begin to accelerate rapidly, as we have already seen in other businesses, such as the shoe industry. This is obviously because the United States industry has been damaged and the competitive element has been removed. This danger exists in the textile and apparel industry as we look down the road.

We have referred to the failure of the Administration and its trade negotiators to recognize the damaging impact of a growth rate of imports in excess of the growth rate of the domestic market. Let's be more specific. The Administration has recently taken much credit that in the Hong Kong bilateral the overall annual growth of imports has been reduced over a five-year period to an average of 4.8 percent and that certain highly impacted categories have been reduced to 3 percent annually during the last four years of the agreement. However, the 4.8 percent is still substantially higher than the U.S. textile and apparel annual growth rate of 2.9 percent during the last ten years.

Although the new Hong Kong Bilateral Agreements prohibit any growth in the first year of the extension, it jumps to 6 percent for the second, third, fourth and fifth years of the Agreement, on a compounding basis. The fallacy of claiming a beneficial aspect for this agreement on the basis of a 4.8-percent growth rate is that prudent businessmen don't make long-term investment decisions based on a one-year freeze or on misleading averages. Rather, they do so based on future expectations. The only thing we can anticipate for the future is that commencing in 1979 imports from Hong Kong can grow at the rate of 6 percent per annum overall. According to press accounts, the growth rate for Korea will be 6.5 percent per year. There is no assurance that any additional bilateral with other nations will contain a level more closely approximating total U.S. market growth.

Lastly, we read that President Carter's new man in Geneva, Alonzo S. McDonald, who was just sworn in August 30, has already taken a position regarding our industry on the issue of tariffs—a position which would have additional adverse consequences. In an interview with the Fairchild news service, Ambassador McDonald said that the textile industry and the apparel textile firms would be prime candidates for being placed on the duty chopping block. He stated, "they are in the best possible position to go into negotiations, far better than most industries. They are already protected by the Multi-Fiber Arrangement and by bilateral agreements and therefore are in a very favorable position."

This logic reflects a basic misunderstanding of tariffs and world textile trade. It fails to recognize that the bilateral agreements are temporary in nature while tariff cuts would be permanent. It also views tariffs solely as barriers to trade rather than leveling forces to permit domestic production to be competitive. Finally, it ignores the fact that the U.S. market disruption caused by imports from present exporting nations would be greatly aggravated by reducing U.S. textile tariffs. Other developing countries with which we have no bilateral agreements would take over additional portions of the domestic market. Imposing that additional injury on the U.S. textile and apparel industry would be highly inequitable.

Now what is Burlington's overall position in regard to this matter? Simply put, it is that, while we favor imports which benefit the United States, we think that the present level of duties should be retained and importation of textile and apparel products should grow only at the annual rate of growth of the U.S. textile and apparel markets, which has been 2.9 percent during the past ten years. Any growth above that figure will result in further loss of jobs. While this consequence poses a very serious problem for our industry, we respectfully suggest that the problem is equally as serious for the country and deserves a more realistic approach than has been in evidence to date.

AGEE/MARCHETTI DESTABILIZATION TEAM STRIKES OUT IN FRANCE AND NORWAY

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. McDONALD. Mr. Speaker, working with groups which have documentable connections with the Soviet espionage empire, its Eastern European and Cuban subsidiaries, two defectors from the U.S. Central Intelligence Agency have spent August and September in attempts to destabilize two important countries in the NATO alliance, Norway and France.

Victor Marchetti was an employee of the CIA for some 14 years, eventually holding the position of executive assistant to the Deputy Director. Following his resignation from the CIA, Marchetti in 1972 became associated with the Institute for Policy Studies—IPS—and its efforts to destroy the U.S. intelligence community's capabilities. Marchetti is coauthor with John D. Marks, a former State Department employee, of "The CIA and the Cult of Intelligence" published in 1974 after a long court fight in which the CIA attempted to prevent Marchetti and Marks' disclosure of still sensitive information.

While Marks has gone on to become a prominent figure at the Center for National Security Studies—CNSS—a project of the Fund for Peace which works with the U.S.S.R.'s World Peace Council and which is staffed principally by veterans of the Communist-front National Lawyers Guild and the radical IPS think-tank whose staff has included KBG agents, Castroite revolutionaries and propagandists, and members of terrorist groups, Marchetti had faded from public view. Now he is back in the public eye in Norway.

Just prior to Norway's national parliamentary elections early this month, Marchetti repeated his claims previously made by him to the New Left, anti-U.S. SV party that CIA personnel were stationed at Norwegian military installations and that Norwegian monitoring stations "are linked technically and economically to the CIA and the American NSA security agency."

Norwegian defense chief Sverre Hamre bluntly said that Marchetti was lying. And later Defense Minister Rolf Hansen told a public election meeting that Marchetti's charges were untrue and concluded:

I leave it to those assembled here to decide whether a defense minister or a sensational author is the more reliable.

The Norwegian voters made their answer plain. Defense Minister Hansen's pro-NATO Labor Party won an additional 32 seats in the Storting—parliament. The radical SV lost all but 2 of its previous 16 seats; and the Norwegian Communist Party and the Peking-oriented "Red Election Alliance" won no seats.

Marchetti's failed test-flight as an anti-CIA "destabilizer" appears to have been an attempt to development of a replacement for Philip Agee, whose ties to the Soviet bloc's intelligence apparatus has become so obvious that his usefulness is ebbing.

In August, Agee attempted to enter France for another in his endless series of "CIA exposes." The French Government promptly deported him to Belgium where he held a press conference asserting that some 60 CIA employees "are now on the staff of the U.S. Embassy in Paris." It is noted that Agee received only minor publicity for his charge; however, the official Soviet "news agency" TASS gave Agee's statements extensive publicity for several days. TASS noted on

August 25 that Agee is working on a new book—with Steve Weissman, a writer long associated with the Havana-tied North American Congress on Latin America—NACLA—the "intelligence-gathering arm" of the U.S. Castroite movement. Said TASS, the new Agee/Weissman book will include a detailed list "of all organizations and persons that were connected with the U.S. intelligence services in the past 30 years."

It is noted that self-described "revolutionary socialist" Agee was reported visiting the Soviet Union in 1976, but that no expose of the KGB's activities followed. Deported from Great Britain in May of this year, Agee obtained residence in the Netherlands through the assistance of the Institute for Policy Studies' Transnational Institute—TNI—which has offices both in the main IPS headquarters in Washington, D.C., and in Amsterdam.

Moscow's propaganda mill also used Agee's allegations as the base on which to mount a smear campaign against third world students and professionals who have received an education in America. The Soviet claim is that "the majority of students dispatched to the United States for training or on a business trip" are "brainwashed" during their visit and forced to work for the CIA against their own countries.

Soviet propagandists have been making much use of the revelations of CIA drug and behavioral experiments. It is also noted in conclusion that what information is available has come from the highly selective releases by John Marks of CNSS of information obtained under the Freedom of Information Act. It is noted that careful analysis of the Soviet propaganda releases and comparison with the available released material indicates that some information attributed to Agee has no known provenance. It must, therefore, be presumed, if correct, and not "black propaganda," to have been provided by hostile intelligence sources.

ONE HOSPITAL'S STAND AGAINST INVASION OF PRIVACY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. CRANE. Mr. Speaker, this week the House will consider H.R. 3, a bill to control fraud and abuse in the medicare and medicaid programs. Congressman PETE STARK and I offered an amendment to this bill to prohibit the inspection, acquisition, or disclosure of any individually identifiable medical record of a patient by the Federal Government or its employees, without the patient's express written consent. The Crane-Stark amendment was adopted by the Ways and Means Committee on June 2 and is included in the committee's report, 95-393, part I.

This year both the National Bureau of Standards and the Privacy Protection Study Commission have issued reports which outlined the problems in protecting the confidentiality of medical records in a computer-oriented, information-gathering society. The greatest threat to our privacy is undoubtedly the Federal Government, with its vast array of departments, agencies and bureaus, many of whom have access to confidential medical records for one reason or another. If we are to assure the American people that their medical records will not be subject to wholesale invasions of privacy, we must first strictly control access to these records by Government officials. For that reason, I urge that the Crane-Stark amendment be adopted by the full House.

Right now a small hospital in Alaska is involved in a case which could have far-reaching effects. Cordova Community Hospital is appealing a decision by the State department of health and social services that would require the hospital to allow the department's surveyors access to all patient charts on a random selection without first obtaining the consent of each patient whose chart is selected. The hospital had refused to allow such access, and is now threatened with revocation of its license, for failure to comply with this decision. After a hearing in which there was overwhelming support for the hospital's 3-year stand against the invasion of privacy by government officials, the Cordova Community Hospital Board voted to appeal the decision. With the approval of the Cordova City Council, the hospital has decided to go to court, despite the costs of litigation.

I commend Cordova Community Hospital and the people of Cordova, Alaska, for having the courage to stand up against the invasion of privacy by government officials. Unless the power of government, whether Federal or State, is checked, there can be no guarantee of our fourth and fifth amendment rights to privacy.

For the benefit of my colleagues, I insert an article and an editorial from the June 23, 1977, Cordova Times, which give further details of this case:

[From the Cordova Times, June 23, 1977]

A SMALL PRICE FOR PRIVACY

In this day in time when personal privacy is being eroded by a torrent of bureaucratic paper shuffling it is indeed pleasant to see a small group of people willing to put their foot down and demand the process stop.

That is precisely the action taken by the Cordova Hospital Board last night at the urging of the majority of people who attended the public hearing on the question of confidentiality of medical records at the Cordova Community Hospital.

For over three years now the hospital has run against the current and forbidden access to medical records of private individuals to state hospital licensing officials. The officials have access to medical record of individuals whose medical bills are funded through a public programs such as Medicare and Medicaid because people seeking such aid have signed appropriate releases. The hospital contends that the officials have no right to records of those who pay their own medical costs unless the individuals grant the access.

The state recently issued an administrative order ruling against the hospital's contention and requiring that the hospital give access to all records on risk of losing its license.

Obviously the only sound alternative for the hospital is to continue the fight to honor the right to privacy of the individual.

However, that means court action. And court action costs money. According to the hospital board's legal representative, the court action would cost between three and six thousand dollars. That depends, of course, on whether the hospital wins or loses and how involved the case gets.

But isn't that a small price for this community to pay for the ability to protect the privacy of its individual citizens against arbitrary government surveillance?

We think so! And we urge the city council to underwrite the hospital decision to fight this senseless intrusion.

We see the right to privacy as a fundamental principle this great nation was founded on and are convinced that the state and federal constitutions will support this right in court.

When all other options are exhausted we recommend the hospital pursue its convictions in court. Surely, in the end, they should prevail and will. Of that we are so certain that we will pay $1,000 of thé cost incurred ourselves, if the courts should prevail against them.

[From the Cordova Times, June 23, 1977]

HOSPITAL BOARD VOTES TO APPEAL STATE DECISION

The Cordova Community Hospital board voted last night to appeal the state decision which requires the hospital allow examination of private medical records by state hospital examiners.

Failure to comply with the state administrative order or appeal it by June 30 will cause the hospital to run the risk of losing its license.

Since appealing the administrative order will cost the hospital money that isn't budgeted, the city council must approve the action. A special council meeting is being scheduled Saturday to handle the question in a timely manner.

The hospital board made its decision last night after listening to an hour and a half of testimony from nearly 30 Cordovans who attended the public hearing.

Several of those in attendance voiced opposition to the appeal calling the whole idea of not complying "ridiculous." However, the vast majority of those in attendance indicated their desire to see the private medical records kept confidential. There were several suggestions for taking action out of court to solve the problem including seeking help from the state Office of the Ombudsman, and pursuing changes in the regulations through the legislative branch of state government.

The Cordova Community Hospital has been challenging the state's demand for access to patients' private medical records without prior written consent of the patients for the past three years.

TRUCKING INDUSTRY

HON. MARTY RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. RUSSO. Mr. Speaker, next week the Subcommittee on Special Small Business Problems, which I am pleased to chair, will conclude its hearings on the regulatory problems of independent owner-operators in the Nation's trucking industry.

These hearings have proven to be highly instructive and because of the

importance of these final hearings, I would like to bring them to the attention of my colleagues.

The committee's recent press release, which I am inserting in the RECORD, provides some background as well as specific information on the hearings:

MARTY RUSSO ANNOUNCES CONCLUSION OF ICC/INDEPENDENT TRUCKER HEARINGS

The Honorable Marty Russo (D-Ill.), Chairman of the Subcommitee on Special Small Business Problems, announced today that hearings on the regulatory problems of the independent owner-operators in the nation's trucking industry will conclude with sessions on September 27 and 29.

On September 27, A. Daniel O'Neal, Chairman of the Interstate Commerce Commission, will appear before the Subcommittee. Mr. O'Neal will respond to several of the issues which have been discussed at earlier hearings. Among the problems to be addressed are skimming (with concentration on the regulated industry), unloading rackets at the nation's warehouses, lease irregularities, the value of ICC operating authority, ability to obtain new authority, various owner-operator reform proposals, carrier escrow funds and performance bonds, fuel tax credits and debits, detention time, household goods moves in urban areas, and finally the role the ICC should take in representing owner-operator interests. The hearing will begin at 9:00 AM in Room 2359 of the Rayburn House Office Building.

On September 29, the Subcommitee will listen to a unique three-way debate of the issues facing owner-operators. Participating will be Chairman O'Neal and high-level Commission staff, representatives of the American Trucking Associations, Inc., and a six-member panel representing owner-operator interests. Mr. Russo said:

When a Subcommittee holds a hearing, we are usually confronted with one side of the story. At a later hearing, we hear yet another side of the story. The problems we have heard over the last eighteen months have greatly distressed the Members of the Subcommittee. The complaints and tales we have heard cover the exempt area, the relationship between regulated carriers and leased operators, and the whole motor carrier transportation industry.

Prior testimony sparked a voluntary ICC study of 64 regulated carriers. Quite frankly, the subsequent Commission staff report tended to confirm owner-operator gripes issue after issue. Other testimony resulted in a Council on Wage and Price Stability report on ICC operating authorities which raised serious questions concerning the whole authority process and raised further questions on whether or not some carriers are merely brokers who are becoming wealthy by bartering public rights.

This historic debate of the issues will hopefully shed a lot of light on some very serious issues. It also should dispel the pervasive national myth of the independent trucker as a cowboy running over small towns at 85 miles per hour. Actually, we are talking about over 100,000 independent small businessmen and women working hard to earn a decent living.

The debate will begin at 9:00 AM in Room 2359 of the Rayburn House Office Building. The following six individuals have been invited to be part of the panel and to address the issues cited:

(In alphabetical order).

Ted Brooks, Baltimore, Maryland:
1. Fuel tax credits and debits;
2. License plates;
3. Other ripoffs.

C. H. Fields, American Farm Bureau:
1. Exempt brokers;
2. Unloading rackets;
3. Availability of trucks.

Joy Fitzgerald, Des Moines, Iowa:
1. State laws and regulations—the paperwork burden;
2. 80,000 pound limit;
3. IRP plan and its future.

William J. Hill, Pittsburgh, Pennsylvania:
1. The question of antitrust immunity.
2. The cost of being an owner-operator.

Mike Parkhurst, Los Angeles, California:
1. Skimming;
2. The question of deregulation.

Timothy D. Person, St. Louis, Missouri:
1. Minorities and access to operating authority;
2. Household goods moved in urban areas;
3. Minorities and access to government contracts.

In addition to Chairman Russo, Members of the Subcommittee are Rep. Ike Skelton (D-Mo.), Rep. Richard Nolan (D-Minn.), Rep. Andy Ireland (D-Fla.), Rep. Dale E. Kildee (D-Mich.), Rep. James C. Corman (D-Calif.), Rep. Wyche Fowler, Jr. (D-Ga.), Rep. William S. Broomfield (R-Mich.), Rep. Millicent Fenwick (R-N.J.), and Rep. Dan Marriott (R-Utah).

RETURN OF CONSTITUTIONAL GOVERNMENT TO NICARAGUA

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. CEDERBERG. Mr. Speaker, our discussions on foreign policy in the past year have placed a greater emphasis on human rights and have focused our attention on countries which have suppressed them. Like many other political issues, the subject of human rights has generated a more intense reaction the closer to home the problem has appeared.

Thus, we were sorry that terrorist conditions in 1974 forced Nicaragua to suspend constitutional rights and guarantees. However, conditions have improved in that country and President Anastasio Somoza has announced that the state of siege is being lifted. As I am sure this news is of interest to my colleagues, I would like to share with them the following press release from the Nicaragua Government Information Service on this action:

COMMUNIQUE—PRESIDENT SOMOZA LIFTS STATE OF SIEGE

MANAGUA, NICARAGUA, September 19.—President Anastasio Somoza today lifted the state of siege and martial law.

The President, after presiding over a meeting of the Council of Ministers, repealed Decree No. 5 of December 28, 1974, by which constitutional guarantees were suspended in accordance with provisions in the Constitution and established laws. In his televised statement to the nation, the President stressed the failure of those forces and interests which, responding to international instructions, had used the technique and the system of consistently violating constitutional guarantees through acts of terrorism.

Said the President, "for those who have fomented violence and bloodshed in our country, let it be known the Nicaraguan people are ready to defend the democratic and liberal nationalist system any time this is threatened by acts of terrorism."

This is in reference to acts such as the assault on the home of Dr. José María Castillo Quant on December 28, 1974, which caused the death of three persons including that of Dr. Castillo and the holding hostage of his guests. The systematic summary executions of over 100 innocent peasants; the practice of summary execution of terrorists by their own members; the placing of explosive devices in public places which endangered the lives of innocent men, women and children; the hold-up of banks and private businesses; the murder of policemen and workers; the burning to the ground of dwellings of humble peasants.

"The Guardia Nacional" said President Somoza, "with the cooperation of the democratic forces in the country, especially the peasants, have known how to defend the peace and order of the nation by repudiating subversion."

The Decree suspending constitutional guarantees was issued in the face of an existing conspiracy to subvert the constitutional order, the peace of the nation, the security of individual rights and property in different parts of the country, as was shown to have been the case.

In accordance with martial law, all persons committing crimes against the security of the State and public order have been tried by the military courts and given every recourse for defense as was their right. The sentences of these courts later appealed before the Supreme Court of Justice by the defense were upheld by the Supreme Court. Those cases of terrorists presently pending will be passed to the civil courts.

The President said that the circumstances which causd martial law to be brought in did not interrupt the life of the nation; nor the liberty of every citizen; nor the activity of the private sector; nor the practice of religion; nor the carrying out of common justice; nor the freedom of political parties. "At this time the country enjoys political, social and economic stability," said President Somoza.

The lifting of the state of siege follows the completion of the judicial process by the military court against the terrorists. It also fulfills the promise made by the President to the Nicaraguan people when on May 7 he said "the present state of siege will not last one minute longer than is strictly necessary."

ROGER BERMUDEZ,
Presidential Press Secretary.

MEDICAL RECORDS CONFIDENTIALITY AMENDMENT EXPLAINED

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. CRANE. Mr. Speaker, later this week the House will be considering H.R. 3, the medicare/medicaid antifraud bill. The Ways and Means Committee version of this legislation contains language, which Mr. STARK and I offered, prohibiting the acquisition, inspection, or disclosure of individually identifiable medical records by Government agencies and their employees, without the consent of the patients. Exceptions to this authorization requirement would be made only for reimbursement and auditing procedures in cases where the patient's care is paid for or provided for by the Federal Government. The records of medicare, medicaid, military, and VA hospital patients would, therefore, be protected from indiscriminate use without preventing medical care practitioners from providing treatment or determining that our tax dollars are being wisely spent in these programs. Private care patients,

who receive no Federal assistance for their medical expenses, would be assured that their confidential medical records would not become part of the huge Federal record system, subject to inspection by Government employees and anyone else with access to such data.

Since the adoption of the Crane-Stark amendment by the Ways and Means Committee in June, a number of questions have been raised concerning the effect this amendment would have on medical research. For most research purposes, there is no need for the researchers to know the name of the patient, and either aggregate data or files with the names and other identifying data removed would suffice. In situations where patient names are either desirable or necessary for the purpose of the study, the third party maintaining the records—that is, hospitals or physicians—could contact the patients at the request of the researchers, without violating confidentiality. Patients would then have the opportunity to determine whether or not they wish to allow the researchers access to their confidential medical files.

The right of an individual to the privacy of his person and records is a basic one, which should not be violated on light or uncertain grounds. Just as one has the right to the privacy of one's banking or telephone records and income tax returns, one has the right to presume that the nature of one's medical treatment remain confidential. Federal agencies should have no more justification for obtaining medical records without the consent of the patients than for acquiring any other type of personal records.

Because the research issue has been at the center of the debate over the Crane-Stark amendment, I would like to request unanimous consent to insert a newspaper column and my response to it answering many of the objections in this regard. I feel this amendment would provide a necessary safeguard to the patients without unnecessarily impeding vital medical research. I urge my colleagues to examine carefully these arguments before voting on this amendment.

The letter and article follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C. August 8, 1977.

Mr. GERSHON FISHBEIN,
Care of The Washington Post Office of the Editor, 1150 15th Street NW., Washington, D.C.

DEAR MR. FISHBEIN: As one who has been concerned with the issue of the confidentiality of medical records as it relates to the Federal Government, I read your August 8 column in the Washington Post with a great deal of interest.

Leaving aside the possibility of hazardous conditions at the West Virginia plant or the Dupont Company's motives in contesting the NIOSH subpoena, I feel very strongly that the right to privacy should be upheld against government infringements for whatever reasons. If the National Institute for Occupational Safety and Health (NIOSH) should prevail in the case of Dupont v. Califano and Finkley, the entire country will be the real loser, not just the employees of Dupont. Any government agency, its employees or agents would then have a blank check to inspect, acquire or demand the personal and confidential medical records of any citizen, for any purpose it deems necessary, without that individual's knowledge or consent.

The fact that NIOSH has been able to cite a number of court rulings in support of its contention that the government's "duty" to protect the public health outweighs the rights of any individual only points out the deficiencies in existing law. I will not engage in a lengthy discourse here on instances throughout history where governments have trompled over individual liberties and (in some cases) extinguished lives in the "national interest", but the Gestapo tactics of Nazi Germany come to mind immediately. Lest I be accused of hyperbolizing, it should be noted that our courts have also approved the use of wiretapping by the government, a practice which I find abhorrent.

It is ironic that many of the same people who have decried violations of privacy by the FBI, CIA and IRS rally to the government's defense when these violations involve confidential medical information. Either it is morally correct for the government to inspect and/or acquire one's personal records in all cases, or it is morally wrong. The fact that the courts have been inconsistent in the degree to which they protect individual privacy should not be interpreted as approval of wholesale government snooping, unless specifically prohibited. To quote the Fourth Amendment of the Constitution:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

If we are to prevent the erosion of this fundamental right, we must insist that the law bend over backward to protect us against government intrusion. Otherwise, the concept of privacy becomes meaningless.

In the case in question, NIOSH attempted to obtain the medical records of Dupont employees without either the consent of the workers or a court order. Dupont, quite correctly, insisted that to allow NIOSH to inspect individually identifiable medical data without a warrant would be a breach of doctor-patient confidentiality. For the purpose for which NIOSH requested the records (i.e., to determine if the incidence of cancer among the plant's employees was abnormal, indicating the possibility that the disease was work-related) it is neither necessary for the investigators to have the names of the workers nor those portions of the medical records unrelated to the cancer cases. To determine if a higher-than-average number of these workers had developed cancer, it is irrelevant whether any had contracted venereal disease or had broken a limb while skiing.

In contending that it would be impossible to assess hazardous working conditions if the consent of each worker was required in advance, NIOSH has made it clear that it considers mere inconvenience an excuse to place itself above the individual's right to privacy. I wonder whether NIOSH's real fear is that such persons, if given the choice, would refuse such a request, even when their health and safety is at stake. I am sure that Dupont would have been more than happy to supply the names and addresses of present and former employees for this purpose, since it had been willing to provide copies of medical records from its employees files, albeit with names and nonessential data removed to protect the workers' privacy. In the event that the company refused, one would presume that the adverse publicity would have brought the employees to NIOSH's door in droves, with consent form in hand. NIOSH's attitude in this case is but one example of bureaucratic arrogance in the face of constitutional guarantees, which must be checked.

Despite the government's claim that HEW regulations expressly forbid the unauthorized disclosure of any medical records it obtains, I would remind you that the IRS is also prohibited from revealing income tax data, even to other government agencies, yet violations have occurred. Even under penalty of law, the tax records of former President Nixon were made public and the culprit has never been discovered, let alone punished for his misdeed. More than one administration has obtained IRS records for its own insidious purposes. With regard to medical records, it came to light just a few months ago that the New York State Health Department had been conducting a federally financed study of the effects of abortion, involving 48,000 women, without their knowledge or consent. Despite HEW's assurances that privacy is maintained in research conducted under its auspices, the data on these women was readily available to anyone with access to the Health Department's computer, and had been routinely handled by many personnel outside those conducting the study. Only recently the Social Security Administration was criticized for its inadequate safeguards to prevent the misuse or theft of data from its computers in Baltimore, which contain medical information on Medicare and Medicaid patients.

But the real issue, in my mind, is not whether the government insures that the confidential information it acquires will be protected from unauthorized access or public disclosure, but whether the government should be able to obtain that information without the individual's consent. I feel that, in the absence of statutes prohibiting government's access without express authorization, there can be no assurance that the Fourth Amendment guarantee can withstand repeated assault.

Consistent with my beliefs, I have introduced legislation which would prohibit government agencies and their employees from inspecting, acquiring, or requiring any part of the medical records of patients whose medical care was not provided or paid for under a Federal program, unless such patients have specifically authorized such disclosure. While it can be argued that the Federal Government has a reasonable need to inspect the records of those whose health care it provides—such as Medicare and Medicaid patients, the military and veterans—there is no justification for violations of privacy against private patients by government officials. This bill, HR 1816, was offered as an amendment to HR 3, the Medicare-Medicaid Anti-Fraud and Abuse bill. It was overwhelmingly adopted (as amended) by the Ways and Means Committee on June 2, despite heavy opposition from the Carter Administration.

Since its adoption, the pressure from HEW, its myriad agencies and its allies in the private sector to delete my amendment has constituted a veritable barrage. The irrational fear that my amendment will bring cancer research to a grinding halt has been a key weapon in the HEW arsenal, one which has apparently caused some defenders of privacy among my colleagues to wither. If government employees are involved, as in the NIOSH-Dupont example, such research can continue, without any undue inconvenience, provided that the consent of the individual is obtained in cases where identifiable data are used. Private researchers would not be subject to this requirement, though I would hope they obtain such authorization as a matter of pride in the strict code of ethics maintained by the medical profession.

In light of the concern for privacy in this post-Watergate era, the opposition to legislation which would protect the individual against government violations is incomprehensible to me. In the last seven months two government-sponsored studies outlining the problem and recommending corrective legislation have been published. In January the National Bureau of Standards released a two-year study on privacy and medical records by Alan F. Westin, "Computers, Health

Records, and Citizens Rights", and the Privacy Protection Study Commission made its report last month. Though HEW officials have made assurances they will propose legislation to deal with this issue by mid-October, their actions to date lead me to doubt that their concern for confidentiality is sincere. If anything, my belief that the government itself is the greatest threat to individual privacy has been confirmed.

At this point the case of Dupont v. Califano and Finkley (on behalf of NIOSH) is awaiting a decision from Justice Knapp of the Seventh District, West Virginia. I can only hope that the court realizes the full import of the consequences in this decision and that individual privacy prevails over government infringement. Should the government win this case, we might as well ask our physicians to mail copies of our medical records to HEW, for HEW will surely obtain them otherwise.

Cordially,

PHILIP M. CRANE,
Member of Congress.

JOB HAZARDS AND PRIVACY

(By Gershon Fishbein)

The question of whether the government's authority to investigate unhealthy and unsafe conditions in a work place is in conflict with the worker's right to privacy will soon be determined by a federal court in Charleston, W. Va.

The case goes directly to the issue of whether a government agency, in pursuit of information designed to protect the health of an individual, can claim access to personal medical records without the consent of that person. It is wrapped in the mystique of the physician-patient "confidential" relationship and assumes greater importance now that the institute investigate to determine hazards of his job is being upheld.

Earl McCue, a chemist and union safety chairman at DuPont's plant in Belle, W. Va., complained last year to the National Institute for Occupational Safety and Health (NIOSH) that a large number of his fellow workers were developing cancer and suggested that the institute investigate to determine if the cause could be related to occupational exposure.

At about the same time a House Commerce subcommittee, at the instigation of Rep. Andrew Maguire (D-N.J.), held hearings to investigate the abnormally high incidence of occupationally related cancer in Maguire's home state, and McCue was invited to testify on related conditions at Belle. He told the subcommittee he could account for 55 cases of cancer among past and present workers at the plant. When a DuPont official was spotted in the audience, he was asked to comment on McCue's testimony. Surprisingly, he said that the total was closer to 150 cases from 1956 to 1974.

This prompted the subcommittee to request DuPont to bring its records up to date and to release the records to NIOSH for its investigation. The company took a closer look at its records and compared the results with figures obtained by the National Cancer Institute in its national survey of all cancer cases from 1969 to 1971. On basis of that comparison, DuPont acknowledged an "excess" number of cancer deaths at the Belle plant, but insisted that it could not be proven that occupational exposure accounted for the higher rates.

After negotiating with DuPont attorneys for several months, NIOSH assumed that the road was clear for it to examine the medical records of 240 current and former employees and to make photocopies for statistical evaluation. However, last January, three days before a five-member government team was to visit the Belle plant, the manager wrote that individual medical records would "not be available for copying and inspection."

When they arrived, the investigators were denied direct access to the personnel records and were informed that only photostatic copies of selected portions would be supplied. DuPont demanded a subpoena, which NIOSH obtained. Again the company refused to provide the requested information on current employees, saying that to do so would breach the "confidentiality" of the physician-patient relationship without the consent of the workers.

DuPont offered to turn over whatever records it had, with the names of the workers deleted. Otherwise, it said, it would be obliged to seek the consent of each worker still on the payroll.

The government rejected the alternative, saying that only by knowing workers' names could the information be double-checked through personnel files. In a memo to the House subcommittee, NIOSH had said its earlier efforts to obtain even limited information about the incidence of cancer turned up discrepancies between the company's claims and the actual files.

DuPont then asked the federal court to rule on whether granting the information without consent of the employees would violate the workers' right of privacy. In its reply, filed with the court recently, the government noted that HEW regulations expressly forbid the unauthorized disclosure of medical information obtained during its investigations and said the company's claim of confidentiality would not survive legal scrutiny.

In fact, it cast considerable doubt on the entire question of how confidential the relationship between physician and patient really is or should be. It cited a number of court rulings to support the doctrine that the government's lawful interest in protecting public health takes precedence over any individual's claim that his medical history is his own business; this has been particularly true in cases that require a doctor to report the names of drug-dependent persons to a state health department.

"Disclosures of private medical information to doctors, to hospital personnel, to insurance companies and to public health agencies are often an essential part of modern medical practice even when the disclosure may reflect unfavorably on the character of the patient," the Supreme Court commented in a February ruling on a drug-abuse case. "Requiring such disclosures to representatives of the community does not automatically amount to an impermissible invasion of privacy."

NIOSH contends that requiring the consent of each worker in advance would make it impossible to carry out its responsibility for assessing health hazards in the work place. Obtaining accurate statistics is regarded as an indispensable basis for that task. DuPont insists that each person is entitled to be protected against disclosure and to do otherwise might subject the company to invasion-of-privacy lawsuits.

Meanwhile, the government has been forced to suspend similar fact-finding programs in other suspected industries until the court in Charleston rules on its authority. Unless it gets a legal green light to examine medical records of employees, NIOSH says, a lot of workers will continue to be exposed needlessly to on-the-job hazards.

THE PARALLEL BETWEEN TWO CANALS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. McDONALD. Mr. Speaker, we should always look for lessons in history and in debating the proposed new treaty with Panama, it would seem to be prudent to examine what happened to the Suez Canal when that canal was nationalized in 1956. Almost immediately there were problems. The Suez Canal was first closed for 5 months in 1956 and for a second time, as a result of the 1967 war with Israel, for 8 years.

The USSR played an important role in all of this trouble and it appears that the USSR is now waiting in the wings on the Panama situation. Unfortunately, we can recall how American intervention prevented France and Britain from retaking the canal and preventing its closure. The strategic position of the West has declined ever since in the Middle East, and while the Soviets have had their ups and downs in the area, its overall position has improved to the point where the West is forced to deal with the USSR on equal terms in any negotiations on a possible Middle East settlement. Therefore, I thought the "Rebuttal" column by Otto J. Scott that appeared in the San Diego Union on September 12, 1977, was particularly timely and ought to be brought to the attention of the Congress. The item follows:

THE PARALLELS BETWEEN TWO CANALS

When Lenin's representatives at the Treaty of Versailles in Paris in 1919, listed the "internationalization" of the Suez and Panama canals as one of the proposals of the new Soviet government, the world paid little attention. And when the huge and powerful Soviet government of the early 1950s raised the same demand again, it was widely dismissed as the usual Soviet propaganda line. But it is now clear that Soviet propaganda, like Hitler's, is not so much propaganda as prophetic outcries an rallying points for millions of its supporters and admirers throughout the world.

The clearest proof of that is in the Suez Crisis of 1956 which is now, oddly enough, seldom mentioned and never compared, so far as I can tell, with the present Panama Canal treaty. That is odd, because the parallels are so numerous as to be clearly beyond coincidence.

Since that crisis was 21 years ago, it may be worth brief recapitulation. First, we had the corrupt regime of King Farouk, overthrown by a clique of Puritanical army officers. That overthrow was hailed by our press, despite the fact that Farouk was a friend of the west, because his lifestyle offended people who today invest in pornographic movie productions. And the rise of army officers in charge of Egypt was called a triumph of democracy because they spouted left wing revolutionary nonsense. If they had been right wing they would clearly have been fascists.

But shortly after General Naguib, the front man for Nasser et al, achieved power, the new government of Egypt demanded control of the Suez Canal. It was by then clear, to the more observant, that they had been counseled and assisted by the Soviet in this demand. The timing of the demand was also interesting, for it came when the U.S.S.R. was confronting a problem in Eastern Europe, in its empire in that region, and especially in Hungary.

The demand that the British and French relinquish the Suez found many sympathetic echoes in the United States—as demands for the surrender of the west always seem to evoke. Britain, France and Israel decided, after Nasser seized control of the Suez by force, to regain it. Their joint invasion probably marks, I am sorry to say, the high mark of European-Israeli cooperation. Had it succeeded, Israel would have two firm and strong

allies in the Middle East, as well as the United States, and its present position would be infinitely more secure than it is.

The parallels between Suez and Panama are many. To call them coincidental would be naive—because both were linked, 58 years ago, by Lenin—and both remain linked as goals of Soviet foreign policy today.

In the case of Panama we are faced, as was Britain and France and Israel in 1956—with a revolutionary clique of army officers who orate about "democracy" and are guided by, and linked to, the U.S.S.R. In the instance of Egypt the Soviet link was, to an extent, covert—as it is today. In the case of Panama, the link is through a Soviet puppet regime in Cuba.

In the case of Suez its transfer opened the gates to Soviet expansion through all Africa and ushered a series of rebellions, coups, internecine wars, massacres and horrors that are not yet ended.

In the case of Cuba, transfer of the canal will open the gate to Soviet expansion, and usher scenes of disorder and intrigue to this hemisphere virtually unknown since it achieved continental solidarity and ended its Civil War.

In my opinion the Panama Canal issue represents one of President Carter's greatest challenges, and he has already failed to meet it. He resembles President Eisenhower in being braver and more threatening to our friends than to our enemies. Eisenhower, after all, threatened Israel with loss of its ability to raise tax-exempt funds from Americans, and with cancellation of all military and economic aid. His threats to Britain were open, unbridled and profane, and included economic sanctions and loss of military cooperation. His threats to France were on the same order. The decline in the ability of all three of these nations—Israel, France and Britain—to maintain their standing individually and collectively dates from that debacle. But while Eisenhower was brave to our allies, he cringed and remained silent before the simultaneous Soviet invasion of Hungary.

In the pattern of Eisenhower, President Carter threatens weaker allies in the west, while assisting the Soviet Union to achieve the goal of Lenin in 1919.

It is my hope, therefore, that The Union will review its hasty approval of the Panama Canal treaty and come to admit that it would be not only unwise, but dangerous to the people of the United States and the entire west if approved.

OTTO J. SCOTT.

PENSIONS IN THE DISTRICT OF COLUMBIA: AN UNSETTLING PROBLEM

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. MAZZOLI. Mr. Speaker, after 3 years of research, hearings and markup, the Committee on the District of Columbia is preparing to present a bill to solve the pension dilemma now confronting the District of Columbia.

The problem is outlined in the following materials, a Washington Post editorial of April 1, 1977, and a letter—unpublished—which Chairman DIGGS and I sent to the Post earlier this year.

While, the Post suggests a course of action that would cost the Federal Government about $4 billion, the committee has devised a plan, outlined in the letter, that would cost the Federal Government only $768 million during the funding period.

This is a fiscally conservative program which has been pronounced sound by actuaries and pension consultants.

The material follows:

[From the Washington Post, Apr. 1, 1977]

CITY PENSIONS: AN UNSETTLING ACCOUNT

In an unfortunate fit of generosity more than 50 years ago, Congress decided to establish some impressive but fiscally unsound pension programs for certain categories of District of Columbia employees who weren't covered by federal retirement programs. These included police officers, firefighters, public school teachers and judges. In those days when Congress really ran things around here, you can imagine how lobbyists for these employee groups soon developed chummy relationships with members of key committees handling pensions. And the benefits grew and grew. What's harder to imagine, however, is that all these pension liabilities were never truly financed; there was no fund to take care of the costs.

Thus when the elected city government took office in 1975, it inherited unfunded pension liabilities totaling $1.7 billion. And the figure, according to Mayor Washington, has now hit a "staggering" $2 billion. But if that seems a hefty tab, there's more: City officials estimate that to assume this unfunded liability and to meet currently accruing and future liability over the next 40 years, the total—if financing were to begin right away—would be $9 billion for police and firefighter pensions alone.

At least there does seem to be some congressional recognition that the federal government has a financial responsibility to help the city undo this mess. A House District subcommittee is considering legislation that would make changes in the pension programs. Moreover, the city government has submitted proposals for a sharing of the pension burden.

Mayor Washington and city budget director Comer S. Coppie are suggesting that past liabilities be picked up by the federal government and that the city finance current and future liabilities. Over a period of 40 years, according to their actuarial estimates, the annual federal cost would be about $101.2 million; the city's cost would range from $41.6 million in the first year to $270 million in the year 2016. Thus the federal share of the $9 billion would come to about $4 billion the city's to about $5 billion. At the end of this period, the city would assume complete responsibility for the pensions.

This kind of arrangement—coupled with changes in certain pension provisions in the future and the establishment of a retirement board adequately reflecting the interests of employees and the city government—need prompt congressional consideration. While there may be some question about the precise cost calculations over a 40-year period, there should be no doubt that the fiscally treacherous pension programs the city inherited from Congress need federal attention as quickly as possible.

COMMITTEE ON THE
DISTRICT OF COLUMBIA,
Washington, D.C., April 18, 1977.

The WASHINGTON POST,
Washington, D.C.

GENTLEMEN: We welcome your April 1, editorial, "City Pensions: An Unsettling Account," calling attention to the District's unfunded pension plans for police and firemen, teachers, and judges. We agree that Congress should give the city financial help since it was Congress that established the plans and granted the benefits, but failed to provide funding. However, we must disagree with the method and cost of the solution proposed by the city and discussed in your editorial.

The city's proposal calls for a federal contribution of $4 billion for police and firemen only. If this is expanded to include teachers and judges, the cost balloons to $6.03 billion. In our judgment this approach has no chance of Congressional support.

The bill introduced by Congressman Mazzoli and now before the House District Committee, essentially the same bill the Committee passed last Congress, reforms several costly pension benefits and authorizes federal payments of $769 million for all three plans. The benefit reforms and funding method save $5.2 billion over the city's proposal.

The Committee bill—a product of three years of research and hearings—is designed to relieve the pressure that spiraling pension costs will have on the District's budget. With a declining population and a dwindling tax base, the District cannot afford the rapidly escalating pay-as-you-go costs of its pension plans.

At present, police and firemen's pension costs are $50 for every $100 of active payroll. By the early 2000's pension payments will exceed payroll. Clearly we must act now, for every year's delay adds $120 million to the unfunded liability.

The actuarially sound funding method in the Committee bill is one of three proposed by the District in their 1974 study of pension funding alternatives. Under this method a fixed percentage of payroll is contributed to each fund annually that will be sufficient, along with interest earned on investments, to pay all pension costs. Federal contributions to all three funds will cease in 2003.

In addition to its lower costs, this method has the advantage of equity. It places an equal burden on present and future taxpayers since the percentage remains constant so long as benefits do not change. Another feature of this method is that when benefits are increased, the cost is reflected immediately by an increase in the size of the contribution needed to keep the fund actuarially sound. Because the District must pay the full amount of any such increase, we believe this provides an incentive to the District to control pension costs.

The city testified during hearings held last Congress that this funding method was a "reasonable approach for building actuarially sound retirement funds over a realistic time period." Even though the District would contribute $4 for every $1 of federal aid, the city stated that they would support this plan. Actuaries and pension experts consulted during the development of this bill agreed that this was an acceptable method of funding.

This legislation has been carefully drafted to prohibit conflict of interest and to insure proper fund management. To guard against pressure to invest in potentially risky local ventures, the bill provides that no funds may be invested in bonds, real estate, or agencies of the District of Columbia, Maryland, or Virginia. These provisions were endorsed by pension management experts as a necessary safeguard.

The bill creates an independent Board of Trustees composed of five members appointed by the District government and six members elected by active and retired employees. Pension plan participants and beneficiaries have a majority on the Board.

To reduce future pension costs the Committee bill makes certain changes in benefits for police and firemen.

The primary reason for the burgeoning costs of the police and firemen's retirement system is the inordinate number of disability retirements. During 1969 disability retirements were 98 percent of total retirements. These rates have dropped to around 60 percent, but are still exorbitant compared to other cities, including New York.

The bill tightens regulations for present employees and institutes for new employees a system of percentage of disability. By moving the guarantee that a disability retiree

will receive—tax free—a full 66⅔ of his salary and establishing a ceiling on the amount of outside income he may earn, we hope to bring these figures in line with other jurisdictions.

Congress has attempted since 1974, when former Congressman Rees introduced his first pension bill, to pass legislation to establish funds for the District's retirement plans. But Mr. Rees' efforts were thwarted by opposition from the former Administration. We hope that the interest in pensions shown at our meeting with President Carter indicates his Administration's desire to help solve this pressing problem.

We view this bill as reasonable and equitable. Its passage will bring the city one step closer to financial health.

Sincerely,

CHARLES C. DIGGS, Jr.,
Chairman, Committee on the District of Columbia.

ROMANO L. MAZZOLI,
Chairman, Subcommittee on Judiciary (former Chairman, Subcommittee on Fiscal Affairs).

LEGISLATIVE ACCOMPLISHMENTS AND PERSONALITY OF TOM FOLEY

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. JONES of Tennessee. Mr. Speaker, last week the Wall Street Journal printed a sensitive and perceptive article about the legislative accomplishments and personality of TOM FOLEY, the distinguished chairman of the Agriculture Committee and leader of the House Democratic Caucus.

As Karen Elliott House points out, it is often difficult to pin an ideological label on Chairman FOLEY, but after observing him at close quarters for 9 years on the Agriculture Committee, there are two labels which fit him perfectly—statesman and gentleman.

I think this article is well worth your time so I am inserting it in the RECORD at this point:

HOW REPRESENTATIVE FOLEY PLAYED A KEY ROLE IN SHAPING DISPUTED FARM BILL

(By Karen Elliott House)

WASHINGTON.—In a House full of flamboyant noisemakers, Rep. Thomas Foley stands out as a quiet lawmaker.

The Washington State Democrat is hardly known to the public, and he doesn't try to be. He is rarely partisan or pushy. And he spends much of his time working on unglamorous agricultural issues.

Yet he is one of the most influential members of the House. He is a leading contender to be the next Speaker. And his deft handling of a controversial farm bill recently won him a rare standing ovation on the House floor from both Democrats and Republicans.

"The only thing wrong with Tom Foley," one GOP strategist says, "is that a man that intelligent, that effective is neither conservative nor Republican." Indeed, about the only criticism of Mr. Foley is that he is too nice and too eager to seek legislative compromises.

At age 48, the seven-term Congressman is chairman of the caucus of House Democrats on policy and political issues, and he is a close ally of Speaker Thomas P. O'Neill. As chairman of the Agriculture Committee, Mr. Foley (who is the youngset committee chairman in the House) played the key role in shaping the farm bill that Congress is expected to send to the President Friday. Mr. Carter appears certain to sign the measure, which only three months ago seemed headed for a veto.

Mr. Foley's influence, however, stretches beyond farm matters. At Speaker O'Neill's request, he served on the special ad hoc energy committee and will be a member of a similar welfare committee. The Speaker also tapped Mr. Foley to keep him informed on the ethics committee's investigation of Korean influence peddling in Congress. (Mr. Foley himself received a $500 campaign contribution from South Koreans.)

"It's hard to say 'but for Tom Foley, something wouldn't have happened,'" asserts an aide to Speaker O'Neill, "but his influence is everywhere. It's the nature of his personality—the thoughtful, reasoned analysis—that makes him so respected, so influential."

A BROAD APPEAL

Indeed, a major reason for Mr. Foley's influence is his broad appeal. At once he is an urbane lover of African art and Mozart and an expert on agriculture.

Similarly, as an active reformer who has joined the ranks of committee chairmen, he bridges the gap between Young Turks and old-timers. Younger members admire him for his leadership two years ago in making House procedures more democratic and for his patience in listening to their ideas. Yet senior members recall that during the height of the reform movement, Mr. Foley opposed efforts by House reformers to dump Agriculture Committee Chairman Bob Poage of Texas. (After the 77-year-old Mr. Poage was voted out of the post, he made an emotional speech urging the election of Mr. Foley to replace him.)

If Mr. Foley has a major flaw, congressional observers say, it is that he is too eager to build bridges between extremes in order to accomplish legislative results. "Tom Foley is a beautiful bridge builder," one Democratic colleague says, "but he doesn't much care which way the traffic runs over his bridges." And some question whether he has the meanness to fight for the top House leadership job when Speaker O'Neill steps down one day. Some colleagues note that Mr. Foley shied away from a three-way race for House majority leader last year.

REACTING, NOT INITIATING

Some liberal Democrats also wonder what Mr. Foley stands for. They are unhappy that he abandoned efforts last year to revamp the food-stamp program after it became clear such a bill wouldn't pass the House; they wanted him to press for the bill anyway as a matter of principle. And they complain that he hasn't used his position as caucus chairman this year to push liberal causes. He reacts rather than initiates, they say. "There is a group of us who certainly don't want to see Tom as Speaker," a Democratic colleague says. "He isn't sensitive to the issues." (It should be noted that the 64-year-old Mr. O'Neill hasn't any plans to step down as Speaker anytime soon.)

Clearly, Tom Foley isn't an ideologue. He rarely takes the House floor to speak on any issue other than agriculture—and then only to analyze, not harangue. This approach is necessary in part because Mr. Foley, who two years ago headed the liberal House Democratic Study Group, respresents the most conservative district in Washington. (Three of his past opponents were John Birch Society members.) But it also reflects Mr. Foley's own doubts that big government programs are always the answer to social problems.

Still, he votes for food stamps, abortion (though he is Catholic) and enough other liberal causes to win a 55-percent favorable rating from the Americans for Democratic Action, a liberal lobbying group. "If you look closely," a GOP admirer says, "he dishes out the same old liberal medicine, but he does it so adroitly that it tastes good to conservatives, too."

Unquestionably, Tom Foley's forte is adroit legislating. Because his nature is to avoid confrontations, he rarely twists arms. Instead, he builds coalitions, but he does so by finding common interests rather than wheeling and dealing to balance opposing interests. And he eagerly includes Republicans in his coalitions.

The farm bill is a good example of the success of that formula. In May, Mr. Foley found himself and the House caught between sharply different farm proposals: The President demanded a relatively inexpensive bill, but the Senate already had passed a costly version that Mr. Carter had promised to veto. So, to keep alive the possibility of a compromise farm measure acceptable to the President, the House had to adopt a less expensive bill than the Senate version.

"Many people didn't believe the President's veto threats," Rep. Foley says "but I did." So he set out to hold down the spending impulses of Congressmen and to persuade the White House to accept a more generous farm bill.

One of Mr. Foley's most important early decisions was to forbid any member of the Agriculture Committee to introduce the President's farm bill. Because the bill would have been a target for partisan attack, he insisted that the committee work from a staff outline of tentative decisions made earlier in Agriculture subcommittees. This strategy kept partisanship at a minimum and helped create a collegial atmosphere. As the committee concluded sections of a bill that satisfied representatives of various commodities—peanuts, rice, tobacco, cotton and dairy products—the coalition for the bill grew stronger.

The biggest disagreement revolved around government price guarantees for wheat and corn—two crops whose market prices are severely depressed by huge surpluses. "Sure, I want higher price supports, too," Mr. Foley repeatedly told his colleagues. "But it won't help farmers for us to pass a bill the President won't sign." Mr. Foley didn't need to remind colleagues that, as a Representative from one of the nation's largest wheat-producing areas, he was putting aside his parochial interests and they should do the same.

To cement support of urban Congressmen, Mr. Foley dropped his opposition to a food-stamp proposal in the administration bill. The administration proposal, which wasn't part of last year's food-stamp revision bill, was to eliminate the present requirement that food-stamp recipients pay a small amount for stamps that bring them a greater dollar amount in food; instead, they would be given the stamps free.

And Speaker O'Neill helped nudge the President. During one dinner at the White House, Mr. O'Neill told President Carter that Rep. Foley was "working miracles" in persuading his committee to approve a lower-cost farm bill and that Mr. Carter ought to be grateful enough to accept some increases from his own proposals. In the end, the committee agreed by a wide 40-to-6 margin on a farm proposal the administration said was acceptable.

THE WHEAT-SUPPORT ISSUE

But big trouble lay ahead. Democratic Rep. Glenn English of Oklahoma, who had narrowly failed in committee to raise price supports for the 1977 wheat corp, now broadened his coalition to include corn-state Congressmen and prepared to fight again on the House floor. Mr. Foley believed that Mr. English would win on the floor. The reason: Farm-state Congressmen, eager to support their constituent interests, had teamed with Republicans, eager to test the President's veto threat.

Mr. Foley telephoned the President to tell him that the English amendment appeared likely to pass and that he wasn't going to try

to stop it. A bitter fight, he said, could so sour tempers that the House almost certainly would defiantly pass a bill far more costly than the President wanted. Even though the amendment would add $500 million to the bill's cost, Mr. Foley urged the President to go along.

During that conversation, the two men struck the most important deal in the farm bill's evolution. Mr. Carter indicated that he would accept the English amendment if the chairman could deliver several other things. The President wanted flexibility to lower the amount of government loans to farmers instead of having them set in the bill. And Mr. Carter wanted authority to withhold government subsidies on all crops from any farmer who didn't comply with a government order to "set aside" acreage planted to any one crop.

QUICK PASSAGE OF AMENDMENT

The next day, without ever mentioning his talk with President Carter, Mr. Foley surprised his colleagues by introducing the English amendment himself. The switch headed off a nasty floor fight between the English forces, on the one hand, and Mr. Foley and administration backers, on the other. Because the action was a clue that the President had agreed to accept some increase in price supports, the amendment quickly passed, and the mood of the House turned euphoric.

"This is a born-again administration, and I'd like to say praise the Lord and welcome back among those of us who saw the light long ago," Republican Rep. Charles Thone of Nebraska said good-naturedly.

Mr. Foley, who has a quick sense of humor, responded with his own Biblical reference: "I believe the Bible says there's more rejoicing over the one that returns than for the 99 who never strayed."

When the farm bill passed the House by a lopsided 294-to-114 vote, members stood to give Mr. Foley a burst of applause similar to that which follows a virtuoso artistic performance. In the conference between the House and the Senate to resolve differences in the farm bills, Mr. Foley helped reach a compromise that more closely resembled the cheaper House bill than the Senate version.

Of course, not everyone is pleased with the bill, which sets government subsidies to farmers for the next four years and determines food-stamp benefits for some 17 million recipients. The bill, which will cost the Treasury an average of $10.5 billion to $11.5 billion a year, is at least $2 billion a year more than the President wanted. But it is $1 billion less than the Senate measure. Conservatives believe that it is too costly, and some farm-state Congressmen believe that it is too niggardly.

But President Carter seems to approve of the final measure, which includes the two provisions he had sought for increased authority over government loans to farmers and over acreage "set-asides," as well as a provision for free food stamps. "If it weren't for Tom Foley," says Agriculture Secretary Bob Bergland, who worked closely with Mr. Foley to influence Congressmen and the President, "we wouldn't have a farm bill the President could sign."

THE JOHNSTOWN FLOOD OF 1977

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. MURTHA. Mr. Speaker, the terrible devastation of the floodwaters of July 19–20 in Pennsylvania have left their mark on an entire generation of Pennsylvanians. Besides the personal tragedy, the devastation tested the ability of many Federal agencies. For information of the Members, I insert into the RECORD an article written by Dave Leherr and Stuart Brown of the Pittsburgh Post Gazette, July 30, 1977, which provides an outstanding summary of the events and Government response to the situation. Because of the length of the article, I will be submitting it in five parts.

Part one follows:

THE JOHNSTOWN FLOOD: WHY?

(By Dave Leherr and Stuart Brown)

The sky was ominously dark and threatening as Don Wilson returned home from Johnstown on Tuesday afternoon, July 19.

He had been to Johnstown to perform a task he had performed hundreds of times before in scores of locations in Western Pennsylvania and West Virginia.

Don Wilson is a field man for the National Weather Service here and on Tuesday, July 19, he had gone to Johnstown to make a routine inspection of the rain gauge on top of the public safety building there.

The gauge is a galvanized tin drum two to three feet high that has a roll of graph paper something akin to the electro-cardiographs hospitals use to chart heart beats.

But on the way home, Don Wilson had a thought. The Boy Scouts of America were preparing for their national jamboree at Moraine State Park in Butler County and the dark sky and booms of thunder and lightning looked dangerous.

He diverted his trip to stop at Moraine and warn the advance guard setting up tents there that storms could be on the way and to beware of lightning.

"It was one of those things that could have really hit them, or it could have missed them completely," Wilson recalled, discussing his thoughts on that Tuesday afternoon.

What happened after that is history.

The storm skipped over Moraine State Park.

It stopped at Johnstown instead. Literally stopped. Hovering like a giant black raven, ready to pounce on its prey.

Twelve hours later, Johnstown—the city declared flood free in the late 1930s, the city declared an all-American city in 1972—Johnstown was a morass of destruction and human misery.

The flood-free city had been flooded again, worse than ever before in its history, except when 2,200 lives were snuffed out in the great floods of 1889.

Today, as residents of Johnstown and all the smaller Johnstowns in six other counties dig out from the flood disaster of 1977, as the death toll, now at 64 continues to mount, as close to one hundred people remain missing or unaccounted for, one question prevails.

Why?

Why did it take the National Weather Service in Pittsburgh until 2:40 a.m. Wednesday morning to issue an official flood warning for Indiana and Cambria counties, hours after the city of Johnstown already was up to five feet under water?

Why did the National Weather Service's radar indicate only a light line of moderate to heavy thundershowers in the devastated counties at 7:30 p.m. the night before?

Why were there no reports from the weather service's network of cooperative observers about the tremendous amounts of rain that were falling between the 7:30 p.m. report Tuesday night and the official flash flood warning issued at 2:40 a.m. Wednesday morning?

Why did the Laurel Run Dam, a privately owned, earthen dam, burst at 3 a.m. or thereabouts Wednesday morning sending cascading millions of gallons of water down through the village of Tanneryville at speeds of 70 to 80 miles an hour?

Why were spokesmen for the state police still denying that the Laurel Run Dam had even burst as late as 24 hours after it happened?

Why did five other privately owned earthen dams along the streams and tributaries in the Conemaugh River Basin also break apart causing similar chaos in other towns?

Why did those little communities, those little Johnstowns like Scalp Level, Windber, Seanor, Dunlo, Seward and many others—where death was prominent—not have some sort of alarm system or some sort of automatic triggering device setting off horns or whistles to warn residents that the water was rising?

Why doesn't the National Weather Service have automatic rain gauges in the area monitored directly from Pittsburgh that could give forecasters instant readings simply by dialing a telephone?

Why, why, why?

The questions are coming from people of all levels. Some people are angry. Most are more frustrated than anything else.

Some of the whys already have answers. Others haven't been. Some may never be answered.

And perhaps the biggest question of all. Would earlier warnings from the Weather Bureau have meant anything at all anyway? Would they have cut down on the death?

After all, Johnstown was a flood-free city, now, wasn't it? They said so after the St. Patrick's Day flood of 1936—after millions of dollars were spent to build a flood control project in Johnstown.

And the city itself said so after surviving Tropical Storm Agnes in 1972 when it ran a promotional ad in the New York Times that read:

"Flood Free Johnstown, Penna., is well and prospering."

CONGRESSMAN MURPHY DISCUSSES ILLEGAL ALIEN PROBLEM

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SIMON. Mr. Speaker, from time to time I have inserted into the RECORD comments and articles on the complex illegal alien problem.

Today I am inserting the comments of my distinguished colleague, Representative MORGAN MURPHY, whose comments are significant because of the esteem he holds among his colleagues and because of his membership on the influential Rules Committee.

Precisely where the Nation should go on this difficult question I am not certain, but I appreciate the willingness of Congressman MURPHY and others to tackle this thorny problem.

One thing he mentions that I am certain is right; it is the same advice our colleague Representative KIKA DE LA GARZA has given us: Work with Mexico on her problems. Any rational analysis of the long-range nature of the problem suggests that believing we can solve this problem in isolation is politically attractive foolishness.

Congressman MURPHY hints at one other thing which has never bothered

me, though I know there are many who strongly oppose it: Some type of national identification card.

It is of interest to me that Roger Baldwin, the founder of the American Civil Liberties Union, a few years ago suggested that he saw no fundamental infringement of civil liberties with the use of a national identification card. As one who has been in many civil liberties battles, I share that opinion, though I know a great many of those who share civil liberties concerns do not have that opinion.

The article by Congressman MURPHY appeared in the Chicago Tribune of September 20:

CARTER PLAN FOR ALIEN AMNESTY RAISES SERIOUS QUESTIONS

(By MORGAN F. MURPHY)

This is the problem: illegal aliens are silently invading the United States in ever-increasing numbers. The Immigration and Naturalization Service (INS) estimates that 6-to-10 million are already here. At a time when our unemployment rate is 7.1 per cent (40.4 per cent for black teen-agers), illegal aliens hold one million good-paying jobs, and another million low-paying jobs. They depress wage scales and working conditions of other U.S. workers. They send home $3-$10 billion to their relatives each year, which aggravates the deficit in our nation's balance of payments. And illegal aliens cost American taxpayers $13 billion a year by getting on Medicare, Medicaid, and welfare rolls.

What is the solution? On Aug. 4, President Carter revealed his plan dealing with illegal aliens. The President rightly recommended that wage-and-hour laws be strictly enforced; that the border patrol be beefed up; and that fines be imposed on employers who hire illegal aliens.

But there are some major problems with the President's plan. On the surface, Carter's proposal to grant permanent residence [amnesty] to illegal aliens who have lived here more than seven years seems both reasonable and just.

It only seems right to legitimize the status of those who have lived here a long time.

Mass deportation, of course, is out of the question. It would be both inhumane and impractical. But amnesty raises such serious moral and practical questions that Congress should reject it.

First, the moral question. Is it fair to grant citizenship to those who live here illegally while the U.S. denies or delays entry [sometimes up to two years] to those who apply to come legally? This kind of justice would reward those who have broken our laws, and in effect "punish" those who have kept them.

Then there are the practical questions. It is doubtful whether the amnesty program can be administered fairly and efficiently. The success of Carter's plan depends on how well the INS can weed out those who don't qualify for amnesty from those who do. Because so many illegal aliens have counterfeit documents, one wonders how the INS can administer the amnesty program without resorting to guesswork.

Moreover, the social and economic consequences of amnesty could be staggering. Once an illegal alien is allowed to become a permanent resident, he can bring in his immediate relatives under present U.S. immigration law. According to a study done for the Labor Department, illegal aliens have an average of four to five dependents. This means that if 8 million illegal aliens were granted amnesty, 32 to 40 million persons could legally migrate to the U.S.

With our unemployment rate already high, how does the U.S. intend to provide jobs for this massive influx of people? What about homes, schools, welfare and medical services? Surely the U.S. owes jobs and a decent standard of living to those here legally more than it owes citizenship to those here illegally.

Carter's plan to fine employers who hire illegal aliens is greatly weakened by his failure to provide them with a reliable way to check a person's citizenship. While fully aware of the booming black market in fraudulent documents, Carter chose not to bite the bullet on the need for national ID cards.

To be sure, fears have been expressed that a national ID card could be misused by the government for political reasons. But every American is now issued a social security card widely used for identification purposes.

This is why I am sponsoring a bill that would require prospective employes to present a new, nonforgeable social security card as proof of citizenship before they could be hired.

Carter's plan also fails to deal with visa abusers. This is unfortunate, since about 600,000 foreigners overstay their visas each year. Many of these visa abusers are students and skilled persons who take good-paying jobs from legal residents. One of the reasons for visa abuse is the lack of coordination and cooperation among the State Department [which issues visas], INS [which enforces visas], and the Labor Department [which issues labor certificates]. To remedy this problem, I have sponsored a second bill that would consolidate visa issuance and enforcement into a single immigration agency.

The U.S. should help Mexico reduce its 40 per cent unemployment rate so that her citizens won't feel the "push" to migrate to the U.S. But unless the U.S. comes to grips with the illegal alien problem, the American Dream may become nothing more than an illusion for both legal and illegal residents alike.

ERADICATION OF WATER WEED HYDRILLA

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. IRELAND. Mr. Speaker, I have submitted the following remarks in written form in order to avoid tying up the House's time for oral discussion.

Yesterday, I introduced legislation which today, if enacted, will assist States and local governments in their efforts to control and eradicate the water weed hydrilla. Aquatic weeds have long been a problem in many areas of the Southern and Southeastern United States. However, the species of water weed known as hydrilla presents a unique and even more serious problem than the traditional, better known aquatic plants like hyacinth and alligator weed.

Hydrilla, which originates in Central Africa, was first introduced into Florida about 1960 as an aquarium plant. Since then, it has spread rapidly and extensively and, today, the weed infests between 200,000 and 700,000 acres of fresh water in Florida alone. Presently, hydrilla is found in almost every area of Florida and has recently infested such important fishing and recreation areas as Lake Okeechobee, Orange-Lochloosa Lake, and Lake Jackson. Unfortunately, hydrilla does not confine itself exclusively to lake systems. In some parts of the Withlacoochee River the plant has completely closed the channel, and it can be found fouling the drainage system—canals—throughout much of south central Florida.

Experts estimate that hydrilla is spreading at the rate of about 100,000 acres annually. In addition to interfering with navigation, irrigation, drainage, and recreation, many naturalists and biologists are concerned that, if not checked, hydrilla may ultimately upset the delicate natural balance between fish and other animal populations.

Although hydrilla quite clearly is a major problem for Florida, it is by no means unique to Florida. In fact, Mr. Speaker, hydrilla is a serious problem right now in Georgia, Alabama, Mississippi, Louisiana, Texas, Iowa, and is even now appearing in Colorado, Wisconsin, and California. Thus, Mr. Speaker, rather than a local problem, hydrilla is fast becoming a national problem.

The legislation which I have introduced today will not in itself wipe out hydrilla. Rather, it is an attempt to focus congressional attention on a problem, which, if neglected now, will become far more serious and difficult to deal with later on.

It is my hope, Mr. Speaker, that by bringing the seriousness of this situation to the attention of our colleagues in this manner, we can develop a dialog and work together toward a full solution to the problem of Hydrilla.

Accordingly, I plan to reintroduce this legislation in the very near future and would welcome cosponsorships and support from our colleagues.

This bill simply amends Public Law 94-231 by broadening the definition of plant pest to include both hydrilla and hyacinth, thereby bringing both within the scope of the act.

A copy of this bill is attached.

Thank you, Mr. Speaker.

H.R. —

A bill to amend section 102 of the Act of September 21, 1944, for the purpose of authorizing the Secretary of Agriculture to carry out operations to detect, eradicate, suppress, control, or prevent or retard the spread of the water weeds hydrilla and hyacinth

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(d)(1) of the Act entitled "An Act to provide for the control and eradication of certain animal and plant pests and diseases, to facilitate cooperation with the States in fire control, to provide for the more efficient protection and management of the national forests, to facilitate the carrying out of agricultural conservation and related agricultural programs, to facilitate the operation of the Farm Credit Administration and the Rural Electrification Administration, to aid in the orderly marketing of agricultural commodities, and for other purposes", approved September 21, 1944 (58 Stat. 735, as amended; 7 U.S.C. 147a(d)(1)), is amended by inserting immediately before the semicolon at the end thereof the following: ", and includes the water weeds hydrilla and hyacinth".

A PROMISING WAY TO BURN COAL—FLUIDIZED BED COMBUSTORS

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. CARTER. Mr. Speaker, I am deeply concerned about the Nation's energy problems. Like most Members of the House, I have been involved in the formulation of the energy legislation, the National Energy Act, that is now before the Senate. We have all worked our will on this very important legislation with the greatest concern and attention to the energy needs of the people that we represent. Although I did disagree with the many tax provisions of the legislation and that the Republican minority was given little chance to amend the bill, I did agree wholeheartedly with the energy projections which call for a greater reliance on the use of other more abundant energy resources such as: solar, biomass, geothermal and "King Coal."

Coal is the most abundant energy resource that the world has, besides of course, the Sun. Many geologists predict that there may be over 400 years of coal to burn obtainable in the Earth. However, many uncertainties exist that are associated with achieving a greater reliance on the increased use of coal. Coal extraction and transportation, for example, are critical areas of concern. The increased use of coal is also limited by the high cost and uncertainty associated with its utilization. The environmental impact from direct utilization of coal is another primary concern.

With these problems in mind, how can we direct our national efforts toward the increased use of coal? As you know, coal is presently 18 percent of the Nation's energy use and with the passage of the National Energy Act, the percentage is projected to be an estimated 50.4 percent by the year 1985. I grant you that we are wise to partake in the abundance of coal but as in other forms of energy, there are problems that must be dealt with.

Mr. Speaker, I am an optimist. I believe in the future; a better future. A future where our children may live a better life than we. I believe that there are answers to our energy difficulties. Answers that will work. Answers that will give us a standard of living which provides for what we now enjoy and also an environment which is healthy and safe. A balance, Mr. Speaker, of industry expansion and sound economic growth and a true concern for the health and safety of our environment and people.

The increased demand for the use of coal as directed by the National Energy Act as a substitute for the use of oil and gas, make it vital for this Nation to investigate improved technology for direct utilization of coal. It is imperative for us to find cleaner, more efficient methods of burning coal. One such promising technology is known as the fluidized bed coal combustion system. Fluidized bed combustion is a major opportunity to realize improvements in cost, fuel resource utilization, while at the same time protecting the environment.

The FBC process promises low sulfur dioxide and nitrogen oxide emissions, coupled with high overall efficiency in generating electricity. In addition, FBC designs boast the capability of burning many types and grades of coal, including eastern coal—as well as municipal sludge and refuse, industrial and agricultural cellulosic waste material, oil shale, and petroleum fractions. Also, fluidized bed combustion offers lower capital and operating costs compared to conventional coal-fired boiler systems. They tell me at ERDA that they are even using the waste products as fertilizer.

If we are going to burn coal we must learn a better way to do it. I will be inserting this week into the RECORD, articles and updates on the fluidized bed combustion system for the attention of each Member and the public. I would appreciate any comments that you might have on this subject. The first paper is by Mr. Paul F. Rothberg, Analyst in Physical Sciences, Science Policy Research Division, CRS. It is entitled "Fluidized Bed Combustion: A Promising Way To Burn Coal."

[From the Library of Congress, Congressional Research Service]

FLUIDIZED BED COMBUSTORS: A PROMISING WAY TO BURN COAL

(By Paul F. Rothberg, Analyst in Physical Sciences, Science Policy Research Division)

INTRODUCTION

This report explains how fluidized bed combustors work, reviews the state of technology, summarizes ERDA's efforts in this area, discusses several environmental impacts associated with this technology, and lists significant advantages and disadvantages of burning coal in this manner.

HOW A FLUIDIZED BED COMBUSTOR WORKS

In a fluidized bed system, sized and crushed coal and limestone (or dolomite) are mixed in a heated chamber. Air is blown into the chamber in such a manner that the mixture of coal and limestone is aerated to produce a mass of particles that behave like a fluid. The coal is combusted and water flowing through coils submerged in the combustion chamber is heated into steam.

STATE OF TECHNOLOGY

There are two major types of fluidized bed combustors: atmospheric and pressurized systems. A major difference is that in the pressurized system, coal and the bed material is injected into a pressurized combustion chamber. Both of these technologies are now being tested and advanced primarily in experimental, pilot, and prototype plants.

ATMOSPHERIC SYSTEMS

The atmospheric fluidized bed probably offers the greatest potential for early commercialization, sometime during the 1980s. This technology can be used for industrial or utility applications. It is likely that atmospheric fluidized beds will first be used commercially in the United States for industrial purposes. According to a report issued by the House Committee on Science and Technology, this combustor improves combustion efficiencies, significantly reduces emission levels, has an attractive capital costing, and can use cheaper, high sulfur containing coal.

In the United States, an atmospheric fluidized bed boiler having a capacity of 5,000 lbs. of steam per hour has been operated successfully at furnace temperatures of approximately 1600 ° F.

A 30-megawatt atmospheric fluidized bed boiler, located at the Monongahela Power Company plant in West Virginia, has been constructed. Operation and testing of this pilot plant will be carried out during 1977 and 1978. In addition, ERDA has signed contracts with at least five groups to design, construct and test industrial boilers or industrial heaters using atmospheric fluidized bed combustors.

Atmospheric fluidized bed combustors have been used for industrial purposes in Europe. This existing technology may be transferred to the United States and used on a widespread basis as soon as the details of domestic operation are worked out. One uncertainty which still remains is the operation of these systems using American coals. In addition, European technology would also have to be adopted to handle domestic load requirements and U.S. environmental restrictions.

PRESSURIZED SYSTEMS

Advanced second generation combustors, called pressurized fluidized beds, are under development and may result in considerable increases in thermal and design efficiencies. Compared with atmospheric system, the developmental problems of pressurized beds are greater and more complex, and the first commercial pressurized units are expected to be operational at an appreciably later date.

ERDA EFFORTS ON FLUIDIZED BED COMBUSTORS

The Energy Research and Development Administration (ERDA) is conducting an extensive research and development program on fluidized bed combustion. These efforts are part of ERDA's program to advance technology for directly burning coal. An objective of this effort is to develop fluidized bed combustion systems capable of directly burning high-sulfur coals of all ranks and quality in an environmentally acceptable manner. This program is designed to demonstrate the application of the fluidized bed combustion process in heating a variety of fluids.

The following table summarizes the funding levels by category for the FY 1976 to FY 1978 period.

COAL DIRECT COMBUSTION

[In thousands of dollars]

Categories	Budget authority (fiscal years)				
	Actual, 1976	Actual, TQ	Estimate, 1977	Estimate, 1978	Increase (decrease)
Fluidized-bed boilers, atmospheric	16,000	6,000	21,165	21,500	335
Pressurized systems	11,396	3,500	17,200	15,229	(1,971)
Coal/oil mixtures	6,000	2,300	4,300	7,000	2,700
Support studies, engineer evaluations	12,700	1,700	9,236	9,471	235
Total	46,096	13,500	51,901	53,200	1,299

ENVIRONMENTAL CONCERNS

By maintaining the proper calcium to sulfur ratio within the fluidized bed, approximately 90 percent of the sulfur dioxide formed during combustion of coal is captured. The relatively low process temperature limits nitrogen oxide emissions within EPA standards. No wet sludges are produced during fluidized combustion.

Newer fluidized bed combustion systems generate increased emissions of hazardous organic material. Potential water pollution

from runoff and leaching associated with solid wastes from fluidized bed combustors would need to be controlled.

SELECTED ADVANTAGES OF FLUIDIZED BED SYSTEMS

Advantages cited for fluidized bed systems include:

1. Fluidized bed systems may allow increased utilization of coal in an environmentally acceptable manner, because of their ability to burn high sulfur coal with low sulfur dioxide and nitrogen oxide emissions.

2. The expensive and energy consuming costs of the flue gas desulfurization can be avoided, since emissions of sulfur oxides can be controlled in the boiler.

3. Fluidized bed boilers show potential for improving net power generation and heat transfer rates. These factors can reduce the boiler's size, weight, and cost.

4. High heat release allows the fluidized bed boiler to be more compact than a conventional boiler. The boiler can be built as factory-assembled, packaged units, and can be shipped to the site and constructed as required.

5. Fluidized bed combustors may prove to be less expensive than conventional boilers coupled to desulfurization equipment.

SELECTED DISADVANTAGES OF FLUIDIZED BED SYSTEMS

Selected disadvantages of fluidized bed systems include:

1. Fluidized bed combustion involving the use of limestone or limestone/dolomite as a scavenger for sulfur dioxide is still unproven from a practical standpoint. This technology has not yet gained widespread acceptance by utilities or industrial users in the United States.

2. The wastes from fluidized bed systems, possibly a mixture of calcium sulfate, magnesium sulfate and ash materials, must be disposed.

3. Considerable developmental problems remain with some fluidized bed systems.

OUTLOOK FOR FLUIDIZED BED SYSTEMS

It is difficult to specify when fluidized bed systems will be widely used in the United States. Thus far, this technology has not been adequately demonstrated as to reliability in service for a wide range of coal types or for effectiveness of pollution control relative to site-specific environmental requirements.

Future success of ongoing Federal programs on fluidized bed combustors may encourage application of this technology. For example, the 30 megawatt fluidized bed boiler now operating in Rivesville, West Virginia, might stimulate increased interest by the utility sector. This combustor may represent a building block for scale up to a 200 megawatt facility, and perhaps eventually to a 800 megawatt facility. The future of fluidized beds is also likely to be affected by the outcome of industrial applications program now being supported by ERDA. Many of these projects are scheduled to be completed by 1982.

As is the case with many new technologies, once fluidized bed combustion has been demonstrated, it will still require extra start-up effort (and thus cost) in the early stages of users acceptance. The ERDA program will not be able to test all foreseeable coal types, load variations, emission control needs, and other variables.

Economics of fluidized bed combustion (FBC) are currently unclear, but on the basis of design simplicity and smaller size, it should be considerably better than current coal-burning equipment. When the opportunity to avoid stack gas scrubbing is factored in, FBC becomes extremely attractive economically, provided that its emission control performance in practice is as good as it now appears to be in theory.

A CONSERVATIVE FRET OVER BIG OIL

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. UDALL. Mr. Speaker, it is not often that the eminent journalist, James J. Kilpatrick, and I reach agreement on issues of substance. Thus it was with surprise and delight that I came upon Jack Kilpatrick's September 17 column in the Washington Star on the subject of big oil and competition.

Kilpatrick's discussion of the question of horizontal divestiture by big oil is right on target. This issue of concentration of economic power in the hands of a few giant conglomerates is not one that ought to divide liberals and conservatives. All of us should be alarmed at the erosion of competition in the basic industries in this Nation. In addition to big oil, we have big automobiles, big chemistry, big steel, and big media. Some of our other basic institutions may be too concentrated as well and we ought to be looking at their impact on our society and our way of life.

I have long been especially concerned about the growing power of oil companies over competing fuel resources. While horizontal divestiture is probably the best solution, there are other ways to address the problem. The Committee on Interior and Insular Affairs is currently considering one of those alternative paths to restoration of competition in the energy marketplace: imposition of restrictions on the leasing of Federal energy resources. Most of the remaining reserves of coal and uranium, for example, are on Federal lands. We say to the energy giants in this proposal that if you want to exploit these resources, you cannot be horizontally integrated. I think this is a constructive approach which protects both the public interest and a vital growing industry.

Mr. Kilpatrick's article follows:

[From The Washington Star, September 17, 1977]

A CONSERVATIVE FRET OVER BIG OIL

(By James J. Kilpatrick)

Forgive me, mother, for what I am about to do: I am about to climb in bed with Teddy Kennedy, Birch Bayh, Howard Metzenbaum and 27 other dreadful people, and the prospect is dismaying. But in seeking to lay some restraints upon the great oil companies, the Senate liberals are right and my brother conservatives are wrong.

If that be heresy, make the most of it. The issue came to a head on Sept. 8, when Kennedy offered an amendment to a pending energy bill. He proposed to make it unlawful for any major petroleum producer "to acquire any interest in or control over any coal asset or uranium asset after the date of enactment of this act."

The amendment would not have required horizontal divestiture as such—that is, it would not have compelled the major companies to sell off the coal and uranium properties they now own—but it was a second cousin to such divestiture. I'm for it.

As it turned out, Kennedy's amendment was voted down, 62-30, on a motion to table. Every professing liberal was lined up behind the amendment, and every certified conservative was lined up against it. Tower of Texas had the purple conniption fits; he accused Kennedy of speaking "the language of expropriation, which should raise the hackles of every American who believes in the free enterprise system."

Thurmond of South Carolina, a true-blue conservative, called Kennedy's proposal "radical." Opponents argued that only the giant petroleum companies have the capital and the expertise to produce the coal and uranium the nation needs.

As George Mason urged 200 years ago, let us recur to fundamental principles. A fundamental principle of conservatism is to fear concentrations of great power, and to seek ways to restrain them. That is one of the things our Constitution is all about. I had been taught, and until this debate 10 days ago I had truly supposed, that conservatives distrusted too much bigness wherever it exists—Big Government, Big Labor, Big Media, Big Bureaucracy, whatever. The conservative principle holds that bigness is not necessarily badness, but at some point a rebuttable presumption arises.

That point, in my view, assuredly has been reached in the matter of the great oil companies and competing energy sources. In warning against the concentration of economic power in this vital area, Kennedy, Bayh and the others were expounding sound conservative doctrine. They were the ones crying for greater competition. They made sense to me.

What has happened in recent years is that the petroleum giants have moved horizontally into the acquisition of coal and uranium. Gulf Oil led off in 1963 with its acquisition of Pittsburgh Midway Coal Co. Continental Oil in 1966 took over Consolidation Coal, then the leading coal producer. Occidental Petroleum acquired Island Creek, which was number three. Standard Oil of Ohio acquired Old Ben, number 10. Meanwhile, Kerr-McGee moved heavily into uranium.

Fourteen of the top 20 owners of coal reserves today are oil companies. Nearly half of totaf coal reserves now are owned by the petroleum giants. The major companies dominate research and development in such areas as coal gasification and oil shale production.

Looking ahead, the prospect is not for giant oil companies, as such, but for energy conglomerates—for super-corporations effectively controlling every form of energy production, transportation and marketing.

Colorado's Floyd Haskell made his point sarcastically. It is absurd, he said, to suppose that a company making nice profits off of oil and gas is going to promote competitive fuels in order to drive those profits down. "To believe otherwise," said Haskell, "is sort of equivalent to believing in the tooth fairy."

To the argument that only the giant oil companies can provide the capital to meet goals for coal and uranium, let me make this response: Those who believe in the marketplace have to trust the marketplace. Assuming a demand for competing fuels, the capital will appear to supply that demand.

If we believe that competition is a good thing, let us put that conviction to work. If we are wary of excessive concentrations of power, let us halt this disturbing concentration before it grows still larger.

All this has nothing to do with vertical divestiture, which involves breaking up the great oil companies internally. No convincing case has been made to support such total disruption of an efficient and highly competitive industry.

But enough is enough. And horizontally speaking, the concentration is quite enough as it is.

REMARKABLE REVEREND DOUBLE HONOREE OF FREEDOMS FOUNDATION

HON. ADAM BENJAMIN, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. BENJAMIN. Mr. Speaker, I ask my colleagues to join with me to honor the Reverend Jack H. Barrell of the First Presbyterian Church of Hammond, Ind., who was honored with the George Washington Honor Gold Medal from the Freedoms Foundation at Valley Forge, during the foundation's midwest convocation held at the Flick-Reedy Corp., Bensenville, earlier this year.

This is the second such award presented to Reverend Barrell, the first coming in 1973. His outstanding sermon was titled: "Liberty—Who Needs It?" The quote cited in the sermon was:

> The true secret of liberty isn't found in the Constitution . . . It's found in your heart. If you don't have a sense of freedom and hope in your own heart, you are not going to have a sense of freedom and hope in your life or the life of your nation.

Presenting the award was Kenneth Wells, vice president of Freedoms Foundation. The award was one of 21, in different categories, presented at the convocation. Awardee Rev. Harold Walker, emeritus minister of the First Presbyterian Church of Evanston, Ill., delivered the invocation and Reverend Barrell delivered the benediction.

Freedoms Foundation awards have been presented annually since 1949 to individuals and organizations making an outstanding contribution to the understanding of the American way of life. The annual awardees are selected from among thousands of entries by a National Awards Jury, independent of the Foundation and with new members each year.

The two-time honoree has been pastor and head of staff of the First Presbyterian Church of Hammond, Ind., since August 1967. Under his direction, the church has grown and expanded and is in the process of building a million dollar facility in downtown Hammond. The congregation, after intensive study, decided it wanted to remain in the urban scene and continue a strong ministry. At the present time, the First Presbyterian Church is attempting to secure housing for the elderly in the downtown Hammond area.

Reverend Barrell epitomizes what Americans should be. He founded the first police chaplaincy program to be recognized nationally as an outstanding program and served as the chief chaplain of the Hammond Police Department from 1968 to 1976.

Reverend Barrell also served as chairman of Hammond's Recycling and Solid Waste Handling Commission from its inception in 1971 until 1976. During that time, he developed a program for recycling newsprint. As a member of Hammond's Human Relations Council, and its chairman from 1972 until 1976, he helped to develop a program of community education on human rights. He also conducted seminars to encourage industry in hiring minorities and the handicapped and developed a positive system of human and civil rights within the Hammond community.

This outstanding and dedicated Hoosier is a graduate of Wayne State University with a B.A. degree in communication. He is also a graduate of the Louisville Presbyterian Theological Seminary with a B.D. degree in Ministry and the Christian Theological Seminary with a masters degree in communications, cum laude.

Reverend Barrell, Ruth Ann, his wife, and their children, Cheryl Anne and Jack Jr., deserve our recognition, congratulations and praise for a job well done. It was not merely words honored by the Freedoms Foundation—it was deeds, particularly those of Reverend Barrell, his family and his parishioners, all working together in love, faith and dedication to make the city of Hammond, State of Indiana and our country a better place in which to live. They prove that Reverend Barrell's award winning sermon is more than a dream.

CONGRESSIONAL SALUTE TO THE HONORABLE JOSEPH A. NEE, ESTEEMED CHIEF OF POLICE OF CLIFTON, N.J., OUTSTANDING CITIZEN AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. ROE. Mr. Speaker, on Friday, September 23 the residents of Clifton, my congressional district, State of New Jersey will gather in testimony to the outstanding public service rendered to our community, State and Nation by one of our most distinguished public safety officers, the Honorable Joseph A. Nee, chief of the Clifton Police Department, good friend, leading citizen, and great American.

As Chief Nee retires from his law enforcement career, I am pleased to join with his many, many friends in deep appreciation of all of his good works and share great pride in the success of his achievements with his wife, Elizabeth, and his sons, Gerard, Richard and Joseph.

Mr. Speaker, Chief Nee has indeed earned the highest respect and esteem of all of us for the quality of his leadership and highest standards of excellence in seeking to achieve optimum public safety for all of our people. He was appointed to the Clifton Police Department on March 3, 1930, promoted to sergeant November 7, 1936, to lieutenant December 1, 1944, to captain May 8, 1951; assigned to detective bureau September 1, 1955, and attained his present high office of public trust as chief of the department January 1, 1959.

Throughout his lifetime Chief Nee has forged ahead with dedication, devotion, and sincerity of purpose in combating crime and protecting the life of our people. We applaud his knowledge, training, hard work, and personal commitment that has enabled him to achieve the fullest confidence and strongest support of the people of our community. He has always applied the most sophisticated and advanced techniques of his profession.

Chief Nee has been a staunch supporter and active participant in many civic and community improvement programs and we applaud the quality of his leadership endeavors for almost a half century in the vanguard of our public safety officers. He is presently a distinguished member of the Old Timers Club, the New Jersey State Association of Chiefs of Police, and Passaic County Police Chiefs Association.

Mr. Speaker, it is indeed appropriate that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America and I am honored and privileged to call your attention to his lifetime of outstanding public service. As Chief Nee retires his official leadership badge of courage and valor as the esteemed Chief of Police of Clifton, N.J., I respectfully seek this national recognition of his contribution to our country in placing others above self in providing safety in the streets, security in the home, and optimum public safety for all of our people. We do indeed salute Chief Joseph A. Nee of Clifton, N.J., for his contribution to the quality of life for the people of our community, State, and Nation.

OCS DEVELOPMENT

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. ST GERMAIN. Mr. Speaker, H.R. 1614, the Outer Continental Shelf Lands Act Amendments of 1977, will soon be before the House for a vote. The importance of this bill cannot be overstated, with respect to our energy situation and, in the case of coastal States, to our economic health.

The OCS Act of 1953 has not proved to be the vehicle for offshore development that its drafters had hoped it would be. Numerous obstacles and diversions have hindered any work to the point where, 24 years later, little, if any, progress has been made.

I am sure that my colleagues agree with me that H.R. 1614 should not present further obstacles to offshore resources development. The Ad Hoc Select Committee on the Outer Continental Shelf has done an admirable job in dealing with the many complexities and intricacies of this problem. From oil spill liability to State and local involvement, the legislation demonstrates a high level of thought and care.

However, there are some points that may require reconsideration, particularly where a certain provision will again delay any actual development. Certainly, there is a need to use all due caution in

order to protect our environment; but once this need has been satisfied, we should not still take hesitating, faltering steps. My constituents have made clear to me their desire to see executed an energy plan, not merely in the discussion stage, but in the action stage, a point that not many of our energy proposals have yet reached. Therefore, I want to encourage my colleagues to look long and hard at H.R. 1614, to act favorably on those parts which will finally give some life to the Outer Continental Shelf Lands Act, and to weed out any provisions which serve only to slow down any progress toward offshore oil and gas development.

Rhode Island's Governor, J. Joseph Garrahy, has provided me with an extremely incisive and valuable letter of comment on H.R. 1614, which I would like to share with my colleagues. Many Members of the House are also representing coastal States and will certainly be giving some thought to the issues raised by Governor Garrahy with respect to this bill.

The text follows:

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS,
Providence, September 12, 1977.

Hon. FERNAND J. ST GERMAIN,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I am taking this opportunity to express my concerns regarding H.R. 1614, The Outer Continental Shelf Lands Act Amendments of 1977.

As you know, the State of Rhode Island has adopted a position which favors the expedient and orderly exploration and development of oil and gas reserves on the North and Mid Atlantic Outer Continental Shelf as long as such actions can occur without sacrificing environmental protection or the interests of our valued fishing industry.

The United States, through the Outer Continental Lands Act Amendments of 1977 should mandate a policy by which the OCS is made available for "expeditious and orderly development, subject to environmental safeguards." Further, we strongly favor any provision which ensures participation by the States in policy and planning decisions made by the federal government to explore, develop and produce OCS oil and gas and which grants to the States impact assistance to minimize the impacts of such development.

We also strongly oppose all provisions of the OCS Lands Act Amendments which would result in the likelihood of substantial delay. Specifically, we would like to see exploration and development proceed as soon as possible in the Baltimore Canyon and Georges Bank areas along the Atlantic Coast. As you know, the oil industry has agreed to support exploration and production activities in both areas from Quonset Point-Davisville. There are currently 29 leases at Quonset-Davisville taken by various ocean drilling support firms which would employ more than 800 persons on-shore in support of exploration and more than 3,000 on-shore workers in support of production. Exploration in the Baltimore Canyon has already been delayed for well over a year because of a law suit in New York. The Lease-sale for Georges Bank, originally scheduled for November, has been pushed back to January, 1978. In the meantime, several other states and communities are trying hard to lure away the 29 OCS firms which currently have leases in Rhode Island. It is obvious that the longer the delays the greater the danger that some or all of these firms might be attracted away from us. Consequently, we are very strongly opposed to any unnecessary delay that might be occasioned by provisions of this bill. Some minor delays will be necessitated by those provisions of the bill which are essential for greater environmental protection, protection of our fisheries, more extensive participation in OCS activities by the coastal states, and to make better information concerning oil and gas reserves available to the government and the people. But these delays must be kept to a minimum.

Permit me to first outline those sections of H.R. 1614 to which we are opposed:

1. We oppose, in Section 205, that provision which requires the Secretary of the Interior, to use new and experimental bidding procedures in leasing at least fifty percent of each new OCS area. We would support an amendment that would limit the use of new procedures to no more than one-third of acreage leased, at the Secretary's discretion. The bill is not explicitly clear that scheduled lease sales will not be delayed pending the writing of new regulations for experimental procedures. We would support language that would either delay implementation for a year or which would make it explicitly clear that the writing of regulations for the new procedures will not delay currently scheduled lease sales.

As a general rule we support those provisions which provide for alternative bidding methods which are intended to foster competition by allowing the smaller independent oil companies to participate in the bidding process with a reasonable chance of success. In the past the traditional cash bonus bidding method has limited the majority of lease holds to those huge companies with the massive amounts of capital needed to pay the cash bonus while maintaining sufficient funds for exploration and development. We are opposed to any bid methods which allow the bidder to abandon an exploration proposal. We feel that such actions can be avoided through the provision of a fixed cash bonus or a fixed work commitment based on the dollar amount for exploration or a combination of both. We encourage the use of alternative bid methods on an experimental basis in order to insure that the public receives its fair share of revenues from the development of the public lands. However, we support revised bidding procedures only if there are assurances that adoption of rules and regulations for experimental bidding systems will not further delay the Georges Bank lease sale.

2. We are opposed to Section 206, Sec. 11, (c)(1) which provides that lessees must submit exploration plans to the Secretary for approval before exploration can begin. The bill declares that the Secretary "shall" approve the proposed plan within 30 days but it does not say what happens if the Secretary does not take action. The potential for unnecessary delay is great. We oppose this section unless the language is clarified.

3. We are strongly opposed to any provision of, or amendment to H.R. 1614 that would substantially broaden the authority the Secretary now has to conduct OCS oil explorations. The potential for delay inherent in a program of expensive exploratory drilling by the government is serious and could jeopardize the State's competitive position in attracting on-shore, OCS support activities. We could support only the type of very limited, severely constrained authority provided by the Durkin amendment to S. 9 and only as a last resort for the purposes of obtaining more accurate information concerning OCS oil and gas resources.

4. We are opposed to those sections of the bill related to citizen suits. Sec. 23 of Section 208 provides unnecessary opportunities for an endless string of court actions which can only result in adding significant cost and delay to the development of the energy resources of the Outer Continental Shelf. When coupled with several ill-defined provisions of the new legislation, the citizen suits provisions provided opportunities for court actions which are often entered into as tactics to stall the development of our OCS resources. Such provisions, when combined with National Environmental Policy Act suit provisions, promise to bring significant delay or even a halt to present and proposed OCS development. Such actions work negatively against the national goal of decreased dependence on foreign energy resources and therefore must be opposed. There are adequate provisions in current law to guarantee every affected person his or her day in court.

We support Section 18 of Section 208 which directs the Secretary of the Interior to prepare and maintain a five year leasing program. Such a program will help us better plan for our nation's energy needs, will insure orderly development of OCS reserves and will serve to minimize environmental impacts. We particularly support those provisions of Section 18 which allow for significant participation by governors in OCS leasing programs and which provide for a mechanism for the Secretary to adopt a Governor's specific recommendations on proposed leasing programs. However, we must emphasize that we support this section only if there are assurances that the Georges Bank lease-sale will not be delayed while a long-range leasing program is being developed by the Secretary. (It will take up to 18 months, according to the bill, to develop a leasing program).

Furthermore, we strongly support those provisions of Section 19 of Section 208 which authorize governors of affected coastal states to submit recommendations concerning development and production plans, implementation of baseline and monitoring studies and preparation of environmental impact statements. This section gives coastal states an invaluable opportunity to affect OCS policies and it makes it impossible for the Secretary to arbitrarily ignore reasonable and justifiable state recommendations.

We support the separation of exploration from development and production as essential to the proper and adequate protection of our marine environment, coastal resources and fisheries. We also believe that this separation of the two activities is essential if the federal government is to receive fair market value for the oil and gas resources in OCS lands. We especially support those provisions of this section which provide governors of coastal states with the opportunity to make recommendations concerning the development and production plans which this section requires lessees to submit. Our support is contingent, however, upon assurances that such a markedly new departures as the separation of exploration from development not be permitted to delay OCS activities currently scheduled or underway.

We strongly support the Oil Spill Liability and Compensation Fund provisions which will be particularly important to an area such as Rhode Island where the potential for damage to our beaches, resorts, coastal communities and recreational boating will be serious.

S. 9 as passed contains a better and more comprehensive Fisherman's Contingency fund than H.R. 1614. S. 9 would maintain the fund at between 2–5 million dollars compared to one million dollars in H.R. 1614. In the Senate bill there is a presumption in favor of fishermen's claims which is not made in H.R. 1614. The Senate bill establishes a Fisherman's Claims Board with representatives of NOAA, the Coast Guard, BLM, and three representatives each of the fishing industry and oil industry whereas H.R. 1614 provides that the Secretary of Interior only will administer the fund. It is important to Rhode Island with its large and thriving fishing industry that the Fisherman's Contingency Fund be as strong as possible.

We are opposed to provisions in H.R. 1614 regarding the Coastal Energy Impact Program (CEIP), Title IV Section 401. We agree that revisions are needed to get a more timely and equitable distribution of funds to impacted states but feel this amendment needs significant revision to accomplish these ends. We oppose the thirty percent ceiling on the amount that any single state may receive in one year on the basis that it allows for too large a share for too few states. Lowering the ceiling would work more in Rhode Island's favor than either H.R. 1614 or the present statute. We would support any amendment which would provide for a more equitable distribution of funds among the states.

Further the formula for receiving grants required by H.R. 1614, (Sec. 401) (e) fails to consider those situations, and there are several, where oil and gas produced off a state's shores will be landed in another state. The bill considers only the oil and gas landed in the state. We would support an amendment which amends the "fifty percent weighted criterion for OCS oil and gas landed", as proposed in the bill, to a formula which allows a twenty-five percent weighted criterion for OCS oil and gas resources produced and an additional twenty-five percent weighted criterion for OCS oil and gas resources landed, as proposed in the Hughes Amendment.

The "spillover effect" provision (Sec. 401) (B)(i) which provides a floor grant of two percent of the total amount of grants available to any state in a region adjacent to OCS leasing but which is not actually receiving a grant is unacceptable as proposed. Under this provision a state such as Georgia would receive a guaranteed two percent of all available grant monies because it is in the same region which encompasses the proposed lease areas of the North Atlantic while it would be guaranteed nothing for OCS activities in the adjacent state of Florida simply because they are in different regions. We are not opposed to "spillover effect" provisions but do desire that such provisions consider the effects of OCS activities on adjacent states in order to determine who should receive the two percent minimum funding.

Finally, provisions in the bill which call for a proportional reduction in each state's allotment if insufficient funds are available in any fiscal year could result in severe impacts for those states receiving small shares of the total CEIP allocation. We would prefer to see an amendment which ensures that states with small CEIP allocations would receive a minimum dollar amount in the event of program funding shortages.

We support the Hughes Amendment regarding CEIP over the provisions of H.R. 1614. However, the CEIP provisions in H.R. 1614 are superior to those in S. 9.

In conclusion, we oppose those provisions of H.R. 1614 which mandate that new bidding procedures be used for fifty percent of new OCS acreage; which require oil companies to submit exploration plans; which would broaden the authority of the government to conduct exploratory drilling without severe constraints; and which provide for citizens suits. We oppose the bill's Coastal Energy Impact Program provisions in favor of the Hughes Amendment. We support, conditioned upon assurances of no delay, provisions which require a five-year leasing program and the separation of exploration from development. And we support a more comprehensive and stronger Fisherman's Contingency Fund.

I appreciate the opportunity of sharing my concerns with you and I am confident that the new OCS Lands Act will be a landmark piece of legislation.

Warm regards.

Sincerely,

J. JOSEPH GARRAHY,
Governor.

FAIR LABOR STANDARDS ACT AMENDMENTS OF 1977

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. FISHER. Mr. Speaker, last Thursday the House passed legislation to increase the Federal minimum wage, H.R. 3744, known as the Fair Labor Standards Act Amendments of 1977. The basic need for an increase in the minimum wage was not the central issue. Most people agreed that some increase was warranted at this time. Other surrounding issues generated much more debate. Among other things, questions of indexing the minimum wage automatically each year, increasing the small business exemption and permitting businesses to pay a subminimum for youth for a limited period of time, were discussed at length. Amendments relating to these issues were offered on the House floor and quite frankly, I voted for the legislation only after certain of these amendments were approved—ones which I considered to be important to business and labor alike. In the following paragraphs, I will explain my votes on several of these key amendments.

As presented by the Committee on Education and Labor to the House, H.R. 3744 called for an increase in the minimum wage in 1978 to $2.65 per hour with all future automatic increases indexed to a percentage of the average hourly earnings of industrial workers. This meant that in the future the minimum wage would increase automatically without action by the Congress. I could not support the indexing provision for several reasons. First, automatic increases are generally uncontrollable once enacted into law, and they tend, also, to prolong inflation. In an uncertain economy, Congress should have more control over the minimum wage increases. While future increases approved ultimately by Congress may be equal to or even higher than indexed increases, Congress should have a regular opportunity to weigh the economic impact of proposed increases before making such an important decision.

An amendment was offered on the House floor, and was subsequently approved, which deleted the indexing provision and, instead, called for only three annual statutory minimum wage increases in 20 cents increments beginning with $2.65 in 1978. After 1980, further increases would have to be approved by Congress. I supported this compromise amendment because the minimum increases it proposes will insure that the lowest wage earners do not fall too far behind the wage increases of the general labor force. It will also enable businesses to prepare for near term increases and, of course, will not commit Congress to automatic increases indefinitely into the future.

Another amendment to H.R. 3744 which generated considerable debate involved a subminimum wage for youth. The amendment offered would have permitted businesses to pay teenagers under the age of 19, 85 percent of the minimum wage for their first 6 months of employment. After 6 months, the employer would be required to pay this young person the minimum wage. While I note the good arguments against the youth differential, the advantages of this concept convinced me to support the amendment.

Youth unemployment in this country is extremely high. According to the Labor Department figures the youth unemployment level in August was 17.5 percent. Steps must be taken to reduce this figure. Congress recently approved the Youth Employment Act which is a good start. This is expected to afford young people new opportunities for employment and training. However, many new jobs created by this act will be in the public sector and the training programs apply to a limited number of industries. The youth differential could open new doors for young persons heretofore unable to find employment. Since their salaries will automatically increase in 6 months, these young employees would be encouraged to remain at one job, teaching them a sense of responsibility and loyalty toward their employers, and a feeling of worth.

The concern expressed by some that employers might use the subminimum to displace older workers is a legitimate one. However, the amendment specifically prohibits an employer from firing older workers for other than good cause and replacing them with young people at the subminimum. I am convinced the overwhelming majority of business firms would not subvert the youth employment purpose of the act. Furthermore, violations are subject to penalties. I understand that approving a subminimum for youth involves a certain amount of risk, but I thought this experiment was worthwhile. Unfortunately the amendment was defeated by a single vote.

A further amendment which was adopted by the House increases the small business exemption. Currently the Fair Labor Standards Act applies to businesses with gross annual sales exceeding $250,000. The amendment increases this exemption to $500,000. The small business exemption has not been raised since 1969. Since then, the value of the dollar has steadily eroded and our economy has become increasingly dominated by larger corporations. In an effort to assist small businesses to remain as viable competitors, I supported this amendment.

Another element of H.R. 3744 which was discussed at length involved the tip credit. Under existing law, an employer may deduct up to 50 percent of the minimum wage from tipped employees if they earn the difference in tips. For example, at the current minimum wage of $2.30 per hour, an employer has to pay his tipped employees as little as $1.15 per hour, if that individual receives at least $1.15 in tips. If the balance is not made up in tips, employer is required to pay the difference in salary.

H.R. 3744 as brought to the House would have phased down the tip credit from its current level—$1.15—in 5 cents annual increments from 1978 through

1981. After 1981, all future tips credit deductions could be no greater than $1.

An amendment was approved on the House floor to retain the tip credit at its current 50 percent level. I voted for this amendment, because tipped employees are virtually assured of being paid the minimum wage through a combination of salary and tips. A phasing down of the tip credit coupled with a minimum wage increase could force some businesses to raise their prices, eliminate some positions or, in the extreme, close down entirely if the increases could not be absorbed.

In the end, I voted for H.R. 3744, with the modifications adopted on the House floor, because I recognize the basic need for individuals who earn the minimum wage to receive an increase in their salaries to catch up with the inflation of the past several years. I was disappointed that the youth differential amendment was not approved because I think it could have put a dent in the deeply disturbing youth unemployment problem. However, the minimum increases included in the bill should help the lower paid workers keep up with the cost of living and they should not have a negative impact on businesses.

ERDA NATIONAL SECURITY PROGRAMS

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. DODD. Mr. Speaker, I will be offering an amendment tomorrow to H.R. 6566—ERDA National Security Programs—which is intended to give Congress the time necessary to exercise its constitutional responsibility to the American people, and to itself, to participate fully in Government decisions which could have profound national security and foreign policy implications.

Specifically, my amendment would require the following actions by the executive branch and Congress before any funds can be expended for production of neutron weapons in fiscal year 1978:

The President certifies to Congress for each neutron warhead that its production is in the national interest;

The ERDA Administrator submits a complete arms control impact statement to Congress on each neutron weapon;

The President authorizes production of each neutron weapon, as required by the Atomic Energy Act;

The President studies and reports to Congress on the use of neutron weapons and their impact on the NATO strategies for conventional weapons, on the use of other tactical nuclear weapons, and on the deterrent effect of NATO forces in Europe;

The President reports the full reasons for any production decision to Congress; and,

Congress has 45 days after the filing of a production decision to overrule the decision by concurrent resolution.

One of the critical reasons why Congress should not adopt my amendment is the fact that neither President Carter nor our NATO allies have as yet reached positions on the issue of eventual deployment of enhanced radiation warheads. In fact, the Baltimore Sun reported this week that no final decision on use of the neutron warheads is expected prior to the meeting of the NATO Nuclear Planning Group on October 11 and 12.

I share the text of this article with my colleagues by inserting it at this point in the RECORD.

[From the Baltimore Sun, Sept. 18, 1977]

CARTER SAID TO DELAY ON NEUTRON BOMB

(By Charles W. Corddry)

WASHINGTON.—Government sources said yesterday that President Carter is delaying his decision on production of the controversial neutron bomb while the administration tries to get European allies lined up publicly in support of the weapon.

The North Atlantic Treaty Organization's European leaders are represented here as privately favoring deployment of the weapon for Western Europe's defense—but fearful, for domestic political reasons, of giving it much public emphasis.

Designed to increase radiation—its main killing agent—and to reduce blast effects, the neutron warhead is intended for ground force battlefield missiles and artillery shells, with enemy armor formations as one of its chief targets.

If produced, after a long-running controversy here, neutron warheads would be deployed in Western Europe as part of a program for modernizing the nuclear weapons stockpiled there now.

Administration sources said the issue of gaining public official support would be uppermost at a meeting of the NATO Nuclear Planning Group in Bari, Italy, October 11 and 12. Harold Brown, the Secretary of Defense, will represent the United States at the conference.

President Carter, who successfully sought congressional appropriations for neutron weapons before a production decision, had planned to decide the matter in mid-August but put it off.

A chief reason for the delay, administration sources said, is the effort to develop a public consensus among European defense leaders about using neutron warheads to replace some of the older and much more powerful (from the blast standpoint) weapons in the arsenal.

Neutron warheads are being developed for the Army's 80-mile range Lance missile and for both 8-inch and 155-mm. guns. Present atomic ammunition for 155-mm. guns is said to be inaccurate and unreliable, and Army leaders especially want it replaced.

Pentagon sources have said that neutron weapons could be ready for deployment in Europe within 18 months of the time a production go-ahead is ordered.

Congressional opponents contended during this summer's losing fight against the warhead development that NATO would be more likely to use the lower-blast neutron weapons than bigger types, and thus the barrier to nuclear war would be lowered.

The debate spilled into Western Europe, and defense leaders, who have supported the development, are leery of public emphasis now because of the reaction European Communists and Socialists can stir up.

With blast power reduced to about one-tenth that of the current Lance missile warheads, the neutron weapon would kill mainly with its enhanced radiation, which can penetrate enemy armor. Its backers say it would reduce damage to civilian populations and structures and risks to friendly troops.

In putting off his decision, President Carter told senators during the summer controversy that he believed the weapon was "in this nation's security interest." He disputed the contention that it would lower barriers against using nuclear weapons.

By increasing deterrence, Mr. Carter said, neutron weapons "could make it less likely that I would have to face . . . a decision" on nuclear use.

Under its new strategic decisions, the administration in fact is urging the importance of improving Western Europe's conventional defenses.

The nuclear stand-off between the U.S. and Russia makes the use of non-nuclear arms more likely and the need for conventional defense improvements the more urgent, Mr. Brown said in his major military policy speech Thursday night.

He noted the growing non-nuclear strength of the Soviet Union and its Warsaw Pact allies, and promised the U.S. would do its share to insure against attack, nuclear or non-nuclear.

GREENVILLE ADVOCATE SUPPORTS PANAMA TREATY

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. SIMON. Mr. Speaker, the Greenville Advocate is one of the fine weekly newspapers in Illinois and recently had a column on the Panama Canal Treaty.

That column contains sound advice, and I hope that our colleagues in the Senate will heed its admonition:

THE PANAMA TREATY

When former President Ford spoke out in favor of President Carter's decision to relinquish U.S. control of the Panama Canal by the year 2000 he wasn't exactly plowing new ground.

Nor was former Secretary of State Henry Kissinger when he said that he will support the agreement negotiated by Ellsworth Bunker and Sol Linowitz.

On February 7, 1974, Kissinger signed a U.S.-Panama agreement on principles for canal negotiations. Among other things, the document said the 1903 Panama treaty should be abrogated. A new treaty, the United States agreed, should terminate this country's jurisdiction over Panama territory, give Panama an equitable share of canal benefits and assure joint Panama-United States defense of the waterway.

The Carter administration added specifics. But on the whole its conclusions are about the same as those held by the last two administrations.

Most Americans do not appear to share the official views if we are to believe the polls. They favor U.S. retention of canal ownership, sovereignty and defense for two basic reasons: it's ours and only the United States can defend the canal.

We do not believe we violated the sovereignty of Panama because we built a facility within its borders in accordance with a legal agreement, and we believe that the Panama Canal is essential to the defense and commerce of the United States.

The question then becomes whether the defense and commerce of the United States can best be served if we retain the present arrangements in the Isthmus of Panama. Or can our interests better be served if we approve the treaties advanced by the Carter administration?

Essentially, the treaties would give Panama control of the canal by 2000. The United States would retain a right to co-defend the canal. Neutrality of the waterway is guaranteed and new financial benefits will accrue to Panama.

Refining the basic question, we ask ourselves whether the canal can best serve the United States if it is a tiny enclave in a sea of hostile nations, or is it better if the waterway is kept open through the cooperative efforts of the same nations?

There is no doubt that this is the issue of the Panama treaty. Certainly, the United States could use its vast strength to keep and operate the canal. Equally certain is the fact that if we did so, our relations with the entire hemisphere, indeed the entire Third World, would be severely damaged for no good reason.

By the same token, we have no doubt that the United States could defend the canal under Panama's control—probably with all of the Latin American nations solidly behind us. And the hemispheric cooperation would enhance our defense of the strategic transportation link.

We have been persuaded that the direction taken by the proposed new Panama Canal treaty is correct. We hope that the American people and the Senate reach the same conviction.

The clock is running in Panama. If this Senate does not support the President, the next one, or the one after that, will.

The difference is that today we still can have a treaty with a reservoir of hemispheric good will as its foundation.

Tomorrow we might not be able to.

H.R. 9228—FOR RELIEF OF THE BOY SCOUTS

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. ABDNOR. Mr. Speaker, today I have introduced H.R. 9228 for relief of the Black Hills Area Council of the Boy Scouts of America. This bill will provide reimbursement to the Scouts in the amount of $18,831 for expenses incurred in upgrading a road they use jointly with the U.S. Forest Service.

The Forest Service is the primary user of the road and has indicated a sincere desire to compensate the Scouts. A bureaucratic technicality prevents them from doing so, however, and enactment of H.R. 9228 is apparently the only way this matter can be satisfactorily resolved.

The Black Hills Area Council is badly in need of relief; and in reading the following correspondence my colleagues will, I am sure, agree they are most worthy of our rapid favorable consideration:

FOREST SERVICE,
Washington, D.C., August 25, 1977.

Hon. JAMES ABDNOR,
House of Representatives,
Washington, D.C.

DEAR MR. ABDNOR: Our letter to you dated March 31, 1977, regarding the access road to the Medicine Mountain Boy Scout Camp stated we would reimburse the Boy Scouts $10,000 for their work on the road.

We sincerely regret that closer examination of this claim reveals that we cannot pay it. We are legally bound to the terms of the special use permit issued to the Scouts on June 27, 1975.

We have written to William D. Cook, Chairman of the Council Properties Committee, explaining the situation. It appears now that the only way to reimburse the Scouts would be through a private relief bill. We would recommend to the Department that we not oppose such a bill.

Sincerely,

JOHN R. MCGUIRE,
Chief.

BRADY CONSULTANTS, INC.,
Spearfish, S.D., July 18, 1977.

Mr. JAMES R. MATHERS,
Forest Supervisor, U.S. Department of Agriculture, Forest Service, Black Hills National Forest, Custer, S. Dak.

Re Medicine Mountain Boy Scout Camp, Hill City, South Dakota.

DEAR MR. MATHERS: Attached see statements received and paid by the Black Hills Area Council for work on the Forest Service Road. These are tabulated as follows:

August 2, 4, 5 & 6, 1975; 14 hrs. Blade at $18	$252
July 31, 1975	9,000
October 23, 1975	3,000
October 3 & 6 1975; at 15½ hrs. Blade at $18	279
Hauling and Placing Gravel; 3000 tons 21 miles at .10/ton mile	6,300
Total	18,831

The gravel was hauled to the road by National Guard trucks during the summer training program. If they had not done this, they would have been bringing in building materials that we had to pay truckers to do.

The Boy Scouts requested that the road be upgraded through Mr. David Morin, District Ranger at Hill City. Initially, this road was to be built by the Forest Service by contract, but they did not receive funds to do this.

I met with Congressman James Abdnor and two representatives from Chief McGuire's office to discuss reimbursement to the Boy Scouts for monies spent on the road. Congressman Abdnor and myself were told that steps would be taken to pay for the work done. A copy of my letter requesting reimbursement is enclosed.

If further information is necessary, please contact me.

Yours truly,

WILLIAM D. COOK,
Chairman, Camp Development Committee.

FOREST SERVICE,
Washington, D.C., March 31, 1977.

Hon. JAMES ABDNOR,
House of Representatives

DEAR MR. ABDNOR: This is in response to our discussion on February 28 concerning the access road to the Medicine Mountain Boy Scout Camp in the Black Hills National Forest.

After reviewing the information available to us, we find that:

1. The Boy Scouts own a tract of land surrounded by National Forest land. A Forest Development road is the only access road to their land.

2. The access road was a very low standard road and it was in poor condition.

3. The Scouts asked the Forest Service to upgrade the road.

4. The Forest Service was unable to immediately grant the request due to a lack of funds.

5. The Forest Service, however, explained to the Scouts that we intended to reconstruct this road in conjunction with timber sales in the near future.

6. The Scouts wanted to improve the road in 1976 in time to meet their grand opening in the summer of 1976.

7. The Forest Service proposed a cooperative agreement whereby we would furnish the engineering services, survey, design and staking, culverts, gravel, and construction inspection and the Scouts would construct the road. This was agreeable to the Scouts.

8. The Forest Service issued a Class E permit (free permit) to the Scouts. This allowed them to reconstruct the existing Forest Development road.

Under the terms of the permit the Government retained the right to use and permit general use by others of the road reconstructed under the permit provided such use does not unreasonably interfere with the permittee's use.

9. Both the Scouts and the Forest Service fulfilled their commitments. The road is now complete and it serves the interests of both parties.

10. The Scouts recently asked the Forest Service to reimburse them for their share of the road costs, approximately $18,000.

In discussing this request with the Scouts it was pointed out that we will be the dominant road users during the upcoming timber sales and that our long range plans did call for reconstruction of this road. In fact, we had prepared the road plans before the Scouts contacted us. Therefore, we believe it is in the best interest of the Government to reimburse the Scouts the $18,000 requested.

However, our authority to reimburse for goods and services outside the competitive bidding process is limited to $10,000. We, therefore, are unable to reimburse the Scouts the full amount. They should submit a formal claim to the Forest Supervisor, P.O. Box 792, Custer, South Dakota, 57730. The claim will then be processed through normal channels.

Sincerely,

THOMAS C. NELSON,
(for John R. McGuire, Chief).

OUTLINE OF PROJECT ISABELLE

HON. JEROME A. AMBRO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. AMBRO. Mr. Speaker, growing congressional sophistication in the area of energy research and development has led to direct congressional attention for projects which previously were strictly limited to discussion by academics. We have all seen that lack of long-range planning in the energy sector can create repercussions felt throughout the economy. And with this knowledge, it has become possible to actively promote those programs which will help assure continued U.S. leadership in energy supply and conservation technologies.

One such project has been under development at the Brookhaven National Laboratory for several years. It promises to greatly broaden the capabilities of U.S. research scientists and engineers by opening new avenues of exploration at the most basic, subatomic levels. Called an intersecting storage accelerator—and referred to by the acronym Isabelle—this machine would far surpass any similar research device in the world. The importance of the device is perhaps best reflected in a recent report by the High Energy Physics Advisory Panel of ERDA which urged near-term construction of Isabelle as well as further expansion of its capabilities.

The Committee on Science and Technology, in authorizing the project, formally reiterated that support and similarly called for examination of de-

signs that would yield higher energies for exploration of the atom. By doubling the current energy levels, a technically feasible approach, even greater benefits could be realized. Simultaneously, the committee also stressed the importance of this new project to the continued prominence of the U.S. science community in the area of research.

Having personally toured the facility and followed the numerous advances made in overall particle accelerator design coming from the project, I would like to urge prompt funding for construction of the Isabelle device. It will be an invaluable resource to both current and future researchers in the energy field.

To further illustrate the importance of this project, I have attached the letters of transmittal from the Chairman of the Subpanel on New Facilities, Jack Sandweiss, to Dr. Sidney Drell and also Dr. Drell's letter to the ERDA Deputy Assistant Administrator for Physical Research, Dr. James Kane. The full report of the High Energy Physics Advisory Panel (HEPAP) can be obtained from ERDA.

YALE UNIVERSITY,
New Haven, Conn., June 24, 1977.

Dr. SIDNEY DRELL,
Chairman, High Energy Physics Advisory Panel, in care of Stanford Linear Accelerator Center, Stanford, Calif.

DEAR SIR: I am writing to transmit the report of the 1977 HEPAP Subpanel on New Facilities which met in Wood's Hole from June 5 to June 11, 1977.

There is little that I can add, except to say that the subpanel was unanimous in its recommendations.

With best regards.

Sincerely,

JACK SANDWEISS.

STANFORD LINEAR ACCELERATOR CENTER,
Stanford, Calif., July 6, 1977.

Dr. JAMES S. KANE,
Deputy Assistant Administrator for Physical Research, Energy Research and Development Administration, Washington, D.C.

DEAR JIM: I am forwarding to you the report of the 1977 HEPAP Subpanel on New Facilities which was formed in response to the charge given to it by you at the HEPAP meeting of February 18–19, 1977, in Washington, D.C.

This report was discussed by HEPAP at its June 27–28 meeting in Washington; and the recommendations contained therein were unanimously endorsed. We urge you to take all possible steps to effect their realization.

The discoveries made in the last two years and the technical advances in the accelerator art have reenforced our view that the fundamental strategy of the approach to higher energy via development of electron-positron and proton-proton colliding beams and high energy fixed target facilities is essential to successful investigation of the fundamental structure of matter. ISABELLE is now the critical feature in this program and its construction should begin as soon as possible.

The ISABELLE proton-proton colliding beam facility provides an increase of a factor of more than ten in the center-of-mass energy over that available in the highest energy collisions that are now possible at Fermilab and at CERN.

With this advance of the high energy frontier we expect, on the basis of present theoretical ideas, to cross the threshold for producing the massive fundamental particles that are believed to be the quanta, or carriers, of the weak forces of β radioactivity. The observation of these hypothetical particles will be a major triumph for our current concepts; and the opportunity to explore their properties will be of fundamental importance. On the other hand, failure to confirm their existence in experiments at the very high energies of ISABELLE would also have a very major impact on our understanding of elementary particle interactions. The actual energy recommended by the Subpanel and endorsed by HEPAP, namely a maximum of about 400 GeV for each beam, is higher by a factor of two than that originally proposed for the ISABELLE project. This higher energy is justified by the greatly enhanced physics potential of the facility even though an increase in cost is required. The high luminosity expected coupled with the flexible design of the interaction regions will make possible a broad and rich program of experimentation at ultra high energy. As already emphasized in previous Facilities Subpanel reports, such a facility must be a major part of our future thrust in High Energy Physics.

Since the report of the 1975 Subpanel on New Facilities was issued there have been great strides in high energy physics, highlighted by the discovery of particles exhibiting the new quantum number "charm." We are very appreciative of the considerable efforts by ERDA and the Congress which reversed previously decreasing budgets and have provided a measure of increased support to the field of high energy research. We hope that this trend will continue in the future so that, within the given budgetary guidelines, we can maintain a balanced program utilizing existing facilities and taking advantage of the technical and scientific opportunities for new exploration. With the positron-electron project (PEP) now under construction we have made a start on the three-pronged program which is essential for exploring the fundamental structure of matter. Construction of ISABELLE is now the critical next step to be taken in implementing this strategy.

With best personal wishes.

Sincerely yours,

SIDNEY D. DRELL,
Chairman, High Energy Physics Advisory Panel.

[Appendix B]

PARTICIPANTS 1977 SUBPANEL ON NEW FACILITIES

Panel Members:

J. Sandweiss (Yale).[1]
B. Barish (Cal Tech).
J. Bjorken (SLAC).
T. H. Fields (ANL).
H. Frisch (Chicago).
G. Lambertson (LBL).
L. J. Laslett (LBL).
J. E. Leiss (NBS).[2]
F. E. Low (MIT).[3]
B. McDaniel (Cornell).[2]
H. Neal (Indiana).
P. Reardon (Princetan Plasma Physics Lab).
B. Richter (SLAC).
J. Rosner (Minnesota).
W. Schnell (CERN).
G. Trilling (LBL).
W. Willis (CERN).
R. Fricken (ERDA), Executive Secretary.

CONSULTANTS

R. Kropschot (NBS-Boulder).
M. McAshan (Stanford).
A. McInturff (BNL).
M. Month (BNL).
J. Simpson (ANL).
L. C. Teng (Fermilab).
A. Tollestrup (Fermilab).

OBSERVERS AND VISITING PARTICIPANTS

BNL Representatives

M. Barton.
H. Hahn.
T. Kycia.
R. Palmer.
R. Rau.
J. Sanford.
N. Samios.
G. Vineyard.

Fermilab Representatives

D. Cline (Wisconsin).
T. Collins.
J. Cronin (Chicago).
W. Fowler.
E. Goldwasser.
F. Huson.
P. Livdahl.
P. McIntyre (Harvard).
J. Peoples.
N. Ramsey (URA).
R. Wilson.

SLAC Representatives

J. Ballam and H. Wiedemann.

Other

M. Bardon (NSF).
S. Drell (SLAC, HEPAP).
D. Gould (MIT).
J. Kane (ERDA).
H. Kinney (ERDA).
D. Sutter (ERDA).
W. Wallenmeyer (ERDA).

[1] Chairman.
[2] Co-Chairman, Accelerator Subgroup.
[3] Chairman, Physics Subgroup.

CIVIL SERVICE RETIREMENT PROGRAM NOT THE ANSWER TO SOCIAL SECURITY'S ILLS

HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. HARRIS. Mr. Speaker, last week, the Ways and Means Subcommittee on Social Security adopted an amendment to H.R. 8218, the social security financing bill, which would require social security coverage for Federal employees. I strongly oppose this amendment and on September 16 urged the subcommittee to reverse this action before reporting the bill.

SEPARATE PROGRAMS JUSTIFIED

Currently, over 2.8 million Federal workers contribute 7 percent of their salary to retirement and agree to participate in the program when they enter Federal service. The subcommittee's amendment fails to recognize the distinctly different underlying purposes of civil service retirement and social security programs: The civil service retirement program was created by Congress in 1920 with the intent of providing a full retirement income based on salary and years of service; the social security program, on the other hand, was established in 1933 as an income assistance program, intended to supplement the earnings or savings of those who otherwise might not be able to support themselves. Therefore, because they are two different programs created for two different purposes, the two programs are not interchangeable. One is not a substitute for the other.

A MAJOR INCENTIVE TO FEDERAL SERVICE

Second, the civil service retirement program has been a primary employment

benefit provided to attract and retain high-caliber personnel. A sudden change in the program of this magnitude would represent a major change in an employee's benefit package and the agreed terms of employment. Upsetting the retirement system so dramatically could inspire a mass exodus from the civil service and induce many Government workers into early retirement. We should be providing positive incentives for people to serve their Government—not creating disincentives to drive them out.

NOT A COMPREHENSIVE SOLUTION TO FINANCIAL PROBLEMS

Third, the social security program is in need of overhaul—short range and long range—and I commend the efforts of the subcommittee to make the program sound, stable, and effective. However, it is unfair to ask those who have and are contributing to the civil service retirement program to bail out the social security program. The amendment, adopted by the subcommittee, appears to be a stopgap measure to bring in fast dollars to social security; it is not a substitute for a comprehensive solution to the system's long-range funding problems.

CIVIL SERVICE COMMITTEE REVIEWING RETIREMENT PROGRAM

I believe that much of the momentum for bringing Federal employees into the social security program stems from the recent and highly publicized controversy over certain retirees who earn Federal pay while receiving a Government pension. The Post Office and Civil Service Committee has in recent months conducted an investigation into "double dipping" and is preparing legislation to remove any inequities that may exist. I am greatly concerned that Federal employees might be used as scapegoats for problems they had no part in creating.

The Compensation and Employee Benefits Subcommittee of the House Post Office and Civil Service Committee, in our work with the Civil Service Commission and the General Accounting Office, is giving close attention to the problems and components of the civil service retirement plan. I am confident that the Ways and Means and Post Office and Civil Service Committees can work together to develop legislation that is consistent with the purposes of the two different programs and is in the national interest.

ESTIMATING THE DEFICIT FOR FISCAL YEAR 1978

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. FISHER. Mr. Speaker, while the debate on the second budget resolution is fresh in mind I want to share with my colleagues certain reflections and concerns regarding the authorization, outlay, revenue, deficit, and debt figures as established in this resolution. In particular, I want to comment on certain deficiencies that have come to light in our emerging budget process with which the House now has had 2 years of experience. The annual budget has become an extremely important instrument with which national priorities are set, expenditure and revenue guidelines established, and the Government's fiscal policy is related to economic conditions and prospects generally. It is also indispensable in maintaining a measure of financial discipline over Government programs.

The resolution in its present form reflects a disturbing trend: The deficit is expected to rise at a time when the economy is improving at a fairly impressive rate. By all existing economic doctrine and logic, it is reasonable to expect that, in a time of economic recovery, the deficit would be reduced from one year to the next. This is especially true when one starts with a large deficit in the base year; the $50 billion deficit provided for in the fiscal year 1977 budget resolution is very large and should be reduced when the economy perks up as revenues rise and recession-induced expenditures fall. I find the most distressing aspect of this budget resolution to be that more than 2 years into an economic recovery expenditures are still expected to rise faster than revenues. I am beginning to think that a ratchet has been built into the budget; with each economic recovery, it becomes increasingly difficult to regain a surplus position.

In general, I supported the Budget Committee's recommendations in the priorities it established for the various functions—defense, income security, agriculture, and others—in the resolution. This is why I voted for the resolution. It is my approval of these relative priorities among functions that leads me to speculate that an across-the-board cut in all functions may be the best way—perhaps the only way—to use the budget process to cut back on excessive outlays. This would maintain the relative priorities as established in the second resolution. I do not think that it is appropriate for the Budget Committee whose responsibility is to focus on the broad fiscal and program aspects to single out any one function to bear the brunt of cuts.

Nor do I believe that only controllable programs, such as many defense programs, should be the target for reductions. Experience shows that entitlement programs and outlays from prior year obligations are big factors in expenditure increases in recent years. In addition, economies can certainly be effected in the administrative costs of the so-called uncontrollable programs.

Proposals to cut the budget by as much as 10 percent—which have been made in the past—are totally unrealistic and would represent a meat-ax approach to budget cutting; the obligations of the Government do not permit such massive cuts in any short period of time. The same applies for a 5-percent cut.

But I believe that a 2-percent cut might be achievable, for two reasons. First, every program has a certain amount of fat, obviously some more than others. By lowering the projected amount available for expenditure by a small amount, program managers would be pushed to install efficiency measures in order to achieve the reduced targets. Second, I believe that Congress should anticipate expenditure shortfalls when formulating its budget resolutions. The inability to spend what is included in the budget resolution is not a temporary phenomenon and should be accounted for on a more permanent basis.

Actual cuts, if necessary, could be achieved in a number of ways: revised procedures in controllable programs, efficiencies in the administration of entitlement programs, slowdown in the spendout rate for obligations incurred in prior years, tightened enforcement of eligibility for entitlement programs. It is my belief that almost every program can achieve savings of 2 percent from the level of estimated outlays. Two cents saving out of a dollar is not unreasonable.

An argument that will be marshaled against this way of proceeding is that certain functional categories cannot sustain a 2-percent reduction below the targets established in the Budget Committee's recommendations. This might be especially true for functions that contain a heavy concentration of entitlement programs which are not amenable to short-run budgetary changes.

In this regard, it is important to remember that the functional targets in the budget resolution are not binding. Only the five aggregate totals—those for revenues, budget authority, expenditures, deficit, and public debt—are subject to points of order if violated. If, for example, a 2-percent reduction cannot be achieved in the level of veterans' benefits—which is mostly entitlement—as currently envisioned in the resolution, it would still be possible to effect more than a 2-percent reduction in some other function, and thereby still observe the binding figure for total expenditures.

But the real point of the matter is that in many cases actual cuts would not be necessary to achieve a 2-percent reduction. What we are talking about here is not a reduction in some amount already spent but simply a lower estimate of what will be spent. Since the introduction of the congressional budget process in 1974, it has become apparent that outlays as estimated by the executive branch cannot be expected to be fully expended by the end of the fiscal year. For fiscal year 1976, the shortfall was some $9 billion below the amount in the budget resolution that was passed on a trial basis in that year. In the current 1977 fiscal year, it now appears that expenditures will be $7 billion below the figures in the revised third resolution that was agreed to in May of this year, just 4 months ago.

Nobody is yet quite sure why the shortfall occurs. There is probably a tendency to overestimate the amount of money that can be spent in the early years of new programs; supporters tend to be optimistic as they try to sell the program. Similarly, in existing programs, expanded appropriations do not always spend out at the same rate as the base amount of dollars for more established activities.

My own view is that the shortfall is a natural consequence of an inherent characteristic of budgetmakers. Engrained in the soul of those responsible for preparing budgets is the dictum: never underestimate what you will spend and never overestimate what you will receive in revenues.

The Congressional Budget Act confirmed this tendency by calling for a ceiling on expenditures and a floor on revenues. This tendency is reinforced by the frequently successful efforts made on the floor at the very end of the budget process to push the outlay ceiling still higher so as to accommodate new or expanded programs just in case they might be authorized later on. Thus, it is reasonable to expect that there will continue to be an upward bias in estimates of expenditures—since you can spend less, but you cannot spend more—and a downward bias in estimates of revenues—since everything is fine if more revenues come in but there is much trouble if actual amounts fall short of estimates.

Several outside estimates predict that total Federal spending for next year will in fact fall short of the $450 billion mark. I am simply suggesting that such estimates might be incorporated into our budget resolution. With this sort of change the budget could be expressed in terms of realistic guidelines, rather than floors and ceilings.

Our experience in the past 2 years is that expenditure shortfalls have occurred in most functional categories: no one program or group of programs appears to be the culprit in the mystery of the shortfall. This is consistent with my hypothesis that shortfalls are endemic to the nature of Government budgeting, and cannot be attributed to the idiosyncracies of particular programs.

An approach such as I am considering here is consistent with the views I expressed in the committee report for this resolution and with remarks I made during the debate on the second resolution. I believe we must move in the direction of a declining deficit when the economy is doing reasonably well and the outlook is favorable. I believe that the budget process must impose a discipline on controllable and uncontrollable programs alike. And I believe that the budget resolution should present a realistic appraisal of what is expected to happen, not a pumped-up deficit that contemplates the worst that could happen.

All of this adds up to an expression of my concern for the integrity and usefulness of the budget process without which the Congress is thrown back to the earlier, untenable situation in which we lacked the capacity to deal sensibly with Government finance. Such a reversion must not be allowed to happen and this requires alertness to deficiencies in the process and its results, and a willingness to improve it. I intend to try to translate the concerns expressed here into changes in the way the House Budget Committee on which I serve and the Congress generally deals with the 1979 budget next year. I want to see improvements in the next first budget resolution that will be developed next winter and spring. Congress must reassert greater discipline over expenditures and deficit and must not again approve a budget resolution in which these two magnitudes are inflated as a result of unrealistic estimates.

NEUTRON BOMB

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 1977

Mr. WEISS. Mr. Speaker, the neutron bomb or enhanced radiation weapon has raised a number of questions about U.S. nuclear weapon policy. My amendment, cosponsored by 23 Members of the House, deleting all funds for the neutron bomb has drawn opposition from five of my colleagues, Representatives ROBERT CARR, THOMAS DOWNEY, CHRISTOPHER DODD, LES ASPIN, and JOHN ANDERSON. They have voiced their case in letters to other Members of the House.

In Mr. CARR's letter, the gentleman from Michigan starts by stating that the "neutron warhead contains technological advances that render it many times more resistant than older weapons to use by terrorists or other unauthorized personnel."

I also believe all our weapons should be resistant to use by terrorists, but I do not think we can justify producing a new weapon just because the latest safety devices are absent in our existing weapons.

In fact, some of our present weapons already have these safety devices or ones very similar to them. The nuclear Lance warhead, for example, is already equipped with the PAL (Permissive Action Link) system, essentially a double-key entry system, which is intended for the enhanced radiation Lance warhead. In addition, another system called NEDS (nonviolent explosive destruct system), which automatically defuses a warhead, can be used on all nuclear weapons, not just those with enhanced radiation.

In his second point, Representative CARR says that the "neutron warhead is usable only in defensive situations. It has no significant application to offensive warfare."

This is misleading and inaccurate. The neutron bomb is obviously available for both offensive and defensive purposes, and its deployment could certainly be viewed as an offensive or as a counter-offensive action. The use, for example, of this weapon by NATO, which the Soviet Union views as an offensive alliance, could easily be regarded as an offensive tactic.

Representative CARR goes on to say that:

> If used in defensive battle—that is, on friendly soil—the neutron warhead will reduce civilian casualties and long-term radioactive contamination to a tiny fraction of that which would be incurred by the use of the older weapons it will replace. I see no morality in insisting on dirty weapons.

This argument loses impact when it is remembered that the use of an enhanced radiation weapon will not occur one warhead at a time. The Pentagon has said that an enhanced radiation warhead would come in a "package of nuclear weapons" and conventional arms. This package could include as many as 50 enhanced radiation warheads.

Army Field Manual 100–5, page 10–7, which describes tactics for planning nuclear strikes, also makes it clear that the Army would use a variety of warheads:

> Although many weapons will probably be available, release may be expected for only the numbers and types of weapons included in planned "packages" of nuclear weapons. A package is a group of nuclear weapons of specific yields for employment in a specified area, within a limited time frame, to support a tactical contingency.

Thus, while an individual enhanced radiation warhead may reduce collateral damage, the multiple use of such a weapon limits its usefullness in preventing collateral damage. Even the Army, in Field Manual 101–31–1, admits that some damage to populated areas should be expected.

In his final point, Representative CARR says that the "President and the Secretary of Defense fully and clearly understand that the neutron warhead is a nuclear weapon and should not be used except in the most dire of circumstances."

While our present President and Secretary of Defense may understand this, no one can guarantee the intentions of their successors. Representative CARR's final point also avoids the issue of lowering the threshold of nuclear warfare.

In deploying a nuclear weapon, we increase the likelihood of reaching "the most dire of circumstances." Until now, the use of nuclear weapons has been seen as a last resort, but the neutron warhead would be used before a truly last resort situation occurred. The tragedy, of course, is that a neutron bomb confrontation could be escalated to last resort proportions.

Furthermore, former Secretary of Defense James Schlesinger, in "The Theater Nuclear Force Posture in Europe: A Report to the U.S. Congress in Compliance with P.L. 365," has pointed out that U.S. deployment of a neutron warhead would be met with a Soviet or Warsaw Pact response that is not likely to be limited. According to Schlesinger, despite a recent trend to improve its conventional forces and recognize that a conventional war in Europe need not escalate to nuclear war, the Warsaw Pact strategy, doctrine and forces are still strongly oriented toward nuclear operations. Evidence suggests that the Warsaw Pact thinks in terms of employing all "weapons of mass destruction"—nuclear, chemical, biological, and conventional.

In his letter, the gentleman from New York, Representative DOWNEY, assumes a scenario in which the Soviets have invaded Western Europe, NATO conventional forces are unsuccessful in repelling the invasion, and West Germany prefers the use of nuclear weapons to the prospect of surrender.

Although all these assumptions are questionable, I disagree most with the assertion that West Germany would agree to the use of any nuclear weapon on its soil. For years, our European allies

have feared that their countries would once again be the site of a world war. Given the devastation caused by conventional weapons in World War I and World War II, it is difficult to envision them as ready to accept the destruction that would accompany the use of neutron warheads.

President Carter has already delayed his decision on the neutron bomb partly because the sharp criticism of the new weapon in West Germany. Egon Bahr, executive secretary of Prime Minister Helmut Schmidt's political party, vehemently opposed neutron weapons in his party's newspaper.

In his final point, Representative DOWNEY says that—

> Any nuclear weapon carries with it a high probability of escalation; whatever reduction in this probability can be achieved will be a function of where the weapon is used, not what type of weapon is used; the neutron warhead best lends itself to use on friendly soil.

I have already shown, in responding to Representative CARR, that the multiple use of these warheads causes much more damage than a single warhead. This damage could extend beyond the confines of friendly soil. Nor do I think we can seriously expect an enemy not to retaliate in kind after we have used a nuclear weapon on them, regardless of where the confrontation takes place.

The concern with the location of the use of the neutron warhead ignores two other effects of the weapon. The warhead being considered by President Carter delivers enough radiation to produce vomiting, diarrhea and other radiation sickness symptons. There is also some evidence that elements, such as carbon, would begin to emit lethal radiation as the result of a neutron blast. A tank's armor, according to a recent article in Army magazine, could also capture neutrons and radiate lethal radiation. United States and NATO equipment could become irradiated, posing a terrible threat to our own troops.

In their letter, the gentlemen of Connecticut, Wisconsin, and Illinois, Representatives DODD, ASPIN, and ANDERSON, state that their amendment is not "intended to express congressional opposition to neutron warheads, for we believe such opposition is premature at this time and that the pros and the cons involving these weapons do not now present us with a clear and convincing choice whether to approve or halt production."

A decision to stop deployment of the neutron bomb would not stop Congress from reconsidering the issue at some future date. There is no evidence suggesting that the weapon is crucial to our military arsenal at this time. I agree with Representatives DODD, ASPIN, and ANDERSON; we must give this issue careful consideration. The best way of assuring this, however, is to stop production now. The compromise proposed by Representatives DODD, ASPIN, and ANDERSON avoids confronting this important decision.

In closing, I would like to raise one point all three letters failed to mention: The difficult moral burden that goes with a decision to deploy the neutron bomb. Thirty years ago, the United States dropped an atomic bomb on Hiroshima, introducing the world to a new level of destruction and igniting a chain of events posing a constant threat to humanity. Since then, considerable effort has been made to limit nuclear proliferation and defuse this threat. Production and deployment of this weapon would be an unfortunate departure from this policy and could ignite the fuse leading to a nuclear holocaust. I do not think anyone should risk this possibility. I urge all Members to join me in deleting funds for the neutron bomb.

My amendment to H.R. 6566, which should be inserted on page 18 after line 3 as a new section, section 104, reads as follows:

> None of the funds authorized to be appropriated under this Act shall be obligated or expended for production, procurement, or deployment of any enhanced radiation weapon or for research, development, test, or evaluation with respect to any such weapon.

COSPONSORS OF AMENDMENT ON NEUTRON BOMB

Mr. Speaker, on Wednesday I will introduce an amendment to delete all funds in the ERDA national security authorization (H.R. 6566) for the neutron bomb. Twenty-three of my colleagues in the House will join me in introducing this important measure.

The names of these cosponsors are printed below:

Representatives Herman Badillo, Berkley Bedell, William Brodhead, John Burton, John Conyers, Ron Dellums, Robert Drinan, Robert Edgar, and Don Edwards.

Representatives Dan Glickman, Elizabeth Holtzman, Robert Kastenmeier, Andrew Maguire, Edward Markey, Barbara Mikulski, George Miller, Parren Mitchell, Richard Nolan, Richard Ottinger, Leon Panetta, Fred Richmond, Fortney (Pete) Stark, and Henry Waxman.