

EXTENSIONS OF REMARKS

DISASTROUS PRESIDENTIAL POLICY ON IMPORTED BEEF QUOTAS

Hon. Theodore M. (Ted) Risenhoover

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● **Mr. RISENHOVER.** Mr. Speaker, I have just been informed by the Department of Agriculture that the President is going to announce a 200-million-pound increase in beef import quotas—a disastrous decision for both cowboys and consumers.

Our farmers and ranchers have just started to recover from the worst prolonged economic recession of our times. Cattlemen felt like the ill-fated policies of Republican Agriculture Secretary Earl Butz had finally been whipped.

Now, from the administration of a former farmer, we are getting the same kind of devastating farm policy.

Untold thousands of ranchers and farmers have gone bankrupt during the recent period of depressed farm prices. We saw hoards of angry farmers storm this Capital and assail this administration. We have, in recent weeks, seen them return to the pasture and plow and resume their jobs of feeding a hungry world—hopefully earning fair wages and profits.

Unfortunately, the latest price index showed beef leading the gain. Believe me, if you understand the cattle business, you will know prices are trying to catch up with all the other costs that farmers and ranchers have been absorbing for years. They were finally coming out of the woods and into the green pasture of marginal profits.

The President's announcement tomorrow, I am told, will admit that increased imports will realize a savings of only 1 or 2 cents per pound of beef—less than a mill a mouthful. It will not help the hard-pressed consumer. Sure, the grocery bill may drop a dime a week—but watch out ahead.

The price of fat cattle will surely drop today, and continue to decline. Ranchers will have to change their long-range planning and, looking ahead, we will surely see a return of recession to cattlemen. More will go broke, leave the farm, and move to the city to join the unemployment lines.

Again, we will have a loss of a number of suppliers of beef. Some year, in the future, the prices will recover and maybe skyrocket. A fewer number of farmers and ranchers will enjoy the profits. The consumer will be caught in the end.

People from nonfarm areas sometimes fail to understand the long-range planning necessary for beef production. A farmer must decide whether to sell a heifer to slaughter or save her as a mother for a future calf for sale. Over the years, ranchers must build or reduce their herds based on economic factors—

drought, feed costs, and market fluctuations. The Government by dangerous action as I am told the President will announce, adds to that uncertainty. Cattlemen's risks become outrageously great.

Already, we are importing some 1.3 million pounds of beef annually. That imported beef may come from the most filthy slaughterhouse you can imagine. The cattle themselves may be raised in unhealthy environs. There are no USDA inspectors to assure meat standards like there are in this country.

American-produced beef is the finest human food in the world. It is coveted by people everywhere and we are fortunate to have an abundant supply. While our prices may have risen, they still are far below beef prices in Europe and Japan.

But, if the President moves with this disastrous policy—which I am told he will do tomorrow—then we must be prepared to have the cattle industry suffer, falter, and fail to give us that healthy, quality food. That is poor consumer policy, poor farm policy, poor economic policy, and poor national policy. ●

GENERAL SINGLAUB SPEAKS OUT—
PART V

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● **Mr. McDONALD.** Mr. Speaker, this is the last on a series of five articles that appeared in the Atlanta Journal written by General Singlaub. The subtitle of the article is "Officer's Blind Obedience Can Be Misplaced Loyalty." As Robert Akerman of the Journal has said in a column on June 6:

To date we do not yet have a sound reason, either military, diplomatic, political or economic in support of President Carter's eagerness to withdraw U.S. troops from Korea.

Interestingly enough, his column was entitled "Injustice to Singlaub" and, of course, this is just what General Singlaub discusses in this last article. He describes how he was set up at a Georgia Tech ROTC speech as indeed he was in Korea by the press. It was never his intention to defy civilian authority. Ultimately, whether the United States survives as a Nation or not, may depend on whether President Carter takes the advice of his professionals on military matters or whether he leans on the advice of a disgruntled retired admiral who fronts for the disarmament and peace lobby. As a final postscript, and with reference to the refrain, "civilian control of the military," the following statement should be repeated. In his June 2, 1978, address here in Washington at the

American Security Council news media luncheon, Maj. Gen. John Singlaub made these remarks:

It seems to me that one of the key issues here is that a professional officer has to be able to distinguish between proper and improper support. Blind, unquestioning obedience to decisions on military matters which were made without reference to the nation's military advisors may not be in the best long term interests of the United States. For the military to remain silent under these circumstances is interpreted as consent. I believe that the citizens of this country have a right to expect that important decisions affecting our national security have been made with due consideration of the best military advice available.

I wish General Singlaub well and hope the Americans listen as he speaks out. The article from the Atlanta Journal of June 5, 1978, follows:

GENERAL SINGLAUB SPEAKS OUT—OFFICER'S BLIND OBEDIENCE CAN BE MISPLACED LOYALTY (By Maj. Gen. John K. Singlaub, U.S.A. Ret.)

The controversy over my April 27 remarks to some ROTC cadets at Georgia Tech in Atlanta need not have happened. And I am convinced that if another general had said the same things about the neutron bomb or the Panama Canal, it would have had no impact.

For one thing, the press probably would not have attended.

I was not defying the president during that question-and-answer session with the cadets. In fact, I never mentioned the president or his office. I never belittled the administration's policies. I merely stated that in my personal view these were not militarily sound decisions.

If I had known that there were reporters present, I might have phrased my answers a little differently. But I just basically have been trained to speak the truth and to give the facts that are important for an exchange of honest opinions.

The program I was invited to participate in at Georgia Tech was called perspective building, an effort to broaden the outlook of ROTC cadets with outside speakers and opinions.

We do this in all of our military schools and the rules are quite clear: It is off the record and not for attribution. That way you get a good exchange and knowledge is extended. We do this at West Point and for cadets in many other universities.

I agreed to talk to the cadets at Georgia Tech, but recommended that the program be closed to the press. After some discussion with our public affairs people it was agreed that the press would not be invited, but if they showed up they would be allowed in.

The ground rules were to be that my speech to the cadets could be quoted, but the question-and-answer period would be off the record.

What we did not know was that there were to be two question periods—one following my speech in the auditorium and a second following a luncheon with faculty members. The university intended for only the second session to be off the record.

When we walked into the auditorium, I noticed the television lights and mentioned them. The officer with me said they were for an in-house Georgia Tech group which regularly filmed guest speakers. He later noticed several TV or radio station logos on the mi-

crophones at the rostrum, but I could not see them since they were facing the audience.

All of the questions were asked by cadets. Even if, at that point, I had been told that the press was there, I would have answered the questions. A part of my speech was on the importance of integrity as one of the best qualities of an Army officer.

So when the question came up from a cadet about the neutron bomb cancellation, I answered that in my view, the decision was militarily unsound. It's an anti-tank weapon, and tanks are what the enemy has the most of.

I said I just could not imagine cancelling that weapon without getting some compensating concessions from the other side. I referred to it as throwing away your trump card in a bridge game.

And I said I probably would put the B-1 bomber into that same category because we didn't get any compensating concessions from the Russians when we cancelled that program.

Another subject that came up was my views on the Panama Canal. My answer on that one was that, first of all, we were not returning the canal to Panama because it never belonged to Panama. Panama was a by-product of our willingness to build a canal through the isthmus. This is a part of the history that has been rewritten.

I said it would be easier if we continued the ownership of the canal and could guarantee free use of it to everyone. I questioned whether we would be willing to use force to open the canal if the Panamanians elected to place restrictions on its use.

And I said I thought that the current treaties were unnecessary. I don't think that it's necessary for us to make the concessions that we did make in order to satisfy the aspirations of the Panamanian people. We could have done that through other means.

These are the same type of things which would be discussed with students at Fort Benning or other military schools. But, once again, I was accused of having gone public after the president had already made a decision.

Even after we went away from the auditorium we had the feeling that it had been a good exchange and I didn't think that anything could be made out of my comments.

But by 4 p.m. the press was reporting that I had attacked Carter again, and within an hour I had my instructions to report to Gen. Bernard Rogers, the Army chief of staff, the next day.

As soon as the thing started blowing up, I called Lt. Gen. Frederick Kroesen, my boss at Forces Command, and told him that if I was going to cause him any embarrassment, I would request retirement. Gen. Kroesen was going to Washington anyway, and we flew up together.

The following day at the Pentagon, I met with Gen. Rogers and Army Secretary Clifford Alexander, who handed me an Associated Press report quoting my remarks about Paul Warnke, the U.S. delegate to the SALT talks.

The secretary said, "Did you say that Paul Warnke is a disarmament advocate?"

I said, "Yes sir, I did, I said a lot of other things about the SALT talks, but that is one of the things that I said." I also said that one of the main reasons our SALT talks are in difficulty is because Warnke has a long tradition of being a unilateral disarmament advocate, and I find no basis in history for supporting that concept.

"And did you say that cancelling the neutron bomb is like throwing a trump card away?" Alexander asked. And I said yes I did.

The secretary was just incredulous that I had said these things in public. He was obviously upset and apparently wanted some disciplinary action taken.

But Gen. Rogers told Secretary Alexander, "I think that the key issue here is that the general probably used bad judgment in giving such frank answers in that forum. I think that we ought to keep this in the chain of command, (which is what they didn't do in the Korea incident) and I'd like Gen. Kroesen to come back in an hour and give me a recommendation on what should happen."

Gen. Kroesen and I withdrew and went over to an office they had set up for us, and I said, "I think the only honorable thing I can do now is to request voluntary retirement."

He said, "Well, I think I agree with you, Jack."

He went back in and told Gen. Rogers and the secretary he recommended that I be permitted to submit my request for voluntary retirement, to be effective on the 31st of May.

The secretary apparently wanted me to retire on the 30th of April, which was only two days away. But those two days were the weekend, and it would have been impossible.

One of the main issues related to the two incidents leading to my early retirement is drawing the fine line between proper and improper dissent or, better yet, proper and improper support. Blind obedience can be misplaced loyalty, especially when it is known that no professional military advice went into the decision-making by the political leadership.

This does not mean that I challenge in any way the supremacy of civilian control of the military. However, just as the professional military officer is required to execute the decisions of his civilian superiors, so the civilian political leaders are obligated to consult with the professional military leadership when making essentially military decisions.

Nor does this mean that the political leadership is compelled to accept the advice of the military leaders, but it does seem essential for the security of the nation for the civilian leadership to at least seek that advice as it relates to purely military matters.

In the case of the decision for the withdrawal of all U.S. ground forces from Korea, the Joint Chiefs of Staff were not consulted concerning the desirability of the plan nor was it asked to develop a plan for a withdrawal which would not endanger the security of the Republic of Korea. The Joint Chiefs were asked only to comment on three undesirable plans and to recommend which was the best. Even the best of the three involved "grave risks" to the security of South Korea. The risk statement of the Joint Chiefs was removed by political appointees before the comments reached an elected civilian official for decision.

No reason has ever been given for the withdrawal of ground troops. The only explanation offered by the apologists for the current administration has been some vague reference to avoiding U.S. involvement in another land war in Asia. That doesn't seem to ring true because the administration's spokesmen in dealing with the South Korean government have continually insisted that the withdrawal in no way reduces our commitment to come to the aid of South Korea in the event of an invasion or other aggression from North Korea. If we guarantee that we will become engaged in a land war in Korea in the event they are attacked, isn't it more cost-effective to keep our troops there now and prevent a costly war? It actually costs less to keep the U.S. 2nd Infantry Division in Korea than to bring it home and maintain it here in the continental United States.

Leaving the Army has not been a traumatic thing, because I knew that I had to retire some day. But it has been emotional.

I have been a commissioned officer for 35 years and have been involved with the military for over 40. It was in 1936 that I first

joined the junior ROTC in high school. So my life has been either serving in the Army or preparing to serve.

Realizing suddenly that I'm no longer going to be involved in the Army is emotional.

I feel that our nation has some serious problems and we need as many of our good brains working to solve these problems as possible, so for that reason I would like in some way to continue to serve. Hopefully I can do some good outside the Army and maybe be more effective.

My fellow general officers have been very sympathetic, but very careful not to indicate that publicly. Many of them chose to telephone me rather than writing me a note, for that reason, I guess.

But practically all of them say they don't want me to move out to Colorado and just go fishing.

"Make sure that you continue to speak out," they say. And that's what I intend to do. ●

MR. ED SALT, AWARD-WINNING YOUNGSTOWN, OHIO, JOURNALIST, CHRONICLES OUR NATION'S EARLY "FIGHT FOR INDEPENDENCE"

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. CARNEY. Mr. Speaker, for several weeks, I have been inserting in the CONGRESSIONAL RECORD the first of several articles entitled "Fight for Independence," authored by Mr. Edward Salt, an award-winning Youngstown, Ohio, journalist.

At this time, I present "Fight for Independence, part IV," which continues Mr. Salt's discussion of the early history of our Nation. Because these articles provide insight into our economic and political life, I believe that they deserve the attention of all of us.

The article follows:

[From the Boardman (Ohio) News, July 28, 1978]

FIGHT FOR INDEPENDENCE—PART IV

(By Ed Salt)

A bill closing the Port of Boston to all shipping until citizens paid for tea dumped into the harbor at the "tea party" was passed by the House of Commons, March 25, 1774. This also provided that Bostonians had to reimburse revenue officers for their losses as a result of mob action.

One week later Gen. Thomas Gage was appointed governor of Massachusetts to replace Gov. Thomas Hutchinson, who had held the post about three years. General Gage landed in Boston May 17 from New York which was headquarters for British troops in North America.

Word of the government's action in closing the port, reached Boston on May 11. Boston patriot leaders realized that if the port were closed so nothing could be landed or shipped, they would have to depend on other colonies for aid.

Paul Revere, who, in his spare time as a silversmith, had become a patriot express rider, was sent to New York and Philadelphia to plead for aid. Demonstrations were held in various colonies when the Port Act went into effect June 1, 1774.

To counteract the government order, the Boston Committee of Correspondence asked other colonies not to buy British merchan-

dise or to export goods to England. A Committee of Fifty-One in New York opposed this action, and instead proposed that a Continental Congress be called. This plan was approved by Philadelphia patriots.

The port closing act failed to accomplish what government officials expected. Sheep, rice and wheat were shipped overland to Boston and the city received pledges of aid from other colonies.

Instead of a famine developing in Boston as government officials expected, the town had all the food needed. In fact, food supplies arrived faster and in larger quantities than they could be used.

While residents had all the food they needed, merchants soon began feeling the effects of the port closing. Their stocks were depleted and couldn't be replaced.

When the Virginia Assembly heard of the Boston port closing, it expressed sympathy for the Bostonians. Gov. Lord Dunmore (John Murray) immediately dissolved the assembly. The burgesses, however, would not be dissolved. They just moved to a nearby tavern where they voted that an attack on Boston was an attack on all the colonies. They voted in favor of a Continental Congress.

On Sept. 1, 1774, General Gage took his first drastic actions against the patriots in the Boston area. At daybreak British troops marched into Charlestown, across the river from Boston, and seized all the ammunition in the arsenal. It was the private property of the Massachusetts colonists.

At just about the same time, another unit of British soldiers marched into Cambridge, 20 miles from Charlestown, and seized two small cannon.

Within a few hours rumors were flying around that the British had killed six Cambridge men and were bombarding Boston. The next day 30,000 New Englanders were marching toward Boston to fight the British.

When Col. Israel Putnam heard the killing rumor, he called out the Connecticut militia. At the same time he sent word to New York and Philadelphia. As word reached Philadelphia, church bells were tolled to notify the public.

Through handbills and from church pulpits, the rumor was carried to a million people in the colonies. It is estimated 40,000 men volunteered for service before it was learned the rumor was false and the army was dissolved.

In the tense atmosphere the first Continental Congress met in Carpenters' Hall in Philadelphia, Sept. 5, 1774. Delegates came from the various colonies.

For the first time John and Sam Adams of Massachusetts, Christopher Gadsden and Henry Middleton of South Carolina; George Washington and Patrick Henry of Virginia, and delegates from other areas, first met officially to discuss deteriorating relations with the Mother Country.

The delegates were well received by Philadelphians. They were wined and dined. As delegates arrived over a period of several days, they met informally to discuss what had taken place and what should be done. Some wanted to move slowly, others wanted immediate and drastic action.

It soon developed that the delegates were divided. There were differences between those from New England and those from southern colonies.

On the second day Patrick Henry of Virginia moved to unify the delegates. In the course of his speech, he declared:

"The distinction between Virginians, Pennsylvanians, New Yorkers and New Englanders, are no more. I am not a Virginian, but an American." His speech was greeted with cheers.

The next day the Continental Congress began a custom that has continued for more than 200 years. They opened their third session with prayer. ●

JACK KEMP AND A SALT RECESS

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. DORNAN. Mr. Speaker, I recently had the honor of serving as one of the congressional advisers to the U.S. Delegation to the SALT II talks in Geneva. Another of our colleagues, the Honorable JACK KEMP, was also a member of that advisory team.

While we were there, we met with the members and staffs of the American and Soviet SALT delegations. We also spoke with our military authorities.

Upon our return to the United States, Congressman KEMP wrote an editorial for Aviation Week and Space Technology, June 5 issue, which recounts his observations during our stay in Geneva.

I concur with his evaluations from alpha to omega and I urge our colleagues to read his remarks carefully. I ask that they be reprinted here as part of my remarks:

SALT RECESS URGED

I have just returned from several days in Geneva, Switzerland, as a member of the U.S. congressional delegation to the Strategic Arms Limitation Talks, a post to which I was appointed by the Speaker of the House. As a measure of my interest in effective arms control, I am concurrently serving as a congressional delegate to the Conference of the Committee on Disarmament in Geneva and the United Nations special session on disarmament in New York City.

I have maintained considerable interest in the content of the negotiations for a SALT 2 treaty as a component of my work as a member of the House subcommittee on Defense appropriations. Although I have expressed my concerns on various occasions over the details of some of the tentative agreements arrived at for incorporation in a SALT 2 treaty, I participated in the Geneva talks without preconceived conclusions. In the course of the Geneva visit, I met with members and staff of the American-Soviet SALT delegations and reviewed the joint draft text of the proposed SALT 2 treaty and protocol in detail.

I deeply regret that after having an opportunity to observe and study first-hand the character and text of the current proposals advanced by the United States in this, the final round of negotiations, and to meet with SALT negotiators directly, I cannot, in good conscience, recommend that the Strategic Arms Limitation Talks continue in their present form.

I believe the President should recess the talks, bring home our negotiators, and the SALT process and the joint draft text [should] be thoroughly reviewed by the Executive and Congress with the intent of reformulating the American negotiating posture in a manner which would allow an agreement to be reached which would be more equitable, totally verifiable, conducive to crisis stability and unambiguous in its terms.

I have come to this conclusion reluctantly, because I believe that properly conceived arms control measures can enhance our security. I believe a majority of the American people earnestly desire arms control. Effectively limiting the arms race, then beginning a systematic and balanced reduction in strategic arms possessed by both sides, is a prerequisite to devoting greater shares of our national resources to meeting domestic hu-

man needs. But arms control does not necessarily equate with arms reduction; they are not always the same. We can have arms control agreements which even permit mutual expansion of strategic arms systems. Many people feel, for example, that the significant Soviet arms buildup following the signing of SALT 1 in 1972 was because the terms of that treaty permitted it in terms of ceilings and quality of weapons. While this must be avoided at all costs in SALT 2, many provisions in the joint draft text would clearly allow the arms race to continue. . . .

Let me state briefly why I find these talks so unsatisfactory as to justify their recess and a reformulation of the American negotiating position. For any arms control agreement to work, it must provide equal security and diminish the threat of nuclear war. To do that, it must have three essential properties: symmetry—the provisions applying equally to both sides; verifiability, and clarity of terms and intent. The SALT 2 treaty draft falls when measured against these tests. I offer the following examples:

The terms of the proposed agreement are fundamentally unequal. The Soviet Union will be permitted within the terms of the agreement to deploy and operate systems which are denied to the United States. For example, the U.S. is prohibited from deploying "heavy" ICBMs, while the Soviet are permitted to deploy 326 SS-18s, each with the ability to deliver five times the payload of our most modern ICBM, the Minuteman 3. Similarly, the Soviet bomber known as the Backfire, with the unquestioned intercontinental capability by inflight refueling and landing at Cuban bases, will not be counted against their ceiling on strategic delivery vehicles, while U.S. intercontinental heavy bombers will be counted against the U.S. ceiling.

The one-sided character of the agreement we have proposed may very well increase the risk of nuclear war by making the strategic nuclear environment unstable, that is, the Soviet Union may perceive an incentive to strike first in an intense crisis (such as "a 1980s" version of the Cuban missile crisis); a circumstance we have never had to face since the dawn of the nuclear era. Short of war itself, the mere perception of such circumstances may contribute to a dangerous increase in Soviet boldness and adventurism in the international arena.

The proposed agreement is filled with terms where Soviet compliance cannot be verified with high confidence by national technical means of verification. The casual attitude taken by key U.S. SALT policymakers toward verification expressed in the terms of the proposed agreement, namely that we ought not to insist that the Soviets comply with the letter of the agreement if its violation is not "militarily significant," is simply unacceptable for any American President to be asked to support, and any Congress to ratify.

The recently proposed unverifiable five-year prohibition on underground nuclear tests by the President confirms the preference of the Carter Administration for taking "verification risks" with potentially grave implications for American security in an effort to reach a speedy agreement before the November elections. Based upon the Soviet efforts to evade compliance with the terms of SALT I, we cannot risk entering an agreement unless Soviet compliance with its terms can be fully verified.

The terms of the proposed SALT II simultaneously have the effect of permitting the increase of the nuclear threat posed to our allies in Europe and Asia, and deny them the means to redress that threat, particularly in the case of long-range (i.e., greater than 600 km.) ground-launched cruise missiles. Such an agreement, if ratified, would encourage the worst fears in Europe of a Soviet-American domination of European affairs raised in

the 1960s, thereby eroding the confidence of our allies in American intentions.

I urge that the negotiations be recessed so that a top-to-bottom review can be made by Congress, not only of the terms of the SALT II agreement, but also of the entire technical and bureaucratic process which has allowed such a state of affairs to come to pass. The posture we have adopted in SALT would institutionalize the present incipient inferiority of American arms and codify a long-term and perhaps permanent Soviet military advantage.

The enormity of such an event makes the recessing of the talks a modest proposal that would contribute far more to American security and international peace than the conclusion of SALT II as matters now stand. ●

IRAN: STRATEGIC FREE WORLD ALLY

HON. LARRY McDONALD

OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. McDONALD. Mr. Speaker, on more than six occasions it has been necessary to draw the attention of my colleagues to the illegal activities of the Iranian Students Association (ISA) and the motley federation of dissidents and revolutionaries who have joined with them to attack the policies of reform and progress initiated by Shah Mohammed Reza Pahlevi and his government.

In our country, the Iranian malleons and revolutionaries have created disturbances from coast to coast. They have viciously assaulted citizens and residents of the United States; they have launched a barrage of vituperative slander against all who disagree with their line; and they continue to pose a serious threat to public order and safety. In Western Europe, the same dissident organizations have engaged in terrorist attacks on Iranian officials. And in Iran, these groups have rioted, looted, burned in the cities, and on university campuses.

Evidence is not lacking that these groups violent actions are most welcome to the Soviet Union which views any destabilization of the Shah's pro-Western government as a strategic victory in its continuing war of aggression against the free world.

During recent weeks we have seen the Soviet Union, through its Cuban and East German surrogates, escalate its military aggression in Africa. In April we saw the government of Afghanistan fall in a bloody coup led by the head of a pro-Soviet Communist party. As a result of these new aggressive actions from the Soviets, we are currently seeing a power struggle in the administration between pro-Soviet forces favoring détente at all costs and others who are now becoming concerned that their long policies of appeasement of the Soviet Union may encompass their own defeat.

It is a time for reappraisal. In a direct proportion to the Soviet threat to world peace, we should urge the President to make known his full support and encouragement to our Iranian allies, particularly recalling that for nearly 40 years, through the terms of eight U.S.

Presidents, the Shah of Iran has been one of America's most unswerving allies.

We should encourage the President to recall that long before Lenin's Communists took power in Russia, the Czars had imperialist designs on the Middle East. The Soviet successors to the Czars have systematized and expanded their aggression in this area; and so in supporting and aiding the United States, and in his support for the free world and democracy, the Shah has incurred the enmity of the Soviet Union and its allies throughout the world. And it must be emphasized that with the recent Communist takeover of Afghanistan, a pro-Soviet government in Iraq to the West, and a long and extensive direct border with the U.S.S.R. itself, Iran is becoming the target for increasing destabilization pressure.

From the time last year that this administration began urging unrealistic and impossible policies of encouraging certain human rights on the Iranian Government, extremist opponents of the Shah's government have redoubled their efforts at overthrow. The opponents of the Shah's government are a loose coalition of Marxist revolutionaries of the most fanatical variety whose rhetoric promises a bloodbath that might shock even the Cambodian butchers, and a variety of reactionary extremists who support a return to medieval Islamic society and violently oppose the efforts of the Shah to conduct effective land reform programs and to bring women into the mainstream of Iranian life with higher education, employment opportunities, and ending the most oppressive forms of discrimination.

Mr. Speaker, we must remember that Iran guards one of the most vital waterways in the world, the Persian Gulf through which flows much of the oil for this country, for our allies in NATO, and for Japan.

Iran's Ambassador to the United States, Ardeshti Zahedi, recently wrote an article outlining the ties between our two countries. The Ambassador's article was written for a special edition of Profile of Iran that marked the exchange of visits between President Carter and the Shah during the past winter. I commend the Ambassador's factual and informative article to the attention of my colleagues and urge them to use all means available to Congress to support America's friend and free world ally, Iran, in the face of a serious crisis created, aided and abetted by the Soviet Union through its creatures, the revolutionary terrorist gangs, and religious fanatics who riot in the streets of Iran and the United States.

The partial text of Ambassador Zahedi's article follows:

IRAN-UNITED STATES COOPERATION: EXCHANGE OF VISITS UNDERSCORES LASTING FRIENDSHIP

The close relations between Iran and the U.S. were actually founded in the early nineteenth century. The first Treaty of Friendship and Commerce between Iran and America in 1856 formally acknowledged the increasing bilateral contacts. American educators, financiers and freedom fighters became directly involved in Iranian affairs throughout the 19th and 20th centuries. Howard Baskerville, an American teacher in

Azerbaijan who sacrificed his life during the constitutional movement in the early 20th century has left an indelible imprint on Iran's history. W. Morgan Shuster and Dr. A. C. Millsbaugh contributed their expertise to the organization of Iran's financial and tax system, as advisors to the Iranian government. Dr. Samuel F. Jordan another prominent American, is honored and remembered by Iranians for the establishment of the Alborz college. The important contributions of these Americans have laid the foundations for the existing amity between our two countries.

Since World War II, Iran-U.S. relations have assumed new dimensions. As President Harry S. Truman stated in 1949 during the Shahanshah of Iran's first visit to the United States, "We have always been friendly to this cradle of history, this country about which Daniel said, 'The laws of the Medes and Persians they are not altered.' By that Daniel meant not that the laws were unalterable, but that the Medes and the Persians believed in keeping their contracts." Since then, the frequent exchange of visits of heads of state, the membership of the U.S. and Iran in the CENTO organization and the 1959 bilateral security agreement of Iran and the U.S. have been important features of Iranian-American cooperation.

As His Imperial Majesty has stated, "We have always had unshakeable links with your country and your great nation. We are united together by a special relationship, made all the closer by a wide community of mutual interests which we share in our firm determination to contribute to the maintenance of world peace and security and assuring human progress and betterment. History has been witness to the growth and development of an outstanding relationship between two nations motivated by common trust, goodwill and respect, which has repeatedly withstood the test of time."

In addition, Iran and the United States share many vital interests and ideals in global affairs. This identity of interest has formed the basis for their international cooperation. For its part, Iran has sought to promote constructive and peaceful relations in the world community. Iran has a particularly strategic geopolitical and economic setting. It possesses the longest shoreline of any country with the Persian Gulf. Iran also has the second longest frontier of any country with the Soviet Union. With this unique location in mind, Iran has worked responsibly to promote stability and security in the region.

With 7,000 kilometers of both territorial and aerial frontiers, Iran borders several different regional systems of the globe, and has consistently helped foster among them harmony and peace. It has assumed a major responsibility in ensuring the free and uninterrupted flow of oil to the international community. The Strait of Hormuz in the eastern extremity of the Persian Gulf is the world's lifeline through which passes the major portion of the world's oil supply—nearly 23 million barrels of oil a day. Mindful of its regional and international responsibility, Iran has maintained that oil is a precious and indispensable resource for the entire world that must not be exploited for political ends. Therefore, Iran has never been a party to any oil embargo.

To safeguard the security of the vital oil-producing area, Iran has proposed increasing cooperation among the Persian Gulf countries. It has also called for a Mideast nuclear free zone and an Indian Ocean zone of peace, and has signed the Nuclear Non-Proliferation Treaty in the interest of promoting peace and well-being throughout the world.

Iran has also extended economic assistance to developed and developing countries, and to international financial organizations, a

commitment approaching \$12 billion since 1973. These policies, developed under the leadership of His Imperial Majesty Shahanshah Aryamehr, have been important strides toward the peaceful, stable and prosperous world that Iran and the United States envision.

Economic relations have also been an important aspect of bilateral cooperation between Iran and the United States. Just over a decade ago the United States had a major economic assistance program in Iran, for which Iran has always been grateful. This was initiated under President Truman's Point Four program in Iran, amounting to \$500,000. Since 1964 however, Iran's rapid economic growth has developed a self-sustaining economy and transformed Iran from an aid recipient to a major donor nation. Whereas Iran's per capita income was about \$120 in 1953, it is now over \$2200 today. Whereas Iran's GNP was \$2 billion in 1953, it is \$80 billion today. Whereas Iran had less than a hundred factories in the early 1950s, it has today over 8000 large industrial establishments. In 1950 student enrollment totaled about 350,000, it is nearly 9 million today. In 1952, we had only 800 students abroad, with about 300 studying in the United States. Today, that number has expanded to 60,000 of whom 30,000 are studying in this country. And while in 1953, Iran had only one major university, today it has 21 universities, along with 142 colleges and other institutions of higher learning with total enrollment of 189,000. Eighty-one of these institutions of higher learning are now linked with counterpart universities in the U.S. These figures show the remarkable progress Iran has undergone in a very short space of time. Iran is no longer a recipient of assistance from other nations, but now enjoys with the United States a mutually beneficial economic partnership.

In 1974 a new chapter in economic relations began with the establishment of a joint commission for economic cooperation, and in the following year with the establishment of a joint business council. The conclusion of a \$52 billion bilateral trade agreement in 1976, in contrast to the aid transfers of the past, is a notable example of the changing character of the widening cooperation between our two countries. The 4th Session of the U.S.-Iran Joint Commission for Economic Cooperation held on February 28, 1978 called attention to Iran's growing importance as a commercial partner with the United States, as well as Iran's increasing involvement in the world community.●

CAPITOL HILL OFFICE SPACE

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. FRENZEL. Mr. Speaker, the following story by Richard Lyons appeared in the Washington Post of May 27. The last sentence says it all:

Last year at the urging of young members who felt it wasn't proper to make free political use of public space, the House Democratic campaign committee moved out of its House office building suite into private space. Democrats have been trying to push the Republican committee out of its 14 free rooms on space-hungry Capitol Hill ever since.

Speaker Tip O'Neill wrote Minority Leader John Rhodes telling him to get out by February, but Republicans have fought a delaying action trying to hold out until new quarters are ready for them this fall at the Eisen-

hower Center Republican complex on the Hill. Republicans offered to pay rent of more than \$2,000 a month, but O'Neill turned it back saying he had no authority to accept money.

On Thursday, a group of young Democrats, some of whom won Republican seats and are jittery about reelection, took the House floor to denounce the "improper" Republican use of taxpayers' property. What really bugs them is that the 14 rooms are filled with mimeograph machines spewing out ammunition to try to take away their jobs.●

TUITION TAX CREDITS

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. FISHER. Mr. Speaker, inflation takes its toll on everyone, including those who have to meet tuition charges. Because of this heavy burden of educational costs that has to be carried sooner or later by so many, I believe some kind of Government assistance should be made available. Assistance is needed especially to meet the severe demand for cash during the college years.

In the consideration given to this matter last week in the House of Representatives, I tried by my remarks in the floor debate and by my votes to give expression to these views. I argued for and voted for a tax deferral approach as my first preference for meeting the tuition crunch. This would have established a system of tax deferrals by which parents or guardians could defer paying a portion of their taxes while their children were in college. The same could be done by individuals paying their own tuition bills. These deferred tax obligations would then be paid at a modest rate of interest over a 10-year period after the education had been completed. This, it seems to me, addresses the cash crunch problem the middle-income families with college-age children now face. An amendment to the bill that would have established such a system was defeated.

Such a tax deferral arrangement, which would amount to a long-term low-interest loan of greatest help to middle- and lower-middle-income groups, could be combined with an improved loan and grant program such as now exists which would help the lower-income individuals and families. Together these two approaches would provide much more tuition relief than the tax credit approach that finally passed. In the case of the tax deferral part the cash relief would be 10 times as great as with the tax credit.

My second choice would have been to provide a tax credit for postsecondary expenses only. With the undeniably strong sentiment for a tuition relief for college expenses, I believe an experiment of several years' duration with this approach would be worthwhile to determine whether the positive benefits of the credit outweigh the possible detrimental effects such as increased tuition charges and reduced tax revenue to the Gov-

ernment. Unfortunately, the House did not have an opportunity to vote on tuition tax credits for college alone.

Extending a tuition tax credit to private elementary and secondary schools, I believe, would threaten the principle of separation between church and state, one of this country's longest standing and most important traditions. I find this constitutional issue most troubling. In addition, the tax credit would help only minimally—\$100 a year next year rising to \$250 over several years which is not much compared to many college tuition charges—and would most certainly be quickly absorbed by raises in tuition so that the institutions rather than the student and their families would be the gainers.

Finally, the tax credit would diminish tax revenues by several billion dollars a year and thereby add that much to the Federal deficit. A tax deferral approach would cost something at the outset, but after a few years would result in a small net revenue gain to the Government.

I do not believe that we have yet seen the final resolution of this issue, what with the threat of a Presidential veto and the still pending proposal to expand the existing grant and loan programs. The nature and scope of the issue of relief for middle-income families is likely to change in the next several months, and I will be keeping alert to these changing winds. Out of all this I hope a financially sound and educationally meaningful program will emerge along lines of my preference, one that will offer substantial relief rather than token relief for those facing high tuition charges.●

TRIBUTE TO PAUL K. FROST II

HON. GLENN ENGLISH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. ENGLISH. Mr. Speaker, on Wednesday, May 31, I joined with many of my colleagues in a memorial for Paul K. Frost II. I recently received a letter from Hubert L. Harris, Jr., Assistant Director, Office of Management and Budget, who asked to be included in the memorial. I ask that Mr. Harris' letter be inserted into the Record at this point:

JUNE 1, 1978.

HON. GLENN ENGLISH,
House of Representatives,
Washington, D.C.

DEAR GLENN: I understand that you are going to insert thoughts of various people about Paul Frost in the Congressional Record. I would like to add mine to that group.

Paul Frost was one of the finest, most outstanding young men I have met since coming to Washington. Paul knew his job and did it well. Paul was known, respected and liked by everyone that came in contact with him. My association with him was brief, but very meaningful.

Thank you very much.

Sincerely,

HUBERT L. HARRIS, Jr.,
Assistant Director.●

CONGRESSIONAL SALUTE TO THE RINGWOOD AMBULANCE CORPS, INC., RINGWOOD, N.J., UPON THE 15TH ANNIVERSARY OF ITS FOUNDING

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. ROE. Mr. Speaker, on Saturday, June 10 the residents of Ringwood in my congressional district, State of New Jersey will celebrate the 15th anniversary of the founding of their emergency medical services corps—the Ringwood Volunteer Ambulance Corps. I know that you and our colleagues here in the Congress will want to join with me in extending our warmest greetings and felicitations to the members of this most esteemed volunteer organization for their outstanding public service to our people.

At the outset let me commend to you the officers and members of the Ringwood Ambulance Corps, Inc. whose standards of excellence in dedicated, unselfish service to the well being of our people have truly enriched our community, State and Nation. The roster of charter members and current officers and members is, as follows:

CHARTER MEMBERS

President: Ruth Snoddy.
Vice-President: Don Cook.
Secretary: Grace Van Gelder.
Treasurer: Kay Ackerman.

Al Anderson, Ed Brady, Edna Brown, Joyce Cantaluppi, Frank Conte, Al De Block, Betty De Vine, Bill Dodds, Robert Domanowski, Peter Fellema, Bob Garcia, Helen Givin, Joyce Hoyt, and Jack Kidd.

Joan Loughlin, Carol Ordway, Ann Prakus, Jack Reynolds, Bill Saller, Ernie Schwesinger, Ray Snoddy, Ed Sonnenfelder, Gert Spadone, Ed Sullivan, Jim Super, Dale Taylor, Al Van Gelder, Helen Weber, and Bernadette Zackaroff.

RINGWOOD AMBULANCE CORPS, INC.

Captain: Dennis Law.
First Lieutenant: Bill Brunkhardt.
Second Lieutenant: Nancy Armitage, Elsen Moebius, and Ed Veronelli.
Service Secretary: Pat Fisher.
Corresponding Secretary: Denise Wogisch.
Recording Secretary: Irene Gourlay.
Treasurer: Laura Ingraffia.
Bob Anderson, Jim Carlton, Linda Carson, Lou Caruso, Barbara Conklin, Bill Conklin, Kathy Czura, Al Ferry, Bob Garcia, Barbara Geurin, Tom Hastings, Dominic Ingraffia, Pat Kelly, Regina Kirby, Andy Kitthen, Ellen Lichtensteiger, Frank Menzel, Art Merritt, Carol Mingeram, Pat Murray, Emily Post, Jean Scheyer, Blanche Seneca, Dolores Sorce, Eileen Sullivan, Kathy Switzer, Beverlee Veronelli, Bob Wogisch, and Sue Wogisch.
Exempt Members: Don Cook, Jack Dunne, Betty Kellett, and Stan Sorensen.
Associate Members: Karen Ploetz and Marilyn Ricker.

Mr. Speaker, in celebration of this historic event for the borough of Ringwood a number of community activities and events have been planned under the direction of the Ringwood Ambulance Corps Anniversary Committee including a parade, first aid demonstrations, a tour of the corps facilities and a lecture on the ambulance, equipment and its operation. It is appropriate that we extend

special plaudits to each individual member of this dynamic and energetic group which is comprised of the following exemplary citizens of the community:

RINGWOOD AMBULANCE CORP ANNIVERSARY

Pat Murray, Chairperson, Barbara Conklin, Bob Garcia, Dom Ingraffia, Regina Kirby, Carol Mingeram, Emily Post, Blanche Seneca, Denise Wogisch, and Sue Wogisch.

Mr. Speaker, the Ringwood Ambulance Corps was organized in 1963 by a consortium of concerned citizens in recognition of the need for an organized emergency first aid squad to accommodate the unexpected and tragic circumstances of illness and accidents that may befall our human resources. This required the foresight, diligence and hard work of many, many people in devising a program and seeking full citizens participation and the benevolence of community leaders and distinguished citizens throughout the area.

A 1949 ambulance was donated to the Corps by Harold Clark, a car dealer from Pompton Lakes. The ambulance was garaged in the Windbeam Water Co.'s building through the generosity of John Bado, president of the company.

The Windbeam Water Co. building was also utilized as first aid headquarters until 1971 when a building committee comprised of Don Cook, Pat Murray, Betty Kellett, and Emily Post was able to direct the construction of their new headquarters on Alta Vista Drive on a parcel of land donated by Mr. Peduto, a local contractor/business man.

At present, the corps under the able leadership of Captain Dennis Law assisted by 1st Lt. Bill Brunkhardt, has 40 members who man three ambulances on a 7-day week, 24-hour-a-day schedule. The corps is supported by a yearly donation from the borough government, a door-to-door fund drive, and a capable auxiliary that runs fund-raising events.

Mr. Speaker, I appreciate the opportunity to call this noteworthy event to your attention and seek national recognition of the unselfish dedicated public rescue and lifesaving endeavors of the Ringwood Ambulance Corps. As they celebrate the 15th anniversary of their founding, let the RECORD also show that we extend our Nation's deep appreciation and gratitude for the quality of their emergency medical services. We do indeed salute each and every member of the Ringwood Ambulance Corps upon the celebration of their 15th anniversary.

Heartiest congratulations, fellow citizens. ●

MY RESPONSIBILITY TO AMERICA

HON. ROBERT S. WALKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. WALKER. Mr. Speaker, the Veterans of Foreign Wars recently extended me the high privilege of serving as a judge for the national finals of their "Voice of Democracy Contest." Most of my colleagues, I am certain, are aware

of this fine VFW program and as a former Voice of Democracy participant, I would like to share the texts of the best five speeches of 1978 with them.

The theme this year was "My Responsibility to America" and the words, feelings and expressions of these young Americans are both personally moving and deeply rooted in the heritage of what is best about our great Nation. The superlative efforts of this year's winners offer us inspiration for today and a truly bright hope for the future of America.

The texts of these fine speeches follows:

SPEECH OF BERND KLAUS ESTABROOK

(Douglas High School, Minden, Nevada)

It is a time of wars and rumors of wars, of distress and discontent, of wealth and abject poverty—it is our time. The world and its peoples move toward an unknown future, their struggles rise violently across continents, shake the farthest reaches of the globe—such is our world. We search, we probe, we experiment, we examine the very foundations of our society, seeking the essence of the American heritage. We find casual acceptance of this heritage impossible, for change and challenge have been the pillars of our strength. We have questioned time-honored beliefs, disputed traditional principles, delved deep into our creed—for to find our convictions sound and strong is to bring life and vigor to them, to enhance the strength and solidarity of what we hold true. To examine what we hold dearest in these troubled times is to awaken dying flames, to lend an indomitable spirit to those famous principles which will strengthen us in the future as they have in the past. It is our time, time to define our responsibility to our ideas and to our country, time to drink deeply of our spiritual reservoir, time to challenge totalitarianism and intolerance, to say to the dehumanizing forces sweeping the globe, "This far and no further!"

Where shall we begin? What shall we do or say to fill this vast nation with the desire to live to its highest, to rise from apathy and strive for excellence? What shall we do to make this nation a personal commitment, to act in the fullest measure we can to realize that commitment? The answer lies in the individual, in his response to humanity, in his commitment to the ideals that formed this nation. He, the individual, is the lifeblood of democracy, the integral part of our system that makes it live and grow, that makes it differ from the lifeless structure that is democracy without responsibility. He, the individual, lends our democracy its strength in the knowledge of his own worth, of the importance of his decisions and opinions, of his understanding of fragile yet priceless human qualities. He, the individual, knows the tyranny of the dictator is matched only by the tyranny of the mob and he watches, and speaks, and listens and moves to understand the world around him. He feels deeply his responsibility to his world, to his country, to his very home and works with that knowledge in all that he does. He, the individual holds the final and most important commitment to this nation. We climb or fall, succeed or fail with each and every individual, and our destinies are linked together by that one word—responsibility.

Our President, our congressmen, governors and all our leaders are men with which we have vested with great power and solemn responsibility. They are men we see daily, acting on our behalf with all the foibles and failings of men everywhere. I see responsibility here as they sign bills and draft laws, debate issues and resolve disputes, many of them standing as examples to us all in their

tenacious hold upon integrity. We see them and acknowledge their importance.

Yet behind the public world, behind the world that concerns great decisions, I see responsibility too. I see responsibility in men and women who have held to their principles throughout their lives with little or no recognition or praise, men and women who have spun the basic fabric of this nation, men and women of who Jefferson once said, "I am not among those who fear the people. They . . . are our dependence for continued freedom." They have made our nation what it is; without them our leaders would be helpless. Together we can meet any trial with strength born of individuals united in that one word—responsibility.

What is my responsibility to America? It is not represented by any one word or idea; perhaps it is not possible to put it into words in its entirety. But in my deepest understanding I know what it is. I know what it means to me, why it is important to me, and what I can do about it, for my responsibility to America is my responsibility to myself. It is my commitment to my country as she is, not as I wish her to be or a my prejudice sees her. It is my pledge to look upon her clearly and thoughtfully, to feel her woes and triumphs and to work with this in mind toward what America might be. My country asks of me but one thing—she calls from history and homeland to see, to perceive again, ever to understand. Let us heed her call and embark anew on the American adventure, with the strength of two hundred years behind and limitless prospects before.

BENJAMIN VICTOR MOUTON

(Cathedral-Carmel High School)

I have never stood in the rotunda of my country's capitol . . . I have never seen the White House nor stood in front of Lincoln's statue as he sits brooding on the trials of a young nation divided against itself. I have not stood in the archives and read Thomas Jefferson's immortal words in the Declaration of Independence. I have never seen these things, but I know them, I know them well. They mean America to me.

Adams . . . Jefferson . . . Lincoln . . . They are the people who built America and I know them . . . I know them because I know the carpenter next door who gave his time free of charge to help build a church across town.

I know the men and women who built America because I know the doctor who spent the night beside the bed fighting to save the life of a sick child in one of our local hospitals last week or the week before, for he is the doctor who wept beside the bed of Abraham Lincoln when there was no hope but only agony and pain. . .

I know my country's founders because I see them in the people around me and I hear them every day of my life, just as I hear Thomas Jefferson's voice when my history teacher proclaims his words that all men are created equal.

And I know my obligations and responsibilities to America.

Today, we live in an exciting age . . . an age which is constantly changing . . . an age in which people are moving . . . testing old beliefs and finding different points of view. In this age people find it harder to recognize and hold on to obligations and responsibilities, yet these responsibilities and obligations are as great as the responsibilities and obligations of the men and women who built America and made her great.

New questions are put to us which we must answer . . .

The question arises . . . "What is there about America that will impel today's youth to fulfill their responsibilities to their country?" Being a part of that youth, I ask myself this same question. "What beliefs impel me to execute my responsibilities to

America?" . . . Let me answer that . . . One belief . . . and one that I'm sure of . . . is loyalty . . . old fashioned, perhaps, but I believe in it . . . I believe in a loyalty based not solely on facts and on the reassurance of the past performance of this country, but loyalty based on a willingness to live up to the old principles of faith of the men and women who founded America . . . a loyalty that will carry us through the uncertainties of the future. I know the things that made my country great and my responsibilities are to keep it great. The men and women who made America gave us a blue print for government to be run by people . . . people like the carpenter next door or the doctor across town.

My responsibilities must be coupled with the desire to make this country work as it was meant to work. I have a desire to take an active part in all of my country's affairs. I know I speak for all youth when I say, "Our desire is to become involved . . . involved in every phase of government and society . . . We want to be involved . . . we want to vote and be heard in the selection of our country's leaders . . . We have a desire to be aware of America and be aware in all of its involvements . . . for human rights all over the world . . . In other words . . . youth has a responsibility not only of the heart, but also a responsibility to act. A responsibility taken further than just the desire to perform it, but the will to actually perform."

Finally, but most important, is the belief I have in the responsibilities I hold for other Americans. My responsibilities to America are for these people because these people are America to me . . . the carpenter . . . the doctor . . . the lawyer . . . the laborer . . . the man and woman in the street . . . Martin Luther King . . . Thomas Jefferson . . . Abraham Lincoln . . . These people are the backbone of America . . . These people . . . these Americans . . . are what make America great and my responsibilities are to them . . . to every single American . . . I owe it all . . . my work . . . my freedom . . . my life . . .

SHERLY LYNN TUDEEN

(Bettendorf High School, Bettendorf, Iowa)

In the children's story of The Little Red Hen, the hen experiences trouble in getting the other animals to help her in making bread, they refuse to help her cut the wheat, grind the wheat or help in the baking process, but when all the work is done and the delicious bread is made, then they are all very willing to help her eat it.

Can this type of situation be applied to our country? Do we all expect the advantages that America can give us, but don't feel it necessary to work for them in return? It is difficult for me to believe this—in fact, I refuse to. Others must THINK as I do. I feel that I have a certain responsibility toward our country, if I want to continue to reap the benefits it can offer me.

The benefits I speak of are mainly freedoms, freedoms our ancestors thought were important enough to fight and die for. And so my responsibility is basically one to the future generations, and yet I must work for it now, in order to insure that they can obtain all the rights and freedoms I enjoy today.

Our forefathers got a good start on the individual rights issue when they wrote in the Constitution that all men are created equally. They did this much for us, now it is up to me to see that all men are treated equally, that one person is not superior to another simply because of his race, sex, religion or financial status. That is my first responsibility, one that will benefit us today and in the future.

Our environment and beautiful countryside are other things I can appreciate now. America has such a variety of terrain, each region is unique, but they are all beautiful in their own way. It is obvious to me, how-

ever, that the snowy mountains, the great forests or the golden deserts cannot remain in their majestic condition without some help. Thus, I have to make an effort to keep them that way.

Lastly, and most importantly though, is my responsibility in maintaining the principles of democracy that this country was founded on. Our predecessors gave us a say in our government so that we could voice our preferences and problems. We are one of the few countries fortunate enough to have this. As one of the lucky individuals who live here, I have a responsibility in preserving this type of government.

I realize that by myself I probably cannot change things greatly, but that does not mean that I will quit. Willard Wirtz summed up my philosophy on working for what you want when he said that "those who want by the yard, but try by the inch should be kicked by the foot".

I expect great things from America because I know that they exist. It is up to me to insure that they continue to do so.

It is easy for us to answer such questions as: Who wants to live in a clean environment? Who wants to eliminate prejudice among men? and Who wants to keep his freedom? The hard part comes in as it did in the story of The Little Red Hen in who's willing to work for all this. The answer is, I am, because that is MY responsibility to America.

JOHN MONTGOMERY STOKES

(Sarasota High School, Sarasota, Fla.)

I am speaking to you with full freedom to say what I think. I count it a blessing that I have the right to do so.

I speak to you having my own political persuasion, my own religious affiliation and my own philosophy of life. I count it a blessing that I have the right to choose these things for myself.

Most of all, I count it a blessing that I live in a country where those who differ with me have the same rights and responsibilities.

Responsibility: a charge, trust, or duty. Just what is my responsibility to the great country which grants to me and others the rights I have mentioned?

Some seem to answer this question easily. They say obey the laws and defend America in time of war. For me, responsibility to America is a bit more detailed. I look around me and am aware that half a billion people in the world are starving. I hear in the distance the clamor of war and violence. I spend year after year in an educational system which could be so much better. I see families disintegrating and cities decaying. My responsibility to America calls me to take action.

The question arises, what can you—one human being—do to counter these conditions? My answer is simple, yet profound. I shall express my views and values through my great American privilege, the vote. As a man who appreciates and loves liberty, I find no less despicable those who starve the ballot box than those who stuff it.

My commitment to serving my country is the moral equivalent of waging war. The enemies are apathy, greed, malice and ignorance. The battle line is on the floor of Congress and in committee hearings. My weapons are knowledge, dedication, and action. The end result remains to be seen.

I see America as a dream which all of us are endeavoring to make a reality. America is a vision of freedom and peace which has not yet reached fulfillment. It can and will when her people keep their vision clear, revere the faith of their fathers and work responsibly with faith in the future.

This then is my responsibility to America: to grow and progress as an individual, to help those around me do the same and thereby to help the nation grow and progress as well.

The time has come for all of us to capture again the spirit of Patrick Henry who cried out for liberty or death in our country's infancy. We must rededicate ourselves to the guiding principles upon which this nation was founded and which have made it great. Without such dedication, the cause of freedom may well vanish from the face of the earth.

America has been and still is a great nation, but we must not ignore the rot and blight upon her face. We must cut out and fill in to correct these blemishes. We are at the point of no return. We must either restore our country or crumble with her.

Individuals of diverse backgrounds built this country and made it great. They were a certain breed of Americans. They sought challenges because they were there. They showed perseverance because they cared. They gave leadership when it was not there. They exhibited dedication because it was their guiding principle. This is the kind of American we need today and it is the kind of American I intend to be. In this spirit we and our beloved country can move ahead. Won't you join me on this journey into the future? I and many other young Americans know and accept the future is in our hands. We are confident that with God's help we can meet that challenge.

STEVEN R. PECK

(Riverton High School, Riverton, Wyoming)

American poet Delmore Schwartz once said, "In dreams begin responsibilities."

This is perhaps the single most representative idea of America ever expressed, for nothing so typifies the way of life we enjoy in this country. Having a dream, something to strive for, automatically commits one to take the responsibility to reach his goal. This has literally been the foundation and the backbone of the United States of America.

For without dreams, and the responsibilities stemming from them, we would have nothing. The United States would still be under the tyrannical rule of oppressive monarchs who knew nothing of the dreams of their people. Fortunately, a few brave men and women had the dream of freedom and equality, and were willing to accept the responsibility of making that dream into reality. For them we must be thankful. They started the attitude that Americans maintain today.

The American people know the responsibility they have to their country and to one another, that instinctive sense of fairness and understanding, from which the world's greatest nation has been born. The images of courageous soldiers, profound statesmen, blue skies, and majestic mountains are the images that people around the world have of America.

And why? Because of the overriding obligation to honor, sincerity, and justice that Americans take pride in presenting to their neighbors. Throughout history we have seen one example after another of an American who would give up everything he owned rather than surrender his right to honor his country. From the pilgrims, to Washington, Lincoln, Roosevelt, and Kennedy, we find such examples.

But the greatest and most frequent examples are the private citizens, who don't act for the glory or the recognition that some receive. They work themselves, for their own pride, for their own happiness, for their own security. And these people must be the most glorious examples of all.

America offers other things that no other country can, because the other nations have not had the dreams or the courage to make those dreams work. Where else would we find such stories of success and accomplishment as in our country? Only in a nation that took the time to weigh its obligations to its people and to try to fulfill those obligations.

America stands out as an example for other nations to follow. Because the old saying really is true. America is crowned with brotherhood from sea to shining sea.

The standards that America sets for its people are high. These standards are set so that we may maintain our own standards of living, speaking, and thinking freely.

My responsibility to America, as is every citizen's of this country, is to live up to these standards and qualifications that my country has set for me, no matter what they may be, to have the fortitude to dream and suggest, and to promote my country's interests in the best way I can.

And, surely, this is challenge enough for anyone. ●

AMENDMENT TO H.R. 12611, AIR SERVICE IMPROVEMENT ACT OF 1978

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. RONCALIO. Mr. Speaker, when H.R. 12611, the Air Service Improvement Act of 1978, is considered by the House of Representatives, I intend to offer an amendment to section 15, rates of carriage for persons and property, as follows:

Section 15, section 403(b) (1) of the Federal Aviation Act of 1958 (49 U.S.C. 1373(b) (1)) is amended by adding the following language between the first and second sentences thereof:

Nothing in this Act shall prohibit contracts entered by air carriers which contracts provide cost reimbursement for persons who furnish directly or indirectly substantial services, equipment, or facilities, in connection with passenger air transportation purchased by such persons; Provided such cost reimbursement shall not exceed the cost savings realized by the carriers, or 3% of the published air fare, whichever is lower, and persons receiving such cost reimbursement shall not be eligible to be travel agents; Provided further, that copies of all such contracts entered by carriers shall be filed with and approved by the Board.

This is a new provision to eliminate any questions of rebating with respect to reimbursement by the airlines of substantial costs incurred by persons, like business concerns, which perform reservations and ticketing on behalf of the airlines.

At the present time, restrictions adopted and enforced by the airline trade association, allegedly to prevent rebating, prevent carriers from considering any cost reimbursements for those persons, such as companies operating in-house business travel departments, which perform reservations and ticketing services. Under appropriate safeguards limiting such cost return to no higher than the cost saved the carriers, a partial return of such costs incurred by users, and thereby saved the airlines, would not amount to a rebate, so long as the arrangements are subject to control and regulation by the CAB.

Presently, business organizations providing or desiring to provide their own in-house ticketing services for employees traveling on official business are denied any opportunity whatever to have the

costs incurred in providing reservations and ticketing reimbursed by the carriers. This is because the carriers have traditionally considered themselves bound by an interpretation of the language of the existing statute that any payment of a cost return or reimbursement to a user, no matter how structured, would amount to an unlawful rebate in violation of antirebate provisions of section 403 of the existing Federal Aviation Act. The effect of such an interpretation is to deny any reasonable option to companies operating business travel departments to provide that service with cost reimbursement from the airlines. Where such services are provided in-house by a commercial user, substantial expenses are saved the airlines who have the basic responsibility under the tariffs to provide such services. The amendment I will offer should eliminate any rebate stigma that is today attached to reasonable cost reimbursement to business users of passenger air transportation performing substantial airline reservations and ticketing functions. The result will be to open the marketing of business air travel to an additional alternative; namely, the performance on a cost reimbursed basis of in-house travel and ticketing service by business users. This holds the potential for significant savings in costs for the airlines and adds an additional competitive element in the marketing of business air travel. The underlying purpose of this amendment is wholly consistent with the purpose of H.R. 12611.

This amendment is also consistent with the fundamental purpose of section 403 of the Aviation Act, which was not designed to prevent legitimate cost reimbursement by carriers of users who save major expenses for the carriers, but rather, was intended to prohibit secret concessions, payments, or kickbacks reducing the published fares without any transportation service being provided by the user for the carrier. Payments similar to those authorized by my amendment have been made to shippers by surface carriers, railroads, and motor carriers, for many years and have been recognized by the ICC and the courts as not involving unlawful rebating. The amendment I am sponsoring to H.R. 12611 is parallel to similar provisions contained in the Interstate Commerce Act, 49 U.S.C. 15 (15) and 324a. The Interstate Commerce Act also contains antirebate provisions identical to those set out in section 403 of the Aviation Act.

Under the provisions of this amendment, carriers and users will be expressly authorized to enter contracts providing cost reimbursement for substantial reservations and ticketing services performed by the user at a level no higher than cost savings realized by the carrier, or 3 percent of the published fare, whichever is lower. The 3-percent standard is the same level observed by the airlines in compensating in-plant travel agents who provide essentially identical services as in-house business travel departments. The amendment requires that persons receiving cost reimbursement will not be eligible to be commercial travel agents. This will avoid interfer-

ence with the existing industrywide carrier/agency relationship. Furthermore, the amendment requires that the contracts providing cost reimbursement for users will be filed with and subject to approval by the CAB, which will be able to control these arrangements in the public interest.

In sum, this amendment will produce a more competitive, efficient, and equitable system for marketing business air passenger travel. ●

CAPITAL GAINS PROBLEMS

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. RHODES. Mr. Speaker, Mr. Ronald J. Foulis, who has retired after a distinguished career in the law, has written a thoughtful and precise statement in the American Bar Association Journal on the capital gains problem. He notes the impact of inflation, and the disincentives for investment that current tax treatment of capital gains create. His analysis of the discouragement of inflationary tax sources on capital gains points up the need for this Congress to consider this problem in the light of revising our tax structure in a realistic way, to adjust capital gains treatment, and encourage more investment to provide jobs for our work force.

Text of Mr. Foulis' article is as follows:

WHAT IS CAPITAL GAIN AND HOW SHOULD IT BE TAXED

There have been reports in the news of proposals "to tax capital gains in the same way as other income." It is time to discuss and understand the difference between income and capital and between true capital gain and a change in the value of capital measured only in dollars. Many losses on capital are now taxed as capital gains.

Efforts to impose a federal income tax were held to be unconstitutional until the adoption of the Sixteenth Amendment, which provides that "Congress shall have power to lay and collect taxes on income, from what ever sources derived. . . ." There is no express constitutional authority to tax capital.

The Supreme Court in *Merchants Loan and Trust Company v. Smetanka*, 255 U.S. 509 (1920), held that gain derived from a single isolated sale of personal property that had appreciated in value between 1913 and 1917 was income within the meaning of the amendment. The Court said: "Income may be defined as the gain derived from capital, from labor, or from both combined, provided it be understood to include profit gained through sale or conversion of capital assets." It is clear that the Court was applying the tax to the realized gain resulting from the appreciation in the dollar value of a capital asset and was not considering whether there was any difference in the value of the dollars paid and dollars realized. That issue was not raised.

Before it can be determined what is a capital gain, there has to be an understanding of what is capital. Webster's Collegiate Dictionary defines capital as ". . . A stock of accumulated wealth; specif: a. The amount of property owned by an individual or corporation at a specified time, as distinct

from the income received during a given period. b. An aggregation of (economic) goods used to promote the production of other goods, instead of being valuable solely for immediate enjoyment. . . ."

Capital can be inherited wealth or a gift, but generally it originates from savings left over from income. Even inherited and other wealth originates from savings. It is necessary to understand income and how it differs from capital.

The same dictionary defines income as ". . . Something that comes in as an addition. That gain or recurrent benefit (usually measured in money) which proceeds from labor, business or property; revenue, receipts. . . ." The definition used in *Merchants Loan* also includes "gain derived from capital."

To the individual, income is anything of value (usually money) received for labor, service, dividends, interest, rents, and the like. From that income, income taxes must be paid, as well as the cost of food, shelter, clothing, and other necessities of life. It may also provide luxuries. Many thrifty individuals will not consume their entire income but will save some portion that may be deposited in a bank or other savings institution or used to purchase property. Income has been converted into capital.

When this occurs, the money has the purchasing power of money at that time. It will buy a certain amount of real estate or a certain number of ounces of precious metal, for instance. When at a later time the property acquired is sold, the money received from the sale will have the same purchasing power as all other dollars at that time, whether from income or sale of property or withdrawal from savings. On the other hand, it may, as a result of inflation or deflation, have a different purchasing power than it possessed at the time of investment.

Capital is different from income in that income is always valued by its current purchasing power, while the value of capital may vary from year to year. If \$1,000 of current income bought an investment in 1967 when the consumer price index was 100 and that investment was sold for \$1,810 when the consumer price index was 181, there would be a taxable gain of \$810. But there has been no real gain because the \$1,810 has only the same purchasing power or value as the \$1,000 invested as capital in 1967.

The person who acquired a home in past years and sells it today may need all of the dollars received to purchase another comparable home. Our tax laws permit the homeowner to reinvest the proceeds of the sale of his residence in another home without the imposition of a tax, even if the home sold may have increased in real value as well as dollar value. But if that homeowner sells any other property, real or personal, for more dollars than paid at the time of purchase, a tax is imposed without regard to any decrease in the purchasing power of the dollars or the use to which they are put. The result is frequently a governmental taking of a portion of the capital originally created and invested.

The idea of a "capital gains tax" is usually promoted and supported as a tax on the wealthy. It does affect those with large amounts of capital, but it also affects millions of people who have comparatively small amounts. Those who have saved to provide retirement income are inhibited in changing from one investment to another. Widows, for example, may lose a portion of their capital to the capital gains tax if they sell one investment to buy another to reduce risk or to try to increase income, although there has been no change in the real value of their investment.

One of the reasons given for the current high level of unemployment is the lack of

capital investments to create jobs. If savings to create capital needs encouragement, why penalize it by taxing nonexistent gains? If it is deemed socially and politically desirable to tax capital gains, certainly the tax should be applied only to real gains. To tax gains in dollars that have lost purchasing power is not a tax on gains but takes away a part of the original capital.

In times of persistent inflation it is essential for Congress and the courts to consider the economic consequences of taxing the dollars produced by capital without regard to a change in their purchasing power—the only real measure of value during inflation.

—RONALD J. FOULIS.

(Now retired from the practice, Mr. Foulis lives in Washington, D.C., and remains active in the organized bar as chairman of the American Bar Association Committee for a Study of Legal Education and as a director emeritus of the American Bar Endowment.) ●

THE COMMODITY EXCHANGE ACT: STATE ENFORCEMENT OR NO ENFORCEMENT?

HON. ALVIN BALDUS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. BALDUS. Mr. Speaker, in the near future, the House will be considering H.R. 10285, Commodity Exchange Act Authorization. At that time, I intend to offer an amendment which would allow the States to enforce the antifraud provisions of the act.

In 1974, the Congress passed the Commodity Futures Trading Commission (CFTC) Act, which created the CFTC to oversee and regulate commodity futures trading. The CFTC Act gave the CFTC exclusive jurisdiction over violations of the antifraud provisions of the Commodity Exchange Act and preempted any meaningful State enforcement rights.

Since the CFTC Act was passed, however, the CFTC has had a poor record of antifraud prosecution. The basic problem has been the lack of manpower and resources to effectively monitor the industry, uncover fraudulent activity, and seek arrests and prosecutions in any timely manner. In light of current budgetary constraints, it is unlikely that the Congress will ever give the CFTC the manpower and resources it would require to effectively protect our constituents from fraudulent activity.

On the other hand, the State not only already possess the ability to uncover fraudulent activity and seek prosecution through their attorneys general and securities commissioners, they have actively sought the authority to do so. On April 21 of this year, the National Conference of State Legislatures unanimously passed a resolution calling for State enforcement. On April 26, the North American Securities Administrators Association—representing all 50 States—specifically endorsed the Baldus amendment. Furthermore, when the subcommittee was considering the bill, the five commissioners of the CFTC voted to accept the Baldus language.

It is interesting to compare commodity

futures trading with other activities regulated by State and/or Federal Government. Insurance laws are completely enforced by State governments. Securities laws are regulated and enforced by both State and Federal Government. In contrast, commodity trading laws are enforced only by the Federal Government. It is perhaps ironic that the huge nationwide commodity swindles began to flourish at the same time the CFTC was created to regulate the commodity industry and the States were preempted from their previous enforcement role.

Although the Conservation and Credit Subcommittee had passed the Baldus amendment after exhaustive hearings and study by the subcommittee, the House Agriculture Committee narrowly (20 to 18) passed the English substitute to the Baldus language. The substitute, representing the point of view of the futures industry, would only serve to continue the area of nonenforcement which we have had since the CFTC Act was passed in 1974. It effectively precludes a prosecution (other than *parens patriae* injunctive relief) of any violation other than on dealer options and leverage contracts. The States could not prosecute: a futures commission merchant for the misuse or misapplication of customer funds; a commodity trading adviser or commodity pool operator for employing a device, scheme or artifice to defraud, or for engaging in a transaction or course of business which operates as a fraud; anyone engaged in wash sales or other fictitious trades; associated persons of futures commission merchants who cheat or defraud a customer within the meaning of the act; or any violations with respect to options or leverage contracts which are traded on licensed boards of trade.

In short, the antifraud provisions which the Congress has deemed fit to pass would continue to be unenforced. Is it any wonder, then, that the industry favors the English language over the Baldus language?

My amendment would seek to correct this situation by allowing the States to pass and enforce State laws exactly identical to four subsections of the Commodity Exchange Act (4 b, c, d, and o) and to section 217 of the CFTC Act. It requires that State civil and criminal penalties cannot exceed those provided for by the Federal acts. It requires the State laws to include the following:

In any such action, Federal law, including the decisions of the Federal courts and the decisions and published interpretations of the Commission, shall be controlling.

It specifically preserves the prosecution of violations committed on licensed boards of trade or on designated contract markets for the CFTC. It requires State agencies bringing action under the State law to notify the CFTC by mailing a copy of the original pleadings or the original indictment no later than 3 business days after filing, and it gives the CFTC the right to intervene in any such action.

In short, it allows the States to bring the prosecutions which the CFTC does not have the ability to bring, but it pro-

fects the industry by requiring that Federal example will be controlling, by giving the CFTC the right to intervene in cases, and by exempting violations on the boards of trade and on contract markets.

The sole argument of the industry has been that passage of the amendment would lead to differing interpretations by State judges, even though the laws were identical, which would force the industry to cope with a different body of law in each of the 50 States. I doubt that the differences in interpretation of identical law will be so great, and I feel that sufficient safeguards have been written into the amendment to preclude this situation. The issue is not really one of differing judicial interpretations of identical laws. Rather it is a question of whether or not the laws which the Congress has passed will ever be effectively enforced by anyone. I urge my colleagues to support enforcement of these laws by voting for my amendment when we consider this bill:

BALDUS AMENDMENT—H.R. 10285

By Mr. BALDUS:

Strike out all of Section 12 beginning on page 14, line 10 through and including page 15, line 18, and insert in lieu thereof the following:

"Sec. 12. The Commodity Exchange Act is amended by adding after section 6c a new section as follows:

"Sec. 6d. (1) Notwithstanding any other provision of law, in order to promote effective enforcement, curtail and prevent fraud, protect the public interest, and effectively utilize the resources available to State agencies, any State agency or official may investigate and prosecute violations of State laws which are identical to sections 4b, 4c, 4d, and 4o of this Act and section 217 of the Commodity Futures Trading Commission Act of 1974 or the rules and regulations of the Commission under those sections: *Provided*, That any civil and criminal penalties provided for under such State laws do not exceed the civil and criminal penalties provided for violation of the identical sections of this Act and of the Commodity Futures Trading Commission Act of 1974. Any such State law shall include the following language: 'In any such action, Federal law, including the decisions of the Federal courts and the decisions and published interpretations of the Commission, shall be controlling.' Notwithstanding the foregoing, a State agency or official may not investigate or prosecute any violation committed or alleged to be committed by a designated contract market or a board of trade licensed by the Commission or any violation committed or alleged to be committed by any persons if said violation occurs solely on such designated contract market or licensed board of trade. Any agency bringing an action under authority of this section shall give notice of the action to the Commission by mailing a copy of the original pleadings or of the original indictment to the Commission no later than three business days after the action is filed, and the Commission may intervene of right in any such action at any time.

(2) Nothing contained in this Act shall affect the authority of any State to seek alternative enforcement remedies which are consistent with the Commission's jurisdiction granted under this Act, including actions as described in subsection (1) of this section, actions under a State's general criminal or civil antifraud statutes, its general consumer protection laws, or other similar laws of general applicability."●

CARDINAL KROL TO RECEIVE CITY'S HIGHEST AWARD

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. EILBERG. Mr. Speaker, I am delighted to enter into the RECORD that His Eminence John Cardinal Krol, Archbishop of Philadelphia, has been selected to receive the city of Philadelphia's highest award, the Freedom Medal.

Mayor Frank L. Rizzo has announced that the award will be presented to Cardinal Krol on July 4. The coveted award is presented to individuals who have honored our country and themselves by perpetuating the American heritage and the spirit of American freedom born in our city in 1776.

The Freedom Medal was first presented in 1961. It has been presented only four times—to President Herbert Hoover in 1961, President Harry S. Truman in 1962, Bob Hope in 1975, and Frank Sinatra in 1977.

The award was created as a special honor to be conferred upon the very few special Americans whose professional careers continue and expand American ideals.

It is presented only at the city's Fourth of July ceremonies at Independence Hall, which culminate Philadelphia's annual Freedom Week activities.

Cardinal Krol has been Archbishop of Philadelphia since 1961, when he was elevated by Pope John XXIII. He was raised to the rank of Prince of the Roman Catholic Church by Pope Paul VI in 1967.

Soon after his arrival in Philadelphia, Cardinal Krol became a major spokesman for the American Catholic Church on the moral and social issues of the day.

He has held several important Vatican positions, including Undersecretary at Vatican Council II, and membership on the Council's Coordinating Committee. In 1971, he was elected president of the National Conference of Catholic Bishops by his fellow American bishops.

In recent years, he has traveled to Ireland, Poland, Israel, Jordan, Lebanon, and Egypt, and has been called by columnist Jack Anderson "One of the world's most persistent peacemakers".

The spiritual leader of 1.3 million Catholics in the Archdiocese of Philadelphia, Cardinal Krol was born in Cleveland, Ohio, on October 26, 1910. The fourth of eight children, he was the son of John and Anne Krol.

Like his brothers and sisters, John Krol was forced by financial circumstances to spend much of his childhood working, and he has scars on his hands marking his days as a butcher's helper at 9 and a wooden boxmaker at 15.

In 1931, he entered St. Mary's Seminary in Cleveland. He was ordained to the priesthood in 1937, and in 1938 was sent to Rome to study canon law. World War II forced him to transfer his studies in canon law to Catholic University of

America, where he received his doctorate in 1942.

Upon returning to Cleveland, he was appointed seminary professor in 1942; vice chancellor, 1943; chancellor, 1951, and Auxiliary Bishop of the Cleveland Diocese in 1953, where he served until his appointment as Archbishop of Philadelphia in 1961. ●

TUITION TAX CREDIT—AN
EXPLANATION

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. BRECKINRIDGE. Mr. Speaker, on June 1, the House voted 237 to 158 (over my opposition) in favor of H.R. 12050, providing tax credits for tuition expenses. As passed by the House, H.R. 12050 provides a reduction of income taxes equal to 25 percent of tuition expenses for each student in private colleges, universities, and postsecondary vocational schools. The credit for higher education tuition would be limited to \$100 per student in 1978, rising to \$250 by 1980. Full-time and certain part-time (those taking at least one-half the course load required of a full-time student working toward an undergraduate degree) students would be eligible for the credit. For lower-school tuition credit the limit would be \$50, going up to \$100 by 1979. The bill would expire after 1980.

The Joint Committee on Taxation estimated that the bill would cost \$25 million in lost revenues in fiscal 1978, \$635 million in 1979, \$1.1 billion in 1980, and \$1.2 billion in 1981. About 70 percent of the loss would be due to college credits, 30 percent to the elementary and secondary credit.

In my opinion this bill is unconstitutional as violative of the separation of church and state clause that over the years has been one of the primary sources of our national strength.

During debate on the bill, I voted against an amendment that would have offered assistance to the parents of the more than 5 million private school students, including parochial schools. The amendment was approved by a vote of 209 to 194. My opposition was based primarily upon the fact that the provisions of the present bill are now tantamount to Government aid to religion—clearly in violation of the establishment clause of the United States Constitution, which states:

Congress shall make no law respecting an establishment of religion . . .

Recent Supreme Court decisions have stated that Government aid to primarily sectarian schools may result in excessive Government sponsorship of, or entanglement with, religion. These decisions illuminate a Supreme Court view, which I share, that below the college level, private church schools cannot prevent the commingling of their religious and educational missions. The Supreme Court has accordingly, tended to approve Gov-

ernment subsidies that aid college-level education, while disapproving tuition aid at the elementary and secondary school levels. For instance, in the Supreme Court case Committee for Public Education against Nyquist (1973), New York State designed a tuition aid program to benefit students and their parents, rather than benefiting the private schools themselves. But the Court refused to accept that argument, stating that the effect of tuition aid was to provide financial support for sectarian institutions and had the immediate effect of supporting religious education.

By a 142-to-261 vote the House rejected (with my concurrence) a second amendment which would have raised to 50 percent from 25 percent the amount of tuition eligible for a credit. The provision would have added \$843 million to the cost of the bill.

The House also rejected (with my concurrence) by a 155-to-239 vote, a substitute amendment for the whole bill, offered by Representatives MIKVA of Illinois and KETCHUM of California. The amendment would have established a program of tax deferral for college tuition, allowing parents to put off paying up to \$2,000 a year on their income taxes, to be repaid within 10 years.

I believe that President Carter's proposed \$1.5 billion extension of existing Federal scholarship and loans programs incorporated in H.R. 11274, Middle Income Student Assistance Act, introduced by Chairman CARL PERKINS of the Education and Labor Committee on March 14, may constitute a better approach. The move, partly designed to head off pressure for tuition tax credits, would increase the Federal Government's student aid spending to about \$5.25 billion. Most of the new aid would be targeted at families in the \$16,000 to \$25,000 income bracket, and could potentially increase to 60 percent the percentage of college students eligible for Federal aid. The two major Federal student aid programs which would be affected by the Carter proposal are the basic educational opportunity grant program and the guaranteed student loan program. The House on March 20 (with my support) voted 218 to 156 not to consider H.R. 11274 without having a chance to vote on tuition credit as well. The President suggested that he would veto a tuition tax credit bill because he could not accept both increased Federal direct aid programs and tax allowances for education, as well as his opposition to the tax credit bill's potential unconstitutionality. ●

TUBEROUS SCLEROSIS
ASSOCIATION OF AMERICA

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. STUDDS. Mr. Speaker, as a fellow member of the board of directors of the Tuberos Sclerosis Association of America (T.S.A.A.), you know as well as I the

terrible effects of this devastating disease on our young. I am including in the RECORD a letter to me from Mr. Raymond Connors, president of the T.S.A.A., in which he describes the horrors of the disease and argues persuasively that it should be included as a developmental disability under H.R. 12326, the Developmental Disabilities Amendments of 1978. I fully support his position and would very much like to share his compelling letter with my colleagues:

TUBEROUS SCLEROSIS ASSOCIATION
OF AMERICA, INC.,
May 18, 1978.

Cong. GERRY E. STUDDS,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN STUDDS: This letter is written with the express purpose of informing the Congress of the United States about a little known, but potentially devastating disease called Tuberos Sclerosis (TS). This disease is relevant to H.R. 12326 in that it is a developmental disability disorder. It is genetic in origin and, therefore, already present in the unborn child and continues to be present in the individual for the remainder of his/her life manifesting the following symptoms in neonatal life and then through childhood and through adolescence before the age of 22 years:

(1) Convulsive seizures; (2) Mental retardation; (3) Tumors (in the brain, heart, kidneys and other vital organs); (4) Physical handicaps; and (5) Developmental Delay.

Tuberos Sclerosis affects both males and females and may occur in all races. In any particular individual, these features may range from very mild to extremely severe. In its severe form, Tuberos Sclerosis can be very devastating, making the victim completely helpless and dependent. The incidence of Tuberos Sclerosis is really unknown since it is probably that most cases are not recognized, but is thought to be one in every 5,000-10,000 of the general population, or even higher. The importance of diagnosis is that a mildly affected or normal parent who may not be aware of having the disease, can give birth to a severely handicapped child.

In H.R. 12326, under the caption "Definitions", Paragraph (7) of section 102 reads as follows: "(7) The term 'developmental disability' means a severe, chronic disability of a person which—

"(A) (i) is attributable to mental retardation, cerebral palsy, epilepsy, autism, or dyslexia; or

(ii) is attributable to any other condition of a person found to be similar to mental retardation, cerebral palsy, epilepsy, autism, or dyslexia. . . ."

The problem with this listing of specific conditions to encompass all the known and unknown developmental disabilities is that there are special interest consumer groups who have incorporated these specific conditions into their titles, articles of incorporation, and by-laws, at both the state and federal level. As a result, these consumer agencies benefit the most by receiving the bulk of the monies provided under this legislation. It is a known fact that conditions such as Tuberos Sclerosis suffer from a lack of meaningful services. Frequently, we have heard it stated: "Since both conditions are present in Tuberos Sclerosis, it can come under epilepsy or mental retardation." This is not the case. Were this so, there would be no need for the Tuberos Sclerosis Association of America.

The specialized and individual care needed for TS victims encompassed within this target population (and there are many thousands) is and most likely will continue to be

grossly neglected under the present law. We know that this is not the intent of Congress, or of this legislation, and that is why we wish to call this matter to your attention.

Persons and families with Tuberos Sclerosis suffer from a lack of meaningful human services. Integration with existing local, state and federal service programs is essential, but lacking. Tuberos Sclerosis victims and their families require a wide variety of services, including physical, occupational and speech therapy, home and institutional care, behavior modification, genetic counseling and many others. Tuberos Sclerosis has such a wide spectrum, programs have to be modified for each individual patient. Often a Tuberos Sclerosis child has multiple problems and parents do not know what services are available. For example, seizures with mental retardation with kidney problems; partial or total loss of speech with physical handicaps and/or seizures and/or mental retardation, etc. The severe tuberous sclerosis child places a heavy burden on the family who cares for him/her physically, emotionally and financially.

Early developmental intervention is important in order to provide the child with the best possible opportunities to achieve his/her maximum potential. Unfortunately, the developmentally disabled tuberous sclerosis child is grossly neglected under the present definition for the reasons already stated. This association was founded out of frustration concerning all the aforementioned reasons and continues to grow because of these facts.

The Tuberos Sclerosis Association of America (TSAA) was founded and is headquartered in Rockland in the 12th Congressional District of Massachusetts. For this reason, we have asked our Congressman, Gerry E. Studds, to read this letter before the Full House of Representatives and submit this information into the Congressional Record. In considering this legislation (H.R. 12326), and future legislation regarding developmental disabilities, it is our hope that the entire Congress will be made aware of tuberous sclerosis and its plight.

We wish to thank the Speaker of the House and Congressman Studds, as well as all of the members of the 95th Congress for permitting and assisting us in bringing this matter to your attention by allowing this letter to be read into the record. We are grateful for this opportunity to be heard on a matter that we consider to be a most urgent concern.

Respectfully submitted,

RAYMOND A. CONNORS,
President, Tuberos Sclerosis
Association of America. ●

IRANIAN REVOLUTIONARIES RIOT IN CHICAGO, GET HELP FROM INS HEADS CASTILLO AND NOTO

HON. LARRY McDONALD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. McDONALD. The latest outrage on the American people by the Marxist revolutionaries of the Iranian Student Association (ISA) took place on May 16, 1978, in Chicago. After an afternoon of marching through Chicago's business district, ISA cadre began to unmercifully assault office workers—women and men—leaving work at Chicago's Standard Oil Building which houses the Iranian consulate on its 79th floor. Responding magnificently to the mass arrest emergency, Chicago police officers

immediately intervened and arrested 193 ISA demonstrators, charging 9 of them with battery and 189 with disorderly conduct. In the melee, 15 police officers and 20 persons not participating in the ISA's protest received injuries ranging from head cuts to human bites inflicted by the ISA fanatics.

While the Chicago police authorities acted correctly to stop the violence, Immigration and Naturalization Service Director Leonel Castillo and his Deputy Director, Mario Noto, appear to have acted to obstruct the Chicago INS civil servants from carrying out their duty to enforce the provisions of the U.S. immigration laws: actions which demand a full investigation.

Once in police custody, the ISA militants refused to identify themselves and show their documents proving that they were legally in the United States. They had already admitted that they were not U.S. citizens, but Iranians.

On learning of the arrests of aliens who refused to identify themselves, INS investigators had those not charged with battery taken to the INS offices for interviews. Only two students produced their documents showing that they were in this country legally. These were released. The others locked arms and totally resisted lawful procedure and proceeded to do \$1,500 in damage to the walls and furniture in the INS detention and interview area. Section 291 of the Immigration Act permits INS investigators to question any alien held by the police and ask them their names and how and where they entered the country. If an alien refuses to answer their questions, there is a legal presumption of illegal entry and a show cause order as to why that alien should not be deported is issued.

Nevertheless, INS Deputy Commissioner Mario T. Noto said he had received a call from INS Director Castillo who was "furious" that the Iranian student rioters had been placed in INS custody. As reported by Chicago Sun-Times reporters Charles Nicodemus and William Clements on May 20, 1978:

"That was erroneous . . . wrong . . . an unjustified action that will not be condoned," Noto said.

He said that Castillo heatedly declared that "it was absurd to do a thing like that . . . to violate human rights at a time when we are trying to tell the world we must respect human rights."

The lack of respect for human rights by the Iranian Student Association revolutionaries is a matter of extensive public record, but even Mr. Castillo and his deputy can be presumed aware of the riot here in Washington last November in which ISA members clubbed a crowd of women, children and elderly people expressing their support for the Iranian government.

When the Iranian students eventually agreed to state their names and addresses to INS officials, though they still refused to show their documents and state their place and date of entry, they were served with orders to appear at a show cause hearing regarding deportation and released in their own recognition. On Thursday, May 18, the INS Chicago office announced that the hear-

ings scheduled on the show cause warrants had been "postponed indefinitely."

On May 19, Mario Noto gave another interview to the Chicago Sun-Times reporters stating that he had grilled INS Chicago District Director David Vandersall over the Iranian Student Association riot matter. Noto bragged:

We were not satisfied with the response from Vandersall and we raised hell.

Noto told the press that—

On behalf of INS Commissioner Leonel Castillo, he had phoned Chicago and ordered the 173 students released, on the ground that their detention by immigration authorities here—after they had been taken into custody by Chicago police—had been in "Wanton disregard" of immigration law.

Castillo and Noto's attempt to bend the law to help the ISA seems not to have worked. Thirty-four INS employees, represented by AFGE Local 2718, released the following statement to the press on the affair:

PRESS RELEASE

We, the members of the union representing Federal Immigration Officials, feel that the comments attributed to Deputy Commissioner Mario T. Noto, Immigration and Naturalization Service, in the May 20th, 1978 edition of the Chicago Sun Times, are a serious detriment to the fair and equitable enforcement of the United States Immigration Laws. His statement that the action of Federal Immigration Officers—in the handling of the 173 Iranian demonstrators arrested by the Chicago Police Department were "wrong . . . an unjustified action that will not be condoned," was based upon his own opinion and not the facts as they existed in the case. Mr. Noto's order to the District Director of the Immigration Service in Chicago that the Iranian aliens be released, blocked the efforts of local Immigration Officials to enforce the requirements of the Immigration and Nationality Act.

The fact that Mr. Noto chose to criticize and condemn the actions of his own employees before he knew all the facts make his statements all the more irresponsible. Mr. Glenn Bertness, Head of the Investigations Branch of the Immigration Service, flew into Chicago from Washington on Friday, May 19, 1978, and personally reviewed the procedures and legal precedents used by the Chicago Immigration and Naturalization Office in their handling of the case. Informed sources revealed that in his report delivered to Mr. Noto on the morning of May 22, 1978, Mr. Bertness advised that all of the actions taken by the Immigration Officers in Chicago were well within the guidelines of Immigration Law and Service Policy. At this point, Mr. Noto reportedly reversed his position and agreed that the Chicago office of the Immigration and Naturalization Service handled the situation extremely well and in accordance with the Immigration and Nationality Act. Mr. Noto also suggested that deportation hearings against the Iranian aliens involved be commenced as quickly as possible.

The premature and unwarranted statements attributed to Mr. Noto in the Chicago Sun Times have done irreparable damage to the morale and effectiveness of those officials sworn to uphold the Immigration Laws throughout the United States. In his statements he tried and convicted his own employees without being aware of all the facts in the case. His subsequent reversal of his stand can in no way repair the damage done to the reputations of the officials involved.

Edward Mallon,
President, Local 2718.
Ray Roase,
Vice-President, Local 2718.

The action of INS Commissioner Castillo and his deputy in interfering with the lawful actions of INS staff faithfully carrying out the provisions of the United States Code is the second outrage stemming from the Iranian riot in Chicago. Congress has seen enough Watergate activity on the part of executive branch bureaucrats who intervene to obstruct the law.

In reviewing the evidence in this case it is clear that Castillo and Noto were aware that it is lawful for INS to take into custody aliens arrested by other agencies, and in fact, Noto acknowledged that fact in one of his own memoranda dated February 1, 1978.

The objective of their action would appear to be to obtain the speedy release of the ISA militants without proper identifying procedures or routine deportation of noncooperative cadre. In past cases, the ISA members have given false names of the "Al' Baba" variety and fake addresses when apprehended in mass arrest situations. Once released, there is a great difficulty in determining whether these "students" and their leaders, some of whom appear well past the age of the usual graduate student, are actually here legally.

The seriousness of the actions of INS Commissioner Castillo and his deputy require full investigation by both Congress and the Justice Department. Therefore I am referring this matter to Attorney General Bell and to the Judiciary Committee for action.

During the period that the Iranian Students Association members were in detention in Chicago, organizers passed around the following note in Persian which read:

Comrades, try to choose one leader for each group as soon as you can.

Never let cell be in silence, you do discussion and sing revolutionary songs, and do exercises (calisthenics).

Try your best to keep your energy for the whole time you are under arrest, because you must have the energy to do some work.

Unlimited hunger strike for everybody while staying in the cell.

Comrades, never, do not, give your real name and real address; and also give all false addresses in Chicago.

Nine persons were charged with both battery and disorderly conduct. They were:

Talebi Ali, 7887 N. Kenmore, Chicago.
Arani Ahmad, address unknown.
Masal Mohamad, 1506 Greenleaf, Chicago.
Tagavi Reza, 1725 Rosedale, Chicago.
Razvai Shapour, 510 E. 5th, Terre Haute, IN.
Berroozy Rozmm, 8025 W. Lawrence.
Rezaei Nehdi, 6333 N. Sheridan, Chicago.
Azad Amir, 5058 N. Kenmore, Chicago.
Ahandi Hohesm, 5570 N. Broadway, Chicago.

The following persons were listed by the Chicago Police Department as having been arrested in the May 16th demonstration on charges of disorderly conduct; and as having been turned over to INS investigators afterwards:

Taghavy, Hassen M/w/12 Sep 52 400 Tiger Towers Columbia, Mo.

Daraby, Ali M/W/24 Feb 53 refused address C.B. 5238906.
Dahrhan, Anam M/O/8 Jul 54 6636 N Kenmore.
Aram, Said M/O/20 Sep 53 1100 W Win-nemac.
Jazani, Bezjan M/O/1 Feb 53 1290 W Foster.
Shled, Mohsena M/O/ 28 Feb 52 refused address C.B. 5238918
Almady, Mamud M/O/25 Nov 56 1120 W. Hollywood.
Rozbeh, Hamid M/O refused 5860 S Kenmore.
Mohmady, Mamir refused 5763 N Kenmore.
Keymen, Rahim M/O/ 1958 663 W Aldin.
Abbssi, Hossin M/O/10 Sep 60 11107 Lincoln Way Ames, Iowa.
Zazad, Reza M/O/19 Feb 59 1220 W Bryn Mawr.
Mempour, Ali M/O/14 Aug 48 1360 NE 128th St Miami, Fla.
Mobarz, Mohammed M/O/ refused 5678 N Kenmore.
Mustafa, Tavassoli M/O/7 Oct 48 Ames, Iowa.
Rezaie, Mehdi M/O refused Kansas City, Mo.
Ashrai, Hamid M/O/10 Jan 48 refused C.B. 5238912.
Azime, Rahman M/O/16 Mar 59 P.O. Box 22932 Carbondale, Ill.
Amiry, Loghman M/O/23 Nov 53 1340 W Hollywood.
Jazaui, Bijan M/O refused C.B. 5238910.
Vadipove, Mansour M/O/10 Jan 52 600 E State Jefferson City Mo.
Nasser, Dozali M/O/1 Nov 57 5949 N Kenmore.
Ahna Momad M/O/11 Oct 57 2900 N Cicero.
Jahaikhmahmoodi, Ghloamirza M/O/3 Jul 51 1717 Ward Ave Huntsville.
Hamamiow, Gholamreza M/W/5 Dec 47 Atchison Kan.
Madami, Naser M/W/12 Mar 59 5801 N Winthrop.
Eehrangl, Samad M/O/13 Oct 55 5001 N Winthrop.
Danesho, Herm F/O 10 Mar 52 1420 Deluxe St.
Badtl, Mahboureh F/O 10 Dec 52 PO Box 272 Chgo Ill.
Sourhoush, Nahid F/O 26 July 53 5062 Maine.
Sackett, Mina F/O 5 Apr 58 6120 Lunt St. Mohamaed, Zahara F/O 12 Apr 51 7023 Main St.
Abrah, Mahnosh F/O 1 July 56 627 Lynn St. Iowa City I.
Azodi, Ellahe F/O 20 Sep 58 204 Sheridan Rd.
Nomzy, Pohn F/O 15 July 53 6042 Fargo.
Rastin, Homr F/O 21 Aug 58 1364 Drexel.
Rozbeh, Maym F/O 15 May 54 1919 Fargo.
Azery, ashnaf F/O 2 Mar 58 2200 W. Greenleaf.
Bretz, Lorene F/O 23 F b 56 917 W. Fargo.
Ahmady, Sima F/O 9 Jun 52 4200 W. Belmont #304.
Vatandoust, Mehan F/O 11 May 59 602 E Stoughton Champal.
Khalili, Bushanak F/O 2 July 57 6101 N. Sheridan.
Kakhsaz, Simin F/O 4 Oct 56 1334 W. Rosedale.
Jabtazi, Gita F/O 19 May 48 1160 N. Kenmore.
Shadan, Shahla F/O 23 May 58 5660 N. Ridge.
Afraz, rafat P/O 10 May 58 1334 W. Rose-dale.
Arman, Fary F/O 18 Dec 50 6205 N. Kenmore #205.
Babaki Maryam F/O 26 Mar 57 1025 N. Hollywood.
Mabzroz, Shaahla F/O 13 Apr 58 1060 N. Hollywood #302.
Abadni, Kobar ea F/O 20 May 58 1060 N. Hollywood.

Dagany, Ashraf F/O 20 Sep 56 5660 N Ridge.
Ahmandy, Gita F/O 2 Jan 59 1334 W. Rosedale.
Rabani, Ferdi F/O 21 May 57 1160 Kenmore.
Mahtab, Sina F/O 11 Feb 54 1060 W. Hollywood.
Amiri, Mina F/O 12 July 52 5660 N. Ridge.
Nahid, Rahmni F/O S May 52 5630 N. Ridge.
Roshan, Mahnuz F/O 5 Dec 57 1554 W. Rosedale.
Mebarez, Sachire F/O 2 July 59 5869 N. Sheridan.
Hepmat, Mina, F/I 2 June 1958 5968 No. Kenmore.
Mingut, Coli F/I 4 Sept. 58 1042 N. Hollywood.
Estowar, Bahar F/O 19 May 58 1060 No. Hollywood.
Fluore, Hereme F/O 19 May 60 5680 No. Leach.
Eyrmi, Ali M/O 23 Dec. 50 1616 So. East University, Minn.
Mothi, Hassan M/O 24 Mar. 53 6000 No. Sheridan Road.
EHBHAD, Delaur M/O Refused 6024 No. Kenmore.
Sachmeei, Morl M/O 11 Nov. 48 6502 No. Kenmore.
EHODRO, Shabb M/O 20 June 51 6128 No. Winthrop.
Ali, Azad M/O 11 Sept. 55 5050 No. Kenmore.
Beehram, Mohammad M/O 29 Sept. 52 1615 So. East Minnestoa University.
Zandi, Ahmad M/O 5 July 53 3031 No. Winthrop.
Tamadon, Amahd M/O 9 June 53 1200 W. Pratt.
Alipour, Ali M/O Refused 5573 No. Broadway.
Samad, Bahrangina M/O 20 May 57 5001 No. Sheridan.
Tehran, Ali M/O 1 May 42 5623 No. Broadway.
Ghsimet, Baghi M/O 10 Sept. 47 Refused.
Farhadi, Hamid M/W 3 May 51 6600 No. Kenmore.
Hamid, Fouran M/W 25 July 53 2123 No. Winthrop.
Hassan, Ali M/O Refused C.B. #5238934.
Mobarez, Ali M/O 28 Nov. 51 6334 No. Kenmore.
Lale, Javad M/O July 56 3324 No. Bryn Mawr.
Asghapi, Akbar M/O 23 Dec. 57 C.B. 5238931.
Ashraf, Hamid M/W 2 Apr. 53 6112 No. Sheridean.
Ghori, Asghar M/O 3 July 52 6502 No. Kenmore.
Javed, Ali M/O 5 Jan. 54 5042 No. Sheridan.
Mohghad, Akeer M/O 4 Nov. 47 56240 No. Winthrop.
Bofuti, Ali M/O 11 Feb. 56 5822 No. Kenwood.
Ahmadi, Houshang M/O 17 Dec. 57 2432 W. Bryn Mawr.
Rezazadeh, Hasan M/O 12 Feb. 62 5332 No. Broadway.
Danesh, Osman M/O Refused 5868 Fairview.
Hosein, Ahmad M/N 23 Nov. 55 1025 W. Bryn Mawr.
Ajianj, Mohamad M/O 10 Jan. 57 123 No. Winthrop.
Baghchi, Reza M/W 3 Mar 48 5820. No. Sheridan.
Arabi, Kazen M/O 4 Feb. 53 5639 No. Kenmore.
Makai, Mehdad M/O Refused # B65238986.
Pakravan, Bahman M/O 11 Nov. 57 1800 Ences Road, Laurshoo No.
Reza, Hasam M/O 8 June 53 Refused 5238983.
Fouladi, Chap M/O 21 Nov. 56 1912 State, Kokomo, Indiana.

Ehoram, Jamal M/O 12 Nov. 48 6132 No. Winthrop.
 Blanverdi, Raza M/O 2 Sept. 51 C.B. 5238983.
 Ismil, Mohamad M/O 24 July 30 5242 15th Ave., Cicero, Ill.
 Hosztht, Abas M/O 6 Dec. 55 2560 No. Kenmore, Apt., 314.
 Eghball, Iraj M/W 25 Oct. 50 5550 No. Kenmore.
 Molani, Omar M/O 30 Oct. 57 524 W. Foster.
 Kasemi, Ahmad M/O 12 June 57 C.B. 5238972.
 Shahad, Eddin, Shabran M/O 1 July 59 P.O. Box 1072 Rolla Mo.
 Jimovi, Behrooz M/O 21 Feb. 55 6151 No. Winthrop.
 Abrishamel, Ali M/O 8 Feb. 56 126 So. Sheridan.
 Hasani, Khosro M/O 21 Mar. 61 6253 No. Broadway.
 Barphodrdar, Akbal M/O 13 Oct. 53 5575 No. Broadway.
 Assehdoibh, Pakyaki M/I 11 May 53 2403 Cedarwood Dr. Kansas.
 Ashtain, Jalal M/O 16 Apr. 52 2563 No. Kenmore.
 Pulid, Hasan M/O 10 July 48 1305 W. Bryn Mawr.
 Parviz, Habi M/O 18 Sept. 58 5621 No. Kenmore.
 Farhadi, Hamid M/O 4 Dec. 50 6469 No. Kenmore.
 Heorashadi, Ahmay M/O 2 Sept. 52 1339 W. Early, Apt. B.
 Rezov, Maridy H/W 6 Feb. 56 5201 No. Kenmore.
 Ali, Abbei M/O Unknown 1042 W. Hollywood.
 Luri, Meni M/O Refused 2021 W. Bryn Mawr.
 Ali Mohamedi M/W 9 May 54 Huntsville, Alabama.
 Baharami, Kayem M/O 23 Nov. 52 5033 No. Broadway.
 Parkouh, Mahood M/O 4 Nov. 56 5225 No. Kenwood.
 Ahmadi, Alirsza M/W 22 June 53 1411 No. Clark.
 Zarea, Magid M/W refused 1006 W. Belmont #5.
 Mogdehi, Chasem M/O 10 June 56 2352 Red Boul Lawrence Ka.
 Eshratbadi, Abdolimi M/O 28 Apr. 52 1503 W. Bryn Mawr.
 Razmohammad, Mo. 6 Apr. 52 5080 No. Winthrop.
 Dxrlosh, Darioshi M/O 14 Mar. 61 5541 W. Belmont.
 Farrgad, Ahmad, M/W 1 Mar. 55 Belmont Avenue.
 Ecstani, Ali M/C 22 Apr. 53 5662 W. Bryn Mawr.
 Ali, Musai M/O 2 Feb. 57 197 Forest Ave. Kalhadn, Ali M/O 23 July 55 University of Alabama.
 Saleh, Teimour M/O 25 Dec. 51 Danville, Illinois.
 Pezaei, Ali M/O 11 Mar. 52 6151 No. Winthrop.
 Ghasemi, Fakahad, M/O 1959 1125 W. Bryn Mawr.
 Jbarzadgn, Esknder, M/O 12 Oct. 55 1290 W. Winnemac.
 Ahmadi, Reza M/O 17 June 51 5125 No. Kenmore.
 Reza, Ahmd M/O 9 Mar 59 4162 No. Broadway.
 Hassan, Ali M/O Refused C.B. #55239002.
 Hajpi, Eli M/O Refused C.B. #5239001.
 Asani, Edriza M/O 8 Aug 48 5052 No. Kenmore Apt 2B.
 Jaferi, Mohamad M/O 20 June 57 Columbian Missouri.
 Garkani, Ali M/W 2 Mar 53 5214 No. Kenmore, Apt. 315.
 Shihimmanousael, Mohammed M/O 16 July 51 Florida.
 Maseri, Hosain M/O June 52 Philadelphia.

Tabrizim, Behrouz M/O 26 July 55 C.B. 5238997.
 Khoran, Kamran M/C 18 Jan 51 5285 No. Sheridan.
 Mohahed, Dj M/O Refused C.B. #538995.
 Mabarbz, Rafigh M/O 25 June 54 1868 No. Clark.
 Bozar, Hasan M/O 8 Aug 54 1222 W. Bryn Mawr.
 Ahmady, Hassan M/O 4 July 57 5434 No. Campbell.
 Bablo, Ali M/O 6 July 59 6543 No. Sheridan.
 Ziazerifi, Messan M/O 23 Nov 53 6321 No. Winthrop.
 Mobarazi, Ali M/O Unknown 5729 N. Magnolia.
 Shlrsabet, Ali M/O 24 Apr 58 5540 No. Sheridan.
 Naderi, Syros M/O 12 Jan 50 22 E. State, Columbia, Mo.
 Hrai, Sadi M/W 4 Apr 52 1952 Oak Drive, Jefferson, Mo.
 Daybie, Vaid M/O 12 Dec 69 C.B. #5259057.
 Mohamzah, Reza M/O 9 June 60 1220 W. Bryn Mawr.
 Pezia, Paz M/O 25 May 49 1868 No. Clark.
 Abdoihel, Mochk M/O 26 Apr 58 2600 W. Height.
 Anzari, Mhamod M/O 21 June 56 16P Washington, D.C.
 Sagha, Mehee M/O 22 Sept 54 Decatur, Illinois.
 Jaeson, Tuva M/W August 1958 5150 Chestnut, Philadelphia.
 Ahveberl, Ahsalid M/O 18 Apr 58 C.B. #5239024.
 Kazemi, Naser M/O 22 Mar 52 Washington, D.C.
 Razi, Ali M/O 13 June 55 12 Poneh St. Shahpuori, Parviz M/O Refused 3514 W. Lexington, Alabama.
 Anlrsha, Parl M/C 23 Feb 55 7500 No. Western.
 Ishami, Tlad M/W Refused Akron, Ohio.
 Samad, Ali M/O 5 Feb 58 6552 No. Winthrop.
 Khosravy, Rozbeh M/O 28 Sept 51 1200 W. Bryn Mawr.
 Hmadi, Amir M/W 4 Oct 57 1605 16th St., Washington, D.C.
 Htai, Hassan M/W 3 Oct 57 6131 No. Kenmore.
 Mighdadi, Reza M/I 13 May 54 5340 W. Winthrop.
 Lipour, Palze M/O 15 Jan 56 5520 No. Clark.
 Bohamad, Hamad M/O 19 Aug 57 5613 No. Broadway.
 Sheshuan, Shahran M/W 4 Jan 50 6352 No. Winthrop.
 Paner, Hardan M/O Refused N. 5738 No. Clark.
 Ghahdari, Abus M/O 1 Jan 52 6029 No. Kenmore.
 Mohammade, Mabi M/O 28 Nov 58 1620 W. Winnemac.
 Shir, Douri M/O 12 May 58 4815 Holland, Elmwood Park, 1.
 Mobazl, Ragheh M/O 6 Sept 53 1812 Park Ave., Jefferson.
 Eesaie, Hosain M/O 5 Jan 54 1220 W. Bryn Mawr.
 Hassanladee, Mohammed M/O 24 Jan 54 831 Farrier Ave.

The ISA demonstration in Chicago on May 16, 1978 had started at noon at the Daley Civic Center where an F-15 fighter was being assembled for public display. Congress recently approved the sale of this fighter to Saudi Arabia, viewed by the ISA Marxists as a "reactionary" state.

A Chicago police tact team of eight uniformed men and two officers led by Comdr. Paul McLaughlin kept watch over the demonstration starting at that time. According to the records of the Chicago Police Department, the tactical

squad was assigned to monitor the ISA demonstration after the FBI circulated an "alert" noting that ISA had distributed a leaflet calling for a demonstration and takeover of the Iranian consulate. Presumably, if the ISA had not bothered to release a publicity leaflet, law enforcement authorities would not have known of the planned demonstration.

It should be noted that charges made on the CBS "60 Minutes" program on March 6, 1977, that the Chicago police intelligence unit had "spied" on the ISA were denied by First Deputy Police Superintendent Michael Spiotto who told the press that Chicago law enforcement officials "would not have any reason to have any interest in this group."

Commander McLaughlin, however, observing the militant and disciplined nature of the demonstrators, brought sufficient police officers to the Daly Center so that no chance for a violent incident arose. The ISA cadre then altered their plans and began a long march to the offices of the major Chicago area news media where they chanted their usual "Death, death, death to the Shah!" chants and complained that their cause was receiving insufficient attention.

Winding up at the Standard Oil Building housing the Iranian consulate late in the afternoon, the ISA began assaulting office workers leaving at the end of their work day. ISA spokesmen told the news media later that their victims were "agents of SAVAK," the Iranian security agency. However these claims did not appear to impress the reporters. Only one pro-Shah Iranian was involved in the events, Farshid Maham, who quit ISA recently and now belongs to the International Organization of Iranian Patriots. Maham, who was caught and beaten by the ISA cadre, said the demonstrators had been shouting in Persian, "Kill all officers; they're agents of persecution." ISA spokeswoman Sheila Khalili claimed that the violence stemmed from Maham attacking the ISA—all 200 of them.

During the street battle, the ISA cadre maintained iron control over their forces. As large numbers of police responded to a citywide emergency call, a ring of ISA hardiner cadre locked arms and surrounded the rank-and-file demonstrators so as to prevent their escaping, insuring their arrest and maximum publicity. A smaller group of cadre used the larger group as a shield from which to attack the police with poles, clubs, fists, feet and teeth. This is a maneuver common in Japanese riots. The ISA tactic was not to run through the streets in the style of U.S. radicals like the old Weathermen, but to stand and fight the police for all they were worth . . . a grave tactical error when opposing the Chicago police. Approximately 22 squadrons and two vans responded to the emergency call for assistance.

Furthermore, the Chicago police had not permitted the ISA demonstrators to march with posters on sticks which quickly become clubs in confrontations.

I would further note that the Chicago police enforced what was described to my office as "the McDonald rule," mean-

ing that they enforced the statutes banning marches and demonstrations by persons masked or disguised to conceal their identities.

As I have pointed out before, many State and local jurisdictions have these "Ku Klux Klan" statutes, as does the Civil Rights Act of 1968. The problem of enforcement is not found in Chicago.

Mr. Speaker, the event that took place in Chicago on May 16 to a marked extent contributed to the demonstration by the Iranian Student Association demonstration in Washington, D.C., on Monday, June 5.

Once again we saw illegally masked aliens disrupting the Nation's Capital, carrying posters on sticks that quickly become clubs, and putting the fear of violence into our citizens. Again we saw disciplined ranks of militant revolutionaries staging confrontations with police, with tactics that included a mass charge of police lines by arm-locked ISA radicals near the Iranian Embassy. Again the law was broken by ISA members with impunity.

Members of my office spoke with some of the ISA demonstrators who told them that many of those arrested by the Chicago police were present in this Washington demonstration which was held in coordination with protests in Europe and reportedly Iran to "celebrate" a 1963 coup attempt against the Shah's government by the leaders of these extremists. The Washington demonstrators excitedly told my office that all U.S. police were "agents of SAVAK" who "always provoke us." What kind of "provocation" caused the violence, they were asked. "They watch us; they follow us along the street," was the reply.

The ISA organizers stated that they had no concern about any action that might be taken against them by the Immigration and Naturalization Service. They said they had been told that no action would be taken against them. Further questioned on this point, a shirt-sleeved ISA leader older than the majority of the rank-and-file produced a number of press clippings from his notebook quoting INS Deputy Director Mario Noto that I have already discussed. (Chicago Sun-Times, May 19, 1978).

The most basic human right of all is the right to go about life free from threats and intimidation from organized or individual thugs. In giving free rein to the ISA's lawbreakers, officials have violated the constitutionally guaranteed rights of all American citizens and residents.

We must now address the question of enforcement of section 241 of title 18 of the United States Code, a provision of the Civil Rights Act. Section 241 is clear, precise and unequivocal both in its wording and legislative intent to make it illegal to wear masks at demonstrations. Section 241 states:

If two or more persons go in disguise on the highway or on the property of another with intent to prevent or hinder his free exercise of any right or privilege secured to him by the Constitution or laws of the United States * * * they shall be fined not more than \$10,000 and or imprisoned not more than ten years or both.

On January 24, 1978, I wrote the following letter to Attorney General Griffin B. Bell:

JANUARY 24, 1978.

HON. GRIFFIN B. BELL,
Attorney General,
Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: On January 9, 1978 I wrote to the U.S. Attorney for the Southern District of New York regarding an upcoming demonstration by the Iranian Student Association in New York City. In this letter I informed Mr. Fiske that I had reason to believe that Title 18 of the U.S. Code, Section 241 would be contravened. (A copy of my letter is enclosed).

I do not believe that Mr. Fiske took any action; he certainly did not respond to my letter, and, in the event the law was broken, as is shown in photographs taken by a photographer for the Review of The News covering the demonstration.

It would appear that members of the Iranian Student Association, resident aliens in the U.S., are being allowed to break the law with impunity. My information is that further demonstrations will be held on or about February 8 by this revolutionary organization, and that again our laws will be broken.

May I please hear from you, within the next seven working days, why the U.S. Attorney for the Southern District of New York ignored my letter; may I also have an assurance that you will move to have the law enforced in this matter at any upcoming gatherings of the Iranian Student Association.

Should, for some reason it be decided that Title 18, Section 241 as it relates to Iranian nationals, be unenforceable, would your Department advise the Congress accordingly so that the Code may be amended?

Sincerely,

LARRY P. McDONALD.

Two months later, a reply was received from Assistant Attorney General, Civil Rights Division, Drew S. Days III, and a Maceo W. Hubbard, a supervisory trial attorney of the Criminal Section. Their letter indicates either a lack of knowledge of the law, contempt for the law, or a political decision to encourage the Iranian extremists through providing immunity to the law.

According to Days and Hubbard:

We have concluded that this statute is not applicable because the activities of these demonstrators have not deprived any citizen of a federal right *** secured by the Constitution, or laws of the United States. *** In the absence of evidence that a United States citizen was deprived of such a federal right, this Department has no jurisdiction * * *.

The Justice Department officials have chosen to ignore the fact that ISA rioters, wearing their masks, beat and clubbed a group of persons who were peacefully assembled to welcome the Shah on his visit to this country and that the rights of not only native Americans, but also of naturalized citizens and resident aliens are protected under our laws. They have ignored the fact that the ISA contingents were armed with clubs, that they moved in a disciplined mass to attack the pro-Iranian group at a signal, and that this has been a consistent pattern of behavior on the part of the ISA chapters.

During the past 3 months a very considerable quantity of evidence has been developed by law enforcement agencies and provided to my office that clearly

documents the foreign control and violent proclivities of the ISA and which totally rebuts the conclusions reached by the Department of Justice.

In view of this evidence and the continuing problem of the ISA to public order and to our internal security, I am asking the chairman on the Judiciary Committee to hold hearings at which Mr. Drew and Mr. Hubbard can offer an explanation of their conclusions, and witnesses well informed on the ISA can be called to provide public testimony on oath regarding the threat that this group poses to the country. ●

IRRELEVANT WEEK IN NEWPORT BEACH, CALIF.

HON. ROBERT E. BADHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. BADHAM. Mr. Speaker, each year at this time a dubious honor befalls the 40th Congressional District of Columbia. An event of such nonmagnitude and insignificance takes place, causing the public's business to be laid aside. Congressional activity as it relates to the 40th district must, of necessity, show so that this less important matter can be considered.

It is now the time, Mr. Speaker, for Irrelevant Week in Newport Beach, Calif., during which all eyes are focused on a great American summer rite, the toasting of one of America's least known football players, whose chances of sudden and lasting gridiron immortality can be likened to the famous quotation from Shakespeare's "As You Like It";

All the world's a stage and all the men and women merely players. They have their exits and their entrances. . . .

So it will be with Lee Washburn, whose entrance and exit on to the stage of life will be during 1 memorable week.

Washburn, as surely everyone knows, was 334th (and last) draft choice in the 1978 National Football League draft, having caught the eye of the Dallas Cowboys scouts. Why, nobody knows, except that the chart calls for a 334th player to be drafted.

Washburn is an offensive lineman, who weighs 248 pounds, stands 6 feet, 6 inches tall and has never been out of Bozeman, Mont., home of the Montana State University Bobcats, unless you count road trips to play the worthy opponents of MSU in the Big Sky Conference such as East Idaho Institute of Technology, Laramie Normal Teachers College, North Dakota Barber College, and the Wyoming School of Beauty.

No wonder a guy who weighs 248 was voted all-Big Sky Conference by his opponents. For example, Ed Troxel, East Idaho head coach, said "Lee (Washburn) is one of the most outstanding athletes we've ever faced. He possesses good size, speed, and mobility"—even if in the wrong direction. As a pulling guard, he had great propensity for moving to his far right, never mind that the play usually went left.

So now Lee Washburn has been drafted by the Dallas Cowboys. He can put away such necessities of life in Montana as snowshoes, fur-lined boots, and dog sleds and head for the sunny climes of Texas, where sunstroke abounds.

But whether or not Lee Washburn makes the taxi squad, the goon squad, or the traveling squad, his name will be immortalized, if only in this RECORD. Because here it has been chiseled in stone that Lee Washburn symbolizes the greatness of this country, where an obscure guard from Bozeman, Mont., whose name has been flashed from coast-to-coast by radio, television, and newspapers as the 334th NFL draft choice, will play his role on the stage of life.

At least in Newport Beach, Calif., the draft lists are read from the bottom up. I am proud to stand before my colleagues in this august body today to join Lee Washburn's many new found friends, who will disappear quickly when the check arrives, in paying homage to the Newport Beach Irrelevant Week Football Player of the Year, or whatever that crazy title is that they bestow each year.

In fact, if it weren't for Lee Washburn and the bit players of the world, it would indeed be a mighty sorry place for us all. So my hat is off to Lee Washburn; only trouble is, I don't wear a hat.●

ISAAC ZLOTVER

HON. MICKEY EDWARDS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. EDWARDS of Oklahoma. Mr. Speaker, it is with great sadness that I call to the attention of this body today yet another affront to the basic human rights of mankind. It is the story of Isaac Zlotver, a Soviet Jew, whose pleas to be reunited with his loved ones and family in Israel have five times been denied. It is the story of a man who has suffered extreme personal deprivation and disappointment. It is also further indication of the disregard the Soviet Union has had toward the Final Act of Helsinki.

The story of Isaac Zlotver is, unfortunately, not an uncommon one in the history of the Soviet repression of Soviet Jews. Born Russian in 1919, Isaac Zlotver has never been anything less than an ideal patriot. He served gallantly against the Nazi threat in World War II and distinguished himself in battle. His heroic exploits earned him many medals, as well as the ring of lieutenant colonel. He further served the Russian people as an engineer, working on the development of electric power stations until 1964. Between 1964 and 1974, he worked again as an engineer . . . but lost his position immediately after applying to emigrate to Israel. Isaac and his wife gave Russia their creativity, their strength, their courage, their years, and their lives.

Until last year, Isaac Zlotver had a simple desire; for he and his wife, Dina,

to be reunited with their son, daughter, and grandchild (whom they have never seen) in Israel. The machinery of the Soviet State has destroyed this final request. Dina, ill with cancer for the past several years, died in July 1977. With her death the fulfillment of Isaac's dream will be, at best, an empty gesture.

Isaac Zlotver has now been refused emigration five times. The original claim that Zlotver possesses "state secrets" has now been dropped. No reason at all was given for his latest refusal. Consequently, Isaac Zlotver remains a lonely man, unable to find work, ostracized by the Soviet system, and separated from his friends and family.

The story of Isaac Zlotver once again illustrates that the Soviet Government has regarded the human rights provisions of the Helsinki Accords as empty promises. Religious freedom, minority rights, free travel between countries, and, most of all, the reunification of divided families whose members live in different countries are the basic tenets of these provisions.

Let us resolve today, as Americans, to continue our "vigil for freedom," not only for the oppressed Jews in the Soviet Union, but for all peoples in the world. Let us resolve that until all people are granted religious freedom, that until all minorities are granted basic civil and human rights, that until the unification of all divided families is accomplished, that we shall stand united with all of our resources against all who assault the fundamental premises of humanity.●

WOODWARD AND BERNSTEIN
WHERE ARE YOU?

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

O Mr. SYMMS. Mr. Speaker, today in the debate on the HEW appropriation bill, I posed the question to Mr. MICHEL of Illinois, about \$7 billion lost at HEW.

I am of the opinion that the national news media who have a fit if the Pentagon should lose even \$7 million overlooked this.

I commend the following "Battle Line" article by John Lofton to the RECORD: HEW'S WATERGATE: \$7 BILLION DOWN THE TUBE; WHERE'S WOODWARD AND BERNSTEIN WHEN WE REALLY NEED THEM?

(By John Lofton, Jr.)

("It is not enough to be busy. The question is: what are we busy about?"—Henry David Thoreau quote, framed and hanging on the wall of Secretary of Health, Education and Welfare, Joseph Califano.)

WASHINGTON.—On April 3, Secretary of Health, Education and Welfare, Joe Califano, announced the Watergate of Washington waste stories—that his department had "misspent" between \$6.3 and \$7.4 billion in Fiscal 1977 due to waste, fraud and abuse. The report Mr. Califano was quoting from, which was given to him by HEW's Office of the Inspector General, stressed that these figures are "no more than an initial inventory" and they portray "a conservative measure of the extent of fraud, abuse and waste

in key HEW programs, and their causes." Unfortunately, these HEW statistics cannot be compared to similar rip-offs in previous years because the Inspector General's report is the first of its kind.

Commenting critically on this massive amount of tax dollars that disappeared down the Federal rat-hole, the *Washington Star* editorialized that the HEW report "should have ignited outrage from Puget Sound to Cape Charles." And, indeed it should have. Even in this city, where hard-earned tax dollars are valued on a par with water, seven billion bucks is a lot of dough.

In order to waste \$7 billion in a year, HEW had to misspend \$19 million a day, everyday, for 365 days. Seven billion dollars is the total combined income taxes paid by 5,000,000 households with an income of \$15,000 each. This figure is equal to the total amount of income taxes paid by the residents of: Alaska, Delaware, Hawaii, Maine, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, South Dakota, Utah, Vermont, West Virginia, and Wyoming.

Seven billion dollars is equal to the Gross Domestic Product of Ireland; it is twice the GDP of Ethiopia and three times the GDP of Luxembourg; and it is four times the Net Domestic Product of Hungary, five times the NDP of Poland, and 12 times the NDP of Yugoslavia.

The *Star* says the HEW report "should" have ignited outrage from Puget Sound to Cape Charles, but it didn't. In fact, after one day this incredible story sank from sight with only a "whimper," as the newspaper put it.

The *New York Times* noted the HEW report in a six-inch article at the bottom of page 18. The *Washington Post*, in a four-inch story, played it at the bottom of page 2.

The three networks showed even lousier news judgment. NBC reported the HEW scandal ninth among its 17 news items, giving the \$7 billion rip-off one minute and 31 seconds. The fourth news report NBC carried this night, was a one minute and 37 second story about John Wayne's open-heart surgery. The network closed out its Nightly News with a two minute and nine second story about an American woman who had begun a bull-fighting career in Mexico!

On CBS, among the 21 news stories reported on, the HEW revelation ranged number 13 and ran one minute and 42 seconds. In 10th 11th and 12th place, CBS reported on: The L.A. police release of a "Hillside Strangler" suspect (1:51); Alabama Gov. Wallace's meeting with the Federal Election Commission (19 seconds); and a trip to Miami by Richard and Pat Nixon (27 seconds). The Evening News ended its program with a one minute, 47 second piece on the first broadcast session of the British parliament.

Last, and certainly least, among its 15 stories, the ABC Evening News played the HEW horror story eighth, giving it a whopping 27 seconds! In 10th place, the network gave six times as much air time—two minutes, 50 seconds—to a report on how women are now dominating the movies. And in 14th place ABC gave two minutes, 33 seconds to a story about the danger posed to marijuana smokers by the chemical poison paraquat.

In Congress, the reaction to HEW's wasting of \$7 billion has been just as pathetic as that of the national news media. The only person who raised any real hell was Sen. Harry Byrd, Jr., of Virginia, who made a couple of speeches. Noting that HEW's current budget request is 13 percent higher than last year, Byrd introduced two amendments: one would have cut the Department's budget by \$5.6 billion, the other would have cut it by \$2.1 billion, one-third the amount HEW admits it wasted last year. Both amendments were voted down.

So, what does it all mean? Well, one thing

it obviously means is that there is a double-standard in this town when it comes to waste in the military versus waste at HEW. Does anyone doubt the hue and cry that would have been raised had Defense Secretary Harold Brown announced that his Department had squandered \$7 billion last year? Why, the networks would have reported this event live, interrupting regular programming with bulletin-like coverage, the papers would have launched a page-one 98-part series on this atrocity, Woodward and Bernstein would now be working on a book, and Dustin Hoffman and Robert Redford would be reading scripts for their new movies, "All the Pentagon's Profligates."

A taxpayer's dollar wasted is a taxpayer's dollar wasted. The fact that the news media has failed to react to the scandal at HEW the way it has, belies a bias which the press says it does not have. But, in this case, their lack of words and actions speak louder than anything they might say in their defense—which thus far, has been nothing.

The following are verbatim excerpts from the Department of HEW's Office of Inspector General, Annual Report, April 1, 1977—December 31, 1977:

MEDICAID

Expenditures under the Medicaid program approximated \$9.8 billion in Federal funds during FY 1977. Of this amount we found estimates that as much as \$2.3-\$2.6 billion might be misdirected because of fraud, waste and abuse.

| General description: | Amount (millions) |
|---|--------------------|
| Payments to ineligible recipients..... | \$330-660 |
| Fraud and abuse..... | 468 |
| Third party liability losses..... | 330 |
| Erroneous payments..... | 110 |
| Common audit..... | 50 |
| Quarterly expenditure report reviews..... | 17 |
| Audit exceptions..... | 18 |
| Other excessive health care costs..... | 937 |
| Total..... | 2,310-2,640 |

(1) Payments to Ineligible Recipients (\$330-660 million)—Ineligible payments are based on a review of a sample of paid claims and information submitted by 47 States and jurisdictions for the period from April-September 1976 and projected to FY 1977 dollars.

(2) Fraud and Abuse (\$468 million)—The Subcommittee on Long-Term Care of the Senate Special Committee on Aging, reports that Medicaid fraud and abuse exists on a massive scale. This conclusion is based on their study of Medicaid provider in five States involving 100 "Medicaid Mills" (mostly in New York City), 60 physicians and \$15 billion in Medicaid expenditures (55 percent of 1975 Medicaid expenditures in the U.S.). Also, involved, a separate subcommittee study of 21 medical labs, 50 medical clinics and 50 or more physicians in the State of Illinois. This latter review included information on fraud and abuse investigations of clinical labs in other States. They report that all parties in the program, i.e., Providers, Clinical Laboratories, Pharmacies, Nursing Homes, and recipients have been affected.

\$423 million of the \$468 million applies to providers—The subcommittee staff report entitled "Fraud and Abuse Among Practitioners Participating in the Medicaid Program" states that, of the \$2.2 billion that flows through Medicaid mills, roughly 35 percent (\$770 million) is pocketed by entrepreneurs "who essentially provide no services." Of this amount, they estimate \$220 million is in-

volved in outright fraud. Another \$550 million results from overutilization of services. The Federal portion of these payments in the States reviewed averages roughly 55 percent—thus our estimate of \$423 million (55 percent x 770 million). There may be some duplication in the above figures in that certain fraud and abuse cases may also fall under the category of "payments to ineligible." However, it is our feeling this would involve a small percentage of the totals. The fraud and abuse figures concern mainly overutilization of services to recipients in Medicaid Mills—their eligibility was not the main issue. We recognize, however, that some of these recipients may have been ineligible.

The abuses most frequently found in Medicaid Mills are referred to as: ping-ponging, ganging, upgrading, steering and billing for services not rendered. The following briefly describes these practices which were actually found during an investigation by the Special Committee Staff. (The study did not provide a breakdown of the \$423 million by each of the following practices.)

"Ping-ponging" is the term applied to the most common mill abuse, the referral of patients from one practitioner to another within the facility, even though medically there is no reason for the referral.

"Ganging" refers to the practice of billing for multiple service to members of the same family on the same day when, in fact, only one person needs treatment.

NOBODY COMPLAINS ABOUT GOVERNMENT RIP-OFFS

"The biggest problem is that when the consumer is victimized, he complains. When the government is victimized, nobody complains."—Justice Department lawyer, quoted by UPI reporter, Don Lambro, in an article about waste in government. ●

PROTEST INDICTMENT OF FBI PERSONNEL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. BOB WILSON, Mr. Speaker, our Constitution guarantees the right to privacy to all our citizens, but there are those who hide behind the Constitution to carry out their criminal activities.

At the same time, our system of justice outlaws practices by our law enforcement agencies to counter such actions by fighting fire with fire, and condemns our law enforcement officers for any such efforts.

I think this is totally unfair and commend to the attention of my colleagues the following resolution adopted by the East San Diego County Republican Business Women, Federated as a statement of the inequality of the present system and an indictment of the prosecutions of loyal enforcement agents who were trying to do their job.

Resolution follows:

RESOLUTION IN PROTEST OF INDICTMENT OF FBI PERSONNEL L. PATRICK GREY, W. MARK FELT, EDWARD S. MILLER

Whereas: the Republican Party is dedicated to the preservation and protection of this great nation and its citizens, and

Whereas: history continues to prove that when a Nation's National Security, Welfare and Defense is threatened, the survival of that Nation depends on the ability of its in-

telligence organizations to determine and combat the capabilities of the enemy, and

Whereas: the Weatherman organization proclaimed its objectives to be the overthrow of the United States Government and publicly admitted to acts of terrorism including the bombing of private and public buildings, including the United States Capitol, and

Whereas: the Department of Justice has indicted three former high ranking FBI officials; and

Whereas: the Department of Justice has charged former Director, L. Patrick Grey, W. Mark Felt and Edward S. Miller with authorizing surreptitious entries in the FBI investigation of the Weather Underground, and

Whereas: such actions by the Department of Justice have a deleterious impact on the ability of all enforcement agencies to investigate, ferret out and combat the overthrow of the United States Government by such terroristic organizations: now therefore, be it resolved, that the East San Diego County Republican Business Women, Federated, in session, May 18, 1978, urges immediate and appropriate action by the President of the United States, the Attorney General, and members of the Congress to terminate pending and existing indictments and/or prosecutions of FBI agents whose performance of duty has been of the highest quality in the defense of their country, and

Be it further resolved, that failure to end these unprecedented and unjustified prosecutions of FBI agents while rewarding the illegal actions of others through pardons and amnesty can and will benefit the criminal and subversive element of our society and deter all effective law-enforcement and intelligence agencies from performing those functions imposed upon them by Presidential order, and

Be it further resolved: that this resolution be forwarded to the President of the United States, the Attorney General of the United States, to members of the United States Senate, to members of the United States House of Representatives, to the San Diego County Federation of Republican Women's Clubs, and released to the news media.

Adopted by the East San Diego County Republican Business Women, Federated this 18th day of May, 1978.

YVONNE R. GRANTHAM,

Vice President. ●

HYDE AMENDMENT TO LABOR-HEW APPROPRIATIONS BILL

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. FREY, Mr. Speaker, since the House will tomorrow vote on the Hyde amendment to the fiscal year 1979 Labor-HEW appropriations bill (H.R. 12929), I would like to make my position clear.

During the many votes we have had on the abortion issue, I have continually supported the Hyde amendment. As the Members know, that measure would prohibit Federal funding of medicaid abortions except in the case where the life of the mother would be endangered if the fetus were carried to full term.

I have been on record for many years opposing federally funded abortions, and want my constituents and colleagues to know I have not changed my mind. ●

PROFESSOR LAFFER AND THE
"NEW ECONOMICS"

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. KEMP. Mr. Speaker, it is the good fortune of both our national economy and of the American people that Prof. Arthur B. Laffer, of the University of Southern California, is now being universally recognized for his articulate and convincing espousal of supply side economics and permanent tax rate reductions as the surest and best means of achieving an expansion of our economy without inflation. The good fortune is that this recognition is but a precursor of such a broad acceptance of that concept that its enactment is inevitable. The only question is when. Today in California there is new hope because of passage of the Jarvis amendment and there's hope in New Jersey as Jeff Bell's victory reflects the growth in acceptance of Laffer's economic and political model.

If there is one issue which transcends politics today, it is the absolute necessity of finding answers to our economic problems that do not involve more of the same Keynesian "stop and go" solutions and that get us off the horns of the inflation-versus-unemployment dilemma in which the Keynesians have put too many of our policymakers. Professor Laffer, by his description of economic activity in relation to the level of taxes through what has become known as the Laffer curve, has shown Congressmen and legislators why tax rates must be reduced in order to revitalize the economy and broaden the tax base.

An informative article in Sunday's Los Angeles Times by Roger Smith relates how Professor Laffer developed his concepts, how the Laffer curve describes the relationship between economic activity and taxes, and what tax laws modeled on the Laffer curve will do to rebuild this economy. That article follows and points out the Keynesian answer to unemployment is as unacceptable as is the Keynesian answer to inflation. We need new answers based on the way the world works and Laffer is showing the way. [From the Los Angeles Times, June 4, 1978]

LAFFER: THE NEW ECONOMIC GURU
(By Roger Smith)

Three years ago Business Week magazine pictured an empty chair on its cover, surrounded by drawings of the world's great economists of the past 100 years, from Karl Marx to John Maynard Keynes. The caption said, "Past economic giants: Who will be next?"

A growing number of businessmen and politicians believe they have found the man to fill the chair: Arthur B. Laffer, professor of business economics at the University of Southern California.

Laffer is relatively unknown to the public, but he is regarded in academic and political circles as the kingpin in a new economic school which blames most of the nation's economic ills on one highly visible fact of life: taxes.

He speaks regularly to enthusiastic audiences of businessmen. He is consulted fre-

quently by politicians, and Republicans especially adopt his ideas as their own. There has been speculation in Washington that Laffer's theories may result in a Republican rebound at the polls in November.

Rep. Jack Kemp (R-N.Y.), for example, is building a substantial following by quoting Arthur Laffer and is now one of the most sought-after lecture circuit personalities in Congress. He incorporated pure Laffer in his Kemp-Roth bill to cut taxes by \$75 billion over three years.

"Laffer has had more quick impact on national politics than any economist since Keynes in the 1930s," says Charis Walker, a former assistant secretary of the Treasury and now an influential Washington economic consultant.

Laffer preaches an economic gospel emphasizing the supply side of the economy, in contrast to Keynesian or monetarist models which stress the effects of demand.

Most monetarist and Keynesian economists contend that demand, controlled either by the amount of money in circulation or government spending, drives the economy. Laffer acknowledges the importance of demand, but argues that the incentive to create a supply to meet the demand is just as important.

And the vehicle to create incentives is tax cuts. The "Laffer curve," Laffer's chief instructional tool, theoretically demonstrates that if taxes exceed a certain level, investment and productivity will fall off. That in turn will lead to lower tax revenues.

The point at which higher taxes reduce the actual collection of revenues is not clear. Laffer and his followers define it simply as the point at which taxes become so heavy they begin to diminish incentive. On the curve, it appears to be at a tax rate of 50%. In fact it could be higher if the public perceives a need for maximum production and taxes, as in war. Or it could be much lower.

"At this time we are well past that point in California, and in the nation as a whole," Laffer says. Tax revenues continue to increase today because of other factors, including general expansion in the economy. But Laffer argues that a cut in taxes today would result in even more tax revenues.

A more conventional economic theory would hold that if demand is strong enough, investments will be made to meet that demand. But Laffer is winning important converts. Even Federal Reserve chairman G. William Miller has called for a "shift in philosophy"—from managing demand in the economy to managing and stimulating investment.

Laffer argues forcefully that his theories apply to incentives for individuals as well. Anything that can be done to shrink the "wedge" that taxes and government regulation drive between gross and real earnings should improve an individual's desire to work, Laffer says.

"It is the poor who are taxed the most heavily," he says. He is now working up data on the effect of taxes on the labor markets. One startling local example: A family of four in Los Angeles County could receive maximum welfare benefits of \$718.33 a month. But if one member earns \$100 a month, the family's income will reach only \$759.42 as benefits are scaled back. "That is a 59% tax rate," Laffer notes.

The results, he claims, are a disincentive to work and the deterioration of inner cities. Lower minimum wages and lower taxes are part of the answer, he says.

Laffer brings a degree of messianic fervor to his message. The approach is effective in dealing with both students and politicians. Students from Laffer's three classes at USC frequently pop into his sixth floor office, seeking advice or conversation.

He invites them in among stacks of

papers on the desk, chairs, floor. Each request is greeted with an enthusiastic yes, or a regretful no. He puffs an occasional cigarette and races from one concept to the next, stitching them together in a bedazzling manner. "Do you follow me?" he asks earnestly. Some do. "Tell me I'm full of it if that's what you believe," he urges. But these days, he gets more applause than arguments.

Laffer, 33, is clearly one of USC's most active faculty members. He makes 35 cross country trips a year, usually to Washington to talk to such politicians as Kemp, or to Boston, where he is a partner in the economic consulting firm of H. C. Wainwright & Co.

Before coming to USC in 1976, Laffer was an associate professor of business economics at the University of Chicago, where monetarism is the principal theory. He received his bachelor's degree from Yale, and taught at Stanford, where Keynesian theories are dominant. "I've been both a Keynesian and a monetarist," he says. He now defines himself as a Walfranian, after a classicist Austrian economist of the 1880s, Leon Walras.

He is a proponent of Proposition 13, the property tax limitation initiative, "but not for all the 'old right wing' reasons. I want to see needed government spending increase. A reduction in property taxes will mean expansion, new jobs, more investment, and finally higher tax revenues."

But Laffer's tax cut advocacy is drawing some stinging retorts.

"My feeling is that tax cuts are a good thing when there is slack in the economy," says Walter Heller, chairman of the Council of Economic Advisers under President Kennedy and Johnson. "But the idea of infinite expansion of supply to match the demand cut loose by tax cuts flies in the face of common sense, arithmetic and economic reasoning."

Laffer also is accused by other demand-oriented economists of cutting corners in his arguments. In his case for Proposition 13, for example, Laffer chooses to ignore the effect of a 2% per year limit on increases in assessed values on the grounds that it might be illegal. "That is an appalling way to justify a position," one opponent says.

Laffer's arguments are destined for more strenuous tests. The American Council on Capital Formation and IBM have granted \$170,000 for testing a full scale economic model based on the Laffer curve.

"If the model proves accurate," says Washington economic consultant Walker, who chairs the council, "it will have a profound influence on what is taught in basic economics." ●

SOVIET ANTI-SEMITISM

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Ms. HOLTZMAN. Mr. Speaker, a May 25 article by Herbert Mitgang in the New York Times points out that the virulent anti-semitism in the Soviet Union has reached into the publishing industry there. Mr. Mitgang notes that blatantly anti-semitic books and magazines are being published in the Soviet Union with the acquiescence, and in fact the encouragement, of the central government. I commend this important article to my colleagues' attention.

The text follows:

SOVIET BOOKS FOUND FULL OF ANTI-SEMITISM (By Herbert Mitgang)

American analysts of Soviet books and magazines find a link between the severe sentence for "anti-Soviet agitation" imposed on Yuri F. Orlov, head of the Moscow group exposing human rights violations, and recently published materials that are openly anti-Semitic and anti-Zionist in tone.

"The outpouring of anti-Jewish expletives by hooligans outside the trial had its roots in the publications that are still proliferating," according to Dr. William Korey, director of the B'nai B'rith International Council. "The verbal anti-Semitism was first planted in books and articles. I expect that the connection will be even sharper when they bring Anatoly Shcharansky to trial in the next weeks." He was alluding to a reported incident near the Moscow courthouse in which a woman shouted at a dissident, "You have a kike's snout."

Dr. Korey observed that while Mr. Orlov had been tried for "agitation" under Article 70 of the criminal code, Mr. Shcharansky might be accused of the harsher crime of treason under Article 64.

20 ANTI-SEMITIC BOOKS PUBLISHED

Since 1975, according to specialists attending a meeting of the National Conference on Soviet Jewry a few weeks ago, more than 20 anti-Semitic books have been published in the Soviet Union. Most of these, in editions of 100,000 to 200,000, are in the guise of anti-Israeli or anti-Zionist studies.

Prof. John Armstrong of the University of Wisconsin said the materials did not distinguish between Zionist and Jew and blended "The main features of traditional anti-Semitic propaganda, as developed from the Middle Ages through the Nazi press, with Soviet cold-war clichés in which Jews, Zionists and Israeli replace the Western powers as archvillains."

"Wild Wormwood," published by Sovetskaya Rossiya in Moscow, includes chapters with such titles as "The Nazi Butcher Saved by the Zionists" and "The Oldest of Traitors." More than half the book, written by Teskar Solodar, first appeared in widely circulated newspaper articles.

The theme that Jews collaborated with Nazis during World War II appears in several books, including "In a Plot With Executioners," "The Black Hundreds of Zionism" and "Judaism, a Past Without a Future."

ZIONISTS LINKED TO ANTI-SEMITES

One of the most virulent volumes, according to B'nai B'rith analysts, is Vladimir Y. Begin's "Invasion Without Arms," published last October by the Molodaya Gvardiya, the publishing house of the Young Communist League. The book includes such statements as these:

"As before, today, too, the Zionists cooperate even with rabid anti-Semites, former Fascists, thugs and stokers of the Nazi crematoria."

"The Israel that has been created by the Zionists is a predatory octopus whose tentacles—the Zionist organizations—have enmeshed half the world and sucked out the sap of life from various countries, i.e., millions in funds created by the labor of workers and peasants."

"The bourgeois press of a number of capitalist countries in Europe and in America at present is full of Zionist agents, and is bribed by Zionist money, and defends Zionist interests."

BYELORUSSIAN BOOK RECALLED

The Institute of Jewish Affairs in London has called attention to a previous work by the same author, "Creeping Counter-Revolution," published by Belarus in Minsk in 1974.

British study group reprinted excerpts from the book, in a translation by Dr.

Howard Spier, pointing out that "contrary to the provisions of the Soviet constitution and law, the publication of anti-Semitic material is a regular occurrence."

The institute analysts added that protests in the past, by private and political groups in the West, including Communist parties, has sometimes compelled the Soviet authorities to disown and withdraw objectionable works. ●

BRONX BUDDY BUZZER SYSTEM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. BINGHAM. Mr. Speaker, I would like to bring to the attention of the House the innovative work being done by community groups in the Bronx. Much of this work will soon be expanded through a grant from the Law Enforcement Assistance Administration to the Northwest Bronx Community and Clergy Coalition, Inc.

Deserving of especial note is a program which has been instituted in a number of Bronx communities known as the Buddy buzzer home security program. The program involves the installation of an alarm system connecting a senior citizen's apartment with the apartment of a next door neighbor. The system has promoted neighbor-to-neighbor cooperation and support. It has reduced the feelings of isolation and loneliness which burden many of the elderly and has made them feel more secure in their own homes. The buzzers may be used by the senior citizen to summon help immediately in case of a crime or health-related emergency. The following article in the New York Times of March 9, 1978 is an excellent description of this successful program and I commend it to the attention of my colleagues:

[From the New York Times, March 9, 1978]

BUDDY-BUZZERS AID AGED LIVING ALONE

(By Matthew L. Wald)

Sixty-seven years old, living alone in a first-floor apartment in a Bronx neighborhood that she says "isn't getting any better," and moving only with the ponderous clumping of a walking aid, Mrs. C. is particularly vulnerable to crime and illness.

She used to worry about that, but feels better now because help is available at the touch of a recently installed switch. Should she become sick, or should someone break in, she can instantly alert her 87-year-old neighbor, Mrs. L.

"I feel a great deal more safe now," said Mrs. C. The two widows are one of almost 30 teams—each comprising two to five neighbors—in a pilot "buddy-buzzers" program. The system, which has been provided free to the tenants, has alleviated the fears of older people.

The buddy-buzzers are so cleverly concealed that they can be activated in the presence of an intruder without attracting his attention, setting off a doorbell-like buzzer in the apartment of a neighbor. (To maintain the effectiveness of the system, the method of setting off the buzzers must remain a secret. The system's users, who feel they are tempting prey for robbers, also requested anonymity.)

The neighbor knows by prearranged signal

whether to check on the buddy or call the police emergency number—911—first. The participants have been trained to give the necessary information quickly, and hold practice drills.

"With all the publicity about crime," said Toni Downes, director of the Citizens Advice Bureau, which picks apartments for the buzzers, "the effect has been to create fear of the neighbors." Some older people want to move but can't afford the rents elsewhere, she said, and others want to stay put in homes they have lived in for decades.

The greatest fear is of "push ins," when a young mugger accosts an older person at his apartment door, forces his way in, robs the apartment, and sometimes assaults his victim as well. According to Detectives William O'Brien of the 46th Precinct—which covers most of the Grand Concourse corridor in which the buddy-buzzers are being tested—push-ins involving the elderly are relatively rare, less than one a month, "but they're defenseless, and they worry."

So far, the benefits of the alarm system have been only emotional, because there have been no push-ins in the apartments equipped with buddy-buzzers. But Detective O'Brien thinks they have proven valuable already.

"These things are hard to measure, but psychologically there is a world of difference," he said.

"They find it a tremendous value," agreed Sister Annunciata Bethell, head of the Bedford Park Multi-Service Center for Senior Citizens, which helps select buddy-buzzer teams. "They know they can contact someone if they have to."

The closest a system has come to emergency use, according to Sister Annunciata, when one woman returned to her apartment in the afternoon and realized from the shambles in the living room that it had been burglarized. She was terrified.

"She didn't know if they had finished the job, or were still there, in the bedroom," said Sister Annunciata. "She was so shocked she just stood there and set off the alarm, and people came running. She had instant support."

Officials also stress the benefits of a simple alarm in medical emergencies. "If you're having a heart attack, you can't deal with seven numbers on a telephone," Sister Annunciata pointed out.

And another advantage of the buzzers is that they attack isolation. "Instead of using an alarm system that locks people away from their neighbors, this establishes links," said Theodore Jefferson, assistant director of the Senior Citizens Minor Repair Program, who supervises the installation of the buzzers.

The Minor Repair Program, at 120 East 184th Street, installs the buzzers in locations chosen with the Citizens Advice Bureau, a few blocks away at 2103 Grand Concourse. The buzzers are free to the tenants, and are paid for by a \$6,000 grant from Manufacturers Hanover Trust Company, and \$400 from the Citizens Committee for New York City. ●

INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES OPPOSE OSHA INTERVENTION IN HUNTING

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. ASHBROOK. Mr. Speaker, I include with these remarks a letter received from the International Associa-

tion of Fish and Wildlife Agencies. This sportsmen's group clearly indicates that there is little reason for the apprehension of OSHA in moving into the forest, field, and stream to bring their ill-conceived protective umbrella for workers.

The plain truth is that OSHA is just one more bureaucratic agency which is trying to limit hunting and impinge on the rights of Americans to use their firearms. The actions taken today in the Congress on the Labor-HEW appropriation bill should give OSHA the same clear indication of congressional intent that we gave to BATF in an earlier action.

I include this fine letter at this point:

JUNE 7, 1978.

Congressman JOHN M. ASHBROOK,
Longworth House Office Building, U.S. House
of Representatives, Washington, D.C.

DEAR MR. ASHBROOK: As you are well aware, there is great apprehension among the hunter fraternity over the recent case in Louisiana which the Olinkraft Corporation was cited by the OSHA for permitting their employees to be in the woods during the hunting season. Members of this Association are likewise very alarmed about the possibility that this stance by OSHA may effectively curtail hunting opportunities.

We have endeavored to determine through hunting statistics whether there is any record of a woods worker ever having been injured or killed accidentally during the hunting season. The statistics do not list casualties by occupation. Therefore, a definitive answer is not available.

I have been closely associated with hunting and hunting-related activities for more than 40 years. I do not recall ever having heard of a worker employed in any kind of timber operation who was a casualty of a hunting accident. Generally, the worker is protected by the disturbance he creates in his work. Chain saws, diesel engines, and helicopters frighten the game and discourage the hunter.

We do not think there is in fact a problem in this area and believe that the OSHA action was a case of acting in ignorance of the actual facts.

Sincerely yours,

JOHN S. GOTTSCHALK ●

CONGRESSIONAL SALUTE TO THE
RESIDENTS OF PACKANACK LAKE,
WAYNE TOWNSHIP, N.J., UPON
THE CELEBRATION OF THEIR
GOLDEN ANNIVERSARY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. ROE. Mr. Speaker, on Saturday, June 10, the residents of Packanack Lake in my hometown of Wayne and State of New Jersey will celebrate the 50th anniversary of the establishment of Packanack Lake, a community within a community which has been encouraged and supported by people united together with purpose and progress in seeking to improve the quality of life, recreational, and civic endeavors of the families of Packanack Lake. I know you and our colleagues here in the Congress will want to join with me in extending our heartiest congratulations to the residents

of Packanack Lake on this most noteworthy occasion.

At the outset let me commend to you the diligence and foresight that has been extended by all of the people of Packanack Lake who have participated in its founding and operations throughout this past half century. I particularly commend to you its founders and current members of their board of directors and board of governors responsible for the administration of the Packanack Lake community endeavors, as follows:

PACKANACK LAKE FOUNDERS

Joseph T. Castle, sons, Walt and Joseph, and son-in-law, John Franke, and Alton Bollinger.

BOARD OF DIRECTORS

Present officers: Warren Hicks, Chairman, John Fuhrmann, John Crawford, Edward De Hope, Fred Sheeler, and William Mansfield.

BOARD OF GOVERNORS

President, Carl Wolff.
Vice President, Andrew Craig.
Secretary, Patricia Watson.
Treasurer, Dean Jackquin.
Membership, William Meehan.
Athletic, Hubert Murray.
Conservation, Raymond Dempaki.
Building and grounds, William Caldwell.
House, Robert Acker.
Beach and safety, Ronald Cardell.
Planning, Mrs. George Freeman.
Group activities, William Lynn.

Mr. Speaker, with your permission I would like to insert at this point in our historic journal of Congress a narrative that sets forth a story of the beginnings of Packanack Lake which will provide background information on the uniqueness and magnificence of its establishment which has combined the warm security of an established community with the pleasures of an all-season resort, as follows:

THIS IS THE STORY OF A UNIQUE COMMUNITY . . . PACKANACK LAKE

May 6, 1928 is a day to remember! On that day, while raccoons and deer scampered out of the way, hundreds of city-weary families flocked to Packanack Lake's "Opening Day."

Although most who came to see the newly opened home sites surrounding the lake were from New Jersey, there were undoubtedly some hardy folk who used the new Holland Tunnel, opened in November, 1927. Those were the days, too, when Babe Ruth was earning an unheard of \$70,000 a year and Charles Lindbergh was still receiving accolades for his historic flight over the Atlantic in 1927.

On that day, May 6, 1928, there was much for Joseph T. Castles, retired ice-cream manufacturer and Packanack Lake developer, to be proud of. It had all started in 1925 when Mr. Castles, his two sons and son-in-law, purchased twenty-six parcels of farmland in the valley and formed the Irvington Hunting and Fishing Corporation. (They all originally lived in Irvington.) The valley was full of trees and rocks and a tiny stream meandered through it toward the Pompton River. But the buyers had the vision to realize that this land had much more to offer than simply a site for a hunting and fishing reservation. First they erected a dam to make a beautiful lake. Land surrounding the lake was cleared of trees and brush; roads were cut and graded; water and sewage mains and a modern sewage disposal plant were built. The Clubhouse, the same one as we now use, and seventeen log cabins and houses were under construction. Those who came that opening day could see that the developers had laid a strong foundation in an ideal

setting. In four days, land sales zoomed to over \$400,000.

AN AUSPICIOUS START

Soon the Packanack Lake Country Club and Community Association was formed to promote community and social objectives. The lake was stocked with fish; white beach sand was brought in from the Jersey shore. Tennis courts, a bathhouse, picnic grounds, a polo field, skeet shooting range and riding trails were provided.

Free bus service to trains was furnished for commuters . . . an indication of the type of community Packanack was to become . . . not just a summer resort but a year-round community of families who welcomed the opportunity to spend their leisure time in such an idyllic setting.

Economic conditions after the market crash of 1929 slowed new construction but by 1932 the Cedarcliffe section and Sunset Terrace were opened. New Route 23 brought the entrance nearer to the heart of the community and provided easier and quicker access to important centers. In 1935 the East Beach was opened. A candy store and restaurant were part of the scene at the Plaza almost from the beginning. In 1935 a tavern was added.

At first residents picked up their mail at the Clubhouse but in 1932 this service was moved over to the candy store. Then, in 1936, the Packanack Lake Post Office was opened in the rear of the candy store. James Archung was the first official Postmaster.

Corn roasts and picnics, Sunday afternoon tea dances and card parties, beach gatherings and water carnivals, trap shoots and horseback rides; these were some of the ingredients that helped shape this rustic valley into a community where people could enjoy life together and still be near their jobs.

Mr. Castles died in 1938 and in 1944 his heirs proposed that the Club buy the unsold land. In return, the estate would donate all other properties and buildings including the lake and the sewage plant.

As soon as the purchase was completed, a community real estate company, Packanack Homes, Inc. was formed with 237 Packanack residents as stockholders. Packanack Homes Inc. was soon able to return a profit on the stock shares. In addition, donations to the Club in cash, land and improvements were substantial. The land donated included a site for the fire house, additional land for both beaches, the Peninsula and a site for Packanack School.

In 1956, Packanack Homes Inc. was dissolved. Control and operation of the Club was turned over to the Club members and elected Boards of Governors and Directors.

PLANNING BROUGHT SOUND GROWTH

The enjoyment and contented living experienced today is due, in great part, to the wise planning and sound business management of the pioneers. In more recent years the community has continued to be a symbol of progress.

In 1961, Packanack Lake Community Church moved from the Clubhouse into its new Church and the same year Packanack School was opened. In 1953, the shopping center, right at the entrance, was built and 1956 saw the establishment of regular commuter bus service to New York. The building of Immaculate Heart of Mary Church added a second Church and school to the community in 1959.

The years between 1950 and the present continued to be years of growth and purpose in other physical aspects—all helping to perpetuate country club living at its best. Probably the most important and dramatic improvements have taken place in and around the lake itself. In 1963, a consulting engineering firm was commissioned to make a complete study of the lake and recommend improvements if any were needed. In their

report, the consulting firm said that the lake was in excellent shape for all recreation—swimming, boating and fishing—but that certain steps might be taken to make it even better. These recommendations included: dredging the fingers around the Peninsula and installing catch basins to prevent silting; enlarging the artesian wells to cool the lake and increase its flow; installing chlorinators at the wells to ensure pure water at the bathing areas; and yearly chemical treatments to control algae and weeds. All of these recommendations have been carried out with the result that we now have one of the most enjoyable and purest lakes in New Jersey. To further improve water quality (temperature, taste, odor and color) the lake has been fitted with an advanced aeration system. Air is pumped through a perforated main pipe line (on the lake bottom) and its many branches. The resultant bubbling action not only further improves the quality of the water but actually rids the lake of any organic matter not now dissolved by chemical action. The beaches have been greatly enlarged over the years and landscaping and tree planting have further beautified the lakefront on all sides.

The Packanack golf course, a challenging ninehole layout opened in 1965, and the two new all-weather tennis courts in 1967 are welcome additions. Completion of Kilroy Memorial Field in 1966 provide two fine baseball diamonds and a football field that compare with the best.

Surely Packanack Lake today is a wonderful place to live.

Mr. Speaker, in commemorating this golden anniversary I appreciate the opportunity to present the foregoing to you and seek this national recognition of the leadership endeavors manifested by the foresight and expertise of the residents of Packanack Lake and the lasting achievements that can be attained with people working together in a common endeavor. We do indeed salute the people of Packanack Lake who have sought and achieved a quality of excellence in our hometown which bespeaks the pioneering efforts of our forefathers and the traditions of a freedom loving people dedicated to the American principles of democracy and a good family life for themselves and future generations to enjoy.●

TERRORISM THREAT TO UNITED STATES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 1978

● Mr. ASHBROOK. Mr. Speaker, this morning the Evaluation Subcommittee of the House Permanent Select Committee on Intelligence, held the first of a series of hearings on terrorism and the ability of the intelligence community to respond to the problem. Today's hearing was an overview of international terrorism. Future hearings will cover domestic terrorism and whether the FBI and CIA are capable of preventing terrorist acts against the people of the United States.

The witnesses we heard today were Dr. Charles Russell, of the U.S. Air Force Office of Special Investigations and Lawrence Sulc, a former CIA officer who had worked on antiterrorism in Latin America.

The evidence presented by the wit-

nesses made it clear that international terrorist groups in Europe, Latin America, and the Middle East coordinate their activities.

Even more important is the fact that some governments provide support for international terrorism. These include Czechoslovakia, Libya, the People's Democratic Republic of Yemen, Cuba, North Korea, and the Soviet Union. Arms from the Soviet Union and other Communist bloc countries are provided for the terrorists through Soviet client states. These include sophisticated weapons such as Soviet surface-to-air missiles, which terrorists have tried to use against civilian airliners on a number of occasions.

Mr. Sulc told the committee about the "Curiel Apparatus." This terrorist support group with close links to the Soviet KGB provides money, arms, forged documents, and personnel to terrorist groups throughout the Western world.

In 1968 a Castroite Communist terrorist group, the FAR in Guatamala, murdered the American Ambassador John Gordon Mein. One of the murderers was a French Communist Party member, working in the Curiel Apparatus, Michele Firk.

Mr. Sulc, in response to questions from me and the gentleman from Georgia, Mr. WYCHE FOWLER, testified that the best source of intelligence to prevent terrorism is the undercover agent or informant—the human source. He said that due to the decline in intelligence gathering, our country has weakened itself in response to the terrorist threat.

Mr. Chairman, this is something that I have said for a long time. Two years ago the FBI had 1,100 informants in their domestic security and antiterrorism program. Today they have less than 50 informants in that program.

The Justice Department Internal Security Division is now a small section with little authority. The Subversive Activities Control Board has been abolished, along with the House Committee on Internal Security and the Senate Subcommittee on Internal Security.

Most local police departments have reduced or disbanded their intelligence units. In the past these units were a major source of information on terrorist- and violence-oriented groups.

The destruction of our defenses comes at a time when international terrorism is on the rise and the law enforcement agencies are having difficulties apprehending domestic terrorists, many of whom were trained in the terrorist camps in Cuba with the international terrorists.

Since 1974 I have introduced a bill in every session to amend the Internal Security Act of 1950 to control and penalize terrorists. That bill has never been reported out by the House Judiciary Committee. All of the bills on terrorism recently introduced deal with hijacking of airliners. That is the one area of terrorism, which according to CIA charts, has declined. Bombings have increased to the extent that the line goes off the CIA chart.

My bill would prevent foreign terrorists from entering the United States and would penalize them for fraudulently

concealing prior terrorist activity when entering the United States.

The act would also bar those who advocate terrorism since we know that terrorist supporters come to the United States to promote terrorist activities or to raise funds for terrorism.

My bill would also make it unlawful for any person in the United States to send funds, arms, or explosives to persons in other countries for the purpose of committing any crime of terrorism.

In addition, my bill would provide for life imprisonment without the possibility of parole for any act of terrorism resulting in the death of a hostage.

We need to rebuild our antiterrorist defenses. Legislation such as my antiterrorism bill would be a long step in that direction. Congress will be considering charter legislation for the intelligence agencies. We must insure that the charters do not hamper intelligence gathering to prevent terrorism.

The American people have the right to be protected against terrorism. We, in Congress, have the duty to insure that the intelligence agencies provide that protection.●

THE 100TH ANNIVERSARY OF ST. BRIGID ROMAN CATHOLIC CHURCH, MEADVILLE, PA.

HON. MARC L. MARKS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. MARKS. Mr. Speaker, at a special liturgical service, Sunday, June 18, 1978, the members of St. Brigid Roman Catholic Church in Meadville will commemorate the 100th anniversary of the church.

Because a copy of this CONGRESSIONAL RECORD will be included among the items to be placed in a cornerstone time capsule, to be opened during the Bicentennial celebration, I should like to note for my colleagues a bit of the history of St. Brigid's:

It was actually 116 years ago this spring, that St. Bridget's or as it was familiarly known, St. Bride's parish, was formed.

Early in 1862, a group of English-speaking Catholics decided they wanted to separate from the German-speaking congregation at St. Agatha's and successfully petitioned the Pittsburgh diocesan headquarters for the establishment of a second parish in Meadville. It is said that the persons who took the petition to Pittsburgh were John Riordan, Thomas McGuigan, James O'Connor, Walter Furlong, Richard Whalen, and Thomas Breen.

Mass was first said in private homes until May of 1862 when a brick building on Center Street became the rented home of the parish that served well until 1878 when the present structure was finished under the guidance of the pastor, Rev. James J. Dunn.

From a very humble beginning, St. Brigid's is now a leading house of worship for residents of the Meadville area and I offer my very best wishes to the members of the parish and to the pastor, Father William Karg.●

REDUCE FTC'S FUNDING

Hon. Theodore M. (Ted) Risenhoover
OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. RISENHOVER. Mr. Speaker, I have watched with interest the election results of last Tuesday. The people are speaking out on the high cost of government and rising taxes.

On Monday, I am told that the House will take up the appropriations bill funding the Federal Trade Commission. I will be offering an amendment to reduce the FTC's funding by one-third—saving the taxpayers \$21,832,000 next year.

Proposition 13, overwhelmingly approved in California, will cost Californians police and fire protection. Public schools will be curtailed, along with other social services, and other functions of government close to the lives of those people.

My amendment to H.R. 12934, reducing the FTC's \$63.6 million budget, would—if they follow the outline I presented in my statement of last May 26—mean that Americans will simply survive with less Federal regulation and business will have to survive with less FTC meddling and intrusion.

I have read with interest the report on H.R. 12934 by our distinguished colleague from West Virginia and the subcommittee. I appreciate the \$2,885,000 reduction from the administration's request. However, I note that the increase over the FTC's current year's spending still will be \$4.1 million.

The report reads:

The committee views with alarm, the growing tendency of many agencies to invade the jurisdiction of other departments and agencies of the Government and act beyond the scope of the jurisdiction that the Congress intended.

They slap the FTC for meddling in the life insurance industry—a role traditionally left to the 50 sovereign States of the Republic. They score the FTC's attack on the automobile industry in strong language which I endorse.

The purpose of my amendment on Monday will be to add a severe budgetary problem to the FTC's quest for power. I believe that the FTC should not worry about television ads to children—leave it to the Federal Communications Commission. Or, better still, let parents control their children's television watching habits.

This country has reached the highest educational level and literacy level in history. Yet, we simultaneously have reached the highest Federal intrusion level of all time—seemingly trying to protect consumers and others who feel capable of defending themselves.

If the vast majority of voters of California feel they can face life with fewer policemen, firefighters, teachers, and other public servants and programs—then I hope my colleagues will help me reduce the FTC budget by a mere one-third so that American business,

EXTENSIONS OF REMARKS

industry, consumers, and taxpayers can have less of the burdens the FTC creates.●

SOLAR POWER

HON. BARBARA A. MIKULSKI
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Ms. MIKULSKI. Mr. Speaker, I would like to speak in support of H.R. 12505, the Solar Power Satellite Research, Development, and Demonstration Act, which will be considered shortly by the House.

Solar energy and solar satellites may prove to be viable alternative sources to our dependence on depletable energy supplies. Only this week, the Washington Post ran a front page story that stated that major oil shortages are expected by 1985, according to a study by the International Energy Agency. According to the study, the single largest predicted increase in consumption of imported oil was a rise in the United States from 8.7 million barrels a day in 1977 to 11.5 million barrels a day in 1985 and 13.8 barrels a day in 1990. Furthermore, there will be a gap of 4 to 12 million barrels a day between what the oil-exporting nations are likely to be willing to produce and how much the industrialized importing nations are likely to be demanding by then.

Granted, figures and the interpretation of them vary from report to report concerning the future international supply and demand of oil. What we have to face is that the United States cannot expect to rely on a continuous and constant flow of foreign oil as our needs and consumption increase annually. The Solar Power Satellite Research, Development and Demonstration Act will provide the United States with the means to determine the benefits that we can reap from this technology.

Our balance of payments since January should be proof enough of our need to become more self-reliant, as far as our energy needs are concerned. In January, the United States had a \$2.4 billion trade deficit, in February it jumped to \$4.5 billion, and then in March and April it was about \$2.9 billion. These figures, which greatly exceed those of previous months are directly attributable to our ever increasing dependence on foreign oil. Our need for self-reliance is not only an economic need but it is also of great importance to our national security. As we are all well aware, the Middle East is an area of constant conflict; to ignore the possible effects future conflicts in that part of the world would have on our energy supplies would be naive and irresponsible.

It is possible that the United States could use solar satellites as one of its main sources of energy in the future—let us hope that this legislation, the Solar Power Satellite Research, Development, and Demonstration Act, will provide us with the answers that we need to declare our independence.●

June 8, 1978

HOUSING DISCRIMINATION

HON. ANDREW JACOBS, JR.
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. JACOBS. Mr. Speaker, the following is an article from Newsweek together with a recent letter from one of my constituents.

MAY 25, 1978.

HON. ANDREW JACOBS, JR.
House of Representatives,
Washington, D.C.

DEAR SIR: It seems to me the Civil Rights Act of 1966 and Title VIII of the Civil Rights Act of 1968 overlooked two other means of discrimination in housing. I am referring to children and marital status.

I am an unmarried female head of household. In other words, a divorced mother of a 5 year old girl.

In looking for housing in 3 different states, I've been discriminated against as have many other mothers and fathers too in some cases, I'm sure.

Open the want ad section of the Indianapolis Star/News and you will find ads for housing stating No kids, Adults only, elderly couples preferred, etc. There are several ways of wording it but the bottom line is still the same. No children allowed. You will find the same housing ads in the San Francisco papers all the way to the Dally News Miner of Fairbanks, Alaska. I have even been asked if I would be getting married in the near future to which I retort, That is none of your business. One elderly lady in Indianapolis lectured me for 20 minutes on the conduct of divorcees. She had evicted 1 man for having female company at all hours of the night.

I can understand wanting to know if I pay my rent or if I take care of the property but to discriminate against my child is the pits. What did these landlords do with their children? Take them back to the hospital for a refund, probably. I often wonder if they were ever children themselves. They must realize we can not all afford to buy a home. I realize, and I hope the landlord does too, that I hate renting from them as much as they hate renting to me but there is no money left in the budget for down payments on a home.

In some cases I have been told I could have pets but no kids. Will you please tell me if Congress plans to do something about this because it is a problem nationwide. It seems to me developers and landlords should be required to set aside a certain percentage of their units for families, with or without both parents. The adult portion could have an adults only clubhouse and the family portion could have a playground and a playroom in the basement for winter months. It seems to me developers are catering to the swinging singles and saying to hell with our children. I will be looking for a small house for rent in the near future with a fenced yard, or maybe even half a double, again. I intend to pursue this matter and I will get the name and address of anyone who denies me housing on the grounds of marital status or the fact I am a mother. Where I go from there, I have no idea yet.

Sincerely,

WHAT'S WRONG WITH KIDS?

(By Allison Kilgour)

When I last went apartment-hunting, I knew the block I finally settled on was a good one because it was wall-to-wall kids.

Big kids, little kids, basketball-playing, hopscotching, rope-jumping, just-plain-running-around-and-acting-crazy kids; black, brown, yellow and white kids.

In the six years since I moved in, I've watched many of those kids grow up and helling welcome their little brothers and sisters into the world. I have an honorary goddaughter whose older brothers lived with me for a week while her mother was in the hospital having her.

Kids perform time-honored functions in our neighborhood; taking out the garbage, littering the hallways, hauling the shopping carts, writing on the sidewalks, going to the corner store for the newspaper and passing on the gossip. Whether we have any of our own or not, they enliven our days and try our patience to the utmost. I can't imagine life without them.

MARAUDING BEASTS

If we can believe what we read in the papers, however, many people can not only imagine life without children, they want it that way and are out there actively campaigning to make their environment, as they put it, child-free. Landlords, as we know, have traditionally been hostile to children and pets whom they tend to view as marauding beasts impossible to restrain from wrecking the place—or, at the very least, embellishing it with such proclamations as "John & Mary" and used chewing gum—and driving down property values. For these and other forms of social insensitivity too numerous to mention, landlords have justly earned the opprobrium of landless humankind through the millennia. Nowadays, however, they have allies and supporters for their anti-child policies: people who have no children of their own and wish neither to see nor hear anyone else's.

Retirement communities, for instance, are often segregated. Some of them have rigid restrictions on how often and for how long grandchildren may visit. The people who live in these communities say they've brought up their own kids and that's enough—they don't want any more around. Then there are the single people and young couples who have decided not to have any children at all. Many of them also do not want neighbors who have any children at all. Apparently there are enough of both kinds of these people to get children zoned right out of a lot of places, just as if they were some kind of noxious industrial complex. Few cities or states have laws forbidding this sort of discrimination. Middle-class families with children are having a hard time finding apartments in some cities and are quailing at the thought of the harder time they will have paying for the houses they may have to buy as a result of not being able to rent anything—if they can find a house where kids are allowed.

I hope none of the people who have excluded children from their neighborhoods are complaining about the generation gap, the ingratitude of young people or the inattentiveness of grandchildren. Mind you, I have nothing against people who decide not to have any children of their own. It's a wise decision, not a selfish one; people who don't want children are the very last people who should have them.

But why treat people who have or want children as if they had germs? Part of the answer is very crass: children cost money. They are not only big expenses to their parents; their schooling takes a lot out of the budget in every local community. While riding their bicycles over your suburban lawn, they raise your property taxes. While running wild in the urban streets, they are the majority of welfare recipients. A lot of people whose children are grown or who have no children don't see why they should help pay the expenses of other people's children.

RESPONSIBILITY

I hope none of these people are complaining about how ill-educated kids are these days.

The truth is that every child on the planet is the responsibility of every adult. The inability or unwillingness to recognize this and act on it, even on a very small scale, is—and there is no other word for it—childish. If maturity can be defined by the amount of responsibility we're willing to take on and able to handle, then it would seem that the problem here is not kids; the problem is big, overgrown kids in adults' clothing who for unattractively selfish reasons are trying to weasel out of one of life's main duties: looking out for the real children.

And there's more to it than that. I don't think antipathy toward kids is growing only because the real children are expensive and—as even their best friends and staunchest supporters can't deny—inclined to be messy. I think that people who are basically big, overgrown kids don't want the competition—or are trying to avoid being embarrassed by comparison with the real thing. There's an air about some of these people that seems to say, "We big kids are playing here now, and you little kids can't play with us—so beat it." Meanwhile, without any real kids around to mirror their behavior, they can keep up the pretense that they're adults. Small wonder the "human potential" movement is so popular; becoming a true adult when adult role models are increasingly fewer and farther between can require drastic measures. (It's not hard to spot the outfits selling regression instead of growth: they've got that jolly here-we-kids-are-at-summer-camp-following-the-counselor-around atmosphere. And no real kids allowed.)

LIVE AND LET LIVE

Some months ago there was a knock on my door late in the evening. It was my neighbor's 12-year-old. He walked into the kitchen, sat down and said, "Aitson. What is the soul?" That question was worth a week in the country with the guru of your choice. Who can afford to say, "Suffer the little children to stay the hell away from me?" When I was a child, my elderly next-door neighbor taught me what the phrase "live and let live" means—along with many other lessons in generosity and how to help rear the kids next door. I like to think that what she knew about tolerance was augmented by long association with kids to whom a fence was something expressly designed to be climbed over. We, on the other hand, also learned to respect our elders by having one around who was indeed our better.

The high price of the company of children is only a small measure of its worth. Excluding them from our neighborhoods is a life-defying act.●

BERWYN ESSAY WINNERS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. HYDE. Mr. Speaker, recently the city of Berwyn, Ill., in my district, celebrated its 70th birthday. In commemoration of this event, the schoolchildren of Berwyn participated in an essay contest entitled "I'm glad I live in Berwyn Because * * *."

All eight of the Berwyn aldermen graded the essays and final winners were determined by a lottery.

I would like to take this opportunity to extend my congratulations and best wishes to the eight winners of the essay contest:

- Todd Stremplewski—Komensky School, 1st grade.
- Steve McGuire—Emerson School, 2nd grade.
- Anita Hanzlik—LaVergne School, 3rd grade.
- Tammy Norek—St. Odilo, 4th grade.
- Paul Bogdanski—St. Mary of Celle, 5th grade.
- Kathy Kowalski—Jefferson School, 6th grade.
- Sue Marshall—Irving School, 7th grade.
- Mark Greg—St. Leonard, 8th grade.●

PAUL J. HEAD

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. NOWAK. Mr. Speaker, our Nation's city parks are an invaluable asset to the communities which they serve. Thus, it is always a pleasure to witness the dedication of the public servants who help preserve and nurture the beauty and recreational opportunities in our parks. Paul J. Head, a recreation instructor employed by the Buffalo Parks Department, is one such person. His record of community service extends beyond the requirements of his job in maintaining a Buffalo park and serving the people, especially the young people, who use it. The following article, which appeared June 4, 1978 in the Buffalo Courier-Express, details Paul Head's contribution to the South Buffalo community. It constitutes a well deserved tribute to his service.

Article follows:

ALMOST UNSUNG HERO'S PRIDE MAKES HILLERY BUFFALO'S 'BEST-KEPT' PARK

(By Marsha Ackerman)

Several generations of South Buffalo children have whacked softballs, tossed baskets, and run bases since Hillery Park on Mineral Spring Road opened in 1956.

And all of them have known Paul J. Head, a recreation instructor in the Buffalo Parks Department who is the almost unsung hero of Hillery Park.

Almost, because two years ago Head, a softspoken bachelor of 50 who lives in an apartment above a tavern some 20 blocks from Hillery Park, was honored as Buffalo's best city worker in a surprise ceremony in then Mayor Stanley M. Makowski's office.

That day of recognition apparently didn't go to Head's head, because he is still at the old stand, still rising early to clear away bottles and debris from the park's diamonds and play areas, still trimming around the basketball courts.

During a recent survey of the condition of Buffalo's parks, several persons interrupted their complaints and gripes to call Hillery "the best-kept park in the city."

"I was born in this neighborhood and I used to play in Hillery Park before it was a park," Head said. "I've got pride about the place."

"Besides," he added, "I'm single. The other guys' wives probably wouldn't let them spend the kind of time on the job I do."

Head's job basically involves setting up schedules and supervising a host of baseball.

softball and basketball games which keep Hillery humming all summer long. In the winter, Head joins other city recreation instructors in offering school gym programs.

The heavier maintenance, such as grass cutting or plumbing repairs is turned over to the Parks Department maintenance crews operating out of the Delaware Park barns.

Head has been with the Parks Department since 1954, starting at Mulroy Playground, also in South Buffalo. He said the size of the Parks and Recreation Division staff have dwindled since then.

"When I started we had more help. There were two or three of us at the playgrounds and two shifts," Head said. "Right now, there's just an afternoon shift and I'm there all by myself. Later we'll get summer help but not until July and by then the season is half over. The time we need more help is in the spring."

"If you are looking for me at Hillery, just ask any of the kids," Head said. "They all know me." ●

LEGISLATION TO CORRECT INEQUITIES IN CHAMPUS

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. PRICE. Mr. Speaker, today I am introducing legislation intended to correct an equity in the health care delivery systems of the Uniformed Services. The bill is very simple. It authorizes chiropractic health care services in military facilities as well as under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS).

Though they authorize a myriad of health care services, neither our military facilities nor CHAMPUS—which provides health care for dependents of active duty members, retired members and their eligible dependents, and for the eligible dependents of deceased active or retired members—provides or authorizes chiropractic care for program beneficiaries.

Let me give you some examples of Federal laws that recognize chiropractic health care for groups other than active duty or retired servicemen and women and their dependents. Under Federal law, Federal employees can and do obtain chiropractic care under the Federal Employees Health Benefits Program and the Federal Employees Compensation Act. In addition, the Civil Service Commission and the Postal Service authorize employees to submit chiropractic certification for official sick leave.

The American public also has the opportunity to obtain chiropractic health care under medicare and Medicaid, the Longshoremen's and Harborworkers' Compensation Act and various vocational rehabilitation programs. Furthermore, the Federal Government recognizes chiropractic health care by allowing it as a deductible medical expense in our tax laws and by making chiropractic training eligible for GI educational benefits through the Veterans' Administration.

Our servicemen and women should not be denied benefits available to other

groups covered by Federal law. I urge my colleagues to support this legislation. It will bring more consistency to our military health care systems and end an inequity that has been present for too long. ●

THE VOLUNTEERS OF AMERICA NATIONAL CONVENTION

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. PEPPER. Mr. Speaker, on May 9 I had the good fortune to be a guest at the Volunteers of America National Convention here in Washington and they chose that occasion to honor me with the Ballington and Maud Booth Award, named for their founders. I was honored to receive an award from the members of this organization who have set an illustrious example in unselfish devotion to their fellow human beings.

It is a beautiful experience to transcend one's own routine workaday activities by volunteering to help others in society. The art of giving of oneself is the message of volunteerism.

I would like to submit the remarks I was privileged to have the opportunity to offer at the convention of the Volunteers of America:

CLAUDE PEPPER REMARKS AT VOLUNTEERS OF AMERICA CONVENTION

Mr. Chairman, General McMahon, distinguished leaders of this great organization, ladies and gentlemen: Even the most hard-hearted recipient of such a gracious introduction as that which has just been bestowed upon me by your commander-in-chief, General McMahon, would be deeply touched and profoundly grateful. With all my heart, General, I thank you for those kind and genuine words of introduction.

In a poll published in some papers the other day, they said I had the record for being the chief spender in the House of Representatives, but at least I hope those dollars went to help the needy, and my only regret is that like the farmer that said about the Federal agricultural program, "That's a tainted program—'taint enough!"

Our Select Committee on Aging, just a little bit ago, was very proud that through the distinguished Chairman of the Education and Labor Committee of the House, one of the eminent and most meaningful members of that body, the Honorable Carl Perkins, obtained an additional appropriation to give aid and relief to the victims of national and natural disasters and also to provide funds for volunteers who administer to the needs of those victims of natural disasters.

Since we are talking this evening in a general way of the elderly people, I will tell you about a couple who came down to Miami not long ago to celebrate their 50th wedding anniversary. They had been there on their honeymoon half a century before, so they came back to what we like to refer to as our lovely surroundings, and time after time, they went to beautiful places and they did lovely things and every time that the husband got the opportunity, he took advantage of it to tell his wonderful wife what a grand, what a marvelous, what a lovely person she was and how grateful he was ever to have been the husband of such a lovely bride. And time after time, he poured out his heart in adulation and admiration. Finally, came

the last day of their stay in that area and they were having lunch in one of our restaurants that has a view over the beautiful bay in lovely Miami Beach, and as the husband glanced out of the window and saw that beautiful scene, sentiments of romance rose from his heart to his lips and looking across the table at his dear wife, very earnestly he said, "I'm proud of you," but she had grown a little hard of hearing and she missed the exact words that her husband used. So looking very earnestly right back into his own eyes, she said, "I'm tired of you too!"

I have always had a warm spot in my heart for the Volunteers of America and I want you to know that after this I will never pass anybody with those little cups without leaving something there.

You may be assured that hereafter, to a greater degree than ever would have been possible before, a warm association will spring into my heart whenever I think of or hear the name of the Volunteers of America. You do me an honor that I do not deserve but for which I am profoundly grateful. It is something that one cherishes for the remaining days of one's life because it associates him with those who are lifting their fellow human beings to walk on higher planes, administering to the needs, contributing to the happiness, promoting the health of the people who, too often, lack that kindly and thoughtful attention.

This great organization has a thrilling past history. As a matter of fact, this organization and I are not very far from being the same age. This organization, I believe, was founded in 1896 and just four years later, I came along. We had a birthday over at the Botanical Gardens and some of my friends were celebrating with my wife and me, and some of them mentioned the fact that I was 77 years old and I said, "You know, don't pay too much attention to that report. I was born in a little rural area and they didn't keep very good vital statistics in those days, and the records were very irresponsible and unreliable, and word got around somehow that I was born in 1900. My own opinion is that I was born in 1920, just two years after I served in World War I!"

The Volunteers of America has over 800 programs, all over this great land of ours: housing projects for the needy elderly as well as for those of moderate income; day care centers; centers where administration is delivered to the alcoholic, to those in half-way houses; nursing home care providing custodial opportunities for so many people who have nowhere to go. All these great and wonderful enterprises carried on by this organization. I would just say to you that I marvel at your administrative efficiency, that you are able to direct so nationwide an organization and make it function so well, so efficiently, and I am familiar with the magnificent job that you do. I particularly commend you for the confidence which this organization has from the people of America. They indicate that in the support that they give you all over the nation. Various organizations have joined with you in humanitarian enterprises, public bodies that work with you to accomplish your great designs, the Federal government that gives administrative assistance in helping to solve many of the problems which you undertake. All of these things manifest profound and moving confidence in the integrity of the character and humanitarian aims, aspirations and programs of this great organization.

I would put next in the category of great accomplishment what you have done to make things better for so many people. You find a way by which you can take by the hand the lonely and put them in a Sunset House, to enjoy recreation with friends and to feel something of the motivation of life that

they are part of the mainstream of a tumultuous time, to give them a feel of importance, of a job to do, give them an awareness that somebody does care, that you are their friend—and that's what they have been needing. What a wonderful contribution you have made to lightening the burden in those years of 82 that you have been in existence, of so many people. Just think of the fact that you have provided, the loneliness that you have dispelled, the hunger that you have eliminated, the comfort that you have provided and the exhilaration that you have bestowed on so many, and the spirit of so many that you have enlivened, that you have pricked and stirred with confidence and with encouragement. How could anybody value that kind of a contribution?

General McMahon was good enough to tell me something of the background of his own life and how he had eventually chosen to come into an association with this great organization, and how he had had the privilege of working with one of the great founders, Maud Booth, and having been the legatee of the great aims and aspirations and dreams of this organization. General, how could you have chosen a career that would have given you more satisfaction through these intervening years than this one that you have been fortunate enough to enjoy! Just think what you have done.

I have often said that there are some of us who rather think of politics as a kind of ministry; it is not something to derive gain or profit from. It's an opportunity to do things that you can't do for others. I have no way of providing funds to find a cure for cancer or to save people from heart disease or minister to other of their ills, but if I can get the government of the United States behind it, I can save lives and I can promote health and contribute to happiness—and that's what you contribute through this great organization.

These are the great accomplishments of which you are justly proud and which make your being illustrious in the minds and memories of all your fellow citizens. That is the privilege you have afforded to millions of your fellow citizens, to unlock their own charity, to warm their own hearts for volunteer service to God. You have given them an opportunity to rise to greater heights, to feel that they have achieved some kind of ability that they never knew they had before, to be able to touch human lives to perform a host of divine functions by entering into the life of another and stirring in them almost a divine spirit. The volunteers that you have been able to enlist, that you have been able to inspire, that you have been able to guide so that they can do their great work. Most people want to do something outside themselves, they want to feel they do mean something and have some creative capacity, that they can do things, they can help others. Many have the impulse, many don't have the wisdom who have the desire, others don't have the guidance. You have been able to touch those who do not have the guidance or the direction, you have been able to encourage those of little faith who might falter without assurance from knowledgeable people that they could succeed, and so in addition to all the people that you help by touching, just think of all the people that you touch to make them want to help others. They have all achieved the high role of being able to be the benefactor of mankind. Who has had that experience and not felt some exhilaration of spirit, some greater confidence in themselves, some greater pride in what they were in being able to do those things. That is one of your great accomplishments, that enormous army waiting out there for your leadership, for your guidance, your direction and your courage, your support and your faith in them that they can do.

And so, what a great organization you are

and how proud I am to be able to sign the card that you gave me a moment ago, giving me the privilege of sitting in an honorary capacity on your Advisory Council. The only advice and counsel I can give you is may the Lord bless you for eons to come, may you continue your great work. What pride it is to come along and associate with those illustrious men and women who previously have been honored with the Booth Award—people like Hubert Humphrey, Mrs. Lyndon Johnson and Roy Wilkins.

And so, Hubert Humphrey and I first became acquainted when he was the Mayor of Minneapolis. My wife found a photograph not long ago of this thin, young fellow standing there on the platform with us; it was the young Mayor of Minneapolis. And if I may say so without immodesty, my wife told me later that he told her that when he came to the Senate, one of the first things he did was read every speech that I had made. We became friends, we were both liberals, we were both trying to fight for people and trying to win the most for people. And what could have been a better reward for a lifetime of humanitarian service rendered by Hubert Humphrey than the accolade of a united nation.

The President said that he was the most beloved man in America, and his funeral services were something that stirred every spirit and warmed every heart, and as the Vice President said, he had so mastered life that he taught us not only how to live but how to die. It might have been said when Hubert Humphrey died that he left wealth, and that would have been an honorable achievement, but what man could have left more than this legacy to his fellow human beings than he left for all the world, so if I can walk, just pause for a bit longer, in that path and as best I can try to follow in those footsteps to me is an enduring satisfaction.

So I want you to know, General McMahon, that this is a great honor you bestow upon me, one that I deeply cherish, one of which I will seek to be worthy in the years to come, and I will always remember that not only am I committed to put the human and spiritual above the material values of life, but I will always remember that I have another, more special obligation—that I am a Volunteer. Thank you very much. ●

THE INDEPENDENCE OF CLIFFORD CASE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. PATTEN. Mr. Speaker, I was most pleased to see the editorial in today's New York Times praising my lifelong friend, CLIFF CASE.

Senator CASE has been a leading figure in the United States in the field of foreign policy. I have watched him during our appropriations deliberations in the Congress for many years, and he has been a strong and able leader. I could go on for hours citing all of the good things CLIFF CASE has done for our State of New Jersey.

On Tuesday, in my opinion, our democratic process failed when CLIFF CASE was defeated in the primary election. We shout for a strong two-party system, but unless the people come out and vote, not only do we lose outstanding statesmen

like CLIFFORD CASE, but our two-party system is in real trouble.

I would like to include at this time, the Times editorial which speaks of his independence and long life of public service. I share in the thoughts of this editorial, and am saddened by New Jersey's and the Nation's loss of this great political leader.

THE INDEPENDENCE OF CLIFFORD CASE

Clifford Case's career in Congress spans the post war era; the Sixth District of New Jersey sent him to the House in 1945. Now, after eight years there and 24 in the United States Senate, he has suffered an unexpected defeat. But his career should not end without recognition of his independent mind and public service.

Senator Case's political career has been marked by the conflict within the Republican Party that characterized his loss to Jeffrey Bell in Tuesday's primary election. From the day he arrived in Washington, he was under attack from conservative elements of his own party. In 1954, when others were cowed by the late Senator Joseph McCarthy, Senator Case was openly critical. In contrast to other Republicans, he has been a steadfast supporter of social and civil rights legislation. As the ranking Republican on the Senate Foreign Relations Committee, he has demonstrated equal concern for national defense and assistance to other countries.

As a consequence, he has been one of the few Republicans to win the consistent endorsement of both liberals and major labor unions—and a reputation for independence among New Jersey voters of both parties. Even at age 74, it seems clear that Senator Case could only have been defeated, in the end, from within his own party. ●

COMPUTER REGISTRATION OF FIREARMS

HON. JERRY HUCKABY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. HUCKABY. Mr. Speaker, I would like to make a few comments on the recently considered 1979 appropriations for Treasury, Postal Service, and General Government. Of particular concern to me was the attempt to increase the appropriations for the Bureau of Alcohol, Tobacco, and Firearms (BATF), which was to be used to establish a centralized computer registration system for firearms. In addition, this amendment, if adopted, would have struck the committee language which prohibits the BATF from using appropriated funds to implement the proposed gun control regulations which were published in the March 21, 1978, issue of the Federal Register.

Before discussing this specific amendment, which fortunately was defeated, I want to express my opposition to any form of gun control. This is not by any means a new issue, but one that has been repeatedly brought before the Congress. However, I believe it is a constant concern to many, and we must continue to stress our objections to gun control and guard against future efforts to legislate gun control measures. I strongly feel that to restrict our use or ownership of guns is to deprive us of our constitutional right to keep and bear arms.

With regard to the recent legislative action to increase firearms recordkeeping, I want to register my concern about the backdoor tactics used by the BATF to impose gun registration regulations. We are all aware that Congress has repeatedly defeated attempts to create gun registration systems in the past. I believe that because of the unsuccessful efforts on the part of gun control proponents, the BATF has apparently assumed the authority to circumvent the legislative process.

The BATF has been forewarned by the Appropriations Committee that it had a tendency to legislate by regulations and that it was not the role of BATF to legislate in sensitive policy areas such as gun control. These proposed regulations are an obvious attempt by BATF to do through regulations what Congress has refused to do through legislation.

Fortunately, due to the efforts of a majority of my colleagues and thousands of American citizens across the country, we were able to maintain the role of Congress as a representative body of the people. ●

MRS. MOSSIE MUNCY, RURAL
LETTER CARRIER

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. CARTER. Mr. Speaker, an interesting story appeared in the National Rural Letter Carrier on May 27, 1978, concerning a constituent of mine, Mrs. Mossie Muncy. I include it for the perusal of the Members:

[From the National Rural Letter Carrier,
May 27, 1978]

MOSSIE MUNCY BLAZES HER OWN TRAIL TO
DELIVER THE MAIL

Poor road conditions or no road at all is the way it was 75 years ago, and, surprisingly enough, the way it still is today for many a rural letter carrier.

Rural carrier Mossie Muncy delivers the mail over an unpaved trail to a community of 120 people in Shoal, Kentucky.

"Yes, Muncy's got an important job," maintained a resident of Leslie County, Estil Bowling. "Well, the mail, that's what we live for back here. We hardly ever get out; maybe once a month to Hyden. People come all day long to pick up their mail. They come from way up on Possum Bend. The kids stop by on the way back from school to pick it up. Mostly, they just come and pick it up; they don't talk much. It's too hard to get around. There's no time."

Mossie Muncy has delivered a rural star route in Leslie County for seven years. Last summer she expanded the route and took on the Shoal post office. The man before Mrs. Muncy had given up Shoal because he could not make enough money off of it. He had started doing the route on a horse many years back, then converted to a jeep and still had problems.

When Mrs. Muncy took over, she bought a \$7,000 jeep. Nothing else would be able to make it over the ruts and hills and streams that mar the road to Shoal.

In addition, she took a few other precautions. "In case you want to know what that hoe in the back seat is, it's for leveling off the road and low ditches," she explained.

Mrs. Mossie Muncy also carries a saw to cut

down trees that fall on the road and a winch to budge the jeep during snowy seasons.

One day on the way out of Shoal, Mrs. Muncy met a linoleum salesman who looked completely lost. He was seeking isolated rural customers who might be in need of linoleum.

"Excuse me, ma'am," the salesman said to Mrs. Muncy. "Can you tell me if any people live back there?"

Mossie Muncy replied, "No one lives back there. They can't make it over the road. Only the mail goes back there. Nothing else." ●

ADMINISTRATIVE PROCEDURE REFORM ACT OF 1978

HON. MICKEY EDWARDS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. EDWARDS of Oklahoma. Mr. Speaker, on April 25, I introduced H.R. 12333, the Administrative Procedure Reform Act of 1978. The purpose of this bill is to provide increased procedural safeguards for persons who must come before agencies in an adversary proceeding. I urge all my colleagues to review this bill and support my effort to guarantee due process of law for all those who are affected by Federal administrative agencies.

A copy of the bill and a summary of its provisions follow:

H.R. 12333

A bill to amend chapter 5 and chapter 7 of title 5, United States Code, to improve and reform the administrative procedures of Federal agencies, and for other purposes

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

SECTION 1. (a) This Act may be cited as the "Administrative Procedure Reform Act of 1978".

(b) Whenever in this Act an amendment is expressed as an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 5, United States Code.

SEC. 3. Paragraph (2) of section 552(a) is amended by—

(1) striking out "and" at the end of subparagraph (B);

(2) inserting "and" at the end of subparagraph (C); and

(3) inserting after subparagraph (C), as amended by paragraph (2) of this section, the following new matter:

"(D) detailed descriptions of agency standards and principles which govern discretionary decisions;"

SEC. 4. Subsection (b) of section 553 is amended by striking out the third sentence and inserting in lieu thereof the following:

"Except when notice or hearing is required by statute, this subsection does not apply to rules of agency organization, procedure, or practice."

SEC. 5. Subsection (c) of section 553 is amended by striking out "with or without opportunity for" in the first sentence and inserting in lieu thereof ", and through".

SEC. 6. Subsection (d) of section 553 is amended to read as follows:

"(d) The required publication or service of a substantive rule shall be made not less than 120 days before its effective date, except in the case of a substantive rule which grants or recognizes an exemption or relieves a restriction."

SEC. 7. Section 553 is amended by adding

at the end thereof the following new subsection:

"(f) No rule for which publication in the Federal Register is required under this section shall take effect until such rule is approved by each committee of the Congress having jurisdiction with respect to the agency involved."

SEC. 8. Paragraph (1) of section 554(c) is amended by striking out "when time, the nature of the proceeding, and the public interest permit" and inserting in lieu thereof "when the nature of the proceeding permits".

SEC. 9. Paragraph (1) of section 554(d) is amended by inserting after "party" the following: ", or the agency or a member of the body comprising the agency".

SEC. 10. Section 555(c) is amended by adding at the end thereof the following new sentence:

"A party who is a witness is entitled to inspect, without cost, the official transcript of the testimony of any other witness, and is entitled to procure, on payment of lawfully prescribed costs, a copy of such transcript."

SEC. 11. Paragraph (3) of section 556(c) is amended by inserting after "relevant evidence" the following: "in accordance with the Federal Rules of Evidence".

SEC. 12. Subsection (b) of section 557 is amended by striking out everything after "first recommend a decision" in the last sentence and inserting in lieu thereof a period.

SEC. 13. Subsection (c) of section 557 is amended by—

(1) inserting after "part of the record" in the third sentence ", shall be consistent with prior decisions of the agency unless otherwise provided by law";

(2) striking out the period at the end of the third sentence and inserting in lieu thereof "; and"; and

(3) adding at the end thereof the following new matter:

"(C) certification of complete review of all pertinent material including any transcript of testimony."

SEC. 14. Subsection (b) of section 558 is amended by adding at the end thereof the following new sentence:

"An agency may impose a sanction on a person only if such person has been given—

"(1) notice in writing of the factual and legal basis for the sanction; and

"(2) a period of at least 30 days (beginning on the date on which notice is given) to correct the violation on which the sanction is based."

SEC. 15. Section 558 is amended by adding at the end thereof the following new subsection:

"(d) Any person charged with violation of an agency rule or order shall have an opportunity to confront and cross-examine any adverse witness and to examine and rebut all evidence considered by the agency in connection with the charge involved."

SEC. 16. Subchapter II of chapter 5 is amended by adding at the end thereof the following new sections:

"560. Secret Proceedings

"Unless otherwise requested by all non-agency parties, any agency investigation, hearing, or trial relating to an adjudication shall be conducted in absolute secrecy, and no information concerning such adjudication shall be disclosed to the public, except that the agency may disclose the grounds for a final decision which is adverse to a party, together with the identity of such party.

"561. Search Warrants

"No officer or employee of an agency may enter any property for purposes of inspection, search, or seizure, except upon authority of a search warrant issued by-----
The search warrant shall—

"(1) issue only in the case of probable cause to believe that a rule or order of the agency has been violated; and

"(2) specify the place involved, the nature of the inspection, search, or seizure to be conducted, and the time at which the inspection, search, or seizure is to be conducted."

Sec. 17. Section 704 is amended by striking out the first two sentences and inserting in lieu thereof the following:

"Any party adversely affected by an agency action has a right to submit that action to judicial review. Administrative remedies need not be exhausted prior to judicial review, and no court shall refuse to exercise jurisdiction over a case on the ground that an agency with concurrent jurisdiction must act first."

Sec. 18. Section 706 is amended by—

(1) inserting after the first sentence the following new sentence: "The reviewing court may conduct a trial de novo."; and

(2) striking out "substantial evidence" in paragraph (2)(E) and inserting in lieu thereof "the preponderance of the evidence".

Sec. 19. The table of sections for subchapter II of chapter 5 is amended by adding at the end thereof the following new matter: "560. Secret Proceedings. "561. Search Warrants."

SECTION-BY-SECTION SUMMARY
ADJUDICATIONS

Sec. 2. Increases the amount of information an agency must make available to the public in the area of discretionary decisions by requiring an agency publish detailed descriptions of agency standards and principles which govern discretionary decisions.

RULEMAKING

Sec. 3. Requires Federal agencies publish in the Federal Register all interpretive rules and general statements of policy adopted by said agency, and removes the agency's option to adopt rules without publication in the Federal Register.

Sec. 4. Requires agencies to provide an opportunity for oral arguments in favor of or in opposition to proposed rulemaking.

Sec. 5. Provide that substantive rules be published in the Federal Register at least 120 days before their effective date, except for rules which grant or recognize an exemption or relieve a restriction.

Sec. 6. Require that no rule required to be published in the Federal Register shall take effect until such rule is approved by each committee of Congress having jurisdiction with respect to the agency involved.

ADJUDICATIONS

Sec. 7. Remove an agency's option to remove a party's opportunity to submit facts and arguments in adjudicatory proceedings in the interest of "time" or "the public interest".

Sec. 8. Clarifies the law to insure that a hearing examiner who takes evidence may not consult with an agency or any other member of an agency prior to rendering a recommendation or decision.

ANCILLARY MATTERS

Sec. 9. Provides that a witness, party, or other person compelled to submit data or evidence is entitled to retain a copy or transcript of such data or evidence and is entitled to procure a copy of any data or evidence submitted by any other witness, party, or person.

Sec. 10. Requires that no officer or employee of an agency may enter any property for purposes of inspection, search, or seizure, except upon authority of a search warrant issued by a court of competent jurisdiction.

HEARING

Sec. 11. Require all Federal agencies adopt the Federal Rules of Evidence to assure uni-

formity in procedure and admissibility of evidence in administrative hearings.

INITIAL DECISIONS

Sec. 12. Removes the option of an agency to make a decision without first receiving a recommendation from the person who presided at the hearing and heard testimony.

Sec. 13. Applies the doctrine of *res judicata* to agencies by requiring all agency decisions be consistent with prior decisions unless otherwise provided by law.

IMPOSITION OF SANCTIONS

Sec. 14. Permit an agency to impose a sanction on a person only if that person has been given notice in writing of the factual and legal basis for the sanction and a period of at least 30 days from receipt of that notice to correct the violation upon which the sanction is based.

Sec. 15. Require any person charged with violating an agency rule or order shall have an opportunity to confront and cross-examine any adverse witness and examine and rebut all evidence considered by an agency in connection with the charge involved.

ACTIONS REVIEWABLE

Sec. 16. Require that administrative remedies need not be exhausted prior to judicial review, and no court shall refuse to exercise jurisdiction over a case on the ground that an agency with concurrent jurisdiction has not exercised such jurisdiction.

SCOPE OF REVIEW

Sec. 17. Permits a court conducting a review of an agency action to hold a new trial on all points raised during the agency action, and require a reviewing court set aside any agency decision unsupported by the preponderance of the evidence.●

$$2+2+50=1,000,000$$

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. DORNAN. Mr. Speaker, "If two and two and fifty make a million, we'll see that day come 'round." So went the lilting refrain of a protest song of years gone by. And so goes the resistance to publicly funded abortions.

Four months ago, on January 23, 1978, I placed in the RECORD a newspaper story about three students at the University of California at San Diego who refused, for reasons of conscience, to participate in the compulsory student health program which, for several hundred preborn children, had become a program of extermination: the "final solution" to unwanted pregnancy.

I warned at that time that the student resistance to the death ethic on campus would spread, and I am delighted to report today that it is indeed spreading. Now the University of California at Davis is confronted with a difficult situation: how to silence six courageous young men and women who refuse to participate in the university's compulsory funding of abortion.

Expel them, of course. And so the university announced its august decision in the cases of Kathleen Melia, Mary M. Jones, Anthony Mendoza, Madeline LeStrange, Janet Presenti, and Christopher Wood. But this case is far from closed. And while the courts are dealing with it,

the resistance movement will spread, both to other campuses of the University of California and to other public university systems. It will spread because the students are upholding ideas and ideals which cannot be contained, even by the ponderous power of the entrenched elite that controls the University of California.

To those university authorities, like the presidents of the Davis and San Diego branches and their highly paid attorneys who go to court to expel students who will not pay for abortions, we make this pledge:

One man's hands can't break the bondage that he's in.

Two men's hands can't tear this prison down.

But if two and two and fifty make a million,

We'll see that day come 'round.●

ANGEL GUARDIANS FOR THE ELDERLY, INC.

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. BIAGGI. Mr. Speaker, as a member of the House Select Committee on Aging, I want to tell my colleagues about a volunteer organization in New York City, which is not publicly financed in any way. The Angel Guardians for the Elderly, Inc., headquartered at 250 West 57th Street, logged more than 1,000 field work cases in the last year. AGE is the brainchild of Peter Crescenti, vice president of the New York Hotel and Motel Trades Council. More than 100 organized labor leaders of New York have given unselfishly of their personal time and money to assist AGE, now entering in its third year. The Angel Guardians are senior citizens of New York City, living on fixed social security incomes, who are hired by AGE for the hourly minimum wage. These Angel Guardians go out to assist the immobile elderly with a wide range of services including: preparation of meals, friendly visits to shut-ins, assistance with errands, escorts to health centers, participation in social activities, and help with government redtape.

Of course, while helping other unfortunate seniors, they are able to supplement their meager incomes. On June 16, I will be privileged to again attend the annual dinner-dance of this organization to be held at Terrace on the Park, Flushing Meadows, New York, where three distinguished men will be recognized: Robert Sasso of Local 282, International Brotherhood of Teamsters, James Vigiante, of United Brotherhood of Carpenters and Joiners (New York City District Council) AFL-CIO, and William Vitulli, of the Great Atlantic & Pacific Tea Co.

AGE will be expanding its operation because of the anticipated success of this upcoming affair. I commend AGE on its new pursuits. It is refreshing to see an enterprising organization like AGE, make a contribution to older Americans, without the crutch of government.●

DOG RACE TRAINING—CRUEL AND
UNNECESSARY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. ANDERSON of California. Mr. Speaker, yesterday I introduced H.R. 13022, to amend the Animal Welfare Act to prohibit the use of live animals as visual lures in dog racing and training.

Few of the approximately 20 million spectators of dog races realize the inhumane training that has occurred before the race begins.

For many of the dogs have been trained using live rabbits or kittens as bait. Artificial lures have been available since 1919, yet despite this fact, live animals are still used as lures—and usually are torn to death by the dogs after they are caught.

Mr. Speaker, I would like to insert for the RECORD an article from the Evening Independent of St. Petersburg, Fla., which outlines these atrocities.

In 1973, a Massachusetts State court ruled that the use of live lures was against the State's anticruelty laws and stopped this practice. Despite that fact the dog racing industry is thriving without their use.

Dogs will chase anything, so the use of live animals is totally unnecessary cruelty. This bill is not designed to hurt the sport of dog racing, a past time that is enjoyed by millions.

Rather it is a straightforward attempt to reform the inhumane methods used by some trainers in getting dogs ready for the track—methods that are not needed to continue and promote the sport.

The article follows:

THE GREYHOUNDS AND THE LIVE RABBITS
THEY TRAIN WITH
(By Joe Childs)

It's no accident a dense hedge grows around the training pen at Thomas Crawford's greyhound kennels. The foliage is there to prevent you from seeing what's going on inside.

But, even so, you can hear it.

You can hear what sounds like a baby crying. It's loud and high-pitched. A frightened, eerie wail. And it draws you to the hedge for a look.

There, inside, in an arena-like perimeter, a few men and a few children work quietly and rapidly training greyhound racers to run with all their might after a fleeing rabbit.

The training session starts when one of the men reaches into a transportable wooden cage and pulls out a rabbit. The animal is a wild hare, a jack rabbit, skinny, rugged, craggy, brought to Florida from Texas where, Crawford says, they are a nuisance and slaughtered en masse.

The bleating rabbit fights vainly under grasp. It does, however, draw blood occasionally from its handler, sinking sharp teeth and claws into a wrist or finger.

Some yards away, two svelte greyhounds strain at their collars to free themselves from the grasp of another man.

The dogs have just been taken from their pens. They are fresh. The entire being of each dog focuses on the hand-held rabbit. Then it happens.

The rabbit is dropped to the ground. It's allowed to scamper 30 to 40 yards—a head start. The dogs are then released. The rabbit

begins a race for its life, a race it almost always loses.

A lone rabbit and a pair of greyhounds—three of the fastest animals on the planet—churn frantically about the training lot, reaching blinding speeds.

But within seconds the running is over, the chase ended. An excited greyhound holds the dangling rabbit in strong jaws. The lifeless rabbit cries no more.

One of the trainers retrieves the rabbit. Held by the feet, the bloodied carcass is used to tease triumphant dogs and hone the hunter instincts in the ancient breed. Then the rabbit is buried in a hole near the hedge.

Still inspired by their kill, the first pair of dogs is returned to the pens while two other dogs are brought into the training arena.

And the process begins again.

Another rabbit.

More cries.

The scene is legal. Although rare, the use of rabbits in training greyhounds is accepted and not prohibited by law.

Thomas Crawford, owner of the kennels and its 250 greyhounds, agrees to talk during the training session. He doesn't want pictures, but then says it's okay.

He says the dogs being trained are pups 11- to 13-months-old. Before becoming racers, at 15 months, the dogs should have chased live rabbits three or four times. Live-rabbit training, he says, is essential to a good racer.

"If these dogs did not have this, they would not run," says Crawford. "What would happen, and you've read about this, is they would fight on the track or have a tendency to play."

"They have got to learn to drive for the rabbit."

Should training with rabbits be outlawed, the dog track industry would "fall apart," contends Crawford.

During the last fiscal year, Florida netted \$46.5-million in taxes from pari-mutuel dog track wagering. A total of \$610-million was wagered during the year. The figures, supplied by the state's racing commission, do not reflect jobs created by the industry or tourism and other commerce generated by the lucrative industry.

Crawford, who has operated his kennels on 49th Street N near the U.S. 19 highway overpass since 1960, admits training dogs with live rabbits is "the worst part of the business."

A public outcry about the practice three years ago prompted a lawsuit and a Circuit Court (Ocala) injunction banning the mutilation of rabbits. But the matter was appealed and a higher court dismissed the injunction. Florida's Supreme Court refused to review the case.

Crawford had 48 rabbits on hand for training Wednesday night when he was visited by the Evening Independent. Not all rabbits were killed. Those that were captured, but were "too tough to die" were returned to cages minus hunks of fur. They were to be used in later training of 6-month-old puppies.

The rabbits cost Crawford \$3.50 apiece. They are flown or trucked here from west Texas, the Oklahoma panhandle or from western Kansas, where, Crawford says, they are herded into bunches and killed because they become too numerous and "take over crops."

Crawford says rabbits are overabundant on prairies now and cost him half what they once did.

Grant Goheen, John McMillan and Tim Stahly, three young men who work as mechanics in shops adjacent to the kennels, say Crawford's kennels used live rabbits in training in February and, following a four-month layoff, resumed this month.

Bothered by the training methods, Go-

heen asked Crawford why the dogs could not train while muzzled.

"It wouldn't work," came the reply. "The dogs would never catch the rabbit and would never stop. They'd run themselves to death." ●

THE 2½ ACRES OF HELL—AND YET
IT IS WORKING

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. STARK. Mr. Speaker, at a time when urban schools are the subject of so much criticism and despair, Fremont High School in Oakland provides a reason for hope and optimism. Some remarkable changes have taken place there in the past few years. These changes are a tribute to the compassion, dedication, and hardwork of many individuals in that school, and they clearly prove that education can be alive and well in the inner-city. I commend this fine article from the Los Angeles Times to my colleagues:

THE 2½ ACRES OF HELL—AND YET IT'S WORK-
ING—OAKLAND'S FREMONT HIGH, IN HEART
OF THE GHETTO, FINDS LEARNING IS CATCH-
ING ON

OAKLAND.—"What we've got here," says the beaming principal of John C. Fremont High, "is a push-and-shove school—it's 2½ acres of hell, yet it works."

Like any ghetto school, the specter—and the reality—of violence lurks in and around the grounds. One teacher never came back after his students smashed him over the head with a chair. A former student was fatally beaten and shot at a party last month and a blind girl was raped near the campus.

But Principal Hal Zuckerman says a "funny thing" is happening at Fremont, located in the heart of East Oakland's poor, predominantly black and Latino district.

Despite the state-of-seige appearance—a chain link fence surrounding the asphalt grounds guarded at the gates by adult monitors—learning is on the wane and some students, looking for a better education, are even transferring into Fremont from other schools—something previously unheard of.

Fremont High houses 1,500 students in 64 grubby, portable classrooms. The racial mix is 73 percent black, 22 percent Mexican-American, 2 percent Oriental and 1 percent each native-American, Filipino and Anglo.

Served in the lunch room one recent day were pizza, tacos, burritos, barbecued beef sandwiches, hot dogs, hamburgers, spaghetti and fried potatoes.

Around the corner are Mexican and soul food restaurants, the Hell's Angels motorcycle clubhouse, Muslim headquarters and cheap stucco houses sectioned into apartments. Black Panther headquarters is 10 blocks away.

When he came to Fremont two years ago, Zuckerman, 52, said, tensions ran high. The Anglo kids "congregated on the hill, the Chicanos were out back, the blacks were up front and the Asians in the library."

Enrollment stood at 1,300 and absenteeism was a steady 20 percent. Today there are no gangs of "haters" lounging against the walls spoiling for a fight, enrollment has increased and absenteeism fluctuates between a respectable 10 percent to as high as 16 percent.

The first goal was to "create a comfortable environment," Zuckerman said. "When they're spending all their energies protecting their flank they're not going to learn. Then

we needed some tightening up, a better curriculum, better teaching and more discipline. "Last year we had a black kid, Marvin Patton, win a \$14,000 national merit scholarship to Yale in physics. This year, an Oriental boy, Danny Lau, is the graduating valedictorian with straight 'A' grades and the runnerup is a Mexican-American, Jamie Heredia. They both want to be engineers."

Another program aimed at easing tensions and stimulating community interest is the selection by a school committee of a "family of the year."

A bicycle repairman, Alfonso Aguilar, and his wife will be so honored during commencement exercises June 16. They will be presented with a cap and gown, Aguilar will address the student body through an interpreter and the couple will graduate alongside their son, Manuel.

Last June, Mr. and Mrs. Moyse Howard, who sent nine children through Fremont High, won the honor.

But the biggest advance in easing racial tensions is considered to be the school's three-year-old bilingual program.

Bilingual teaching has won steady acceptance at Fremont even though it's a hot issue at other schools in the United States. The federally funded classes are taught by teachers who fluently mix both English and the students' native language. Question-and-answer sessions ebb and flow in Spanish and English, depending on the student.

Classes are also taught in Tagalog and English for the benefit of 20 students from the Philippines.

Gonsall Toscano, 18, says the bilingual classes give him and the other Mexican-American kids an identity, that it makes them proud.

"Problems inside the school system aren't so bad" when they can be talked out in Spanish, he said. "The students don't feel that 'the teacher doesn't like me because I'm Mexican'—and they seem to get more out of the classes."

"We've seen a tremendous change in students who used to be 'cutters.' Many of these students now identify with the school," said language arts teacher Wenceslao Abeyta. "Our attendance in bilingual classes is near 100%."

Russell Romero, 17, was having a smoke across the street. The school is "closed" to smoking and portable radios, so Russell walked off.

Actually, Russell was supposed to be taking the roll for Antonio Sanchez' social studies bilingual class to the office, but he'd taken the long route.

"Don't they want you back in class?" Zuckerman said gently.

"I'm thinking about it," Russell said.

A few moments later Russell was back in class, reading about Operation Wetback, the movement in 1953-59 to push illegal aliens back across the Rio Grande.

"Two million of us were deported," Russell read. "The war was over so they didn't need so many of us."

"OK," said Sanchez. "George, read the next passage in Espanol."

A black youth read in Spanish. "Elizabeth," the teacher said, "what's it say on page 109 under the plate?" Elizabeth floundered in English for a moment, then broke into fluent Spanish.

Inside the principal's office a little sign sits on a shelf. It says: "When you get to the end of your rope, tie a knot and hang on."

"Obviously we are a school that has a long way to go," Zuckerman said. "But we're making progress. Last year we won scholastic accreditation for the first time in 10 years. We have a winning basketball team. The cops had us marked as a 'heavy' campus, but we've had few crime problems this year."

"I think what has happened, the campus has become a model for a good environment."

To top it off, Fremont High is scheduled to move next fall into a new \$4.5 million home under construction next door.

Zuckerman's inner calm was shattered by funky disco music. He grinned.

"That's David Rice. It's 2:30. He checks out his radio from the desk every day at 2:30 and turns it on as he leaves the school grounds—that's his independence." ●

EMPLOYMENT AND PROMOTION PROBLEMS OF HISPANICS

HON. MARTHA KEYS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Ms. KEYS. Mr. Speaker, Raul Guevara, an L.B.J. intern in my Washington office this summer, has taken on a special project researching the position of Hispanics in Government employment. I would like to share with my colleagues information he has compiled on employment and promotion problems of Hispanics and on IMAGE, a group designed to assist Hispanics with public employment.

The Hispanic American Community is losing more than \$1 billion annually in income, because of underrepresentation in Government employment.

Although Hispanic Americans comprise over 7 percent of the population in the United States, they hold only 3.4 percent of the 2,400,000 Federal jobs, 2.4 percent of the 1,461,000 State jobs, and 4.9 percent of the 2,566,409 local and municipal jobs.

The Spanish-speaking community is underrepresented by 115,000 jobs in the Federal Government, and by over 50,000 jobs in the State and local governments. Thousands of qualified Spanish-speaking Americans have been excluded from civil service jobs in Federal, State, city, and local government agencies, because of discrimination, overt as well as systemic. Many Hispanic Americans who have been able to enter the civil service system have been unable to rise within it. Few of the 7,000 Federal supergrade jobs are held by members of this ethnic group, and the picture looks little better at the State and local government levels.

IMAGE was organized for the purpose of assisting Hispanic Americans interested in public service and developing upward mobility for those already employed in civil service jobs. IMAGE is celebrating its 6th year of existence at its annual convention in Washington, D.C., June 6-10, and will be working to find ways of implementing the following objectives:

To seek a broad development and expansion of employment opportunities for the Hispanic American aspirant to government service.

To encourage and actively support the professional promotion and advancement of Hispanic American employees already in government service.

To become actively involved in the achievement of equity in all aspects of public service for the Hispanic American.

To counter social and ethnic discrimination, open or subtle, wherever and whenever it is encountered against the Hispanic American.

To determine the education and professional needs of Hispanic American for the purpose of enhancing their entrance and advancement in government service and to encourage and provide wherever possible, appropriate training opportunities.

To assist the government services in providing the proper circumstances for recruitment, training, employment, and advancement of Hispanic American in government services.

To establish and continually upgrade a broad basis of communication with Hispanic Americans in government service everywhere whether or not as members of IMAGE.

To expand the concept and objectives of IMAGE to communities throughout the state, region, and the nation to provide maximum impact of the benefits derived from the pursuit of these objectives as stated above. ●

THE ECONOMY—PART I

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

Mr. FORSYTHE. Mr. Speaker, by current concern for the state of our Nation's economy is growing almost as fast as the rate of inflation. I fear that we have reached a point where two factors—inflation and unreasonable taxes—are dampening the economic growth of our Nation and producing serious hardship for our citizens. A careful review of the history of this country and of other countries points to the cause of this economic malaise. We now face an urgent need for bold steps to revitalize our economy.

Conversations I have had with my constituents in the last year point to inflation as our most serious economic problem. Recent national polls reinforce this sentiment. There is no question in my mind that inflation takes a devastating toll. People on fixed incomes are crushed by inflation; the average consumer sees his or her paycheck buy less each week; businesses cannot afford to grow because investing in new capital involves the risk of inflation.

The current administration is attempting to curb inflation by "jawboning" private industry to slow wage and price increases. This ineffectual attempt to treat the symptoms, not the causes, of inflation is unfortunate. I am convinced that, with respect to inflation, the administration itself is the problem, not the solution.

While the administration gives lip service to fighting inflation, its proposed budget for the next fiscal year features a \$51 billion budget deficit, the third largest in our history. The outstanding Federal debt, as of fiscal year 1978, totals a staggering \$785.6 billion. This year alone our country is paying \$43.8 billion just to pay the interest costs on this national debt. I fear that our national debt is becoming a national tragedy.

In fiscal years 1977, 1978, and 1979, the Democrats have allowed taxes to rise

at a record rate, increased spending 11 percent per year (the fastest 3-year rate in history), and created the second, third, and fourth largest deficits in post-World War II history. Incredibly, Government spending now accounts for one-fourth of our gross national product. While the President is asking workers and businessmen to hold their wage and price increases to 5 percent, he is increasing Government's spending by 11 percent. The question I ask myself is, "Why can't we hold down the price of Government?"

By irresponsibly spending more than it takes in, our Federal Government is the direct cause of inflation. Very simply, when a government spends an inordinately large amount of money—in fiscal year 1979, for example, the Federal Government will spend \$500 billion—it competes with the private sector to purchase goods. This competition drives up prices. Compounding this problem is a tactic used to foot this deficit—the printing of more money. Economists agree that a cause of inflation is too much money chasing too few goods. The Government, because of its monetary and budgetary policy, is the principal cause of inflation.

How government spending can cause inflation is demonstrated by events in three countries—Germany, France, and the United States—in the last 30 years. Following World War II, the German economy was to ruins. In 1948, however, wage and price controls were lifted and the Government budget was substantially reduced. Within a year, inflation subsided and the German economy entered a prolonged period of economic growth and prosperity.

France resorted to similar measures 10 years later. In 1958, inflation in France was severe. General deGaulle, in dealing with this financial crisis, ignored the advice of his political staff and trimmed subsidies to national industries and other budget items. By decreasing the budget, DeGaulle effected a rebound in the economy—within 3 years, both inflation and unemployment rates dropped.

Here in the United States a less serious problem with respect to inflation occurred in the early 1950's. Fueled by the Korean war and black market prices, inflation began to reduce the buying power of the dollar. By decreasing the deficit, however, the Eisenhower administration temporarily solved the inflation problem.

The lessons from the past offer a very clear conclusion: By reducing Federal spending and the Federal budget deficit, we can curb inflation. I have recognized this conclusion and have adhered to its lessons in my votes on Federal spending. We simply must bring runaway Federal spending under control. Unfortunately, we have a President who promises balanced budgets, yet submits a budget with a record level of spending.

In addition to controlling the Federal budget deficit, I feel that we must carefully monitor the Federal supply of money. While the temptation is great to simply print more money to cover our

Federal deficit, we must resist such irresponsible action. I was particularly concerned to learn that our money supply grew from \$330 billion in the week ending March 1, 1978, to \$345 billion in the week ending April 26, 1978. Such increases are shortsighted quick fixes and disturb me greatly.

Since the merits of reducing the budget deficit are clear, why have not we done so? Unfortunately, my Democratic colleagues are convinced that budget reductions will endanger a number of worthwhile programs. Recently, for example, I supported but was on the losing side of an amendment to reduce the HEW budget by \$3½ billion. To put this into perspective, HEW loses over \$7 billion each year because of embezzlement, fraud, and mismanagement. Clearly, reductions could be made without affecting the quality of the services provided by the Federal Government. Yet the administration and a majority of Congress insist on spending billions on ineffective programs which lead to dangerously high rates of inflation.

In sum, the practice of huge Federal budget deficits and excessive Federal spending has triggered unacceptable rates of inflation in our economy. The steps needed to control this inflation are clear: We must insist on a Federal Government which is fiscally responsible. I believe ineffectual Federal programs can be cut back and, by reducing the Federal deficit, we can curb inflation. The tired, counterproductive belief that extensive Federal programs are central to our well-being must be replaced by fresh new faith in the competence of our private enterprise system.

PERSONAL EXPLANATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

O Mr. YOUNG of Alaska. Mr. Speaker, during yesterday's rollcall vote on the McClory amendment to H.R. 12930, to reinstate \$4.2 million for the Bureau of Alcohol, Tobacco, and Firearms to carry out its proposal to computerize firearm registration, I was involved in a subcommittee session dealing with the fishing industry in Alaska and was thus unable to vote.

However, if I had been there, I would have voted nay.

This amendment would have given congressional approval to an act which threatened the foundation of this body; that foundation being the right of elected Representatives to make laws. It would have given to the Federal bureaucracy the right to implement law by fiat.

In addition, it would have seriously challenged the second amendment rights guaranteed all law-abiding Americans in the Constitution. The people of my great State have registered a firm commitment to those second amendment rights, and those that are familiar with the State of Alaska are

well aware that firearms are a part of daily life in the bush. I am grateful that a majority of this body saw fit to protect those rights, and once again, I reiterate my vote of nay to the McClory amendment H.R. 12930.●

MEDICARE FUNDING FOR ABORTIONS

HON. EDWARD W. PATTISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

O Mr. PATTISON of New York. Mr. Speaker, once again we are confronted with the issue of medicare funding for abortions. I do not intend or wish to argue either side of the abortion issue here today. Neither the legality or the morality of abortions at the question at hand. The legality of abortions has been decided by the Supreme Court. Only a constitutional amendment, not an appropriations bill, can possibly change that situation. As to its morality, the various theologies of the world are unable to agree. A vote on the Hyde amendment does not represent approval or encouragement of abortion.

We have never been able to come up with a moral consensus on the abortion question. If the world's religions are unable to agree that the practice is immoral, it is rather presumptuous of a legislative body to do so. The House of Representatives was created to make the laws by which our country is governed. But the Congress most definitely is not gifted with the ability to make moral decisions for an entire Nation. As in other matters, except where there is virtually universal agreement, the question of morality should be left to each individual. Those who oppose abortions will not choose to have one. By the same token, however, those women who do not oppose abortions should be allowed to decide for themselves. It is undoubtedly a difficult and heavy choice to face.

By denying medicare funding of abortions to poor women, we are leaving the freedom of choice only to those more affluent who can afford it. This attempt to restrict poor women's access to medicare funds for abortions is clearly an act of discrimination, based solely upon wealth or income.

I have consistently voted against the restrictive language which would deny medicare funding of abortions to poor women, because the fact is, abortion under the law of the United States is a legitimate medical procedure. The legality of the operation has been recognized by the U.S. Supreme Court and cannot be changed, except by constitutional amendment. No consensus has been reached on the morality of the issue. If any one of these facts was different; if abortions were illegal; if the medical procedure was not accepted as a legitimate one; or if the country as a whole was able to agree on the proposition that abortions are immoral, I would not support medicare funding of abortions. As the issue now stands, however, the Con-

gress must not impose the beliefs of some citizens upon the contrary beliefs of others.

Last year, after many hours of debate followed by numerous votes over a 6-month period of time, this Congress agreed on language which severely limits Federal funding for abortion. Only in cases where "the life of the mother would be endangered if the fetus were carried to term," or "for the victims of rape or incest," or "in those instances where severe and longlasting physical health damage to the mother would result if the pregnancy were carried to term when so determined by two physicians" will Medicaid funding be provided. That is hardly "abortion on demand." It would accomplish nothing except further obstruction to the work of this Congress, and further polarization of the American people, to debate the issue all over again. Those on both sides of this difficult issue should accept last year's final compromise, and move on to the many other issues facing this Nation. ●

SYRACUSE UNIVERSITY CREW
NATIONAL CHAMPIONS

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

○ Mr. WALSH. Mr. Speaker, over the years, I have enjoyed the privilege of saluting before this body the notable achievements of outstanding individuals and groups in New York's 33d Congressional District who have brought honor to themselves and pride to their communities.

It is especially pleasing for me today to share with you a tribute to the Syracuse University varsity and freshman crews, each winners of intercollegiate rowing's national championships in the annual Syracuse Regatta at Onondaga Lake on Saturday, June 3.

Intercollegiate rowing differs from sports such as football or basketball in that spectators are few and publicity is sparse. But the dedication of the oarsmen, coxwains and coaches, and the support and enthusiasm of alumni who participated in rowing as undergraduates is just as intense as in sports that are better known, and the taste of victory is just as sweet.

For Syracuse University's freshman crew, the national championship is their third straight; for the varsity crew it is their first since 1920.

In appreciation of the glory they have brought to Syracuse, and in recognition of their excellence, a proud community is sending both crews to the Grand Classic World Championship at Henley-on-the-Thames in England in July.

I am honored to salute each of the members of both crews, and their coaches, William Sanford and Andrew Harrison, for a tremendous accomplishment at home, and to extend best wishes for their success abroad. ●

REBUTTAL TO THE DEFENSE
DEPARTMENT ON ARMS SALES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues a paper prepared by the Military Audit Project, which is a rebuttal to a Department of Defense critique of an earlier Military Audit Project report entitled "Foreign Military Transfers—Credit Arrangements and Sales to the Third World: Methods, Loopholes, and Circumventions." Both the Defense Department critique and the original paper appeared in the CONGRESSIONAL RECORD, December 1, 1977, p. 38334-38336 and on February 21, 1978, p. 3905-3909.

A major point of contention between the Military Audit Project and the Department of Defense is the control and the financing of commercial military sales. It is my understanding the FMS credits and guarantees can be used to finance sales contracted for commercially. Such a use of credits or guarantees has the effect of making commercial sales government-to-government transactions which should be subject to all the restrictions and controls of FMS sales.

The Military Audit Project, which asked me to put this rebuttal in the RECORD, is a private, nonprofit organization examining several aspects of American military policy.

Their rebuttal follows:

REBUTTAL OF THE DEPARTMENT OF DEFENSE
CRITIQUE OF THE MILITARY AUDIT PROJECT
REPORT ENTITLED "FOREIGN MILITARY TRANSFERS—CREDIT ARRANGEMENTS AND SALES TO THE THIRD WORLD: METHODS, LOOPHOLES, AND CIRCUMVENTIONS," MAY 1978

(By John R. Burbank and Fritzi Cohen,
Military Audit Project)

Last November, the Military Audit Project (MAP) published a report on foreign military sales which generated much press and congressional interest. Rep. Lee Hamilton, a member of the House International Relations Committee, placed the MAP report into the Congressional Record on December 1, and asked the Defense Department (DOD) to respond to it. DOD's critique was also inserted into the Congressional Record by Rep. Hamilton on February 21. This is MAP's reply to that critique.

The DOD analysis concentrates on certain interpretations of the law's language and clarifications of facts and procedures. Some comments were helpful in understanding the technicalities of the issues; others were inaccurate and biased. This rebuttal will address the latter comments.

One DOD comment involves a dispute over interpretation. MAP has stated that the Arms Export Control Act of 1976 mandates credits and guarantees solely for the foreign military sales (FMS) program, i.e., government-to-government transactions. DOD replied that there are no specific prohibitions against using FMS credits to finance commercial military sales. However, a careful reading of the legislation reveals no basis for DOD's interpretation and questions the legality of providing FMS credit to foreign countries for commercial purchases.

Chapter 1, Section 2 of this act draws a

careful distinction between "sales," all of which are under the government-to-government FMS program, and "exports," which are commercial transactions. Chapter 2 of this act, "Foreign Military Sales Authorizations," then specifies the procedures and limitations of the FMS program. The discussion of credit sales and guarantees in Sections 23 and 24 is entirely within the context of government-to-government sales.

Commercial sales are subject to less scrutiny and congressional oversight than FMS transactions. Moreover, they are specifically excluded from Carter's arms sales ceiling.

The DOD description of its relationship with the Federal Financing Bank (FFB) is misleading, and MAP stands by the statement in its report that DOD began "channeling FFB funds to foreign countries" for arms purchases in 1974.

The FFB is not responsible for locating governments which need financial assistance to purchase arms. Instead, these countries and their loan applications are referred to the FFB by DOD, with DOD guarantees for the loans. This has become an effective method for DOD to sell weapons to other countries.

DOD also claims that, because FFB loans are at no cost to the U.S. government, they are not subsidizing the purchase of arms by foreign governments. Aside from the fact that loan monies made available for weapons reduce the loan amounts available for domestic programs, the FFB loans extend credit at a lower interest rate than private banks give. Without the FFB, foreign countries are unlikely to receive such low interest loans.

The point we made was that the FFB credit program and DOD credit and guarantee programs combine to create large incentives and subsidies for purchases of military equipment by Third World countries.

DOD stated that the disbursement of credit funds to Uruguay prior to fiscal year 1977 was legal. The MAP report did not claim otherwise. Instead, it pointed out that disbursements to Uruguay of money appropriated prior to FY 1977 could—and should—have been curtailed in coordination with the new law prohibiting such disbursements of FY 1977 dollars. Instead, DOD rushed to make a new commitment with Uruguay just two days before FY 1977 began. FFB, acting upon the recommendation of DOD, extended the old commitment to Uruguay in the middle of FY 1977. These commitments were then drawn down upon for specific military purchases by Uruguay during that year.

A confusing typographical error should be corrected. The MAP report, pages seven to eight, reads: "(O)ne commitment agreement, for \$2.5 million, was guaranteed by DOD on September 29, 1977, that is, two days before the beginning of fiscal year 1977." The agreement was actually guaranteed on September 29, 1976, which was two days before the beginning on FY 1977.

Finally, DOD attempts to place responsibility for arms sales and arms control policy on the State Department. Certainly many parties—including Congress, the President, the arms industry and the State Department—are responsible for the growth of arms sales and the lack of an effective arms control policy. But it is DOD that has administrative control and originating responsibility over the FMS program and that therefore plays a primary role in the proliferation of conventional arms throughout the world. State does have policy control over which nation gets what weapons systems, but there is little evidence it is able to exercise that control effectively.

While the MAP report contains a few minor factual errors, it does raise valid questions on the "control of commercial military exports" and is confirmed by the Pentagon's

critique. Moreover, the MAP report goes beyond commercial military exports not discussed by DOD. These issues include financing of arms sales with U.S. government monies, the sales of weapons to repressive Third World regimes, weaknesses of Carter's new arms control "ceiling," and the Pentagon's semi-autonomous actions.

The fundamental problem which binds these issues together is the lack of will to control arms sales and the consequent proliferation of weapons throughout the world. Carter's policy has not succeeded in preventing the growth of U.S. arms sales: DOD estimates that FMS for FY 1978 will total \$13.2 billion, compared to \$11.2 billion in FY 1977.

Madly selling weapons abroad is justified by the naive assumption that these sales will protect this country's perceived economic and political interests in other nations. The fragility of this viewpoint is most poignantly obvious in the Horn of Africa, where Somalia, with U.S. support, has been fighting Ethiopia, which, while backed by the U.S.S.R., is equipped with U.S. weapons. Even more recently, Carter's proposal to lift the arms embargo against Turkey has increased the stock of Greek socialist leader Andreas Papandreu, who favors withdrawal of Greece from NATO.

The U.S. arms sales policies have had less ambiguous impact in other countries. For instance, Indonesia, a big FMS client, has a climate necessary for strategic and profitable economic exploitation by U.S. corporations. Indonesia is also with the United States' sphere of influence of anticommunist nations.

Unfortunately, this neat political and economic alignment takes place in the context of a totalitarian society. According to Amnesty International, Indonesia is the largest violator of human rights in the world today. The U.S. has curtailed some economic aid to the country as a result. But at the same time, we have exported more arms. We provide the instruments of repression on one hand and condemn their use on the other.

Examples of totalitarian governments whose existence depends upon violent repression with weapons supplied by the U.S. is repeated many times throughout the world. In FY 1977, the U.S. reached FMS agreements with, among others, Argentina, Brazil, Ethiopia, Guatemala, Haiti, Iran, Nicaragua, the Philippines and Uruguay. The U.S. has become an accomplice to the repression of the governments of those nations.

This is one of several consequences of our FMS program. MAP's analysis was a response to its concern about those consequences. The DOD critique was, we hope, an unsuccessful attempt to discredit the report.●

PEG MCCARTHY, AMERICA'S
SPELLING "SHE"

HON. MARTHA KEYS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Ms. KEYS. Mr. Speaker, having won the National Spelling Bee, Peg McCarthy is America's spelling "she."

Peg McCarthy upheld a proud Kansas tradition by winning the National Spelling Bee today with the word "deification," after correctly spelling such jaw-breakers as nabob, dyslexia, coccyx, and septennate yesterday. Winning runs in Peg's family as well as our State generally. Peg's cousin, Mike McCarthy, won

the Kansas State Spelling Bee 25 years ago; Kansans have now won the national prize three times—1958, 1968, and 1978.

All Kansans are immensely proud of Peg's success, and credit for it is especially due to her family and her teachers at Holy Name Catholic Grade School where she is a 7th grader. In an era of discouraging reports about performance in basic skills, 13-year-old Peg McCarthy is good news indeed. It is a pleasure to share it with all of my colleagues in the House of Representatives.●

HELPING MAKE THE WORLD SAFE FOR COMMUNISM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. ASHBROOK. Mr. Speaker, for years Castro's apologists in the United States have ignored the human rights issue in Cuba while clobbering the anti-Communist regimes of Chile, Rhodesia, South Africa, and so forth, with palpating zeal. Others, notably some American businessmen, are chomping at the bit to break bread with Castro in a new international version of "Let's Make a Deal." Still others, wistfully and sincerely hoping for true peace in the world, seek to make concessions thus appealing to the better nature of the Cuban dictator, tragically forgetting the barbarisms of Hitler, Mussolini, Tojo, Lenin, Stalin, and a host of others from the past. To even vaguely hint that these fractions, regardless of motivation and intent, are effectively aiding the spread of Communist tyranny throughout the free world would, in many cases, bring denials of righteous indignation.

In provocative contrast to the unreality of the aforementioned elements, consider the words of Mr. Frank Emmick of Toledo, Ohio, an American businessman, who recently returned to the United States after serving 14 years, 3 months, and 18 days in Castro's inhumane prisons:

We are the last bastion of freedom and democracy in the world, and must maintain and lead all freedom living people in this American heritage. We are in great danger from within and from without, from a well-organized and determined enemy which aims to destroy us, using whatever means at its disposal to gain its objective.

More specifically, Mr. Emmick stated that—

The enemy has many of our so-called liberals, intellectuals, students and a great portion of our masses hypnotized to an ideology that is leading us to enslavement by international gangsters and imperialists.

During his long ordeal, Mr. Emmick was sustained in part by radio broadcasts emanating from Miami which he and other prisoners had received over their secret prison radio. Upon his return to the United States he sought out the "voice" behind the "Radio Free Americas" program, Dr. Herminio Por-

tell-Vila of the American Security Council. Fulfilling a vow made in prison to show his gratitude to Dr. Portell-Vila and the ASC, Mr. Emmick made his first public appearance in the United States at an ASC news conference in March of this year.

Implicit in the message of Mr. Emmick is the appeal for a mental and spiritual toughness such as he himself relied on in confronting Communist brutality:

One would be surprised how much a human can endure under such conditions if he has the faith and the courage of his convictions. The will to fight for a moral cause gives an individual super resistance powers that he never knew he possessed. These powers account for the survival of those determined and willing to sacrifice all to resist the plague of communism.

What a difference between this courageous American businessman and the U.S. traveling salesman who are eager to ply their wares in Cuba, further tightening Castro's bonds of tyranny over the Cuban people.

Plainly, the stage is being set for a showdown between those willing to fight for a moral cause and those, however well-intentioned, who in effect help the present Communist regimes spread their evil throughout the world. Who prevails will be decided only if true peace in justice and freedom eventually returns to our world and we, our children and our children's children escape the indescribable ordeals of the Frank Emmicks of our time.

I insert at this point in the RECORD the press statement of Mr. Frank Emmick given at an American Security Council press luncheon on March 14, 1978, at the Army and Navy Club here in Washington:

AN AMERICAN TELLS OF 14 YEARS AS CASTRO'S POLITICAL PRISONER

For your general information, this is the first public statement that I have made since my arrival in the United States on January 2nd of this year, after serving 14 years, 3 months, and 18 days in Castro's prisons of a fifty-year sentence as an American political prisoner in Cuba. It is certainly an honor and my profound pleasure to voluntarily appear here to make my brief but first statement before this prestigious and patriotic American Security Council—an organization to which I enjoyed listening clandestinely while imprisoned. I was impressed deeply by their information from the outside world, particularly with their concern about the security and welfare of my beloved country.

I had decided while I was in prison that if I ever got out of the clutches of the communists in Cuba, I'd like to make known a few true facts. Today my dreams will come true. As I mentioned, due to reasons of my precarious state of health at the present moment, this presentation will be brief and only to make my debut, so to speak. However, I hope that in the near future, I'll have the pleasure to inform you and my fellow American citizens more fully.

After 19 years' absence, I was bewildered and astounded by the changes in my country. The greatest personal changes I found were in my Church, which has become democratized in keeping with the world evolution. When I looked around me, I felt like Rip Van Winkle, as if I had entered into a huge "Disneyland"—with all the malls, shopping centers, remodeled cities, expressways, strange looking cars, color TVs, the artists'

mode of expressing themselves, strangely clad people with beards and long hair, disheveled and undisheveled appearances of both young and old. And, of course, the prices reminded me of the skyrockets that I used to shoot off on the 4th of July when I was a kid.

The change in my Church from all its old and mysterious rites and traditions to save it from decadence is a good example of how the Vatican has had the foresight to face its issues squarely and is trying to stimulate and revive the spirit of the Church without vacillation before it is too late. I believe that our country must also be urgently awakened from its dormant, self-satisfied and indifferent attitude before it is too late. We are the last bastion of freedom and democracy in the world, and must maintain and lead all freedom loving people in this American heritage. We are in great danger from within and from without, from a well-organized and determined enemy which aims to destroy us, using whatever means at its disposal to gain its objective. We are infiltrated in all walks of life and have been lulled to disregard the dangers by our false sense of security and by our comfortable way of life. The enemy has many of our so-called liberals, intellectuals, students and a great portion of our masses hypnotized an ideology that is leading us to enslavement by international gangsters and imperialists.

I was in Cuba when the process started and consider myself somewhat of an authority on how the machinery operates, and this was only 90 miles from our shores.

CASTRO'S TREATMENT OF AN AMERICAN BUSINESSMAN

To summarize my experiences in Cuba: In the 1950's and early 60's, I was an American businessman engaged in freezing and exporting frog legs to the United States, having had an exclusive contract with the Cuban government of all fauna and flora in their fresh waters. I was then considered the largest single producer of frog legs in the world. My troubles began when the United States government broke off relations with Cuba on January 4, 1961. One week later I gave notice to the Cuban government that I was suspending my production and under no circumstances would I transport my product to the United States via another country. I was threatened with intervention to which I had no objection. Then, I was arrested several times for short terms during that month for harassment reasons and, on one occasion, was asked what I knew of the coming "invasion." Being strictly in business, I was absolutely uninformed and told them so. However, I was not only arrested, but at midnight on January 31st I was savagely beaten near my garage at my home by five militiamen and thrown into the ocean for dead. Summoning all my remaining strength, I crawled and staggered back to my home.

After medical care, I appeared at the Swiss Embassy the following morning to show them my latest humiliation. I was advised to leave the country because my life was in extreme danger. Complying with the advice, I was escorted to the airport by the Swiss diplomat. Before time of departure, I was detained by the Cuban G-2 and informed that I could not leave Cuba, because I owed a small amount of money for a fifteen-day supply of raw materials. I replied that the confiscation of all my properties, including two plants, and material produced ready for shipment, counter-balanced my debt by over 16 times; therefore, I refused to give them another cent. As a result, I was forbidden to leave the island.

On the morning of September 12, 1963, my house was completely surrounded by a score of G-2 personnel. I was robbed of my car and taken to security, commonly called G-2. Upon entering into this building, I was reminded of a morgue or refrigeration locker, a long corridor with cells on both sides all covered

with armor plate and an absolute silence maintained by many guards. There I was arrested again and accused of being the chief of the CIA in Cuba. Of course, I was greatly shocked as I've never been a CIA agent, let alone the chief. For months I was under continuous interrogation at all hours of the day and night. Sometimes they would awaken me in the middle of the night just to ask one question. Occasionally their interrogation would be observed by Russian or Czech individuals. The first few days I was threatened to be shot within 48 hours under their special military code, but on the other days it was mostly mental and physical torture because I never fully had an opportunity to rest my mind or body. I was not permitted to get in touch with the Swiss Embassy.

INCOMMUNICADO IN DARKNESS AND COLD

I was surprised, therefore, when Congressman Charles O. Porter and several newsmen were authorized by Fidel Castro personally to interview me on October 3, 1963. There I learned from the Cuban authorities that the death penalty was going to be imposed upon me. I spoke very frankly to my American cohorts and was given permission to write an open letter to President Kennedy. In retaliation, several weeks after this interview, I was taken out of G-2 with a black hood placed over my head, forced to lie down on the floor of a car, with three guards resting their feet on my body and rifles sticking into me. I was driven to some place in Havana and placed into a completely darkened refrigerated room, stripped down to my underclothes, and there for eight days I was forced to sleep uncovered on the floor. It was so dark that I couldn't see my hands in front of me, and I could move about only by using the walls as my guide.

After five months of this horrible incommunicado, I was transferred to the old Cabanas Fortress that was built in 1760 and again placed in an underground dungeon, also incommunicado from the rest of the condemned prisoners. This dungeon consisted of four usable "galleries" where approximately 650 political prisoners were jammed like sardines, forced to sleep on an old, poorly cemented floor full of earthen pot holes, rats, vermin, etc. with little ventilation and where the sun, moon, and stars could never be seen. The sanitary conditions were shocking—only four toilet holes in the floor for the whole population, water rationed by the cup twice a day and, on occasion, bathing with a bucket and can if you were lucky. At night the conditions were inhuman, with no mattresses, pillows, or sheets. We used sacks or whatever material was available and fought for a measly inch of space to rest our bodies. I was sent a canvas cot by the Swiss Embassy but could never open it up at night because of the lack of space.

The oppression and continuous searches and harassment cannot be explained in a few words, I couldn't help but believe that Hitler's tactics were still in force. This dungeon was called the *Mazmorra* of the Western Hemisphere, or the Devil's Island dungeon of the Americas. (In 1966, it was completely regenerated because of bad worldwide publicity.) While there, I was wounded in my side by a guard's bayonet simply for being the sole American among the Cubans. From there, the prisoners were taken to trial, and later, if alive, transferred upstairs. The daily turnover was unimaginable—a conveyor line of humanity, shifted like animals. No one in my memory was ever released as innocent from any trial confronting them.

THE BUSY FIRING SQUAD

It was from this dungeon that 159 of my fellow inmates and friends were taken out and executed. I heard the command and the roar of the firing squads and the valiant shouts of the condemned, 159 times in a

period of approximately nine months of my confinement there. From this place, I was called and taken to trial three times supposedly to be executed. However, the trials were suspended because my attorney demanded observers from Geneva to be present. Incidentally, our conversations with our lawyers were limited to 10 or 15 minutes for only about seven or eight times. That was the extent of the preparation we were allowed to save our lives. I finally was tried on April 9, 1964, with the Geneva observers present and a full turnout of accredited Western diplomats from non-communist countries. The trial was a joke, a travesty of justice, with absolutely no positive proof. I was condemned to 30 years. I was lucky!

Back at the fortress, I was located in one of the 12 ancient galleries above the ground with condemned political prisoners. The conditions were atrocious, barbaric, impossible for a sane man to comprehend. Between 4,500 to 5,000 men, permanent and transient, living in the most inhumane conditions imaginable. An old fortress that never accommodated more than 500 persons at capacity for military infractions, now jammed to the ceiling with four-tier beds located everywhere possible. To crowd in these prisoners, the men were forced to sleep not only in the tiered beds, but also in the aisle between tiers, on hammocks four tiers high, made of sugar sacks or whatever material, swung between the bed frames. These arrangements were crammed even in the main aisle from rear to front entrance and right up to the toilets, all in a gallery only 110 feet long, and with only one hole in the floor for defecating and a bucket for urinating, and a 6 foot by 4 foot enclosure for bathing purposes, using buckets and a can when water was available.

The medical attention was practically non-existent. There was only a six-bed infirmary, no dental facilities, abominable food with no protein whatsoever. Before Castro abolished Christmas, the prisoners' families had brought us on that day containers of home-cooked meals that lasted us for several days.

At this prison, as in the others, the firing squads were operating in full force. There were anywhere from 20 to 25 executions per week to as many as 27 in one night! I am speaking of 1964. Among us there were no common prisoners, only political prisoners—men in all walks of life, from peasants to priests whose only crime was their revulsion of communism. One would be surprised how much a human can endure under such conditions if he has the faith and the courage of his convictions. The will to fight for a moral cause gives an individual super resistance powers that he never knew he possessed. These powers account for the survival of those determined and willing to sacrifice all to resist the plague of communism.

Castro saw that he could not break the spirit of the political prisoners, even though they suffered heartbreaking sorrow with the fall of the "Bay of Pigs" and the "October Crisis." Castro therefore put in motion a plan to divide and conquer us in 1967—by changing uniforms from khaki to blue, which the common prisoners used. The plan was not wholly successful, but Castro did manage to divide some of the prisoners at the fortress and throughout the island. However, hundreds of others lived absolutely nude in cells and thousands upon thousands wore only shorts or briefs in the galleries as a protest from April 1967 until August 1968. Castro finally returned the khaki uniforms to 99% of the political prisoners. However, the prison authorities had created so much discontentment and dissension through infiltrators and informers that two hunger strikes were called because of the savage acts of retaliation by the regime, one in 1968 and another in 1969 that lasted 36 days. These

left many invalid for life and caused a great division in the ranks because of the traitors in our midst. Miraculously no one died in this long strike.

In 1970, I was transferred to an ex-women's prison in Guanajay, located about 60 kilometers from Havana. There the conditions were much better, superficially. It was a regular prison. However, the food and discipline were very bad. We lived three to a cell and hygienic accommodations were very good compared to anything we had had before. This was the year that Fidel intended to produce ten million tons of sugar, and it appeared as if he were changing his policies toward us, probably with thoughts of reaching a rapprochement with the United States. We were given limited time in the sun and practiced athletics for the first time. The Ministry of Interior came in with photographers and exploited us for future propaganda purposes. But, when Castro realized that he wouldn't make his ten million ton goal, his repression machinery went into operation.

In August, 1971, I received confidential information that Castro was holding the American political prisoners as hostages of the Vietnam war and under no conditions would he negotiate our freedom. So in July 1972, I wrote a letter (underground) to the States advising of my intentions to go on a hunger strike and giving my reasons and the scheduled date. I had never been on a hunger strike before, so I prepared myself spiritually, mentally and physically for October 10th. After seven and one-half days of not eating or drinking water, I was left in a pretty bad condition, and after a conference with Swiss and Cuban officials, I was given some vague and indefinite promises.

FIRST HEART ATTACK

For some mysterious reason on June 10, 1973, though suffering from the heart condition, angina pectoris, I was transferred to the second floor of a building that obliged me to climb 40 stairs to reach my cell. This floor had no water facilities, and I had to walk down to get my food three times a day. All in all, to cover these necessities, I had to make at least six round trips minimum a day—a total of 480 stairs. Climbing stairs for an angina patient is often fatal, but my objections were ignored. Eleven days later, I had a severe heart attack. Injections for pain administered by my fellow prisoners saved my life because I had to wait nine and one-half hours before I was finally transferred to a military hospital in Havana. By then, I had double pneumonia as well as the effects of the heart attack. It was touch and go for three days; but, thanks to our Savior, I pulled through.

In December of 1973, we were all transferred back to Las Cabanas Fortress again. Conditions did not improve. I didn't receive my mail from my family. None of my letters had been received since 1970. There were many problems, but at least the firing squads were mostly quiet. On June 25, 1975, all our medicines and vitamins that we had been receiving from the Red Cross through the Swiss were suspended. The reason: after 15 years, the authorities finally decided that they did not have the "facilities" to "analyze" the medicines and vitamins that came through the embassies, insinuating that drugs or narcotics could be entering the prison through this source. The new restrictions applied not only to us foreigners, but also to all Cubans who had been receiving medicine from relatives in the States or other foreign countries. Another thing regarding medicines: no one could receive any medicine directly from the U.S., it had to be sent through another country. I made strong objections in writing to Mr. Kissinger and Mr. Moynihan at the U.N.—with copies to the Ministry of Interior for reconsideration. My petition was denied by letter.

I was later admitted to another gallery which had been converted into a chronic sick ward, and there I had my second heart attack on November 28, 1975. It was seven days before I was taken to a civilian hospital for treatment. Instead of an ambulance coming to the ground level of the ward to transport me, I was ordered to report to the Administration Building about 150 yards away, which meant I had to climb an uphill cobblestone road. I had to stop frequently to take my nitroglycerine pills for the excruciating pain in my chest and lower left arm. When I finally reported to the Lieutenant in charge, he was in battle gear and handcuffed me before calling an ambulance that was hidden in the shrubs. I was put into the ambulance, accompanied by three heavily armed officers and when I looked back from my stretcher I saw a jeep escort with the head of security and the assistant director of the prison in full battle gear too, including steel helmet. When turning a bend I saw another similar jeep leading the way. Upon arriving at the hospital, I was greeted by another force of security officers. Weakened by an agonizing seven days of pain, I wondered why the delay, why the show?

THE MODEL PRISON

During the American election campaign in 1976, conditions improved immensely, with better food and treatment. However, an enormous shortage of medicine persisted, and expired medicines were re-dated or no medication at all was dispensed. When President Carter was elected, there was jubilation among the prisons' administrative officers. They bent over backwards to be good to us. Then, suddenly on December 9, 1977, we were transferred to a new, model prison in a convoy escorted by thousands of officers and troops. Everything was meticulously planned, using the latest Russian communications equipment. High ranking officers from the Ministry behaved with extreme gentility, offending no one but using extreme precaution that no false move was made. Why the rush to get us there? Could it be that someone from the outside world would now see us, but only from the outside looking in? Did any of you read Solzhenitsyn's "The First Circle"? Well, this was a rubber stamp of it. "No, no, you can look but you can't go inside!"

This new model prison was built in a valley and called the "Combinado Del Este" prison. We call it "The Valley of the Fallen." It had been under construction since 1972. It is a prefabricated four-story design and very badly constructed. From the outside, the buildings look modern and attractive. With a combination of lively colors, they do not look like prison buildings. But once inside, it is a horrendous castle of isolation and mental torture. There are no windows or shutters in the entire building. In the winter months you freeze and in the summer you swelter. Rain pours through wide cracks and, on the fourth floor seeps through the prefabricated beams. If you live below on the fourth floor, the sewage from the upper floor seeps through and cannot be avoided. The prisoners are strictly classified and divided to prevent any personal contact, except in the wing in which you live and then only during meal times or three times a week in the prison yard for one and one-half hours each time. There is no doctor on duty, and consultations are allowed for a limited number of men only twice a week. In case of an emergency, the patient must be transported on a stretcher or walk 150 to 200 yards. In my particular case, I was taken from a ground floor chronic ward in the fortress and transferred to the fourth floor of the new prison. In view of the fact I had suffered my first heart attack by climbing only one flight of stairs, it appeared to me that they were trying to eliminate me by now forcing me

to negotiate four flights each time to get sun or exercise. When I complained, the officer in charge told me that he'd arrange my matter. Result: I was kept on the fourth floor and not allowed to walk in the sun from January 10, 1977 until my release on January 1, 1978.

A little anecdote about the inauguration of the prison in June, 1977: the high officials were afraid to come within the compound for their ceremony; so they held a little half-hour affair in the Administration Building outside. One of the political prisoners prepared a bedsheet dyed in red color with the hammer and sickle and waved it outside and immediately set it afire dropping it to the ground four stories below. He was immediately sentenced to another ten years.

Ladies and gentlemen, I've attempted to give you but a few of the true facts of my 14 years, 3 months and 18 days imprisonment on this island that I now show you encircled by the barbed wires of Fidel Castro and his communist masters. This memento was presented to me by my fellow inmates, Cubans, in prison on the 4th of July, 1975. It says, translated:

"The brotherly links that have traditionally united our peoples become closer and stronger when we share our captivity. In you, we hail independence day of our sister American nation, July 4, 1975."

My heart pounds for my companions and the poor innocent Cuban people who are suffering so terribly today—only 90 miles from our own shores.

Thank you.

EXCERPTS FROM QUESTIONS AND ANSWERS

Question: Sir, how old are you, where do you live now, and in what pattern was your release arranged?

Emmick: I'll be 63 years old in April. I live in Toledo, Ohio, and I believe that I was released through destiny. By that I mean President Carter sent two Congressmen to see Fidel to have him remove the soldiers from Africa, and he refused them. However, he did concede or grant them an interview with five political prisoners still left in Cuba. At this conference, I was very emotional. They gave me some strong Cuban coffee which stimulated me and caused me to have chest pains. Of course they took pictures while I was going through the phases of this pain. Probably this persuaded Fidel. I don't know. I haven't any idea why. However, I did write a letter on August 18th to the new U.S. consul who was going to take over September 1st with a copy to Fidel Castro, showing them proof without a doubt that I was in the process of being "eliminated" like several other people several months before. I think probably he didn't want me to die on his hands, that's all.

Question: You said that after the election in 1976, the prison administrators were elated. Why were they elated?

Emmick: Because they thought that they were going to have relations with the United States, and the United States would help them out with medicines and the shortages that they have. There are enormous shortages, especially in the streets, not just in prison. Prisons were short, but the streets were worse. The streets are a bigger prison than the prison itself.

Question: Who were the two Congressmen, and how many more Americans were in this prison with you?

Emmick: The two Congressmen were Fred Richmond of New York and Richard Nolan of Minnesota, and we were five American political prisoners.

Question: Are the other four still there?
Emmick: The other four are there. However, there are many common prisoners, hijackers and marijuana people.

Question: Do you have an estimate on how many political prisoners there are now in Cuba and possibly compare that with the figures ten or twelve years ago?

Emmick: Well, the figure ten or twelve years ago ran over 100,000; my estimate, and I know I'm not too far off. At the present time it is around 40,000. That doesn't mean that they are all behind bars. They are working, they are out, or they are in concentration camps.

Question: Sir, in your statement, you mentioned at one point you sent a letter out to the United States by the underground. I wonder can you tell us a little bit about this. What you mean by the underground, and just what things they would do?

Emmick: Well the underground is sneaking it out. I can't tell you anymore.

Question: You mentioned that you were getting medicines, up to a point, in the early 70's, from the Swiss Red Cross, and then they were cut off. Was that cut off continued throughout your imprisonment or for on and off periods?

Emmick: The medicines were administered to us after Castro took over in 1959 when the first American prisoner was thrown in prison. In 1963, 27 male and 5 female prisoners were released after the "Bay of Pigs." However, medicines did come in until June 24, 1975. That's when they were cut off altogether. From 1959 to 1975, we received them.

Question: Could we have again your estimates of how many political prisoners there were ten years ago as opposed to today, and then how you base those estimates, on what you base them?

Emmick: Ten years ago, as I say, we in prison had communications throughout the island and we have people who kept the statistics.

Question: How many ten years ago and how many today?

Emmick: Say ten years ago? Well, when I say ten years ago, I should say 19 years ago from 1959 until a couple years back, there were over 100,000 prisoners. At the present there are about 40,000.

Question: Have you, since you've been out, been approached by the representatives of any of the human rights organizations such as Amnesty International or the Inter-American Commission on Human Rights, or those other organizations that are supposed to be interested in conditions of prisoners to get your story and find out what is going on?

Emmick: Well, I have been approached by many, many people, but this is my first public statement that I have made since I was released. I've been dodging reporters and dodging all types of organizations because, as I tell you, I am still sick. ●

THE SCHOOL AND THE STATE

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. IRELAND. Mr. Speaker, on Saturday, June 3, Phillips Academy in Andover, Mass., celebrated its 200th anniversary. I was privileged to be at Andover to share in this celebration and to attend my own 30th class reunion at the same time.

At the commencement ceremonies, Headmaster Theodore R. Sizer delivered an eloquent and insightful address which among other things, touched upon the relationship of public and private schools and the role of the Federal Government in education.

Since we have just recently debated and passed the tuition tax credit legisla-

tion, I thought that Dr. Sizer's remarks were extremely timely and I want to take this opportunity to share them with our colleagues.

Thank you, Mr. Speaker. The address follows:

PHILLIPS ACADEMY, ANDOVER, MASS.

THE SCHOOL AND THE STATE

We are gathered today to celebrate two birthdays, the 200th of Phillips Academy and the 150th of Abbot Academy. What for us is special about these two schools, and the school that followed their merger, is not that they are the oldest in the country or the largest or unequivocally even the best—because they're not—but that we as individuals are part of them, as students or parents or teachers or graduates or colleague educators. We personally owe them something, and we wish them well.

Beyond these personal claims for the Academies' uniqueness, traditionally we have added one more, that Andover is the "oldest incorporated boarding school in the United States." Such sounds pretty dry and rather prosaic, to be sure, but it is worth examining. While all colonial "schools" below the collegiate level had existed either as the personal enterprises of individuals, of teachers who, as it were, hung out their shingles and took in pupils, or as the relatively unstable offshoots of town government, where selectmen from time to time might hire a schoolmaster, the Phillips created a corporation and sought for it a state charter. The corporate form of organization permitted the Academy to own property, thus decreasing the dependence on tuition and creating the possibility for permanently funded scholarships. Andover's first scholarship was awarded in 1790, the income from a fund established by John Phillips of Exeter, New Hampshire.

The corporate form provided two additional, and crucial, characteristics. It permitted an orderly succession of responsibility for the Academy from one Board of Trustees and Master to another. Earlier establishments depended entirely on the availability of an individual teacher, who came and went—and whose so-called school came and went with him. Andover's corporate form allowed the building of a tradition and reputation, assuring families that their children's school was on a sustained, permanent footing. The corporate form, and the Massachusetts charter articulating it, outlined publicly the intention of the founders and prescribed the relationship of the Academy to the state. We were founded as "a public free school or Academy," to provide "for youth of requisite qualification from every quarter" an education of mind and morals devoted to "the great end and real business of living." We were to be creatures of the state, and to serve a particular, and public, interest.

The corporate form of organization has had a long history in American higher education—most of the colonial colleges were so established—but Andover was first to adopt it among the institutions created to serve a more diverse and usually younger student body, that cohort of schools which we now call "secondary" education. Following the foundation of Phillips, the pattern caught on, and in the frenzy of institution building in the nineteenth century prior to the Civil War, the corporation, with state charter and serving public ends, was the most usually adopted model across the country. Thousands of academies sprouted, Abbot Academy among them, and most, like Abbot, organized in corporate form. While the Phillips never proselytized for their academy model, for a variety of reasons it was widely emulated. Phillips Academy was thus a leader in the institutionalization of American secondary education, providing an or-

ganizing vehicle which gave form and stability to a previously chaotic and ephemeral system of schools. In so doing, Andover outlined, both explicitly and implicitly, a relationship of secondary education with the state, with government and the political process.

And so it is with this history of organizational innovation in mind that we approach what is surely to be our third century's most vexing problem, the relationship of schools such as ours with the modern state. We have an explicit public purpose, yet classify ourselves organizationally as independent. Frequently we see ourselves today as battling with government rather than reinforcing it. For many today, government is a kind of enemy, in a fashion which would have profoundly puzzled our founders.

Let me review our current corporate and governmental status. We still have legal standing as a charitable corporation in the Commonwealth of Massachusetts, under our original 1780 charter. We technically are licensed by the Andover School Committee and are subject to inspection by that body. We are accredited by the New England Association of Schools and Colleges, a non-governmental organization of educational institutions whose approval of schools has, by the explicit assent of the six New England state governments and of the federal government, the force of law. Accordingly, the schooling we provide meets for our students and their parents the obligation of compulsory education. We are subject to specific state law for a number of curricular offerings and for safety and related standards. We are subject to federal law primarily in our status as a charitable institution. In return for the substantial benefits of paying limited local, state and federal taxes and of receiving gifts in a form which provides tax advantages for their donors, we are subject to a variety of federal regulations relating to matters such as personnel and admissions policies and building codes.

Our status today gives us both substantial financial advantages and equally substantial freedom, perhaps even more freedom than we choose today to grasp. Most of the existing governmental restraints are on the whole reasonable, if vexing at times in their application. But the worry we should have is the trend—most noticeable so far in higher education—a trend toward greater and less reasonable government interference and regulation of education, toward a centrally imposed homogenization of American education.

It is a truism that when private higher education gets the measles, within but a few months or years schools like ours get an itchy rash. Accordingly, we should watch our older cousins with considerable care. Prior to World War II private higher education, organized in corporate form similar to ours, had roughly the same relationship with government as we do today. However, the World War, the succeeding Cold War and the deliberate blurring of academic and governmental lines that has characterized the last twenty years dramatically changed that relationship. Higher education grew due to government support of students, and government used the universities for research, development and policy analysis on an unprecedented scale. LaFollette's "Wisconsin Idea" of an interlocking university and state had come to fruition. By the mid-sixties, Clark Kerr could properly describe some of the great private institutions as "federal grant universities." Indeed, even mighty Harvard with its endowment now well over a billion dollars, depends on federal sources for some twenty-five percent of its operating budget; and portions of Harvard, particularly those units in science and medicine, rely on federal largesse to cover well over half of their costs. Harvard and its institutional cousins

are today both public and private universities, and are subject to pressures quite unlike anything we experience or even which they experienced but twenty-five years ago.

The results of this infusion of public interest and funds into private higher education are mixed. Federal aid, particularly the so-called G.I. Bill, made possible the democratization of private higher education, by supporting a growing army of middle and lower middle income students in colleges which previously had been financially out of reach of these people. Federal aid has made possible an almost geometric growth of research, such as that in medicine, to the great and lasting benefit of all of us. On the other hand, the professor on the plane to Washington to advise on policy was inevitably less interested in teaching than had been his earlier counterpart; and concern for inquiry, research and teaching in areas of scholarship not deemed to be of current governmental interest slackened. The universities at times seemed more the factories of the knowledge industry than the preservers and transmitters of the culture.

Increased federal regulation and control followed this new government-university connection, as the government was picking up the tab. While this process has been haphazard, it has had the effect of homogenizing American higher education, of enforcing conformity to certain nationally-mandated expectations and guidelines. Many of the sharp edges of American higher education have been sanded down, at the expense of variety and, ultimately, of quality.

If the experience of private higher education is a forerunner of what may happen to us, what can we learn from the last decades of experience of our collegiate brethren? We learn that government could democratize the non-public school sector, that a well-conceived federal and state program of tax incentives and direct grants to individuals or to institutions could bring to American secondary education the freedom of choice now enjoyed by students in higher education. We also learn that how that aid is applied is crucial, that the extent to which our institutions themselves are directly aided is the extent to which direct governmental regulation may follow. From such specific regulation academic homogeneity emerges, leading us back to a gray sameness which now characterizes too much of publicly-managed elementary and secondary education. Thus we find ourselves in a bind: if we want to democratize the non-public school sector, to give it the sustained support necessary for rigorous standards and to extend the freedom of choice to students and families below the college level, we need substantial public support. At the same time, such public support might induce, through regulation, a new homogeneity, ironically, eliminating the benefit of having choices available. We are caught in a dilemma—and the wisdom we show in resolving this dilemma will be the measure of how we survive into our third century.

How surprised the Phillipses would be to hear these words! For them the ends of this Academy and the ends of the state were coterminous. The political order assumed implicitly that corporate charitable foundations would surely and well serve a civic and public interest. However, those were more trusting and more generous days.

The question of the relationship of school and state may appear remote to many of us as we gather here, certainly not on the front of our minds. Curricula, college entrance, co-education, the "basics", pubs, "pot" and parietals seem more relevant. Yet these issues, large as they may loom in our daily lives, are in the shadow of this larger concern.

How should Andover and schools like it react? I have no panacea, no program to

present today. I do have a set of principles to suggest, however, out of which specifics should emerge.

First, we should inform ourselves of our predicament, of our current relationship to and with government, local, state and federal. Surprising to say, many of our schools and their leaders fail to focus on this school-state issue, beyond the obligatory railing at the few government regulations by which they now must abide. We need to be informed, and active in support of our interests. The current myopia, misinformation and disinterest in this aspect of our schools is unconscionable and dangerous.

Second, we must situate ourselves not as opponents of the public schools, but rather as colleagues. Children will not benefit from our jousting and posturing. They might benefit from a fresh alliance, with public schools and private school collaborating and competing in a complementary and friendly way. The adversarial aspect of the current public-private conversation is debilitating.

Third, we must promote the democratization of nonpublic education. In so doing, we must find ways to channel public aid to families, especially to those most in need, rather than directly to schools. We should be apostles for freedom of choice in education, and for the freedom of schools to vary, each exhibiting a different character, but always via support of individuals rather than institutions. In sum, we must keep the principal control of schooling in the hands of the millions of users of schools, rather than in the hands of the educators and government bureaucrats who may be thus allowed to perpetuate their own view of the needs of youth. Education is too important to be left to the educators.

Fourth, and above all, while we pursue policies which concurrently promote wider use of non-public schools and which protect their diversity, schools such as Andover must present as clearly as did our founders in 1778 a clear outline of our most fundamental convictions, the values upon which our schools rest. We must be very sure what our aims are, and we should take the time necessary to articulate them, and spread them abroad. Ill-defined aims can be easily compromised; well-defined aims, if they are wise, can serve as models, as beacons.

What are our beliefs? We believe in the importance of youth, in the right of our young women and young men to a humane and effective education. We believe that scholarship is not confined to the college, that rigorous analysis, clear thought and artistic reach are not only possible but should be expected from our younger citizens, particularly those of talent. We believe that teaching is a calling as well as a profession, a ministry as well as a craft; and, as such, fine teaching defies the classifications and specialisms of the assembly line and of piece work. We believe that young citizens deserve respect, that they should be treated as individuals with souls and minds and that they deserve a far greater share of this country's resources and concern than we now allot to them. We believe that schools must serve individuals, not the reverse; that we should provide for youth not a school "system" to fashion them as from a factory as "products" for college or for work, but, rather, that we should provide a set of options from which each young person can learn and grow in his or her own manner and time. We believe in a pluralism of values, moderated obviously at the extremes, but allowing for constructive divergence; and we believe that youth and their parents should have the right to choose among schools which reflect different values.

We believe that the right of choice in education should not be confined only to those who can pay for that privilege, and we believe that it is in the public interest to promote and support a diversity of schools. In-

deed, we believe that pluralism is more important in education than in any other sphere of our culture: freedom of thought is the most fundamental of all freedoms.

Such beliefs as these are at the same time traditional and radical. If they can be translated widely into specific action, they could significantly improve the quality of education for youth in this country.

School and state: what is Phillips Academy's role as a "public free school or Academy"? This is a topic that our founders would find familiar, and is an area in which they made a signal, historic contribution. However, our times—and our survival as an institution worthy of these founders—require a fresh definition. This task will be the first order of business for our third century. ●

JOB AND THE ILLEGAL-ALIEN QUESTION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. ASHBROOK. Mr. Speaker, we all can remember the prominent position given to the question of more jobs for our unemployed during the last Presidential campaign. While there is no general panacea to cure the unemployment problem, there are a number of contributing factors which should be addressed. One aspect, suspiciously overlooked in some job-conscious quarters, is that of the illegal alien and his relationship to the jobs crisis.

On May 18, 1978, The American Legion, in the person of Mr. E. Philip Riggin, assistant director of the Legion's National Legislative Commission, confronted this issue in its appearance before the Senate Judiciary Committee's hearings on S. 2252. In his prepared statement, Mr. Riggin, at the outset, stated:

We are especially concerned with the adverse impact on illegal aliens on the employment of veterans, and particularly on the employment of minority veterans, who are coming more and more into direct competition with illegal aliens for jobs in urban areas.

Addressing the charge that illegal aliens take only the low paying jobs in the United States Mr. Riggin observed:

Spot checks made by the INS in Los Angeles of nearly 9,000 illegal aliens showed that about half were working in heavy industry at wages of \$4.50 to \$6.50 per hour, while another 2,000 had jobs in light industry earning \$2.50 to \$3.55 per hour. According to a study done by David North and Marion Houston for the Department of Labor in 1976, only 20 percent of the illegal aliens sampled had been paid less than the minimum wage. Only 3.5% of those questioned in the North-Houston study claimed that they had been "badly treated" and only 16% reported that they had been paid less than their legal coworkers.

On the controversial question of amnesty for illegals, Mr. Riggin had this to say:

First, an amnesty would only compound the problem, not help solve it. Dr. Bustamante, Mexico's leading authority on illegal aliens in the U.S., recently warned that any amnesty for illegal aliens would encourage

hundreds of thousands more Mexicans to come north in search of employment. Once the precedent was set, it would be difficult to deny similar amnesties to future arrivals.

The illegal-alien problem is a highly emotional one especially here in the United States where the principle of self-initiative in search of a better way of life is an integral part of our society. Our concern for the welfare of people in foreign lands is a matter of record, implemented by positive action in the form of financial aid, technological assistance, et cetera. Assistance to the illegal alien in his homeland, through his government, is one approach that should be explored further.

The American Legion is to be commended for its efforts in this most important issue. The above-cited testimony of Mr. E. Philip Riggins of the Legion follows:

THE ILLEGAL ALIEN ISSUE AND S. 2252

Mr. Chairman and Members of the Committee: The American Legion appreciates the opportunity to testify on a problem of growing concern to the Legion and the overwhelming majority of the American people. That problem is the rapidly rising number of illegal aliens in the United States and the increasing impact they are exerting on our economy. We are especially concerned with the adverse impact of illegal aliens on the employment of veterans, and particularly on the employment of minority veterans, who are coming more and more into direct competition with illegal aliens for jobs in urban areas.

We would like to begin by discussing some of the salient features of the illegal alien problem.

The most basic and perhaps the most disputed point pertaining to this issue is the number of illegal aliens in the United States. In a 1975 study done for the INS Lesko Associates estimated that there were 8.2 million illegal aliens in this country. Other estimates range from 3 to 12 million. The only certain data on which to base an estimate are the numbers of illegal aliens apprehended. That number has been steadily rising, from about 150,000 in 1967 to more than a million last year with a great majority of such apprehensions taking place at the U.S.-Mexican border. According to INS Commissioner Castillo, "for every person caught at the border, perhaps three to five get through." Even if we are more conservative than Mr. Castillo and estimate that only two people get through for every one caught, we may conclude that about 2 million illegal aliens slipped past the Border Patrol last year alone. A total of well over 6 million illegal aliens have been apprehended during the past 10 years. Assuming that one out of three were apprehended, and that half of those who were not caught returned home voluntarily, that still leaves an accumulation of 6 million or so illegal aliens during the past decade. Thus we believe that the estimate of 6 to 8 million illegal aliens is not an unreasonable one.

Most—about 80 percent—of the illegal aliens come from Mexico, another 10 percent are from other Latin American and Caribbean countries, and about 10 percent are from other parts of the world, especially South and East Asia. Many of the Mexicans and other Latin Americans cross the U.S.-Mexican border at night or are smuggled across by so-called "coyotes." Hundreds of thousands entering from other parts of the world—and many Latin Americans—arrive with tourist or student visas and simply do not go home. More than 7.5 million non-immigrant aliens enter the U.S. each year

on such temporary visas. The INS has no precise idea of how many return home before their visas expire, but most authorities agree that hundreds of thousands of "visa abusers" illegally remain in the U.S. every year, concentrating especially in the metropolitan areas of the east and west coasts. Yet another category of illegal aliens are those who successfully enter the U.S. through the use of fraudulent documents or claims of admissibility at ports of entry. The INS estimates that more than 500,000 aliens entered the U.S. by such means in 1976 alone. Another source of illegal aliens are crewmen aboard foreign ships, thousands of whom "jump ship" every year.

In the past, most illegal aliens did "stoop labor" in the agricultural areas of the South and West. But in recent years they have moved increasingly to the towns and cities in all parts of the country. According to former Congressman Herman Badillo, "The flow of illegal immigrants has increased radically since 1970, and no where is that increase more dramatic than in major urban areas like New York." The INS estimates that there are more than 1 million illegal aliens in the New York metropolitan area, about 1 million in the Los Angeles area, 500,000 in Chicago, 300,000 in Miami, 50,000 in Washington, D.C., and hundreds of thousands in cities such as Dallas, Detroit, Philadelphia and Denver.

A related phenomenon is that illegal aliens are obtaining increasingly better jobs. In 1976, two-thirds of the illegal aliens apprehended by the INS were employed in industry, service, and construction. Only one-third were employed in agriculture. Mr. Jesus Romo, head of a coalition of Mexican-American labor organizations, recently estimated that only 15 percent of the illegal aliens in the U.S. were employed in agriculture. Of 1,500 aliens caught in Detroit in 1974, 900 held jobs in heavy and light industry and construction, and 70 percent earned more than \$4.50 an hour. Spot checks made by the INS in Los Angeles of nearly 9,000 illegal aliens showed that about half were working in heavy industry at wages of \$4.50 to \$6.50 per hour, while another 2,000 had jobs in light industry earning \$2.50 to \$3.55 per hour. According to a study done by David North and Marion Houstoun for the Department of Labor in 1976, only 20 percent of the illegal aliens sampled had been paid less than the minimum wage. Only 3.5 percent of those questioned in the North-Houstoun study claimed that they had been "badly treated" and only 16 percent reported that they had been paid less than their legal coworkers. Thus it is simply not true that the majority of illegal aliens work for less than the minimum wage, are "exploited", or do menial work Americans are unwilling to do.

The principal concern of The American Legion with regard to illegal aliens is that they are increasingly competing with veterans in a tight job market. That competition especially affects the employment prospects of unemployed black veterans, who are concentrated in the large cities to which increasingly larger numbers of illegal aliens are gravitating. More than 30 percent of the minority veterans in the 20-24 age bracket are unemployed. The illegal aliens are also in direct competition with black youths, whose employment rate is between 35 and 40 percent and with Mexican-American youths, who have an unemployment rate of 45% in the Los Angeles area. They also compete with other Mexican-Americans, Puerto Ricans, and legal aliens, all of whom have a legitimate right to employment in the United States.

We are also concerned with the drain on our economy caused by the estimated \$3-\$10 billion sent abroad annually by illegal aliens. It is probably true that most illegal aliens avoid applying for welfare programs out of

fear of being caught. But according to the Federal Advisory Committee on False Identification report issued in 1977, "Many illegal aliens use false identification to obtain welfare and other benefits at taxpayers' expense." And one must take into consideration an indirect cost of this practice—the unemployment and welfare payments paid to displaced American workers.

That summarizes the illegal alien problem as we see it. In seeking a solution to the problem we find that the legislation under consideration—S. 2252—contains two principal provisions. One would penalize employers who knowingly hire illegal aliens. The second would grant permanent resident alien status to illegal aliens who entered the U.S. on or before January 1, 1970 and temporary alien status to those who entered the U.S. between that date and January 1, 1977.

We agree that the imposition of penalties against employers who knowingly hire illegal aliens is an essential part of any program to effectively control the inflow of such aliens. We also agree that this penalty should be civil rather than criminal, that the fine assessed for each offense should be about \$1,000, and that those who assist illegal aliens to find or retain employment should be subject to more severe punishment than employers.

But we cannot agree with another key feature of S. 2252—the so-called "amnesty" provision—for several reasons.

First, an amnesty would only compound the problem, not help solve it. Dr. Bustamante, Mexico's leading authority on illegal aliens in the U.S., recently warned that any amnesty for illegal aliens would encourage hundreds of thousands more Mexicans to come north in search of employment. Once the precedent was set, it would be difficult to deny similar amnesties to future arrivals. Indeed, in view of the Carter administration's assurances that there will be no "mass deportations," what would become of the 2 million or so additional aliens who will have entered the U.S. between January 1, 1977 and the enactment of the proposed legislation?

Second, problems are bound to arise in implementing the amnesty. It is quite possible that many illegal aliens who can prove residence prior to January 1, 1970 would come forward. But what about those who fall in the second category, who arrived between that date and January 1, 1977? Many, we believe, would submit false documents and affidavits to claim residence prior to January 1, 1970, while many others would remain in hiding, realizing that the avowed purpose of the second category is to obtain a "headcount" and that there is at least some possibility of being deported after 5 years.

Third, such an amnesty would be unfair to those who have gone through legal channels to obtain visas.

Finally, although S. 2252 grants permanent resident alien status only to those who entered the U.S. prior to January 1, 1970 and relegates those who entered between that date and January 1, 1977 to a sort of "limbo" status, we believe that in all probability all aliens covered by the legislation would eventually be eligible for permanent residence status. There are perhaps some 5 million adults among the 8 million or so illegal aliens and under the proposed amnesty each of those people would be immediately eligible to sponsor the admission of their immediate family members. Thus approximately 25 million relatives of the "amnestied" aliens would be eligible to legally emigrate to the United States, and there is every reason to believe that many would avail themselves of this opportunity. The sudden influx of such numbers would exacerbate our unemployment problem and have other economic and social repercussions. This factor, we believe, has thus far received little attention and deserves careful consideration.

In our opinion several provisions which are essential components of any successful alien control program have not been included in the proposed legislation.

There is need for legislation providing for the seizure of vehicles used to smuggle aliens into the U.S. and for the imposition of stiff penalties against such smugglers. The INS cannot now legally confiscate these vehicles despite the fact that some have been detained more than 20 times. The fines imposed on the 5,000 or so smugglers prosecuted annually have been low and their jail sentences have been short. Sterner measures against the so-called "coyotes" would obviously go a long way to reduce the influx of illegal aliens. We should perhaps also consider increasing the number of judges handling such cases to help cope with the enormous backlog.

We believe that there is a need for some formal mechanism, perhaps an independent agency, to coordinate matters related to immigration by combining the responsibilities of the Visa Office of the Department of State, the Immigration and Naturalization Service, and the Labor Department component dealing with foreign worker programs. It, hopefully, would institute a computerized immigration control system to keep tabs on the entry and departure of nonimmigrant aliens and coordinate closely with the Social Security Administration, the Customs Service, the Drug Enforcement Agency, and other relevant agencies.

We agree with the Carter administration that the government should develop counterfeit-proof social security cards which would be coded electronically and read only by computer. But such "fool-proof" social security cards must be granted on the basis of valid background documents. A tamper-proof identification system bears directly on two provisions of S. 2252—the documentary proof of work eligibility to be presented to employers and the documentary proof of residence prior to January 1, 1970 or January 1, 1977. The illegal alien—or the citizen, for that matter—can easily obtain all sorts of counterfeit documents. One forger in a Mexican border town was recently reported to have sold nearly \$250,000 worth of false birth certificates in just three months. A journalist researching the illegal alien problem in Chicago filed another recent report that "In the bars of 18th Street or Blue Island Avenue a newcomer without documents can buy false identifications—anything from a social security card to a driver's license, a draft card, a birth certificate, a voter registration card, or a 'green card' authorizing permanent residence."

Thus it is imperative that Congress enact legislation which would prohibit the knowing use or supplying of false information of falsified documentation when obtaining Federal identification documents, prohibit the use of mails to ship false documents, and prohibit the unauthorized production or alteration of any Federal identification document. Once enacted, such legislation must be enforced by spot checking for the validity of documents submitted for social security cards or as proof of the right to employment. Consideration should also be given to such measures as establishing a national death reporting system to curb the use of birth certificates of people who have died.

Finally, there are two other aspects of the administration's alien control program on which we would like to comment.

The first is its recommendation that the strength of the Border Patrol be significantly strengthened. We agree that that is a necessary measure, and urge that the manpower of INS district offices be increased.

The second is economic assistance to help develop the economies of the countries in which the illegal aliens originate. Such pro-

posals range from the distribution of food stamps to Mexico's poor to a Marshall Plan for Latin America. Typical of such programs is the one suggested by Sen. Bentsen, who proposed the setting up of a Joint U.S.-Mexico Development Fund, in which the U.S. and Mexico would invest \$1 billion each to finance the development of labor-intensive industry in Mexico.

We are not opposed to such aid programs, but believe that it would be unrealistic to expect too much of them. Although Mexico's economy has been growing, its population has been growing even more rapidly. Mexico already has an unemployment-underemployment rate of about 40 percent and about 800,000 young Mexicans reach the working age every year. Thus Mexico must create nearly a million new jobs a year merely to maintain the status quo. But there is more to the problem than that. As Wayne Cornelius of MIT has pointed out, "It is clear that the huge wage differentials (often 3-4 times) between the U.S. and Mexico are more important than outright unemployment." For the first time in the history of our foreign economic assistance efforts we must be concerned not so much with the prevailing wage rates in the recipient country as with increasing those wages in relation to the prevailing wage rates in the United States. It is not enough to put a shovel in a Mexican's hand and pay him three dollars a day when he could be making three dollars an hour in Chicago or Detroit.

One specialist estimates that \$10 billion a year would be required to merely create the new jobs required. We have learned of an AID study which estimates that \$50 billion would have to be invested in Mexico, Central America, and the Caribbean countries to substantially reduce the flow of illegal immigrants.

The key to any long-range solution to the problem is controlling population growth in the countries in which illegal aliens originate. The population of Mexico, now 65 million, will double to 130 million by the year 2000 and to 260 million 20 years later, while most of the other countries will be experiencing similar population explosions. Thus we believe that U.S. aid funds could be best utilized in helping setup effective nation-wide population control programs.

In sum, we believe that it would be unrealistic to assume that economic assistance programs could solve or significantly reduce the problem in the foreseeable future. Emphasis must be placed on measures within the United States, such as those we have outlined.

If anything is certain about the illegal alien problem it is that it is not going to go away. The longer we delay the worse the problem is going to become. It is imperative that Congress move swiftly to enact effective legislation to, if not totally end illegal immigration, at least bring it under control. ●

SAM BROWN AND ACTION

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. ROUSSELOT. Mr. Speaker, Monroe W. Karmin of the Chicago Sun Times has written an informative and illuminating account of Sam Brown's record as Director of ACTION. Among other interesting facts, Karmin points out that Brown:

"Is busily tidying up his act".

Has had to reverse his own policy decisions no fewer than eight times in one year

in the face of criticism or public disclosure of previously secret decisions on his part;

Disavows "the politics of confrontation" while Marge Tabankin, appointed by Brown to be head of V.STA, says if confrontation politics are required, V.STA will engage in them;

Is proud of his praise of the North Vietnamese Communists' delegation to the United Nations despite the fact that since the time he first publicly declared his love for these totalitarian sadists, the world has learned that Vietnam is now one big concentration camp. "I'd do it again" says Brown, but only if he were an elected official. Brown does not bother to explain why public praise of those responsible for torturing helpless American prisoners of war is more moral coming from an elected official rather than an appointed official.

Mr. Speaker, I am glad to see that Brown is tidying up his act, a feat which, if ever completed, will match the task of Hercules in cleaning the Augean stables.

At this time I hope my colleagues will review the article by Monroe W. Karmin of June 4, 1978 entitled: "Sam Brown Now Cools the Protest of Others", which appeared in the Chicago Sun Times, June 4, 1978.

The article follows:

SAM BROWN NOW COOLS THE PROTESTS OF OTHERS

(By Monroe W. Karmin)

WASHINGTON.—At 34, Sam Brown is coming of age.

The Great Protester of the '60s and early '70s—he organized the student demonstrations against the Vietnam War, he was Chief Kid in Eugene McCarthy's 1968 Children's Crusade for the Presidency, he fought the banks in Colorado and protested plans to hold the 1976 Winter Olympics there (they were held in Austria)—now finds himself in the position of squelching protests against, of all people, Sam Brown.

The chief complainant is Republican Rep. Robert H. Michel of Peoria. To the congressman, Brown's goal as President Carter's man in charge of ACTION (the umbrella agency that covers VISTA and the Peace Corps) is to "change the whole direction of the agency, from voluntarism to confrontation politics."

Michel's charges, which include mismanagement and conflict of interest, have persuaded a House subcommittee to investigate whether ACTION is violating its charter. A report is due within six weeks.

Republicans on another House panel recently criticized the agency's lack of program justification in such strong terms that a staff member predicted, "This assures a tough floor fight."

How is Sam Brown reacting to this swelling criticism of his stewardship of a small federal bureau that's supposed to confine itself to good works? He's tacking to the shifting winds of public sentiment in the '70s.

No longer a high-spirited, youthful rebel with a cause (he's credited with originating the slogan, "Never trust anybody over 30"), Brown today is carefully dressed in necktie and business suit and speaks in carefully measured phrases.

"No one can show that a single VISTA volunteer has engaged in confrontation politics," he says quietly. "Confrontation politics is a tactic of failure, not success. It assumes that confrontation is required as an attention-getting device."

That's neither necessary nor wise today, he says. The 1960s focused attention on the problems of the poor, Brown says, but the solutions of the '60s were cumbersome and

costly. Big federal spending programs are not the answer, he says.

So, Brown's volunteers will concentrate on helping impoverished communities "become more self-sufficient," by which he means not only pursuing federal aid but also looking to such local institutions as the United Way and business groups and looking within their neighborhoods for resources and strength.

"There is a new generation of community organization," he says, "that is looking less for federal dollars and is more interested in self-help."

Within his own neighborhood (ACTION), Brown, who dismisses Michel's charges as "unfounded," nonetheless is busily tidying up his act:

In response to Michel's claims that ACTION now favors, in its grants, old friends in the social-activist community, Brown has published a new conflict-of-interest policy that he says "may be the toughest in the federal government."

Brown recently rescinded one grant contract, with the National Center for Urban Ethnic Affairs, because of a possible conflict of interest involving a member of his agency.

In response to charges that he has been leading ACTION with political appointees and overspending his budget, Brown has ordered a hiring freeze and is taking a closer look at spending. "We'll be within our ceiling," an aide promises.

To charges that VISTA volunteers are engaging in forbidden political organizing, Brown concedes that he once considered letting VISTA agents engage in nonpartisan voter registration on their own time, but then dropped the idea.

In one case, he ordered a New Orleans community organization, supported by ACTION funds, to stop endorsing political candidates if it wanted to continue receiving federal money.

Although he once ruled that ACTION training conferences should not be held in states that have yet to ratify the Equal Rights Amendment, he since has rescinded that ruling because, he says, "our programs are paid for by all the taxpayers."

To charges that VISTA volunteers are engaging in forbidden union organizing, Brown recently ordered his representatives in New Orleans to stop trying to organize household workers, and he has launched an inquiry into VISTA activities in Boston.

To charges that he wants to turn ACTION toward social activism and away from serving senior citizens, Brown restored a 25-percent budget cut for the Retired Senior Volunteer Program.

"Then I applaud them. But I don't think Congress wants the agency to engage in confrontation politics, and if we don't, we should say so."

Perhaps the most controversial ACTION grant is the \$432,200 awarded to the Midwest Academy, a Chicago-based training school that is alleged to have its roots in the soil of Saul Alinsky's confrontation politics philosophy.

The Midwest Academy was selected to sponsor VISTA programs on the basis of its "reputation and history of performance" Brown explains. He notes that the academy has provided training to a wide range of organizations "including the American Federation of Teachers, the Camp Fire Girls and the Wisconsin Council of Churches."

Michel, however, is unconvinced of the academy's virtue. "That's one that I'd prefer to wait and see what our investigators come up with," he says.

If the Midwest Academy continues to worry Michel, then Margery Tabankin, who directs VISTA, gives him apoplexy. Tabankin is an admitted graduate of Alinsky training who still reflects her background.

In contrast to Brown's disavowal of "con-

frontation politics," Tabankin continues to see a need for the tactic. "VISTA volunteers should be telling poor people of their rights and how to gain a share of the power when there is a misallocation of power," she says. "If that requires 'confrontation politics' at times, then that will happen."

Spawned during the idealism of the 60's, VISTA and the Peace Corps fell on hard times during the Richard M. Nixon and Gerald R. Ford administrations to the point that President Ford wanted to close VISTA down. Now President Carter wants to revive ACTION and has asked Congress for an extra \$40 million for a new urban volunteer corps to assist not-for-profit organizations and fixed-income families.

Clearly, however, Carter doesn't want the money used to finance protest marches. In his urban policy statement, he stressed that the new money would be spent to tap "the sense of community and voluntary effort that I believe is alive in America."

That is closer to the "service" concept of VISTA held by Rep. Michel than the "advocacy" concept that director Tabankin brought to her job. But the new realities of the 70's, and Carter's guiding principles, are forcing an adjustment within the VISTA inner circle.

Lyndon B. Johnson's Great Society "dumped too much money into communities too fast," Tabankin concedes, and neighborhood organizations "didn't have the skills to make the best use of it." Consequently, she adds, much of the money was wasted.

Now, "think small" is the credo at VISTA. Rather than expensive antipoverty or Model Cities programs, they're talking about "seed money" grants, averaging about \$5,000, for such projects as food co-ops, services for the elderly and community museums.

A sewing machine for a sewing co-op, a truck for a food co-op and a mural for a barrio are mentioned as other examples of what money will be spent for in the future.

Also in the future, it is unlikely that Sam Brown will do what he did in September when the anti-war activist attended a reception to welcome the Vietnamese delegation to the UN. "I am deeply moved," he said then. "What can you say when the kinds of things that 15 years of your life were wrapped up in are suddenly before you?"

Today, Brown does not apologize for his action at the United Nations. "My attitude then and now is that when a war is over we ought to bring about a reconciliation between two peoples," he declares. "We don't still throw tomatoes at the Germans, do we?"

But the ACTION boss concedes that, as an appointed federal official, he would not repeat his September welcome. "I got in a lot of trouble," he says. As he talks, however, it is evident that Brown does not enjoy the hobbies of life as an appointed federal official.

On the Vietnamese, he confesses that "if I were an elected public official, I'd do it again." On helping the poor, he sometimes lets loose a burst of emotion in his carefully rehearsed explanation of what the new ACTION is all about. "I'm in favor of a more equitable distribution of power in this society and economic justice," he says.

All of which raises the question of what the new Sam Brown is all about. Those who know him well describe the son of a Republican shoe manufacturer in Council Bluffs, Iowa, as "egocentric," "at times arrogant" and "terribly ambitious." They expect him to return to Colorado someday and run for public office. He served a two-year hitch as state treasurer before coming to Washington.

Brown, himself, refuses to discuss his plans beyond ACTION except to say that "I'd be surprised if I weren't doing the same work in some form." That, of course, leaves the door open for a run for higher elective office. ●

FOLLOWUP THOUGHTS ON HOUSE RESOLUTION 1194

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

Mr. McCLOSKEY. Mr. Speaker, last week the House passed House Resolution 1194, a resolution threatening South Korea with possible congressional action if the South Korean Government failed to deliver former Ambassador to the United States, Kim Dcong Jo, to the House Ethics Committee for clarification as to which, if any, of our House colleagues received an alleged \$100,000 from the Korean Government.

I voted for House Resolution 1194, believing the integrity of the U.S. Congress to rank slightly higher in potential benefit to the people of the world than continued nonmilitary assistance to the current Government in Seoul. Checking the voting list on this 321 to 46 vote, it is of note that most of us who fought in Korea nearly three decades ago shared this sentiment.

Nevertheless, to put our action in perspective it seems fair to mention that South Korea's Government if it did authorize its Ambassador to bribe U.S. Members of Congress in the 1970, was doing no more than the U.S. Government has admitted doing for a number of years in a number of foreign countries.

I call to the House's attention the interim report of the Senate's Select Committee on Intelligence Activities, of November 20, 1975, describing President Nixon's approval in 1970 of the bribing of Chilean legislators by our Ambassador to Chile, Edward Korry, with \$250,000 in U.S. Government funds.

Presumably the Korean Government's consideration of bribing U.S. Congressmen to assure continued high levels of military support to South Korea seemed as praiseworthy a course as President Nixon's desire to prevent the inauguration of Salvador Allende as President of Chile.

The approval of bribery of Chilean legislators by a U.S. Ambassador was not exactly an isolated incident. The Senate Select Committee's findings rather casually mention similar bribery-of-legislator activities conducted under the aegis of U.S. Ambassadors in Africa and elsewhere, and there seems little doubt that until Watergate at least, bribery of foreign legislators has been an accepted tool of U.S. diplomacy.

Hopefully, the U.S. Government has now forsworn this method of influencing policy decision by foreign parliaments and legislative bodies, and it is in that vein that I believe most of us voted for House Resolution 1194 last week.

To make sure, however, I have asked the CIA to provide me with a list of all occasions since 1960 when bribery of foreign officials was accomplished, attempted or approved. Upon receipt, I will inquire as to which of this information the CIA desires to remain classified, and will advise my colleagues accordingly.

It would seem to me, Mr. Speaker, that

our overwhelming condemnation of the bribery of Members of Congress requires that we make the record absolutely clear that we will no longer tolerate that practice by our own Government, as we will not tolerate bribery of our colleagues by a friend and ally, as hopefully South Korea will remain.

A copy of my letter of this date to CIA Director Turner follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 8, 1978.

Adm. STANSFIELD TURNER,
Director, Central Intelligence Agency,
Washington, D.C.

DEAR ADMIRAL TURNER: I would like to request that I be furnished with a list of all cases since 1960 when U.S. government funds were used, offered or approved for the bribery of foreign legislators.

As you know, the House approved H. Res. 1194 on May 31, 1978, by a vote of 321 to 46, conditionally suggesting that all non-military assistance to South Korea be terminated until former Ambassador Kim Dong Jo cooperated with the House relative to alleged bribery of Members with funds supplied by the U.S. government.

For the reasons set forth in the enclosed speech, I would like to publish in the Congressional Record all instances of bribery of foreign officials which have previously come to public knowledge and to make available to my colleagues, under our usual rules of confidentiality, such bribes, accomplished, attempted or approved since 1960, as remain classified.

Thank you for your cooperation in this matter.

Sincerely,

PAUL N. McCLOSKEY, Jr. ●

LIFT THE EMBARGO

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. FINDLEY. Mr. Speaker, I commend to the attention of my colleagues the excellent Washington Star editorial of June 7 which follows:

TURKISH-AMERICAN RELATIONS

The Carter administration has opened an elaborate campaign to get Congress to drop the three-year-old arms embargo against Turkey. There will be briefings at the White House for "uncommitted" congressmen, at which the president will be joined by top officials of Defense and State to discuss the issue. General Haig will return from Europe for some such sessions. Our ambassador to Turkey will perform similar duty. The administration hopes to enlist the veterans' organizations in building "grass roots" support for its position that a key NATO ally should not be crippled and alienated because of a long-pending dispute with another NATO ally and neighbor.

Politically, the effort could be a risky investment of presidential prestige in a foredoomed cause. The Senate Foreign Relations Committee last month reaffirmed the embargo in an 8 to 4 vote. That seemed to cancel an 18-to-17 vote against the embargo in the House International Relations Committee. The administration's current missionary work looks immediately to a House vote late this month.

The embargo supposedly is a legal reaction to the Turks' use of American-supplied arms in their 1974 occupation of more than a third of Cyprus, after a coup on the island

by Greek-Cypriot extremists was seen as a move toward union with Greece and a threat to the Turkish-Cypriot minority. What Congress really did was take sides in the regional quarrel, for Greece and against Turkey, largely because of effective lobbying by Greek and Greek-American interests.

Advocates of the embargo claimed it would promote a Cyprus settlement by encouraging Turkey to make concessions. There is no sign of this happening. The former Demirel government in Ankara vehemently resisted such pressure. Prime Minister Ecevit says he has broken the "linkage" between the embargo and Cyprus, in making new Cyprus proposals without waiting for the embargo to be lifted, but he contends the embargo now makes the Greeks intransigent about a Cyprus settlement, causing them to hope for a weakening of the Turkish bargaining position.

In the meantime, the embargo clearly has damaged Turkish-American relations, has contributed to the loss of U.S. bases in Turkey and has hurt both the credibility of NATO as an alliance and the military strength of one of its important members. The situation was a serious embarrassment at the NATO summit here last week.

One of the purposes of such publicized high-level gatherings is to demonstrate the unity and resolve of the allies for the benefit of potential adversaries. It did not help to have Mr. Ecevit explain how financial difficulties, worsened by the embargo, necessitated cutbacks of Turkey's NATO commitments, and to have the Turkish leader use what is normally a martial occasion to talk up detente with the Soviet Union and his imminent visit to Moscow.

It did not help, either, to have Greek Prime Minister Karamanlis argue for continued trouble in Turkish-American relations, on the ground that ending the embargo would damage Greek-American relations. The Greek contribution to NATO in recent years has been to blame the alliance for the Cyprus mess and withdraw from military participation, while seeking to rile U.S.-Turkish dealings.

What a majority of Congress must do at last, in reconsidering the embargo, is to distinguish between vital American interests, and the narrow Greek interest in preserving a presumed bargaining chip to play against Turkey. The U.S. interest is in a strong and friendly Turkey playing an important role in NATO. This does not preclude an equivalently friendly and valuable relationship with Greece. America's good offices are available to aid in a Cyprus settlement, but this can best be done without such partiality as the embargo proclaims.

Greece and its American friends should understand this. ●

SUCCESS IN THE MINORITY COMMUNITY

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. GARCIA. Mr. Speaker, I am delighted to insert a speech delivered at the commencement of Wagner College, on Staten Island in New York by my good friend, Bruce Llewellyn, a man who stands as a symbol of the kind of progress and success possible within the minority community. Bruce, president of FEDCO stores, a supermarket chain in New York, has his roots in the black ghettos of our city. He has become one of our outstanding civic and community leaders, and

has worked ceaselessly to enable others to achieve the same success that he has.

His commencement remarks should be read by every Member of this body, and in fact, by all Americans who care about our future. His words are hope and inspiration that the disease of youth unemployment can have a cure, and that we are all the researchers and physicians who can help find it.

Commencement remarks follow:

SPEECH GIVEN BY J. BRUCE LLEWELLYN—93RD ANNUAL COMMENCEMENT OF WAGNER COLLEGE, STATEN ISLAND, N.Y., MAY 21, 1978

I thank you for the honorary degree. I will frame and hang it with pride. I remember how hard it was to get the degree(s) I had to study for. This one was easy. The only test I had to pass was in a private seminar with Dr. Satterfield. He asked whether I could find my way to the Wagner College Campus. I took the question on a pass-fail basis, and here I am.

As I sat and listened to your recital of all the things I've done in my life, it reminded me how busy I've been, and how many changes I have made. I can feel very tired just remembering those changes, and the efforts involved. But today I am banker, a grocer and a social activist. I wish each of you the same. But you, too, will need to go through your changes. I can tell you, however, that changes in the early years of life can be a little scary. It is like climbing a mountain. You're not always sure of your footing, but it's exciting to look down to see where you've been as well as to look up to see where you are going.

Maybe some of you remember the song made famous by the great Jimmy Durante, which went something like this, "Did you ever have the feeling that you wanted to go, and still had the feeling that you wanted to stay."

Well I feel something like that right now, but in reverse. First, there are some things I would very much like to stay to say; at the same time, I would just as soon be finished with it already and go.

Faced with this dilemma, I will resolve it in favor of telling you what I have been thinking, first about a subject that might be on the minds of most graduates today—the subject of "jobs"; and then about the reverse subject—"unemployment." And finally I propose to talk about education.

For most people, the quick meaning of the word "job" is employment, usually for wages or salary, and hence a means of meeting essential financial obligations. But a job should be thought of as more than just employment with some pay attached. A job gives meaning and direction to everyday life, and it must have some purpose and some future.

Studs Terkel, the American novelist, travelled the breadth of America, interviewing ordinary folks about their jobs . . . and their dreams, and he wrote a kind of travelogue based on his interviews. He described a meeting with a working woman named Nora Watson. Asked about her job, she said, "Most of us have jobs that are too small for our spirit."

A job should not be too small for the spirit; it must be compatible with the human spirit, and this is especially true for the young. Those who plan our economy must bear this in mind. I once heard an epigram: he has planned his work; now he must work his plan. Too often those who plan our economy take no responsibility for making it work.

The human being is not a beast of burden whose value is to be costed out by subtracting from the price of his labors the total of what he consumes, wastes, and spends. Every person is more than that, although by the measure of economics, that gloomy science.

each of us can be subjected to such a valuation. We certainly cannot dismiss such a valuation as totally irrelevant, especially in this day when the test of economic validity is being applied to every activity.

It can be due to ill-health or physical handicap. It can be due, in multitudes of cases, to ignorance, illiteracy, and unsuitability for any kind of available work. That is the most tragic kind of unemployment, the kind that in the mass constitutes a dangerous clot in the economic bloodstream. This is a condition that manifests itself in criminality, permanent welfare status, and social sickness.

The economists call it structural unemployment. I call it sick unemployment or unemployability.

This problem is concentrated in the cities, and it is further concentrated in the ghettos of the cities. I am convinced that unemployment in the ghettos is a basic manifestation of the sickness of the cities, and that unemployability is one of the basic causes of the sickness of the cities. The most extensive and most catastrophic unemployability is among the young. More than 40 percent of 16 to 20 year old minority youth are unemployed. A substantial proportion of these can probably be classified as unemployable.

These young people are the chief recruits for pimps, prostitutes, hustlers, drug addicts, pushers, numbers runners, muggers and robbers. It is from these individuals that many fearful people have run, out of the ghettos and out of the cities.

I emphasize that the root of the evil threatening the cities lies in unemployment, and in its hard core, unemployability.

What is to be done about this, who should do it, and how should it be done?

The cities must be saved. This city must be saved. I cannot imagine a United States of America without New York City. There are some foolish people, including some college professors, who think the continued decline and shrinkage of New York, and other cities are inevitable; these heavy thinkers are not particularly alarmed at the concept of a vast, endlessly sprawling white suburbia filling up the spaces between the dying and decaying black cities. Well, that must not happen and will not happen.

The nation as a whole will not let this happen. The investment of billions of dollars and three centuries of creative construction in this many-layered metropolis will not be permitted to go down the drain. Sense will prevail over ignorance. New York City will be saved, not as a ghettoized reservation for the poor and helpless, but as the thriving metropolis it still is. Jobs are the big answer. But how can more jobs be brought back to the cities? Simple answers simply will not serve or do.

There was a time, just fifteen years ago, when all possibilities seemed limitless, and when our governments thought they could do everything, and employ everybody, and solve all problems of poverty and inequality through limitless taxation and limited redistribution of wealth.

In those days the entire world was thought to be our oyster. We were the most powerful nation in the world, with unlimited resources, unlimited wealth, and unlimited horizons. The dollar was the world's hardest currency and our trade balance was embarrassingly favorable.

Then gradually, we began to realize that there were limits. Then in very recent years, in quick succession, came the Mid-east crisis, the oil embargo, the quadrupling of oil prices, and big jumps in the prices of other imported commodities. Then the dollar began to slip and slide. Then the cities and states, especially those in the northeast, began to experience budget deficits, fiscal crises, and the need to retrench.

Suddenly, or was it gradually, we all awoke

to the realization that there were limits to our resources, and there was a bottom to the lake of our wealth. And that bottom began to show up. So this city went through the wringer. In this city and in this state, and in the Nation, the taxpayers began putting their backs up and telling legislators to stop appropriating and to start cutting.

That is where we are today, and that is the background against which the problem of unemployment in the cities—and in the countryside—must be considered. Putting all the unemployed on government payrolls cannot and will not be the answer. Today we are back to primary dependence on the private sector to provide employment, and to provide the tax base and the tax revenue to support the services and the people who must be supported by government.

This is, indeed the best way in a country in which 86 percent of all jobs are in the private or non-governmental sector.

What the federal government, the state government, and the local government can and must do is to provide incentives to the private sector to encourage private enterprise, by tax breaks and other devices, to reinvest in the cities, to return to the cities, to employ people, and to cooperate with the schools and universities in training people, in the schools and on the job, for productive employment . . . for jobs with a future, in production or other work which promises a reasonable profit to the businesses concerned.

I am not talking primarily about manufacturing jobs. I am talking about service jobs, jobs in corporate headquarters, in cultural and health enterprises, in profit and non-profit establishments, for all of which this city is a natural. There could be a great expansion of employment here, if the proper incentives and encouragement were offered.

But none of these measures will provide jobs for the unemployable. Most of these individuals need basic training and basic motivation. That's a tough problem. The federal Job Corps has been doing a good job with some of the unemployables. That program should be expanded, here in New York City. Yet it is a very expensive program. I believe this cost is justified. The federal government must bear this cost, just as welfare costs ought to be totally borne by the federal government. The State government could supplement the federal efforts with the unemployables. That would be a great help to New York City and its problems.

As a matter of fact, in New York City today, there appear the first glimmerings of hope that the massive economic slide toward bottomless disaster has been arrested. The migration of manufacturing jobs, the flight of the middle-class, the increase in crime, the abandonment and burning out of blocks of housing, and the paralysis of the construction industry have slowed down. In the first months of this year, the hemorrhaging of jobs has not only slowed but stopped. The curve has turned timidly upward. Yet the long-term trend continue to be described in very discouraging terms by such urban economists as Professor Dick Netzer of New York University and Professor Raymond Horton of Columbia. I do not buy their pessimism. Or rather I accept it as a warning that we are not at the end of our trials and tribulations in New York City. We are in the middle, and we must make some miracles and work some magic to stay on the long, slow, hard upward road. One of the biggest miracles we must pull off is immediately to begin to improve the operations of our elementary and secondary schools. This, in my judgment, holds the main key to the future of this city. In fact, we must strengthen all our institutions of education, including our colleges and universities, public and private, in terms of their relevance to the problem of educating the children and youth of New York.

Today the number of jobs which do not require the ability to read, write and do simple arithmetic is approaching zero. Recently the U.S. Navy Department reported a \$200,000 loss resulting from a mistake by a workman who could not read the directions for turning off a valve.

Today a basic education is essential for even unskilled work; in our technological economy, educational requirements zoom upward with every upward step on the job ladder. But the sad fact is that neither elementary, and secondary nor our post-secondary institutions are teaching as they should, nor succeeding as they must. In particular, and to be blunt about it, the performance of many of our elementary and secondary schools has been outrageous and has constituted an almost criminal short-changing of our youth. The great French philosopher and novelist, Francois Mauriac, once said, "There is a close correspondence between individual and collective crimes."

Education—a good education—is essential to prepare our young people to get and to hold a decent job.

I was privileged to know a very great political leader, J. Raymond Jones, of Harlem. More than once I heard him say to individuals who came to ask him for a political appointment. "I can get you a job, but I can't keep it for you."

Education should also enlarge a person's spirit, his sensitivity, cultural appreciation, and social perspective.

We don't need to be told that education begins at home. But what if there is no home, or a home in which there is no respect for education? Or a home of jobless parents, or one-parent homes in which youngsters must shift for themselves and are taught that street smarts are more important than school smarts.

I know that all children can be taught. They can learn. At least they can learn enough to read, to write, to work, to function, to do their assigned tasks in an organization.

I saw it happen . . . in the Army, during World War II. I saw illiterate youngsters taught, the army way, to read, write, and figure. The army way was a hard way, but it was an effective way. The recruits learned. They learned to read and write and function, and some learned very well, and after the war, went on to more education, to higher education, to the complete fulfillment of their capabilities.

Why can't our public schools do it, not in six months, or a year, as the Army did it, but in twelve years? They ought to be able to do it. They can do it. They must do it, and the schools and the classrooms must be organized, conducted and taught in ways to permit it. Teaching is a very great art. Teaching and underprepared or low-achieving student calls for the greatest teaching art of all. Holding a teaching license and even knowing the subject are not enough. A knowledge of the chemistry of paint doesn't make an artistic painter.

I am not an educator. I plead not guilty to that. But I know that it can be done. I know that this is a social, economic and national necessity.

The educators had better not insist—as some do—that the education of these children is somebody else's responsibility—society's, and not that of the schools. The socialization and education of all children are the responsibility of the schools and of the educators. They had better get to it. Time is running out. The time bomb is ticking away.

I am, in the first instance, referring to our primary and secondary schools. But, especially with my honorary degree in hand, I am prepared to say the same about higher education. It is common knowledge . . . and a common scandal . . . that many colleges,

not just the public ones which have open admissions, are turning out associate and bachelors degree holders who have not acquired the education that a college graduate should have. I don't believe in giving cheap degrees to anybody, be he a football player, a basketball player, or a disadvantaged student. No favors are being done in giving cheap degrees. Providing a degree without a functional education is a fraud on the student as well as a shame on the institution (university). It is also a fraud on the parents and the public which help pay for the education . . . and on employers who accept the degree as a hiring credential.

Yet an education without an opportunity to use that education in an available job is a frustration which weakens and dissolves the moral fabric.

I believe in open access to higher education, and in equality of opportunity for all, and in compensatory higher education. Some young people and young adults are late bloomers. But a college education must not be an easy ride to nowhere. It must be rigorous, demanding, and fulfilling.

I am an alumnus of City College, of the old City College, and proud of the fact. I believe in the words of the first president of City College, Horace Webster, when he said that the great City College experiment was "whether the highest education can be given to the masses; whether the children of the people, the children of the whole people, can be educated; and whether an institution of learning, of the highest grade, can be successfully controlled by the popular will, not by the privileged few, but by the privileged many."

Have I said enough? Let me try to summarize in a few sentences some highlights of what I think I have said, and then wish you luck in your future careers.

I have said that unemployment is a disease, and unemployment is a cancer.

I have said that work is essential to life, and an essential part of life.

I have said that each young person is entitled to a chance to work—and to a job compatible with the human spirit.

I have said that every child can be taught and educated at least in the basic skills, and we owe it to that child, and to our society and our city, to do it. It can be done. All parts of our educational system must cooperate and collaborate to see that it is done. The teachers and the schools must understand that they must do it.

And now my parting words to the Wagner graduates of 1978:

There is no such thing as a free lunch. There is no easy road to achievement. In the big, outside world, it isn't enough to be white, and it certainly isn't enough to be black. You have to be good. You have to compete. You have to win a few, although you must expect to lose a few.

Be tough. Be generous. Be fair. Give it all you've got. You'll make it. ●

AMNESTY INTERNATIONAL REPORT
TO REVEAL SHOCKING HUMAN
RIGHTS VIOLATIONS IN NORTH-
ERN IRELAND

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. BIAGGI. Mr. Speaker, a front page article in this morning's Washington Post discusses a soon to be released report by Amnesty International regarding human rights violations directed

against prisoners by certain law enforcement elements in Northern Ireland. The Post prelude article discusses some shocking examples and the entire report will show conclusive and documented proof of a systematic pattern of human rights deprivations occurring in Northern Ireland.

What does this article reveal? To quote the Post: "Detectives in Northern Ireland beat and kick suspected terrorists to extract confessions. . . . The abuse is frequently directed at men and women against who no charges are lodged."

The Amnesty report singles out the Royal Ulster Constabulary as the most notorious offenders. They serve as an auxiliary unit to the British forces in the North and are seen by some observers as the likely successor to the British if they should ever leave Northern Ireland.

This article and the Amnesty report will confirm a great deal of what people in the North and concerned Irish-Americans have been relating to the Ad Hoc Congressional Committee on Irish Affairs since our creation last September. It lends considerable credence to some of our foremost objectives including the immediate convening of full congressional hearings on the Irish question. With respect for human rights being such a fundamental element of our foreign policy, and with Northern Ireland having one of the worst human rights records of any country in the world, it is time the Congress and the administration donated the same time and attention to eradicating these human rights problems as we have in other nations.

Those who oppose hearings in the House were fearful of the embarrassment which human rights exposes might have on the British and Irish Governments. Once the release of the Amnesty report is completed next week, both the Irish and British Governments will have been cited by two highly respected sources. Amnesty International and the European Courts and Commission on Human Rights. Hearings would only discuss human rights violations in the context of showing how their continuation hinders the road to peace in Ireland. As chairman of the 105 House and Senate members of the Ad Hoc Congressional Committee on Irish Affairs, I am profoundly concerned about the preliminary findings of the Amnesty report. I and members of the committee will focus a great deal of attention on the report once released. I hereby formally renew my request that hearings in the International Relations Committee be convened at once on Northern Ireland.

At this point in the RECORD I wish to insert the Washington Post article written by one of their highly distinguished foreign correspondents, Bernard D. Nossiter:

ULSTER POLICE ACCUSED OF
MALTREATMENT

(By Bernard D. Nossiter)

LONDON.—Detectives in Northern Ireland beat and kick suspected terrorists to extract confessions, according to a report Amnesty International is scheduled to release next week.

The abuse is frequently directed at men and women against whom no charges are

lodged, and is so frequent that Britain should conduct a public inquiry into it, the report says.

The 70-page document, a copy of which has been obtained by The Washington Post, says the medical and psychiatric evidence supports the claims of victims that they have been struck in the head, body and genitals, thrown against walls, threatened with rape and subjected to relentless humiliation.

The Amnesty investigating team included two unnamed Danish doctors who examined medical reports of 39 arrested persons and conducted their own examination of five. The Amnesty doctors discovered organic brain damage in two of these cases, both of whom were ultimately released by the police without charge.

The report by the humanitarian organization, winner of the Nobel Peace Prize last year, is likely to rub British sensibilities raw. There is a widespread belief here that police abuse is a problem in dictatorships or the United States and that British police—even in tormented Ulster—play fair.

To rub it in, Amnesty's director, Martin Ennals, is a brother of David Ennals, a Cabinet minister for health in Prime Minister James Callaghan's government.

Officials here declined to comment on the report until it is publicly released. They indicated, however, that they would examine every Amnesty complaint if the organization would release the names of those who made them.

The survey by the London-based organization asserts that plain-clothes officers of the Royal Ulster Constabulary—not the uniformed police who patrol the streets—are typically the assailants. The Amnesty team did not look into charges that British soldiers, who also make arrests in Ulster, frequently maltreat their prisoners.

The report is to be released here Tuesday. It is likely to cause discomfort to the British government's minister for Northern Ireland, Roy Mason, who has frequently boasted that he is suppressing bombings and shootings in Ulster by convicting terrorists in the courts.

The Ulster conviction rate is high. About 94 of every 100 persons charged are found guilty by the one-judge, no-jury courts especially set up in Northern Ireland. There is also the fact that 70 to 90 percent of these convictions rest wholly or mainly on the accused's own admission, according to another study.

If Amnesty is correct, Mason appears to be open to the charge that his court structure rests heavily on the maltreatment of suspects. To be sure, witnesses to terrorist crimes are hard to find in Ulster, either because they fear retaliation or because they sympathize with the terrorists. The document asserts that the Mason system has been strengthened by police practices which isolate suspects from lawyers for several days and by little-noticed changes in British law that no longer bar confessions obtained through fear of oppression.

Most of the cases examined by the Amnesty team are Catholic because the Catholic Provisional Irish Republican Army accounts for the bulk of terror in Ulster. Some Protestants are included, however, presumably suspected terrorists from IRA counterparts like the Ulster Defense Association.

The report does not name any of its alleged victims, but describes the complaints and medical history of several in great detail.

Case number three is a male who was released without charge after 4½ days. He said he was subjected to "prolonged oppressive questioning . . . threats (of being killed) . . . beatings (hit in the face and stomach, kicked on the legs and buttocks) . . . humiliation (soiled underpants were placed over his head, humiliating remarks were made about his religious beliefs.)"

The Amnesty doctors who examined him several months after his arrest "found a positive test for cerebral asthenopia which suggests that he is suffering from some degree of organic brain damage."

The report said, "there is consistency between the allegations of maltreatment and the attached medical reports . . . the detailed examination, which enabled the medical delegates [Amnesty doctors] to assess the symptoms described and detect residual signs, strongly corroborates the case that maltreatment took place."

Case number 12 was a woman held three days and also freed without charge. She said she was threatened with rape and electric shock, that her child would be taken from her. Her skirt was lifted, one for her interrogators "forced her to stand against the wall and then hit the wall next to her head with his fist."

Examining her several weeks later, the Amnesty doctors found her still suffering from symptoms she first complained of when she was freed—irritability, talkativeness, erratic behavior, fatigue, depression and anxiety. They described her as "moderately depressed" and concluded that their examination "strongly corroborates the case that maltreatment took place."

Amnesty could not determine the extent of the practice. It did discover that more than three of every four complaints examined came from one police holding center in East Belfast. ●

GEORGE MAHON

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. CARTER. Mr. Speaker, it has been my good fortune to know the distinguished Congressman, GEORGE MAHON, chairman of the Appropriations Committee and dean of the House of Representatives, for quite a few years. One day he approached me on the floor of the House stating that he felt that I might know Shakespeare. To this I replied that over the years I had found great pleasure in language written by the Bard of Avon in words of such enduring charm that men treasure them and will not let them die.

In succeeding conversations with the dean of the House, different literary quotations were passed between us. Among them was the quotation from Longfellow's "Excelsior."

Beware the pine-tree's withered branch!
Beware the awful avalanche!
That was the peasant's last Goodnight.
A voice replied, far up the height, Excelsior!

As it happens, the newspaper in Lubbock, Tex., is called the Avalanche. It is my pleasure to include for the perusal of the Members an article by Jay Harris which appeared in the Lubbock Avalanche. Excelsior in this sense means ever upward, as I understand it. It has been my good fortune to know great men of letters in the House—I place GEORGE MAHON's name at the top. The article follows:

THE BEST YEARS . . .

(By Jay Harris)

Not long ago, Cong. George Mahon sent us an item of interest.

It reflected the veteran legislator's wide-ranging interests, including that in poetry which he has been known to quote at the drop of a meter in the nation's capital. Here is a portion of the letter he sent:

"Dr. Tim Lee Carter, a favorite Congressman friend from Kentucky, and I exchange quotes from Shakespeare and literature generally from time to time when we meet in the corridors of the Capitol.

"On one recent occasion in the House, he observed my reading from The Lubbock Avalanche-Journal. He said, 'Beware the awful avalanche.'

"I told him that I recalled that 'you who bore, mid snow and ice, a banner with the strange device,' but I did not remember any reference to the avalanche. But here it is. I am glad to say that I, myself, do not think The Avalanche is awful!"

Then Mr. Mahon enclosed the frontispiece and opening page of "The Complete Poetical Works of Henry Wadsworth Longfellow." And he also sent along Pages 22-23, which contain the poem "Excelsior."

The words, once familiar to most students, start, if the oldtimers recall: "The shades of night were falling fast, As through the Alpine village passed, A youth, who bore, 'mid snow and ice, A banner with the strange DEVICE, Excelsior!"

And midway through the poem: "Try not the pass! the old man said; Dark lowers the tempest overhead, The roaring torrent is deep and wide! And loud that clarion voice replied, Excelsior!"

Then: "Beware the pine-tree's withered branch! Beware the awful avalanche! This was the peasant's last Goodnight. A voice replied, far up the height, Excelsior!"

The poem goes on to relate how: "At break of day, as heavenword, The pious monks of Saint Bernard, Uttered the oft-repeated prayer, A voice cried through the startled air, Excelsior!"

Then, near the end: "A traveller, by the faithful hound, Half-buried in the snow was found, Still grasping in his hand of ice, That banner with the strange device, Excelsior!"

"There in the twilight cold and gray, Lifeless, but beautiful, he lay, And from the sky, serene and far, A voice fell, like a falling star, Excelsior!"

Ah, we wonder if modern youth reads, and heeds, such things? We are sure the poem meant much to the young George Mahon of yore, studying for a career which even he at the time had no inkling would reach such lofty heights.

But, knowing the man, and from the man the youth, we are sure that somewhere back there in those pioneer schools and his later studies at then Simmons (later Hardin-Simmons) and the University of Texas, the youth and young man was inspired.

We often have wondered if today's youth would take up the banners of causes such as those in World War I and later World War II, and do so with fervor and understanding.

It was not just youth alone which drove millions of young, middle-aged and some older men, and women, to fight a battle for Democracy—and believe their cause was right.

To us, the saddest chapter in this nation's history is the one written in the jungles and doubt-infested valleys of Vietnam.

While there were many who indeed doubted their cause, there were thousands who believed in it, only to find their fellow citizens—both young and old, but more of the latter—undermining them at home.

We have never been one to believe in "lost causes" or moral victories. And while "winning isn't everything," it's like the man said—especially in a war—it beats anything else.

Thinking back upon the men we knew who

gave their all in World War II, later in the Korean conflict and the Vietnam debacle—men who volunteered, incidentally—we wonder what else they might have contributed to their country.

Would they have grown up to be statesmen molded in the form of a George Mahon, a Harry Truman, a George Marshall, a Norman Vincent Peal, an outstanding doctor or scientist or even a newsman?

And, having given as they did, was their sacrifice and contribution any the less?

We think not, and we think we should never forget that fact. In an age when patriotism sometimes is equated with buttons and bows and old-fashioned ideas about morals and such, one wonders if the young of today, or the older for that matter, would take up the "banner with the strange device."

Banners and causes can be taken up in other ways than just in fighting wars, and should be. And in so saying, we mean in achieving for one's fellowman, not in "taking to the streets" in some form of senseless anarchy or narrow "right."

We recall during the height of the Vietnam protests a young man who worked with us asked one day: "And what did your friends who died gain by their deed?"

Our answer was simple: "The best years of your life!"

And from the sky, serene and far, A voice fell, like a falling star, Excelsior!" ●

THE TAX CODE

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. GRADISON. Mr. Speaker, today I would like to insert in the CONGRESSIONAL RECORD an article written by Richard L. Leshner, president of the Chamber of Commerce of the United States. The article points out some very important but relatively unknown facts about the distribution of the Federal income tax liability. As the article points out, a true reform of the tax code would be ending the "bracket creep" caused by inflation that raises every taxpayer's liability automatically every year. This Congress could take a large step forward toward a fair and permanent reform by enacting an indexing procedure for the personal income tax system. I hope you will give Mr. Leshner's comments serious consideration:

DEMOLISHING MYTHS ABOUT THE TAX CODE
(By Richard L. Leshner)

WASHINGTON.—Would you be surprised to hear that:

The "richest" half of America's taxpayers pay 93 percent of the personal income tax? Loopholes and fringe benefits are of most value to the low-to-middle income group?

Americans owe more to their government than a medieval serf owed to his overlord?

It's all true. These are just a few of the iconoclastic revelations contained in a mind-blowing article on tax policy appearing in the March 1978, edition of Harper's magazine.

The article was written by Paul Craig Roberts, who is both college professor and Senate staffer. His simple thesis is that we are all being taken by a parasitic government in unholy alliance with good-hearted tax "reformers" who place their faith in a few simplistic slogans without ever checking the figures.

Mr. Roberts first demolishes the myth that the low income group is most heavily taxed, while the rich escape. All you have to do, he points out, is examine the data published by the Internal Revenue Service. You learn that taxpayers in the bottom 50 percent, by income, pay only 7 percent of the personal income tax, while those in the top 50 percent pay 93 percent. Is this a fluke caused by heavy taxes on the low-middle group? No. The highest 25 percent pays 72 percent of the tax. The highest 10 percent pays almost half—49 percent. And the highest 1 percent pays 19 percent. This hardly sounds like soaking the poor for the benefit of the rich.

Furthermore, he says, if you counted untaxed aid to the "poor," such as food stamps, housing subsidies, and other forms of welfare, you would find that "their real income exceeds that of many taxpayers."

Tax "cuts" to "help the poor" are popular with the government for two reasons, he says. First, because the poor don't pay any taxes, so it costs the government nothing. And second, because inflation soon moves people out of the lower brackets and into the range where they do owe taxes.

What about those famous "loopholes" that are said to allow the rich to avoid paying their fair share? "Fringe benefits are a larger percentage of a \$15,000 salary than they are of a \$100,000 salary, and so are itemized deductions," Roberts points out. "... deductions are the primary income shelter for those in the middle to lower tax brackets, where most of the income is," he says. And that is why the government wants to eliminate the deductions, so it can get its greedy hands on more of your money.

"The greatest loophole of all in our income-tax system," Roberts says, "works for the benefit of government. It is the loophole that allows government to use inflation to increase taxes on constant and even declining levels of purchasing power without having to legislate higher tax rates."

Over the last 10 years, wages have just kept even with inflation. But wages plus taxes have not, because "the government's revenues don't simply rise by the amount of the inflation, they rise by 1.65 times the rate of inflation" thanks to the progressive tax code.

Worst of all, says Roberts, those who feed at the public trough are not even worried by the prospect of taxes so high that they wreck the economy, because that would call for new government aid programs and more government employees to run them.

What can be done? A flat, across-the-board tax cut large enough to compensate for inflation plus the push into higher brackets would help temporarily. Another possible solution being discussed is "indexing" the tax code for inflation, so taxes remain the same on the same purchasing power. Still another is a constitutional limit on the total amount of national income that may be taken by the government.

These alternatives are worth a lot of thought and discussion. One thing I can guarantee you: If we don't save ourselves, no one else will do it for us. ●

SCS COMPLETES PRIME FARMLAND INVENTORY IN DELAWARE

HON. THOMAS B. EVANS, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. EVANS of Delaware. Mr. Speaker, in my State of Delaware, the loss of agricultural land to other uses is a seri-

ous and growing problem. I say this even though Delaware farmers have been able to demonstrate a tremendous capability to produce record crops. But there is growing evidence that this may not continue. Conflicting demands for land resources are placing severe strains on economic, social, and political institutions; on the political process; and on the environment. Throughout America we are losing a significant amount of our most productive agricultural land. Our choice farmland that continually produces the most food and fiber with the least amount of energy and impact on the environment is also choice for many other uses.

People both in and out of agriculture in Delaware are concerned. The problem is also one of national concern and USDA has authorized the Soil Conservation Service to inventory prime, unique, and additional farmlands of statewide and local importance. Knowing this, State and local officials in Delaware approached the Soil Conservation Service to determine how their important farmlands could be inventoried.

The inventory of 1.3 million acres of land in Delaware began in 1976. I am now pleased to announce that as of February 1978 the task is completed. Delaware is the first State in the Nation with a complete inventory of prime and unique farmlands and farmlands of statewide importance. Kent, New Castle, and Sussex Counties, Del., have inventory maps showing the kind, location, and extent of these choice farmlands. These maps are now in the hands of local and State decisionmakers.

The completed inventory supports our concern about the dwindling supply of highly productive agricultural land. Out of the 1.3 million acre land base, Delaware has 28 percent prime farmland, 1 percent unique farmland, and 46 percent farmland of statewide importance. The remaining land is already committed to other uses. Data collected by the Soil Conservation Service shows that the amount of land now in urban and related uses in Delaware has nearly doubled in the last 20 years. We do not have a clear record of how much of that growth resulted from the conversion of prime farmland. My best estimate would be that about 1,000 acres of our prime farmland is lost each year.

Delaware is blessed in that it has a higher proportion of prime farmland than many States in the northeastern region of the United States, and we want to keep it that way. We want Delaware to have an efficient, viable agricultural industry. We do not want agriculture to move to lands now producing needed grass or timber and that are more susceptible to erosion or have other environmental hazards. We do not want to drain our fragile and essential wetlands. We do not want agriculture to be diverted to unproductive lands that the public must subsidize to assure needed food and fiber production.

Now that we have a current inventory of our important farmlands, I believe that State and local officials in Delaware will move forward in a coordinated effort

to make intelligent decisions about changing land use conditions. The pressure for change is here and our rural and urban people in Delaware are ready to face the tough problems ahead. We have many different ideals and outlooks on how our land and related resources ought to be used and managed. But one thing stands out: we are committed to retaining our best agricultural producing areas in Delaware and we will. ●

THE 10 COUNT INDICTMENT AGAINST THE AIRBAGGERS

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. SHUSTER. Mr. Speaker, although 160 Members of the House cosponsored a resolution disapproving the mandatory airbag/passive restraint regulation promulgated by the National Highway Traffic Safety Administration (NHTSA), the House never had an opportunity to express its will on this issue.

A carefully orchestrated effort by the administration and the airbag lobby resulted in the resolution being bottled up in committee by a slim 16 to 14 vote. These tactics represent the first of what might be called the 10-count indictment against the airbaggers.

Count 1: The airbaggers are, by their own admission, guilty of resorting to dilatory tactics to block the House from voting on an issue of significance to the American people and their Representatives.

The UPI reported that deliberate attempts were made to block a vote on the floor. Parliamentary ploys were used to stop committee meetings so the whole House would not have an opportunity to work its will. Such tactics were openly admitted to.

Count 2: The airbaggers are guilty of suppressing evidence. The results of four tests conducted by Calspan for NHTSA comparing airbags and seatbelts in off-set frontal crashes at 60 miles-per-hour closing speeds were held in the NHTSA Chief Counsel's office and finally made public by a NHTSA employee without authorization to do so.

The tests revealed that in three of the four crashes, the airbag-restrained occupants sustained fatal injuries based on limits set by NHTSA. All belt-restrained occupants survived. We may never have received this evidence but for the unauthorized actions of a concerned employee.

Count 3: The airbaggers are guilty of intimidating a Government employee. NHTSA scientist, Thomas Glenn, who was the contract technical manager on the Calspan project, was quoted in the Detroit News as saying he was "pressured by NHTSA to testify before Congress that the test results were inconclusive, but I resisted."

Congressional investigators said Glenn was subjected to a systematic pattern of harassment following his attempt to place the critical test results in the public docket.

Count 4: The airbaggers are guilty of ignoring facts. On September 12, over a month before the deadline for congressional action, I reported that sodium azide, the chemical propellant used to inflate airbags, was a potent mutagen and probably a carcinogen. Warnings from three internationally-known genetic scientists were ignored by the airbaggers, who called the issue a "technological red-herring."

Even when statements were released from six distinguished organic and nitrogen chemists indicating that human exposure to sodium azide during a normal airbag inflation was almost unavoidable, the warnings were ignored.

NHTSA's environmental impact statement, completely omitted this potential health hazard.

Another example of the airbaggers propensity for ignoring facts is the manner in which they dealt with the high incidence of nondeployments in towaway accidents. Ralph Nader stated in his nationally-syndicated column that—

Airbags have never failed to inflate in a crash.

This simply is not true. NHTSA has confirmed that in 230 towaway accidents involving airbag-equipped cars investigated by that agency, the airbag did not inflate in 97 crashes, or 42 percent of the time.

When challenged on AM America, Nader replied—

The airbag has inflated in crashes where it was designed to inflate—above 12 miles per hour collisions it has worked perfectly.

Again, this statement is not true, NHTSA reports that a third of the non-deployments occurred in side, undercarriage, and rear-end collisions. Airbags are activated only by frontal or angular impacts achieving a barrier equivalent velocity of 12 miles per hour.

The balance of nondeployments occurred when a 12-mile-per-hour barrier equivalent velocity was not obtained. While airbaggers have tried to convey the impression that such accidents involve cars going less than 12 miles per hour, the fact is that the barrier equivalent velocity is determined by the amount of kinetic energy absorbed by the vehicle and barrier (or second car), and it is entirely possible that cars traveling at 50 or 60 miles per hour and above may not achieve a barrier equivalent velocity of 12 miles per hour.

Count 5: The airbaggers are guilty of excusing away data unfavorable to airbags. NHTSA studies of airbag and safety belt performance in real-world crashes revealed that safety belts, when worn, are 5.7 times more effective at preventing fatalities and 2.4 times better at reducing injuries in towaway accidents. These statistics may not be reliable, but if NHTSA believes their data is not sufficiently reliable, then they should gather additional field data before mandating airbags.

Count 6: The airbaggers are guilty of making unsupported claims. Perhaps the most widely used—but least supportable—claim was that airbags, if installed in all cars, could save 9,000 lives annually. Despite repeated requests for

hard evidence to support this assertion, only subjective theoretical calculations were provided. NHTSA Administrator Claybrook said:

The Department of Transportation has carefully estimated the effectiveness of airbags . . . on the basis of extensive and carefully controlled laboratory tests.

But experts state that laboratory tests are not sufficient to draw scientifically valid conclusions. The National Motor Vehicle Safety Advisory Council stated—

. . . the analysis indicates that mathematical projections and tests with dummies do not predict with sufficient accuracy the potential value of these (passive) restraints in actual use.

Count 7: The airbaggers are guilty of showing deceptive films. A film was shown to Members of Congress and the public which compared a working airbag with a defective safety belt. In simulator barrier crashes, dummies restrained by airbags emerged undamaged while belted dummies were destroyed. But upon questioning the airbaggers admitted that the belted dummy was unprotected because the belt tore apart—it was defective.

Actually, field experience proves that belts generally work, saving thousands of lives and preventing countless injuries.

Thus, comparing a working airbag with a defective safety belt is deceptive and misleading.

Count 8: The airbaggers are guilty of conducting phony airbag demonstrations at taxpayer expense. A NHTSA traveling airbag show demonstrated an airbag that is substantially different from the airbag you would purchase in a car.

The airbag in the demonstration vehicle inflates in 4 to 5 seconds, or about 20 times slower than it would inflate in a production vehicle. Thus, it also deflates slower than an actual deflation, giving the false impression that protection might be extended for secondary impacts. The noise level is also substantially lower and the startling effect less pronounced than in a real crash.

The airbag in the demonstrator is also repacked after each show, while production airbag units must be completely replaced at a cost 2½ to 3 times the factory installation charge.

Finally, the airbag simulator uses nitrogen tanks, despite the abundance of evidence that sodium azide may be used as the propellant in airbags.

Count 9: The airbaggers are guilty of grossly underestimating consumer costs. Despite statements to the contrary by automakers, the airbaggers have persisted in telling the Congress and the American people that airbags would not cost more than \$112. Ford Motor Co. submitted documents showing that the cost of airbag components alone would exceed \$112, without taking into account assembly, design costs, tooling, and engineering, overhead, and markup.

Estimates from the automakers range from \$193 to \$250 for installation and \$300 to \$600 for replacement. It will be the automakers, and not airbaggers, who will set the price of airbags.

Airbaggers also claim that the cost of an airbag would be offset by insurance savings. While major insurance com-

panies have advertised 30 percent reductions for airbag cars, the fine print in their ads limited the reduction to medical costs which represent about 10 percent of the total insurance costs.

Airbaggers also failed to discuss obvious increases in collision coverage rates (necessitated by the higher cost of repairing an airbag-equipped car), or the fact that they would not cover inadvertent inflations which could number in the thousands annually.

Count 10: The airbaggers are guilty of resorting to character assassination against their opponents. Airbaggers called opponents of the Federal order "cold blooded," distorted our position as "the right of Americans to be killed on the highways," charged that opponents "must gnash their teeth" and are the kind of people who would not ban "selling thalidomide to pregnant women."

These kinds of emotional attacks add nothing to the airbag debate and merely serve to cloud the real issues.

In summary, the airbaggers stand guilty of at least 10 counts of misleading the American people, engaging in unethical conduct, and thwarting the democratic process to impose their will upon us. Presidential candidate Jimmy Carter declared in May, 1976—

You need to tell the truth. A minimum of secrecy. Let the people have a maximum part in . . . our domestic and foreign policies.

How unfortunate it is that those high-sounding words have not been heeded by the Carter administration, its supporters, and followers in the Congress who have conspired together to impose the airbag on the American people without a vote by their Representatives. ●

SOLAR ENERGY AND THE CITIES: THE TIME FOR ACTION IS NOW

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. DRINAN. Mr. Speaker, as the House Banking Subcommittee on Domestic Monetary Policy prepares to mark up the Solar Energy Bank Act, H.R. 7800, it is important that Members become fully cognizant of the role which solar energy can play in alleviating the regressive burden of high energy costs on the residents of our cities.

In my testimony on the Solar Energy Bank Act before the subcommittee, I outlined several steps which could be taken to assure that the benefits of low-interest solar financing are enjoyed by all taxpayers—not just those with large incomes, and not just those who own their own homes. I commend both the chairman of the subcommittee, the gentleman from Maryland (Mr. MITCHELL) and the author of H.R. 7800, the gentleman from North Carolina (Mr. NEAL) for their sensitivity to these issues of equity.

Mr. Speaker, many of the concerns I have expressed on the distributional effects of solar incentives have been

supported by the work of the National Consumer Law Center, a nonprofit public interest organization in Boston. During my tenure as dean of the Boston College Law School, I was pleased to play an active role in establishing the Center, and to have served on its board of directors.

As such, I take great pride in commending to my colleagues the following two commentaries on solar policy by Steven Ferrey, staff attorney to the Center's Energy Project, as they appeared in the Boston Globe and New York Times:

[From the Boston Globe, May 3, 1978]

LET THE SUNSHINE IN TO POWER OUR CITIES
(By Steven Ferrey)

The sun climbs slowly behind weary brownstones and casts long shadows across crooked streets and alleyways. Clear morning rays glitter from remnants of broken bottle souvenirs of Saturday night on the streets of Boston. This is the heart of inner-city America: cluttered, poor and in need of a break. It is the very last place anyone associates with solar energy. Yet the sun may be absolutely indispensable to a revitalization of urban America.

Solar energy conjures thoughts of the parched desert or suburban ranch-style sprawl, but it doesn't sound right paired with Roxbury, Bedford-Stuyvesant or Watts. The very concept of solar power has come to denote a certain eccentric affluence far removed from the day-to-day struggle for survival characteristic of many urban communities.

Yet, energy is a factor in urban exodus and decay. The high cost of energy in older Eastern cities is causing companies and jobs to relocate. Left behind are a large number of the least mobile and least skilled citizens. They must contend with soaring energy costs, a shrinking economic and tax base and a deteriorating quality of utility service.

This is precisely why solar energy is essential for urban America: It is an alternative to traditional, increasingly expensive sources. The solar energy which falls on the earth in just three days equals the total known global reserves of all fossil fuels. Moreover, the solar energy cast upon US buildings in urban areas each day is equal to the area's total daily domestic energy requirements.

Even the skeptical Department of Energy now concedes that in most areas of the continental United States, heating residential hot water with solar is now cost-effective. So promising is the solar technology that the California Energy Resources Commission predicts there will be more than one million solar-heated houses in that state alone by 1985.

But will it work in the less sunny cities of the East and Midwest? The answer appears to be "yes." There is no great variance in the amount of usable sunlight which falls in a year around the country. The sunniest spot in the continental United States receives less than twice as much sunlight as the cloudiest location.

The most important variable in the economics of solar heating is the price of substitute fuels. Even though the older eastern cities receive less sunlight, solar is still cost-effective because of their enormous winter heating needs and the higher prices of traditional fuels.

And if decentralized "roof-top" solar energy becomes widely used by suburban homeowners and commercial enterprises, as it seems likely to, the aggregate demand for traditional centralized power supplies will be cut.

Energy suppliers, especially electric utilities, have astronomically large fixed capital costs that are passed on in consumer rates.

If certain segments of the population dramatically reduce their consumption, remaining consumers will have to absorb a greater and greater share of the fixed costs.

So while solar energy promises, for those who can afford it, to be a buffer against the skyrocketing cost of utility service, it also threatens the poor.

Federal solar energy policy fails to address the urban problem. Carter's 1979 energy research and development budget includes a 10 percent real cut in solar funding. The energy legislation moving slowly through Congress attempts to stimulate residential solar development through nonrefundable tax credits. But tax credits will not effectively reach moderate-income homeowners, who do not incur sufficient tax liability against which a credit could be applied. And in the millions of rented dwellings in the country where landlords do not pay for utility bills, there will be scant incentive for solar improvement.

The adaptability of solar for the inner-city is apparent. Solar is inherently a technology on a community scale. It is relatively simple, modular in design, infinitely adaptable and freely available. Solar-collector surfaces can be in almost any shape and size to fit existing use of space. It is the ideal type of redevelopment, one in which the community gains some control over necessary services while not destroying the urban fabric or relocating its residents.

Solar energy is not a panacea for urban blight and decay. Problems of unemployment, inadequate education, poor health care and hunger simultaneously infest this nation's poor communities. Yet, energy occupies a commanding and ubiquitous role in the everyday life of the urban consumer. We have passed the era when energy was so cheap that we could afford to formulate policy as if equity and social welfare were unaffected by energy decision-making. The ultimate energy issue is not strictly a matter of technology, but also a matter of who benefits and at what cost.

In the context of existing energy policy, the sun can be a benign or wrathful god for the cities—bestowing its warmth or turning a cold shoulder. With each day's breaking there is a new beginning. Planned wisely, the solar age can be a new dawn for urban America.

[From the New York Times, May 30, 1978]

BUT SOME WON'T BASK

(By Stephen Ferrey)

BOSTON.—A transition from traditional sources of depletable fossil fuels to renewable solar-based energy is beginning to occur. As with the introduction of coal in pre-industrial England, the solar transition over the next 50 years will dramatically affect our major population centers. With this renaissance, however, arises a paradox for urban areas.

While for those who can afford it solar energy promises to be a buffer against the skyrocketing cost of utility service, it also threatens to leave the poor and those on fixed incomes behind. Those residents unable to afford the substantial initial purchase costs of solar equipment will be left largely dependent upon energy from utility companies.

President Carter's top energy advisers privately are predicting at least a doubling of fuel-oil prices by 1985. Coupled with already huge long-term fixed capital costs, especially for electric utilities, skyrocketing fossil-fuel prices will have to be absorbed by consumers unable to make the transition to solar energy. For the older Northeast and Midwestern cities, the shape of this transition may determine urban America's vital signs.

The comprehensive energy legislation now apparently emerging from the Congress attempts to stimulate residential solar develop-

ment through nonrefundable tax credits equal to 30 percent of the first \$2,000 and 20 percent of the next \$8,000 spent on solar equipment. Nonrefundable tax credits will not effectively reach moderate-income homeowners, who do not incur sufficient tax liability against which a credit could be applied. Moreover, in that portion of the 41 million rented dwellings in which landlords do not pay utility costs, there will be scant incentive for landlords to absorb the significant front-end costs of solar improvements. Then, too, the possibility of banks' de facto redlining and strict definitions of "credit-worthiness" are likely to direct most solar loans to the suburbs.

In addition, admirable legislative efforts such as a proposed solar-energy-bank bill, to make 30-year solar-improvement loans at interest rates of 3 percent, still will not reach the rental market or much of the inner city.

The President's energy program, by encouraging electric-energy expansion to meet immediate needs, is mortgaging the future to the most inefficient and expensive form of centralized energy supply. In contrast to these soaring costs, the penetration of solar technology during the rest of the 20th century will demarcate the low-cost energy "haves" from the "have-nots." Under current policy, people on fixed incomes and renters, residing primarily in the cities, will shoulder the disproportionate economic burden of the shift to renewable energy resources.

A solution to this dilemma requires that solar energy be creatively incorporated as an integral element of the Administration's urban program. For the millions of federally assisted urban rental dwellings, solar equipment should be provided through direct Government grants.

For communities undergoing comprehensive redevelopment or infrastructure improvements, placing large solar-storage facilities at little additional cost beneath streets, and utilizing rooftop collectors, offers the opportunity to alter not only the facade but also the economics of the urban environment. Community-based solar systems promise to contain costs of energy for individuals and businesses, lessen the balance-of-payments outflow for foreign oil, and provide local jobs for solar-equipment manufacturing and installation.

Solar energy is not a panacea for urban blight and decay. Yet, because energy occupies a commanding and ubiquitous role in the everyday life of the consumer, any long-range resuscitation for the cities may be impossible without the solar option. ●

**PROHIBITING DISCRIMINATION
AGAINST THE HANDICAPPED**

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. DODD. Mr. Speaker, at this time I would like to insert in the RECORD testimony which I gave before the Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary on H.R. 3504, a bill to prohibit discrimination against the handicapped. Thank you. The testimony follows:

Mr. Chairman, I want to first thank you for this opportunity to testify before your subcommittee this morning. I have many fond memories from the 2 years that I had the privilege of working with you and the other distinguished members of the subcommittee.

It was as a member of this subcommittee that I first became involved with handicapped issues and problems. In fact it was in my first year as a member of this subcommittee that I introduced legislation which prohibited discrimination against the handicapped in housing and in employment.

The bill on which these hearings are being held, H.R. 3504, has an identical purpose, and I want to compliment the subcommittee on your consideration of this proposal.

The problems of our Nation's 35 million handicapped citizens have only recently received increased attention from the Federal, State and local governments and the public. In recent years significant steps have been taken to help these people realize their full potential.

For example, the Federal Government has promoted deinstitutionalization of the handicapped for about the last 10 years. Through vocational rehabilitation prohibitions against discrimination of the handicapped contained in the rehabilitation act, and through the Education of All Handicapped Children Act, the Federal Government has sought to better prepare the handicapped to live independent lives.

This goal of independent living, however, can never be fully achieved until statutory protections against the discrimination of the handicapped in employment and in housing are enacted and until adequate support systems are created to provide the transitional and after care needed in order for the handicapped to live in a noninstitutional environment.

Very often those of us in open society tend to think of our human and constitutional rights in abstract terms without any real understanding of how they impact on our daily lives. Most of us have never suffered the indignity of being denied a job for which we are qualified or access to a public place or a home. Yet, I regret to say, that the principle of equality and fairness which protects the rest of our society from such abuse still does not apply to the handicapped.

Instead, the handicapped must wage battle daily. The physically impaired must fight to gain access to transportation systems and buildings where jobs and residences are found. The mentally handicapped must suffer the prejudice of employers, neighbors and landlords who commonly believe them to be unstable, unreliable and prone to criminal acts.

To think that "deinstitutionalization" can be successful in the context of these obstacles and these public misconceptions is, I think, very unrealistic. Without the protection of the law, the handicapped will be forced to continue waging that lonely, daily battle against deep-seated public fears and environmental barriers. Occasional victories may be won, but they will be isolated and will most likely not be sufficient to change the way the public deals with all handicapped individuals.

In consideration of all of this, the importance of this subcommittee's work becomes very clear. The power of the Federal Government must be brought to bear on the environmental and attitudinal barriers which presently deny the handicapped their equal rights in our society.

H.R. 3504 seeks to establish that protection which is needed. However, the problems involved in extending this protection are so complex that in the area of housing alone it will take great perseverance on our part if we are to pass a bill that will be meaningful. What is the duty of the landlord in renting property to the handicapped? What should building codes require? What does reasonable accommodation mean? Should local zoning laws be allowed to prohibit the establishment of group homes for the handicapped?

I do not profess to have all of the answers

to these and many other questions involved in this matter; however, I am certain that to ensure the protection of handicapped rights, answers must be found and these answers must promote the public welfare of all our citizens including the handicapped. Furthermore, we must not fall despite the difficulty of the task, keeping in mind that discrimination is the result of human behavior and that with incentives, restrictions and new definitions human behavior can and must be changed.

Already a kind of revolution has started in the way our Nation treats the handicapped as a result of the implementation of the section 504 regulations. Although HEW is the only Federal agency that presently has issued its final regulations implementing this section of the Rehabilitation Act, every Federal agency soon will do so. HUD has included in its proposed regulations that owners of property be required to make "reasonable accommodations" to the handicapped. I would think that certainly nothing weaker than this standard should be included in H.R. 3504, and that very probably the handicapped should also be allowed to make at least minor structural changes for which he or she is willing to pay.

Mr. Chairman, an issue which I think deserves in-depth investigation and consideration by the subcommittee is the use of local zoning laws to restrict the establishment of group homes for the handicapped. Again, to restate my position, it is my belief that the key to successful deinstitutionalization is the establishment of a system that will provide the handicapped with good transitional and after care. Furthermore, I believe that group homes are probably the best mode for providing this care.

What happens when the handicapped are unable to rent adequate housing or refused the right to establish group homes with the support and supervision they need to live in a noninstitutional setting?

For our Nation's more than 1.5 million institutionalized mentally handicapped, the only alternative to the institution is often a local volunteer organization or a local dollar-a-day hotel.

The fact is that many individuals being discharged from mental hospitals and institutions are incapable of living totally independent lives. They need a supervised group home in order to insure that the stability and control they have achieved continues and to detect at the earliest possible time any regression in their behavior.

It is my belief that if group homes were more available more people currently in institutions could be released and the time that a mentally ill individual is able to function outside an institution would be greatly increased.

Studies have found that the rate of recidivism among discharged mentally ill patients is extremely high. Within 6 months following discharge, it is estimated that between 30 and 40 percent of the patients are readmitted to the hospital. Within one year following discharge, between 40 and 50 percent of the patients are readmitted. And, within three to five years following discharge, between 65 percent and 75 percent of the patients are readmitted.

Clearly, our Nation's system of transitional and after care is not adequate to sustain the discharged mentally ill patient outside the institution.

From what I have been able to ascertain, it would appear that many communities have used their local zoning ordinances to thwart the establishment of group homes for the handicapped. I would like to qualify this by simply saying that clearly the lack of money and other resources rather than zoning restrictions are more responsible for discouraging the proliferation of group homes. But, the fact remains that in those instances in

which organizations have sought to establish group homes the zoning laws have been the biggest and sometimes only insurmountable obstacles to their creation.

Although supposedly created to protect the health and safety of communities, zoning ordinances are often excessively restrictive. Typically community zoning ordinances limit the habitation of a premises to a family which is most often defined as a household unit related by blood, marriage or adoption.

It is this type of zoning restriction which is most often used to prohibit the creation of group homes. Furthermore, since zoning ordinances are designed to protect the welfare of the general public, the fears the general public have about the mentally handicapped also reinforce the strict application of these types of ordinances. One commonly acknowledged fear is that the mentally handicapped are prone to commit acts of violence. To my knowledge the only study that has been conducted on this issue shows that the incidence of crime among discharged mentally ill patients was not that much higher than in the general population. According to a study conducted by the New York State Department of Health in 1968, 93 percent of discharged mentally ill patients had no subsequent arrest, and in 1975, 90.6 percent had no subsequent arrest.

That study showed further that 32.5 individuals out of every one thousand in the general population were arrested in 1975 and that 98.5 individuals out of a sample of one thousand discharged mental patients were arrested. However, the study also showed that of those discharged patients with no prior arrest record (approximately 73 percent of the total sample) only 22.6 percent had subsequent arrests.

Despite these figures and none that contradicts them, the public perception persists that the mentally handicapped are somehow unusually dangerous people.

To overcome both the obstacle of the zoning laws and public misconception, 11 States have found it necessary to enact State statutes that exempt group homes for the handicapped from the single family zoning restriction. While my State of Connecticut is not 1 of these 11 States, Connecticut has enacted very progressive legislation for the handicapped, including a recent measure which prohibits discrimination against the mentally retarded. Furthermore, I have been told by people who work in the field that several organizations have been successful in obtaining waivers to establish group homes.

What needs to be determined, however, on a national basis is whether zoning laws are in fact excessively restrictive and whether they constitute a large enough barrier to the establishment of group homes that the subcommittee should include in H.R. 3504 language preempting this sort of exclusionary practice. If a careful review of the situation reveals that, as it appears, zoning restrictions do tend to discriminate against the right of the handicapped to reside in a noninstitutional setting, then such language should clearly be added.

Mr. Chairman, in conclusion I would like to say that I believe the protections contained in H.R. 3504 are needed in order for the handicapped to be able to live in open society. Our society has no less an obligation to ensure that the handicapped are able to enjoy their human and constitutional rights than it does to racial, ethnic and religious minorities. Society has made accommodations for each of these latter groups, and I find the demands being made by the handicapped no less compelling. While we cannot change overnight behavior which has its roots in years and years of fear and prejudice, we can demand that existing institutions and practices be modified and that from this point forward different rules apply

Mr. Chairman, I will conclude my remarks now, and, again, I would like to thank the subcommittee for this opportunity to appear before you. ●

ABANDONED BANK ACCOUNTS ACT OF 1978

HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. KETCHUM. Mr. Speaker, today I have introduced legislation which may be cited as the "Abandoned Bank Accounts Act of 1978." Billions of dollars rightfully belonging to the American people sit dormant in State depositories, earning no interest for its owners.

The legislation which I am introducing seeks to assist financial institutions in the location of owners of unclaimed and abandoned bank accounts. Existing Federal laws regarding the privacy of citizens prohibit the Internal Revenue Service from releasing certain personal information on our taxpayers. This legislation would permit the Secretary of the Treasury to disclose the mailing address of a taxpayer to an officer of any depository institution or other bank or savings institution solely for the purpose of advising the taxpayer of their unclaimed account.

Similarly, since most banks require the social security number of depositors, this bill would allow the Secretary of Health, Education, and Welfare to discharge information which would aid State governments in contacting the owners or their heirs of such unclaimed property.

I commend the Enquirer for its investigating initiative in this area, and respectfully direct your attention to the following article published in the Wall Street Journal which illustrates the great need for this legislation:

[From the Wall Street Journal, June 1, 1978]
STATES ACT TO MOVE UNCLAIMED PROPERTY TO ITS OWNERS OR TO THEIR OWN TREASURERS

(By Byron Klapper)

California's Comptroller, Kenneth Cory, was checking unclaimed property turned over to the state by the Bank of America. On a list of savings-account customers whom the bank said it couldn't locate were several names that Mr. Cory recognized. Like Lucille Ball, the actress; Willie McCovey, the San Francisco Giants baseball star; and L. Bob Hope, better known as comedian Bob Hope. There was another name, too, that Mr. Cory was familiar with—his own.

The presence of such well-known names indicates that banks and others may not be too efficient at tracking down the owners of property, usually money, that is considered unclaimed or abandoned. Which is one reason that California and some other states are stepping up their own efforts to track them down.

The states' motives aren't altogether, or even mainly, altruistic. Once a real effort has been made to find an owner and failed, the unclaimed property reverts to the state, and unclaimed cash is seen as an easy way to fatten state treasuries without levying new taxes.

No one knows how much unclaimed property is lying about, but states figure many billions of dollars are involved. Such funds are held by banks in forgotten savings accounts, by insurance companies in unclaimed benefits, by corporations in uncashed payroll and dividend checks, by brokerage firms in "house name" accounts, by utilities in security deposits, and by department stores, oil companies and other credit-extending enterprises in overpayments on charge cards.

WASHINGTON HAS SOME

The federal government, as well, has an abundance of cash whose owners haven't been traced. Last October, the Internal Revenue Service said it held \$20.7 million in undelivered income-tax refunds, which states insist Washington isn't entitled to keep.

Jim Lord, Minnesota state treasurer, calls the IRS figure "very minor": He estimates that, all told, the federal government and its agencies improperly hold \$5 billion. As president of the National Association of Administrators of Unclaimed Property, Mr. Lord is seeking legislation aimed at forcing the government to "identify unclaimed funds and return them to rightful owners."

Those states currently pressing their efforts are concentrating not on the federal government but on businesses within their borders. New York State last year thus collected \$124 million, of which \$24 million went to the owners and \$100 million helped finance state activities.

"The state can use these funds for the benefit of all citizens rather than permit them to enrich a few business organizations," says Marvin Rosen, director of New York's Bureau of Abandoned Property. California expects to collect between \$90 million and \$180 million annually by 1980. Minnesota's Mr. Lord says vigorous collection efforts by his state could add \$20 million a year to the general fund.

Forty-two states—all but Alaska, Colorado, Kansas, Maine, Mississippi, Missouri, Nevada and Wyoming—have abandoned-property laws stating just how many years various types of property can go unclaimed before they must be turned over to the state. Enforcement has been spotty.

Alexander Grant & Co., a Chicago-based accounting firm, says companies have generally ignored such laws before now. In a survey of Minnesota-based companies, it found "a serious lack of compliance." Insurance companies "have asserted various legal arguments" to avoid transferring funds to the state, the survey said, and "not one of the (state's) 46 brokerage firms ever filed an abandoned-property report" in Minnesota.

BOOKS ARE SEARCHED

To try to rectify the situation, 10 states, including Minnesota, hired Alexander Grant & Co. last fall to search the books of Exxon Corp.; American Telephone & Telegraph Co.; General Electric Co.; Prudential Insurance Co. of America; Merrill Lynch, Pierce, Fenner & Smith Inc., and five other major companies. The survey hasn't been finished, but Alexander Grant has already found \$1.5 million in unclaimed property that hadn't been reported to the accounting firm's client states.

The amount would exceed \$10 million if funds due the other 36 states with abandoned-property laws were included, according to Anthony L. Andreoli, Alexander Grant's government specialist. As a result of the findings, 15 more states have hired the accounting firm to conduct a similar study for them.

Data uncovered by Alexander Grant will be used "as a starting point in the collection process," says David J. Epstein, special consultant on abandoned property for Minnesota, Massachusetts and Illinois. State treasurers, he says, will demand that companies

turn over funds that the audit shows are due.

The collection attempt may prove difficult. Massachusetts' Treasurer, Robert Q. Crane, has already met resistance with suits against First National Bank of Boston and Boston Edison Co. Mr. Crane accuses the bank of withholding \$1 million, but Barry M. Allen, a First National spokesman, says: "He'll have to prove that in court. We believe we've been in full compliance with the law." Similarly, Boston Edison, sued for alleged underpayment, says it has abided by Massachusetts' abandoned property law and turned over \$9.177 to the state last year for calendar 1976. "We've searched our books: \$9.177 is accurate," a spokesman says.

THE QUIET WAY

To avoid such confrontation, New York has elected to deal behind the scenes with some companies. In recent months, quiet negotiations with American Express Co. and Citibank have produced about \$10 million for the state. A spokesman for State Controller Arthur Levitt says the negotiations included a promise of no publicity; he refuses to disclose details, and neither company will comment. But sources familiar with the settlements say American Express paid \$6.1 million on unclaimed traveler's checks and money orders while Citibank agreed to hand over \$3.8 million in abandoned dividend checks and money orders.

The U.S. Supreme Court has decided that in cases where more than one state may have a claim, the property belongs to the last state where the owner is known to have lived. But despite the ruling, states haven't made it a practice to let one another know what unclaimed property is available in their jurisdictions.

Illinois and California hope to change that. The two states are drafting a model pact under which parties to the agreement would swap information. Charles W. Tomlinson, supervisor of the Illinois abandoned-property division, says the plan will be presented to the abandoned-property administrators' association "to make it uniform among all states."

Whether states that turn up abandoned property do a better job than companies of returning it to rightful owners has been questioned. California, on the one hand, recently bought what it called "the world's biggest classified ad" in the Los Angeles Times to publicize recovered property. It spread the names of 30,000 persons, companies and estates across 32 pages of the newspaper.

New York, on the other hand, runs lists of abandoned property in the obscure New York State Bulletin, rarely seen by the general public—"but available in most public libraries," says Mr. Rosen of the state's abandoned-property bureau.

Such limited-circulation lists are tailor-made for "heir chasers," who comb the lists and offer to recover funds for owners for high finders' fees. ●

SUPPRESSION OF SOUTH KOREAN LABOR'S WAGE BOOST EFFORTS ADDS TO AMERICAN TEXTILE IMPORT VOLUME

HON. KENNETH L. HOLLAND

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. HOLLAND. Mr. Speaker, the rapid increase in textile and apparel imports into the U.S. market now is reaching alarming proportions. In the month

of April alone, imports rose 42 percent from April 1977. During that month, fabrics alone jumped 82 percent.

For the first 4 months of 1978, imports were up 33 percent over the same period last year. In the 12 months ending with April, imports rose 16 percent from the year ending April 1977.

It is obvious that our domestic industry is being severely damaged by these imports and its very future threatened.

Significantly, the textile and apparel products coming into our market in great volume emanate from such countries as Korea. The Washington Post on June 7 had an article entitled, "South Korea Clamps Down on Effort to Boost Wages." This article describes the low wages paid in that country and the poor working conditions. It also noted that the Government and factory management of Korea were suppressing an independent labor organization that is trying to raise wages of South Korea's low-paid factory workers. The reason for this suppression, according to the article, is a part of a campaign to keep wages low and assure the continued competitiveness of South Korean exports.

Mr. Speaker, the time has come when our Government needs to deal realistically with this problem and to bring about more effective negotiation and implementation of arrangements to provide more orderly flow of textiles and apparel into our domestic market. Surely, we should not sacrifice more American jobs to goods produced under conditions described in this article.

I ask unanimous consent for insertion of my remarks and the article that I have in my hand in the RECORD:

SOUTH KOREA CLAMPS DOWN ON EFFORT TO BOOST WAGES

(By William Chapman)

SEOUL.—An independent labor organization trying to raise wages of South Korea's low-paid factory workers is encountering arrests, sporadic violence and heavy government pressure.

Its leaders accuse the government and factory management of attempting to suppress their church-sponsored movement as part of a campaign to keep wages low and assure the continued competitiveness of South Korean exports.

In the past few weeks, prosecutors seized books and records of the Urban Industrial Mission and arrested one of its ministers for delivering a sermon deemed critical of the government.

Books widely circulated with government permission accuse the mission of being tainted with communism, the most serious charge that can be made in this country which shares an armed border with North Korea.

Young women demanding the right to strike were arrested at an Easter worship service. Others were showered with human excrement thrown at them during a plant-organizing election.

An American minister from Japan was detained for six hours and his papers were confiscated after he visited a mission seminar here.

The mission is an international church-sponsored organization that assists low-paid workers in urban areas of Japan, South Korea, Hong Kong, the Philippines, Indonesia, Malaysia and Thailand. It is financed by local churches, the World Council of Churches, and denominations in Australia, the United States and Europe.

In South Korea, its targets are the textile factories, which in the 1960s launched this country's formidable economic boom and which still account for a large share of the profits in the export trade.

Much of those plants' competitive success is due to the low wages paid to young women workers who tend the machines. One recent survey found the woman textile worker earns an average of \$73 per month. Many work eight-hour shifts seven days a week with only an occasional official holiday for rest.

Strikes are forbidden by national law and the government has a hand in setting wage levels. In an interview, an official acknowledged that it is government policy to increase wages slowly so as not to upset the favorable competitive position of South Korean products. At this stage of development, he contended, wages must be kept low to retain markets eagerly sought by other Asian countries. He said strikes cannot yet be permitted but he denied the government is bent on suppressing the Urban Industrial Mission.

Government pressure and the docile behavior of officially sanctioned trade unions prevented any significant labor agitation until the early 1970s, when the young women workers, aided by the mission, began demanding union elections and collective bargaining rights. Their leaders are under surveillance by the Korean Central Intelligence Agency and local police and the pressures have increased in recent weeks.

On May 1, police from the public prosecutor's office entered the mission office and seized lists of members enrolled in its credit union, the major record of persons having connections with the organization. They also took large numbers of other documents and pictures from the walls.

A government spokesman said he could not supply an explanation of that incident.

Mission leaders, who asked not to be identified, said their organization had recently refused to submit to an audit of its credit union on grounds the lists of members would be turned over to the KCIA.

The same day, a mission minister, the Rev. In Myung Jin, was arrested for a sermon given two weeks earlier and was charged with violating Emergency Proclamation Number 9, which prohibits any criticism of the government or the constitution.

The sermon had questioned administration of justice and had criticized in particular one prosecutor, now deceased, for harsh treatment of political dissidents.

In a tape recording left with friends before he was arrested, the minister said he was being singled out for his activities with the mission. It was he who had initially refused to have the organization's credit union audited.

The mission had also come under strong attack in a recently published book widely circulated among workers in textile mills and other plants where mission supporters have been agitating.

The book charges that the mission is part of a communist plot and that its theology is not based on Christianity but on "the communist-red ideology." It also charges that the World Council of Churches is dominated by persons having allegiance to communism.

Mission say the book is a government device to discredit their organization in this staunchly anticommunist country. No book can be published and distributed legally without government approval.

Six women from several plants were arrested March 26, at an Easter religious services where they suddenly seized microphones and demanded the right to strike and bargain collectively. They were charged with interfering with a religious meeting.

On Feb. 21, during union elections at the Dong-Il plant, a group of men burst into a textile workers' office, destroyed machinery and threw human excrement on many of the

women. The women said their assailants had been hired by the officially sanctioned textile union in its effort to retain control of the plant.

In the most recent incident, the Rev. John Walker, an American missionary from Kobe, Japan, said he was detained for six hours by questioning at Seoul's airport as he was leaving after attending a mission seminar late in May.

He said government agents confiscated mission documents and his personal notes on meetings he had attended and threatened to charge him with violating a proclamation that prohibits criticism of the government.

A government spokesman, asked to explain the incident, said Walker's papers had been uncovered during a routine search by police and customs agents and were found to include 244 copies of 63 documents. The papers "slandered or opposed the constitution and criticized government activities," the spokesman said, adding that it is illegal to carry such material in or out of the country. The U.S. Embassy has asked for an explanation of Walker's detention. ●

SOVIET PERSECUTION OF DR. YOSEF BEGUN

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. DOWNEY. Mr. Speaker, once again I want to bring to your attention and to the attention of my colleagues another case of religious discrimination in the Soviet Union.

Today, I along with my colleague RICHARD OTTINGER sent a letter to all House Members asking for cosignatures on a letter to Ambassador Anatoly Dobrynin expressing our deep concern over the case of Dr. Yosef Begun who recently completed a 1-year sentence of exile in Siberia. Mr. Begun was arrested on May 17 by Soviet officials and is again unjustly imprisoned.

I would like to insert into the RECORD a copy of the letter Mr. OTTINGER and I sent to our colleagues:

DEAR COLLEAGUE: For the past year we have been involved with the case of Dr. Yosef Begun, a Soviet Jew, who is under constant harassment by the Soviet government.

On April 14, 1977, Dr. Begun was arrested. On June 1, 1977 he was unexpectedly brought to trial on a charge of vagrancy and sentenced to exile in Siberia. Dr. Begun was released from Siberia early in 1978 and he returned to Moscow to join his wife and son.

On May 17, 1978, Dr. Begun was again arrested by the Soviet Police while returning home from the trial of another Soviet dissident Yuri Orlov. He was arrested for alleged residence violations and taken to the Matroskaya Tishina Prison in Moscow. He was removed from this prison and taken to the notorious Bubyriki for a psychiatric examination. Yesterday, June 7th, he was returned to Matroskaya Tishina.

Dr. Begun has been on a hunger strike since his arrest on May 17th for he believes that his arrest was unconstitutional and in violation of Soviet legislation governing returning exiles. He has been assured by his lawyer that such prohibitions did not apply to people sentenced under Article 209 for "parasitism". Even the chief investigator, Ivan Ztov, in a phone conversation with

Dr. Alla Drugova, Begun's wife, confessed that under Soviet law such a ban on living in Moscow should have been read out in his 1977 trial as part of Begun's sentence.

Dr. Begun's health is failing and both his wife and son fear for his life.

Cases such as this belie the declarations made by the Soviet Government of respect for human rights and freedom. They raise serious questions about whether the Soviet Union is acting in accordance with the Universal Declaration of Human Rights and the Final Act of the Conference on Security and Cooperation in Europe. In addition, the type of treatment experienced by Dr. Begun can only serve to damage relations between the United States and the U.S.S.R.

Yosef Begun and other Soviet Jews in similar predicaments will continue to suffer as long as the rest of the world does not protest. We must continue to help focus world opinion on the practices of persecution in the Soviet Union.

If you wish to co-sign the attached letter to Ambassador Dobrynin, on Dr. Yosef Begun's behalf, please contact Hilary Lieber at 53335 by June 21st.

Sincerely,

THOMAS J. DOWNEY,
Member of Congress.
RICHARD L. OTTINGER,
Member of Congress.

DEAR AMBASSADOR DOBRYNIN: As members of the United States House of Representatives we are very much concerned about the case of Dr. Yosef Begun.

Dr. Begun was arrested on May 17, 1978 on charges of residence violations. Dr. Begun recently returned to Moscow, to be with his wife and son, after serving one year of exile in Siberia.

Dr. Begun has been on a hunger strike since May 17th at Matroskaya Tishina Prison in Moscow. His health is failing and we along with his family fear for his life.

In the spirit of the Helsinki Accords we most respectfully urge your attention to the case of Dr. Yosef Begun to see that he does not suffer any further unjustified imprisonment.

We would appreciate you bringing this letter to the attention of President Brezhnev.

Sincerely,

NATIONAL GASOHOL COMMISSION
TO MEET

HON. VIRGINIA SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mrs. SMITH of Nebraska. Mr. Speaker, I think it is important for my colleagues to be aware that the National Gasohol Commission will be holding a 2-day meeting in the Nation's Capital on June 13 and 14.

For those who do not know, Gasohol is a registered trademark of the State of Nebraska and is a blend of 90 percent unleaded gasoline and 10 percent ethyl alcohol. My home State has been in the forefront in the utilization of this splendid alternate energy source to power automobiles.

Gasohol can help solve two of this Nation's most pressing problems—the energy shortage and the low farm price situation. Many other States have recognized the importance of developing Gasohol and have joined with Nebraska

to form the National Gasohol Commission. I have been honored to have been asked to address the commission. Several others of my colleagues in the Congress also will appear.

The commission will attempt to draw some national attention to Gasohol and its importance to the future of this country. Meetings will be held in room 1318 of the Dirksen Senate Office Building on Tuesday, June 13, and at the Quality Inn Hotel near Capitol Hill on Wednesday, June 14.

For the convenience of my colleagues and their staffs that may wish to attend, I ask unanimous consent that the agenda for the National Gasohol Commission meeting be printed in the RECORD:

AGENDA—NATIONAL GASOHOL COMMISSION MEETING—WASHINGTON, D.C., JUNE 12-14, 1978

JUNE 12

3:00 p.m.—7:00 p.m.—Registration, Capitol Hill—Quality Inn Hotel.

7:00 p.m.—9:00 p.m.—Jet Lag Reception.

JUNE 13—MEET THE NATIONAL GASOHOL COMMISSION DAY

Meeting begins on Capitol Hill in Dirksen Senate Office Building, Room 1318.

9:30 a.m.—Introduction and Explanation of National Gasohol Commission by Meeting Moderator—Holly Hodge, Nebraska.

9:45 a.m.—Governor J. J. Exon of Nebraska.

10:00 a.m.—*Weldon Barton, Chief of U.S.D.A. Energy Office.

10:45 a.m.—**Senator Birch Bayh of Indiana.

11:00 a.m.—*Alvin Alm, Assistant Secretary, Policy and Evaluation, D.O.E.

11:45 a.m.—**Senator Carl T. Curtis of Nebraska.

12:00 noon—Lunch at Quality Inn Hotel—Capitol Hill; Speaker—Hal Bernton, Assistant to Jack Anderson, nationally syndicated columnist, Washington, D.C.

2:00 p.m.—*Norman D. Shutler, Deputy Assistant Administrator for Mobil Source and Noise Enforcement, U.S.E.P.A.

2:45 p.m.—**Representative Virginia Smith of Nebraska.

3:00 p.m.—Ray H. Daley, Special Projects and Public and Government Policy, American Automobile Association.

3:30 p.m.—**Senator James A. McClure of Idaho.

3:45 p.m.—*Ted McFadden, Bureau of Alcohol, Tobacco and Firearms—Policy Division.

4:15 p.m.—Albert Turner, Southwest Alabama Farmers Co-op Association—Selma, Alabama.

5:00 p.m.—6:00 p.m.—**Reserved for additional comments by Members of Congress.

6:00 p.m.—Recess until 9:00 a.m. on June 14 at Quality Inn—Capitol Hill Hotel.

JUNE 14

9:00 a.m.—National Gasohol Commission Business Meeting at Quality Inn—Capitol Hill Hotel:

1. Introduction of newly interested states.

2. Discuss commission bylaws and legal formation.

3. Funding for national office.

* Individuals representing administrative agencies will make statements of departmental policy relative to Gasohol as well as provide an update on department activities that relate to administration or enforcement of Gasohol related policies.

** Congressmen will state their viewpoints on Gasohol, access the status of Gasohol in Congress and briefly describe any Gasohol related legislation with which they have been involved.●

12:00 noon—Luncheon at Quality Inn; luncheon speakers: Senator CHARLES PERCY, Illinois, and Senator FRANK CHURCH, Idaho.
1:30 p.m.—
4. Election of officers.
5. Other business.
6. Next meeting date.
3:00 p.m.—Adjournment.

THE 1973 PHOSPHATE BAN: HAS IT CHANGED ANYTHING?

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. McDONALD. Mr. Speaker, we all can recall the big hullabaloo raised by EPA some years ago about the use of phosphate detergents in water. Reacting to all the clamor, Indiana State legislators banned the use of phosphate detergents in home laundries in 1973, on the basis that Indiana lakes and waterways would become purer and that it would reduce the rate of eutrophication—a fancy word for saying that waterways become clogged and eventually, a marsh as oxygen content in the water decreases. Some experts at that time said we were attacking the problem from the wrong end, and that the significant amounts of phosphates come from sewage, from fertilizer in runoff, and from natural resources. The Purdue study reveals, based upon samples from 15 lakes, that no progress is being made; in fact, the progress is backward. The study does conclude that the good Indiana folks are paying more, however, to get their clothing less clean as a result. One wonders if EPA will now reassess its approach or admit it may have made a bad error? The story from Perspective for May-June 1978 published by Purdue University follows:

THE 1973 PHOSPHATE BAN: HAS IT CHANGED ANYTHING?

So far in the years since Indiana legislators imposed a ban in 1973 against the use of phosphate detergents in home laundries, two things appear to have occurred:

1) Hoosiers are paying more to get their clothing less clean.

2) Indiana lakes and waterways which were supposed to improve as a result of the ban apparently haven't.

Jean Goodrick, a retailing specialist who is an associate professor in Purdue's School of Consumer and Family Sciences, says the bans against phosphate detergents have hit the consumer in the pocketbook and caused problems in getting washes clean and bright (as the television soap commercials put it).

Meanwhile, back at the 15 Indiana lakes from which Purdue scientists are taking water samples to compare with those taken in 1973 by the Environmental Protection Agency (EPA), there's been little or no improvement in water quality attributable to the phosphate ban. In 10 cases, it's worse.

"We need at least one more year," says Anne Spacie, co-director of the research and assistant professor of forestry, before any firm conclusions can be drawn. But from the results thus far, she says that "the lakes have not changed dramatically in five years."

The other director of the lake study is John Bell, associate professor of environmental engineering. He agrees that the findings should be regarded as tentative, but adds, "If the ban is to do some good, as some people claim it will, we should find consist-

ent improvement. We're not finding a significant improvement in all the lakes. In fact, some are worse."

Professors Bell and Spacie and their associates took water samples from 15 lakes at various times last summer and compared them with those obtained by EPA researchers in a similar study of the same lakes in 1973.

The purpose of the phosphate detergent ban is to reduce the rate of eutrophication, a natural process occurring in all lakes. During the process, phosphorus, nitrogen, and other plant nutrients build up; oxygen content of the water decreases. Gradually, algae (pond scum) and other plant life expand so much that animal life is forced out. As eutrophication proceeds, the lake water becomes less desirable for human use; eventually, the lake may fill entirely with plant life and become a marsh.

Some scientists hope that by banning phosphate detergents an important source of plant food will be reduced and eutrophication retarded.

To determine the status of lake eutrophication, the Purdue scientists recorded nine factors of water quality—among them clarity, nitrogen content, the amount of phosphate, and content of microscopic plant life—and compared them with the findings of the 1973 study. They found an increase in eutrophication level in 10 lakes, a decrease in three lakes, and no change in two lakes.

Monsanto Chemical Company, St. Louis, a producer of phosphates, funded the study of Indiana lakes and a similar one in New York being conducted by Cornell University scientists. Indiana and New York are the only states to ban phosphate detergents. Chicago; Dade County in Florida; Elhara, Illinois; and Akron, Ohio, also have such bans.

Professor Spacie points out that even if a ban is 100 percent effective, the amount of phosphate entering a lake might be reduced by only about one-fourth. The reason is that about half the phosphate coming into a lake comes from natural sources or other non-sewage sources such as runoff from fertilized fields. Another one-fourth may come from municipal sewage.

"Since there are a variety of phosphorus sources, more than one approach may be needed to significantly reduce phosphorus concentrations in the lakes," she says.

Indiana housewives and detergent manufacturers who wrestle with the resulting laundry problems can take hope from Professor Bell's belief that removing phosphate from sewage may be a more effective answer than banning household phosphate detergents.

Professor Goodrick says the laundry problems arising from the ban have been numerous. "Manufacturers have had to spend tremendous amounts of money trying to find substitutes for phosphates," she says. "They've conducted extensive research and development programs and tests to determine if the substitutes were environmentally safe as well as safe for consumers. And, of course, the costs are passed on to the consumer."

Fabric softeners and the use of water conditioners help cope with the problem of detergent residue, she says, but these additives also add to the cost of doing laundry. And some additives contribute to deterioration of fabrics.

To compensate for the lack of phosphates in laundry detergents, people increase the amount of detergent they use, Professor Goodrick says. Phosphates in detergents tie up water hardness in soluble form. Then, because it is soluble, it can be easily washed away.

The use of carbonates in place of phosphates in detergents isn't very satisfactory, she believes: "Sodium carbonate joins with

the water-hardness minerals to form an insoluble residue which remains on the clothing, giving it a dull appearance."

She suggests that heavy-duty liquid detergents may be good alternatives. "In one type of heavy-duty liquid, a mixed surfactant (short for surface-active agent) is used which breaks the surface tension of water. A mixed surfactant does not leave as much residue on fabrics as carbonates," she says. "You can also help remove residue from laundry by running it through a second rinse and by using hotter water, but this conflicts with the energy situation."

Manufacturers are working to develop different formulas for detergents to compensate for the absence of phosphates. One of them, sodium citrate, a sequestering agent, "does not have quite the cleaning efficiency of a phosphate product," she believes, "and detergents with sodium citrate are not now available in large enough quantities."

Additionally, the textile companies are still at work on soil-release chemistry which they hope will help fabrics release soil during laundering.

Another negative aspect of the 1973 legislative ban on phosphate detergents: the creation of a band of interstate "smugglers," other placid housewives who go to adjoining states where phosphate detergents are not banned and return home with huge supplies.

But worse for a fashion-conscious populace: more white fabrics from manufacturers which more easily show soil. "And," says Professor Goodrick, "designers are now promoting white fabrics." ●

CUBAN FORCES IN THE MIDDLE EAST

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. McDONALD. Mr. Speaker, extensive public attention has been focused on the thousands of Cuban troops and advisers now in Africa where they work with East German and other Warsaw Pact personnel in preparing Marxist-led forces for invasion of the southern African nations. Little attention has been focused on the Cuban advisers, military, political, and technical, assisting pro-Soviet regimes in the Middle East and training terrorist insurgents targeted against non-Communist Arab countries such as Iran, Saudi Arabia, Oman, Morocco, and Egypt, in addition to Israel.

The Israeli newspaper, *Davar*, published in Tel Aviv on June 5, provided the following accounting of Cuban activity in the Middle East and north Africa which my colleagues will doubtless find of concern:

CUBANS SAID ACTIVE IN MIDDLE EAST

(By Yehoshu'a Tadmor)

The magnitude of Cuban activity in the Arab countries was reexamined recently by Western elements, who came to the general conclusion that 1,500 Cubans are now active in Middle Eastern countries from Libya to Iraq, from South Yemen to the training camps of the terrorist organizations in Lebanon.

The Cubans are particularly active in advising and training. Some of them are playing the role of political commissars, as it were, trying to give their allies Marxist ideological training.

The Cubans have been trying very hard

recently to keep a low profile and avoid emphasizing their influence—particularly in view of Western sensitivity, which reached a peak after the massive Cuban involvement in Angola, Ethiopia and the latest occurrences in the Congo. The Saudi Arabians are showing special sensitivity on this issue because of the Libyan presence in the Horn of Africa.

About 100 Palestinian fighters are now in Cuba, most of them going through courses in guerrilla warfare and sabotage. About 30 of them are going through a full aviation course.

In Lebanon there are now about 200 Cuban instructors and military personnel, most of them in the training camps of the various terrorist organizations. About 250 more are active in Syria, most of them attached to units of the special militia of the Syrian Army. About 300 Cubans are in Libya—mainly as instructors. It appears that the Cuban presence is more convenient for the Libyans than would be a large number of Russian instructors and advisers. About 400 Cubans are practically permanently in South Yemen, which has become a people's republic with all that involves in accordance with the special conditions of this desert country. The Cubans in South Yemen hold sensitive key posts in the regime and they keep a constantly alert eye open against any possibility of revolt. They are doing everything, however, to avoid being conspicuous there because of the great Saudi Arabian sensitivity concerning Cubans, particularly after their massive involvement in the war in Ethiopia. About 250 Cubans are in Iraq and about 150 in Algeria—a total of a little more than 1,500 Cuban Army personnel.

Not all these are fighting forces. The Cuban force that acted in the Golan Heights in the Yom Kippur war was a much more formal military force. The Cuban presence does represent, however, a foundation capable of absorbing with relative speed a much larger force if necessary.

The Cuban presence in the Arab countries is a part of the general Cuban attempt being made in coordination with Moscow and intended to serve the strategic aims of the Soviet Union. It should be recalled that Cuba's external moves are laid down in full coordination with Moscow and are the fruits of Cuba's complete economic and military dependence on the Soviet Union. This activity by Cuba in Africa and the Middle East goes hand with its aspirations to play a key, catalyst role in the revolutionary movements of the Third World.

There is no doubt that Cuba and the Cuban units in the area will refrain from any active involvement in the battlefield as long as the Soviet Union does not give the signal for this. The Soviets have so far refrained from broadening this arena of competition since they fear its results or a worsening of the risk of an interbloc confrontation in the area. ●

NOBEL LAUREATE MILTON FRIEDMAN ON THE PROS AND CONS OF SEVERAL MAJOR TAX REDUCTION PROPOSALS ACROSS THE NATION AND TAX LIMITATION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. KEMP. Mr. Speaker, when a Nobel Laureate addresses himself to an issue in which one is involved, one listens. This is what Congress must now do.

The Nobel Laureate is Milton Friedman, professor emeritus at the University of Chicago, currently a senior research fellow at the Hoover Institution, Stanford University. His ideas have changed the course of economic thought in the United States and has had a perceptible impact in the economies of other Western countries as well.

Dr. Friedman has authored a new commentary on the pro's and con's associated with several major tax reduction proposals—constitutional and statutory tax limitations, permanent tax rate reductions, et cetera. The comments are well worth our consideration.

This article is a revised version of a speech D. Friedman delivered before the American Legislative Exchange Council earlier this year and will be published next week in *Policy Review*, a quarterly journal of the Heritage Foundation, Washington.

THE LIMITATIONS OF TAX LIMITATION
(By Milton Friedman)

Two down, 48 to go.

The approval on June 6, 1978, by the people of our largest state of Proposition 13—a tax limitation amendment to the California Constitution—has given great impetus to the grassroot movement that Governor Ronald Reagan began in that state five years ago when he sponsored Proposition 13.

The first victory for those who believe that government does not have an open-ended claim on the incomes of Americans came in Tennessee three months ago (March 7, 1978) when the people of that state, by a two-to-one majority, approved an amendment to limit the "rate of growth" of state spending to the "estimated rate of growth of the state's economy."

Similar amendments will be on the ballot in a number of other states this fall, and the prospects now look very good for their adoption.

The Jarvis-Gann amendment, Proposition 13, will limit property taxes in California to one percent of assessed valuation. It will restrict increases in assessed valuation to a maximum of 2 percent a year except when property changes hands. In addition, it will require a two-thirds vote of the legislature to raise other taxes. It is estimated that this amendment will cut property taxes by more than half—or by some \$7 billion.

Jarvis-Gann, it must be said, has many defects. It is loosely drawn. It cuts only the property tax, which is by no means the worst tax. It does nothing to halt the unlegislated rise in taxes produced by inflation. Proposition 13 was a far better measure and a revised version will be needed even though Jarvis-Gann has passed. Yet I strongly supported Jarvis-Gann. It does cut taxes. It does raise obstacles to further increases in government spending. Those in favor of more government spending mounted an expensive fear campaign financed in large part by big businesses (which apparently allowed its own fear of the politicians in Sacramento to trigger its unerring instinct for self-destruction). In this media blitz, the state employees' union leaders (naturally the core of the opposition) predicted that state services would be drastically cut, that thousands of policemen and firemen would be dismissed, and so forth and so on.

In fact Jarvis-Gann will not have the dire effect its opponents threatened. The California government has a surplus of some \$3 billion to offset the \$7 billion revenue reduction. The remaining \$4 billion is roughly 10 percent of the state and local spending now

projected for the next fiscal year. Is there a taxpayer in California (even if he is a government employee) who can maintain with a straight face that there is not 10 percent fat that can be cut from government spending without reducing essential services? Of course, the reallocation of revenues to finance the most essential services will not be an easy or pleasant task but that, after all, is just what we pay our elected representatives for.

Which brings us to an important point of political philosophy. It is my view that it is desirable for the people to limit their government's budget, to decide how much in total they are willing to pay for their government. Having done this, it is desirable for them to delegate to their elected representatives the difficult task of dividing that budget among competing good proposals. The opponents of tax limitation laws charge that we are being undemocratic in proposing to tie the hands of government. After all, they say, don't we elect our state representatives and our congressional representatives in Washington to handle the affairs of government? I believe that if we are going to be effective in passing tax limitation laws, we must understand and make other people understand that these referenda are far from being undemocratic. I believe that the real situation is precisely the opposite.

The problem we face is that there is fundamental defect in our political and constitutional structure. The fundamental defect is that we have no means whereby the public at large ever gets to vote on the total budget of the government.

Our system is one in which each particular spending measure is treated separately. For any single spending measure, therefore, there is always a small group that has a very strong interest in that measure. All of us are parts of such small groups. We are not talking about somebody else. As Pogo used to say, "We have met the enemy and they are us."

The vested interests are not some big bad people sitting on money bags; the vested interests are you and me. Each of us is strongly in favor of small measures that will benefit us and each of us is not too strongly opposed to any one small measure that will benefit someone else. We are not going to vote anybody out of office because he imposes a \$3 a year burden on us. Consequently, when each measure is considered separately, there is considerable pressure to pass it. The proposers have greater force than the opponents (who are often called "negative" or "obstructionists") and the total cost is never added up.

The purpose of tax limitation is to remedy that defect. It will enable us to say to the legislature, "We assign you a budget. Now it's your job to spend that in the most effective way." The effect of removing this defect is to enable special interests to work for the general interest instead of against it. This is because with a given total budget a special group that wants a special measure has to point out the other budget items that can and should be reduced. Each item that people want is a good item. There is no pressure on Congress or on the legislature, or very little, to enact bad legislation. The problem is that there is an infinite number of good and desirable proposals and you have to have some device to limit the appetite and that's the function of tax limitation.

The next time somebody says that tax limitation is undemocratic we should ask him whether that means he is against the First Amendment of the Constitution. Because after all the First Amendment of the Constitution limits very clearly what Congress can do. The First Amendment says Congress shall make no laws interfering with the freedom of speech or the free exercise of religion. Consider what would happen if we didn't have that amendment. For any single meas-

ure restricting freedom of speech you might very well obtain a majority. I am sure there would be a majority to prevent the Nazis from speaking on the street corner. There might be a majority to prevent the Seven Day Adventists or vegetarians from speaking—or any other little group you could name. But our Founding Fathers had the wisdom to roll it up into one and say we are not going to let each individual issue be decided separately by a majority vote. They said that we are going to adopt the general principle that it is not the federal government's business to restrict freedom of speech. In the same way what is being proposed today is the enactment of a principle that a government shall have a budget determined by the voters and that it will have to stay within that budget.

Right now total government spending—state, federal and local—amounts to 40 percent of the national income. That means that out of every dollar anybody makes or gets, forty cents is being spent for him by the bureaucrats whom he has, through his voting behavior, put into office. There is upward pressure on that percentage. The screws will be put on. The real problem for the future is to stop that growth in government spending. Those who are really concerned, who really are fiscal conservatives, should forget about the deficit and pay all their attention to total government spending. As we have seen, California and Tennessee have recently led the way toward the goal of a limit on government spending.

On the federal level, there have been moves to try to get a federal Constitutional amendment providing for a balanced budget. I think, however, that is a serious mistake. It spends the energies of the right people in the wrong direction. Almost all states have a balanced budget provision, but that hasn't kept spending and taxes from going up. What we need on the federal level, as we need it on the state and local level, is not a budget-balancing amendment, but an amendment to limit government spending as a fraction of income. Recently a task force of the Southern Governors' Conference, which was headed by Governor James Edwards of South Carolina, has worked extensively to produce a government spending limitation amendment for the federal government.

Congressman Jack Kemp has been pushing for several years now a so-called tax reduction bill (the Kemp-Roth Bill). I support this bill since I believe that any form of tax reduction under any circumstances must eventually bring pressure to bear to cut spending. Moreover, I believe some taxes do more harm than others. There is no doubt that the method by which we collect taxes could be rearranged so as to have a less adverse effect on incentives and production. And, from this point of view, the Kemp-Roth Bill is certainly desirable. We should be clear, however, that it is in reality not a tax reduction bill; it is a proposal to change the form of taxes. As long as high government spending remains, we shall have the hidden tax of inflation. The only true tax cutting proposal would be a proposal to cut government spending. To my knowledge, no one in Washington has yet proposed a genuine tax cutting bill, not President Carter, not the Democrats in Congress, not the Republicans. Every single so-called "tax cut plan" still envisions a higher level of government spending next year and consequently a higher level of taxes, both overt and covert.

There is an important point that needs to be stressed to those who regard themselves as fiscal conservatives. By concentrating on the wrong thing, the deficit, instead of the right thing, total government spending, fiscal conservatives have been the unwitting handmaidens of the big spenders. The typical historical process is that the spenders put through laws which increase government

spending. A deficit emerges. The fiscal conservatives scratch their heads and say, "My God, that's terrible. We have got to do something about that deficit." So they cooperate with the big spenders in getting taxes imposed. As soon as the new taxes are imposed and passed, the big spenders are off again, and then there is another burst in government spending and another deficit.

The true cost of government to the public is not measured by explicit taxes but by government spending. If government spends \$500 billion, and takes in through taxes \$440 billion, which are the approximate figures of President Carter's estimated budget, who pays the difference? Not Santa Claus, but the U.S. citizen. The deficit must be financed by creating money or by borrowing from the public. If it's financed by printing money, that imposes the hidden tax of inflation in addition to the explicit tax. If it's financed by borrowing, then the government gets those resources instead of the private sector. In addition, there will have to be a higher level of taxes in the future to pay the interest or to pay back that debt. Essentially every current piece of wealth in the United States has a hidden tax imposed on it because of the future obligation to pay those extra taxes. In effect, what you have are two kinds of taxes: the open, explicit taxes and the hidden taxes. And what's called a deficit is a hidden tax.

I would far rather have total federal spending at \$200 billion with a deficit of \$100 billion than a balanced budget at \$500 billion. The thing we must keep our eye on is what government spends. That's the measure of the amount of the resources of the nation that people cannot individually and separately decide about. It's a measure of the amount we turn over to the bureaucrats to spend on our behalf. I believe along with Parkinson that government will spend whatever the tax system will raise plus a good deal more. Every step we take to strengthen the tax system, whether by getting people to accept payroll taxes they otherwise would not accept, or by cooperating in enacting higher income taxes and excise taxes or whatnot, fosters a higher level of government spending. That's why I am in favor of cutting taxes under any circumstances, for whatever excuse, for whatever reason.

We have to bear in mind that tax limitation laws are not cure-alls; they are temporary stop-gaps. They are a way of trying to hold back the tide, until public opinion moves in the direction that those of us who believe in limited government hold to be desirable. Without the support of public opinion all the written laws or constitutions you can think of are fundamentally worthless. One has only to look at the results of trying to transplant versions of the American and British constitutions to other nations around the world. I believe, however, that there is a definite movement in public opinion toward greater skepticism of large-scale government programs. People are aware that they are not getting their money's worth through government spending. Among intellectuals, more and more scholars are coming to the conclusion that many government programs have not had the results intended by their supporters. In journals read by opinion-leaders (for instance, *Commentary*, *Encounter*, *Harper's*, *The Public Interest*, *The Washington Monthly*), this view is becoming more and more commonly expressed. However, it takes time for such ideas to be accepted by the politicians who, after all, are mostly followers and not leaders of public opinion.

Let me give you an example of what I mean. For about 150 years since the birth of our government (until about the late 1920s) there was no general tendency for government spending to get out of hand. Despite

the fact that the same pressures inherent in representative democracy were present through this period, state, local and federal spending was still about 10 percent of national income. For the past 40 years, however, there has been a considerable change in these percentages, to say the least. Except for the Income Tax Amendment, the Constitutional provisions relating to the financing of government were essentially the same as they were in 1789 (and the income tax rate was quite low during this period). The essential difference was that before 1930 or so there was a widespread belief on the part of the public that government should be limited and that danger arose from the growth of government. President Grover Cleveland maintained, for instance, that while the people should support their government, the government should not support the people. President Woodrow Wilson remarked that the history of liberalism was the history of restraints on government power. Almost everyone then agreed that the role of government was to act as a referee and umpire and not as a Big Brother. Once this fundamental attitude of the public changed, however, constitutional restrictions became very much less effective against the growth of government. As we all know, the Supreme Court does follow the election returns (sometimes tardily) and most of the New Deal measures which were ruled unconstitutional by the Court in President Roosevelt's first administration were ruled to be constitutional in the second administration.

The interstate commerce clause as an excuse for federal action is a good case in point. At one time in our history there were transactions which were regarded by the Court and Congress as intrastate commerce, but it would take a very ingenious man today to find any transaction whatsoever that the Supreme Court would not declare to be part of interstate commerce. The federal government, basically as a result of this change in public opinion, is now allowed to take all sorts of actions that would have been held by the public to be unconstitutional sixty or a hundred years ago.

In the same way, I believe that the effectiveness of tax limitation laws will depend upon their acceptance by the great bulk of the public as part of our constitutional tradition.¹ My own view is that we are seeing a genuine trend in support of the basic philosophy that there should be definite limits on government spending; however, I also believe that such trends take time to solidify and in the meantime I regard tax limitation amendments as a stop-gap measure to hold back the tide.

FOOTNOTES

¹ That proposal was preferable to the one adopted on 6 June. Proposition 1 would have limited spending by the state government to a specified and slowly declining fraction of the personal income of the people of California. That amendment was narrowly defeated, as were similar amendments in two other states in recent years.

² In their column for *The Washington Post* on June 1, 1978, Rowland Evans and Robert Novak reported from Los Angeles that some politicians were claiming that the referendum was "a fight between the haves and the have-nots." Evans and Novak concluded that this view was "almost surely wrong." They explained that "On the contrary, the establishment—business, labor, the big newspapers, the academic community, civic groups and practically every important elected official—vigorously opposes the Jarvis amendment."

They went on to point out that "in contrast, the amendment's hardcore support comes from lower income homeowners who

are going under because of oppressive taxes. Their ranks, oddly, are swelled by substantial numbers of school teachers and other government workers who are first and foremost taxpayers. . . . State Senator Bill Greene, a black Los Angeles legislator, told us he is astounded how many of his constituents are voting for the measure."

³ It is not without interest that California has the highest paid state legislators in the nation.

⁴ It was left to the states to deal with such problems as an immediate danger of violence, and so on.

⁵ In addition, they will not by themselves prevent all further government intervention. Many of the worst kinds of government intervention do not involve much spending. Some examples are tariffs, or regulation in industry (ICC, FCC, FPC) or the controls on the price of natural gas which have done such tremendous harm in the energy area. All of those involve government intervention into the economy in which the spending element is very small. ●

FAIR INTERMEDIATE SCHOOL STUDENTS, SAN JOSE, CALIF., VISIT NATION'S CAPITOL

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. MINETA, Mr. Speaker, together with my South Bay neighbors, Representatives DON EDWARDS and PETE McCLOSKEY, I would like to welcome to the Nation's Capital 89 students and their teachers and chaperones from Fair Intermediate School in the Franklin-McKinney School District in San Jose, Calif.

This group's visit is unusual because, in addition to the education about this Nation's Government and its Capital that each student will take home, they will also have the satisfaction of knowing that they helped Fair Intermediate School win this year's Santa Clara County Social Studies Exemplary Teaching Award.

The Exemplary Teaching Award is given each year to the teacher or teachers who have made a contribution which is significant to social studies teaching; is unique in application, scope or nature; shows proven success; and serves as a model for other social studies teachers.

I would especially like to mention the efforts of social studies teachers Stephen Kinsey and Jean Vaughan in helping organize the trip, although the award will go to every teacher in the school, since they all worked hard with the students to make the project a success.

And the students themselves are to be congratulated for the hard work and self reliance they have shown in raising funds for the trip. The students paid their own way with more than 30 fund raising projects since last September. These students and their adult chaperones are:

Brian Bliven, Cindy Condon, Lisa Fisher, Michael Francis, Kelly Keen, Kim Mayfield, Marc Reyes, Chris Ricabaugh, and Melissa Hall.

Linda Acuna, Margie Bechtholdt, Melanie Crane, Ernie Figueroa, Felicia Jackson, Shelly Jeffery, Hannah Kim, Mike Ratka, Gary Uyeda, Debbie Von Ruden, Larry Mills, Trinnie Aguilar, Jesse Esparaza, Sandra Espinoza, Melanie Medeiros, Robert Regnaier, Navette Shirakawa, Jennifer Vierra, Armando Cortez, Vicky Douglas, Kathy Neves, and Kelly Owen.

Jonette Brooks, Janice Dunaway, Laurie Fairman, Dorothy Harris, Mike McCauley, Phillip Ochoa, Connie Soares, Karen Uyeda, Theresa Jelensky, Heather Caldwell, Patty Dunaway, Kin Floren, Theresa Jelensky, Marnie Martin, Nona Nolden, Michelle Siemers, Gilbert Ruiz, and Lisa Covington.

Abel Alcaez, Linda Colino, Laura Ferraro, Marcia Green, Cheryl Jeffery, Jon Karstens, Stacey Nakashima, Cammy Snell, Regina Vanderberg, Jody Griffith, Jimmy Zimmer, Dennis Arriaga, Joe Espinoza, Judy Ledesma, Henry Mesquita, Christine Soares, Arthur Hall, Marcos Cereceres, Scott Daniels, Lisa Higashi, Lisa Nicora, and Sam Rodriguez.

Fred Coursey, Christine Garibaldi, Jim Gibson, Sandra Ledesma, Toni North, Hilda Ramirez, Rocky Ornellas, Tom Wardwell, Stefan Wilkins, Martha Gutierrez, Frank McKinney, Mike Varner, Audrey Townsend, Renita Uribe, Raymond Baradat, Crystal Montez, Debbie Tarantino, Marie De Anda, and Lee Beall.

ADULT CHAPERONES

JoAnn Letterman, Stephen Kinsey, Daniel Yslava, Frances Neves, Larry R. Owen, Helen Bliven, Harriett Arnold, Eunice Hodges, and Linda Colino. ●

STATE TAXES: THE NEW FRONTIER FOR TAX REFORM

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. SOLARZ. Mr. Speaker, ever since it was revealed in the late sixties that several hundred millionaires were able to legally avoid paying any Federal income tax, the reform of the Federal tax laws has been a major political issue. Almost all Democratic candidates advocate the closing of the tax loopholes and some even go as far as calling the current system "a disgrace to the human race." The popularity of the issue has become so widespread that even Republicans, who exhibit a greater tolerance for tax avoidance by the wealthy than do their Democratic counterparts, are forced to give lipservice during campaigns to the unfair burden placed on low- and middle-income families by the current system.

Although the impact of the tax reform issue has been largely limited to campaign oratory, it has had some impact on our tax laws. Since 1971, the notorious oil depletion has been greatly modified, the more egregious tax shelters in movies and livestock have been closed and a minimum tax has been established in an attempt to make sure that every wealthy individual paid some tax.

Yet despite these efforts and the attention paid to tax reform, our tax system is less progressive now than it was in the conservative 1950's. In 1953, a family

earning \$7,500 a year had to pay 14.6 percent of their income in taxes. By 1972, that percentage had increased by a fifth to 17.7 percent. On the other hand, a family with an income of \$25,000 a year saw their tax burden drop during the same period of time. In 1953, such a family had to expend 24 percent of their income for taxes. By 1972 that percentage had dropped to 23.5.

One reason why the tax burden has shifted to those least able to bear it is that the corporate income tax now provides a smaller share of revenues at all levels of government than it did in past years. However, the main reason why our tax system has become more regressive over the last two decades is that State and local taxes have grown more than twice as fast as Federal taxes during that period. In 1953, total revenues generated at the local level amounted to \$33 billion. By 1976 these revenues amounted to \$304 billion—a whopping increase of over 800 percent. During the same period of time Federal revenue increased by less than 350 percent, from 74 billion in 1953 to 323 billion in 1972. As a result, a greater and greater percentage of our tax burden is composed of regressive sales and property taxes and a smaller portion is coming from the relatively progressive Federal income.

To illustrate just how much more regressive State and local taxes are than Federal taxes let me cite a few examples. Although the Federal income tax is riddled with loopholes of which only the wealthy can take advantage, and social security is funded by a flat regressive tax, Federal taxes are relatively progressive. A family earning \$25,000 a year will have to pay more than twice the percentage of its earnings in Federal income and payroll taxes than will a family earning \$5,000 and a family earning \$50,000 a year will have to pay three times the percentage of a family earning \$5,000 for those taxes. However, the same \$5,000 a year family will have to pay a greater percentage of their income in State and local taxes than a \$25,000 a year family will have to pay and the same percentage as a \$50,000 a year family.

Given the large disparity between the progressiveness of Federal taxes and State and local taxes, it is clear that even if tax reform advocates succeed in closing many of the loopholes in the Federal income tax, our overall tax system will not become significantly more progressive. So long as State and local taxes continue to rise as rapidly as they have, and remain as regressive as they are, low- and middle-income people will be bearing an unfair share of the tax burden. If there is to be substantial tax reform, it must begin where the problem is the worst and that is at the State and local level.

However, the reform of State and local taxes is easier said than done. Our current economic system places very real limits on the ability of State and local governments to tax their wealthy individuals and corporate residents. Unlike the Federal Government, State and local governments are constantly subject to

the threat that their businesses and wealthier residents will move out of their jurisdiction if their taxes are raised.

It is very unlikely that an American citizen or company will move to another country because of an increase in Federal individual or corporate income tax. The desire to be near one's roots, family, friends or markets usually outweighs any tax benefit that might be gained by emigration. However, while this is true when one is considering moving to another country, it is not true when one is considering moving from one political jurisdiction to another. The move from Westchester County to Fairfield County may not involve the loss of any personal amenities and the move from lower Manhattan to Hoboken may not cause the loss of any markets or clients.

The ease with which capital and personal wealth can move from one political jurisdiction to another is the major cause for the failure of State legislatures to enact progressive taxes. Nowhere is this better seen than in the recent tax cut in New York State. Although the State's major municipality continues to teeter on the brink of bankruptcy and some of its poor live in this country's most ravaged and squalid slums, the Governor and the legislature passed a tax cut which largely benefits the wealthiest.

What made this tax cut seem sensible and even necessary was the recent loss of jobs in New York State. From 1967 to the present, New York lost close to 600,000 jobs while the rest of the country and its neighboring States were gaining employment. Although regional trends were obviously a factor in the decline of New York's economy, they could not have been the major cause since most of the firms which left the State relocated in neighboring States. Of the 762 major manufacturing move-outs from New York State from 1970 to 1977, over 60 percent went to the neighboring States of New Jersey, Connecticut, and Pennsylvania, all of which have either no, or very minor and regressive, income taxes.

What was true for manufacturing was true for white collar employment. From 1971 to 1976 the number of corporate headquarters of the Nation's leading firms declined from 303 to 229 and most of these firms also relocated in neighboring States. As if this were not enough evidence that the State's tax rates were a significant factor in the loss of some industry, a study done by the New York State Department of Commerce indicated that over 60 percent of the firms that were contacted by its "early alert" program named personal income taxes as a major problem. In fact the personal income tax was named more than any other problem and was named three times as often as utility costs, five times as often as labor costs, and eight times more than unions.

Given the recent New York experience, it is clear that so long as our economic system rewards those political jurisdictions which tax regressively or fail to raise sufficient revenues to provide for their disadvantaged, State and

local governments will inevitably avoid taxing their wealthier residents and neglecting needed public services. So long as it appears that local economic growth and stability require that the wealth of the rich go untaxed and that local public budgets be kept small, even progressive and compassionate public officials will vote for tax cuts for the rich and against needed public programs.

The only way out of this dilemma is for the Federal Government to lessen the economic advantages now given to States with regressive taxes and to create new incentives for the enactment of progressive State and local income taxes. H.R. 13019, the State and Local Government Income Tax Relief and Incentive Act which I introduced in the Congress would accomplish both these goals. The act would replace the current deduction for State and local income taxes with a tax credit against the Federal individual income tax of 70 percent of any payments made for State and local income taxes, while repealing the existing deduction for State and local taxes. As a result under the bill, if a State imposed a tax of \$100 on the income of one of its citizens, that local taxpayer would effectively have to pay only \$30 since the Federal Government would return to him \$70 in the form of a tax credit. However, if the same State imposed a tax of \$100 on an individual in the form of a sales tax, the local taxpayer would have to pay the entire cost of the tax. The incentives for the enactment of State and local taxes would soon become obvious to most voters and the old logic which favored the imposition of regressive taxes would be replaced by a logic which would favor the enactment of progressive income taxes.

To make State and local taxes become progressive, the tax credit could not be extended to all State and local income taxes. Most State income taxes are only marginally more progressive than their sales or property taxes. Of the 43 States and the District of Columbia, only 22 tax their residents who earn more than \$15,000 at a steeper rate than those who earn less than that sum. Many of these States such as Massachusetts, Michigan, Oregon, and Pennsylvania have a flat rate for their income tax requiring a millionaire and a pauper to pay the same percentage of their earnings in State income taxes. That is why the State and Local Government Income Tax Relief and Incentive Act limits the tax credits to progressive taxes defined in the bill. Without this provision, the tax credit could only lead to an expansion of the existing inadequate State income taxes.

The cost of the tax credit would not be very great. Even assuming each existing State income tax qualified for the credit, the revenue loss would be less than \$18 billion. However, the initial drain on the Treasury need not be as large. If the introduction of tax credit is coupled with the repeal of current deductions for State and local income and sales taxes, as it is in my bill, the entire cost of the package amounts to \$9.7 bil-

lion, which is one-half the size of the tax cut now being proposed by the administration.

The cost to the Treasury of the tax credit would, however, expand as States begin to rely more heavily on State income taxes, as they would most likely to do once the bill became effective. Yet, even this problem can be taken care of by placing a limitation on the percentage of the Federal income tax that can be reduced by the credit. The bill I have introduced places a cap on the credit at 25 percent of one's Federal income tax. Depending on how much revenue the Treasury could afford to lose through the credit, this cap could be adjusted up or down in the future.

The idea of crediting payments for State and local taxes against a Federal tax is not a new one. Since 1924, the Federal Government has provided a tax credit for local death taxes against its estate tax. As a result, every State in the Union has enacted death taxes in order to have their citizens qualify for the credit. There is no reason to believe that States would act any differently with respect to a credit for State income taxes. There is also no principled reason why the Federal Government can use a credit to encourage States to enact death taxes and not use a similar method to encourage local jurisdictions to enact progressive income taxes.

Although one of the major effects of the tax credit will be to reform State and local taxes, conservatives who are usually not identified with the tax reform issue should support the bill. One of the positive side effects of the bill would be to breathe some new life into our Federal system. Before both our transportation made it easy to move goods and people from one part of the country and the threat of the flight of capital placed great limitations on the abilities of States to raise revenues, State governments were pioneers in developing public programs. Workman's compensation, public housing, and unemployment insurance were all programs that were first tried at the State level and then adopted by the Federal Government. However, with the integration of our economy and the advent of the New Deal, most of our new programs have had their genesis in Washington, far removed from where the problems are. As a result, more and more of our social programs have become bureaucratized and designed to meet the problems as they are perceived in the national capital and not as they are felt in the communities.

However, if the tax credit is adopted State revenues could expand and more programs could be conceived, funded, and operated at a State and local level. The creativity of State and local public officials could once again be tapped and States could once more, as Justice Brandeis said, "serve as a laboratory and try novel social and economic experiments."

If our State and local taxes are to become more progressive and our social programs to be more responsive something like the "State and Local Government Income Tax Relief and Incentive

Act" will have to become law. The alternative is to funnel more of our money into Washington and let more and more of our programs be developed far away from where the problems exist. ●

TUITION TAX CREDITS; ANOTHER NEGATIVE CARTER POSITION

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 1978

● Mr. FRENZEL. Mr. Speaker, the following editorial appeared in the Washington Star last Sunday, June 4.

It is interesting in all respects, but particularly in pointing out that the Carter administration's position on tuition tax credits, and on assistance to nonpublic schools, is wholly negative. The Star calls the administration's position "a dog in the manger, a barking dog at that."

Like the Star, I am glad that the House favored neither the bark nor the bite. The editorial follows:

[From the Washington Star, June 4, 1978]

SCORE ONE FOR TAX CREDITS

House passage of a tuition tax credit bill that would extend modest benefits to parents of private and parochial school students is an encouraging sign of open-mindedness.

Open-mindedness, we mean, on the disputed issue of whether such aid violates the First Amendment "establishment of religion" clause. We might not fly quite so far into optimism as Sen. Daniel P. Moynihan, who said that the House "has overturned the religious bigotry of the 19th Century." But clearly, a substantial House majority is not intimidated by the cry that educational tax credits are unconstitutional.

That cry has been the Carter administration's first line of defense, together with the complaint that any such measure would "destroy" public schools. There has indeed issued from the Justice Department's Office of Legal Counsel an opinion, neither more nor less weighty than most, that the legislation might fail the "three-pronged" constitutional test recently laid down by the Supreme Court in the Lemon case. But since the principal bar in the Lemon case was that tax aid to religious schools must not promote "excessive entanglement" of church and state, the outcome of its application to tuition tax credits is unpredictable.

If one takes that test at face value—laying aside, for the moment, that it is merely another judge-made gloss on the First Amendment—one can see how judgments might vary. A statutory appropriation for some specific purpose—the purchase of certain textbooks, for instance—would require administrative oversight and thus promote entanglement.

But the impact of tax credits would be altogether different. Tax credits express or imply no mandate to their beneficiaries as to how the money shall be spent, whether for public or private, whether for religious or secular education. In fact, their thrust is in the opposite direction from "excessive entanglement." They merely say that if you are paying the tuition of a child at a certain school you may subtract a certain percentage of that payment from your income taxes.

HEW Secretary Joe Califano, the administration's main spear-carrier against the measure, promptly proclaimed that "the parochial schools . . . will never see a dollar of the unconstitutional aid the House voted today because the courts will invalidate it." It is, he added, "a hollow gesture which in the long run will only delay the search for constitutional means of assistance to parochial education."

As always, Mr. Califano speaks with great assurance. And he may be right. The courts may invalidate the measure, if President Carter does not veto it first. But if the courts strike down tuition tax credits they will have to give yet another twist or two even to the

Lemon precedent. For the theory of constitutionality on which that case and Mr. Califano rely is not universally accepted, within the Supreme Court or outside it.

The Court has long zigged and zagged on the issue of church-state "separation," and one can rarely predict beforehand where its erratic course will next carry it. Speculation on the mood of the justices, however, is not a very good way for Congress to judge the legitimacy of legislation.

If Mr. Califano and President Carter are so very confident in their views, perhaps they will ultimately be persuaded to defer to the judgment of Congress and permit the measure to come to a court test.

Moreover, if tuition tax credits are not constitutional, just what direction does Mr. Califano have in mind when he speaks of a "search for constitutional means of assistance to parochial education?" The hour is late. These schools are falling for want of funds at an appalling rate. It behooves those who cannot agree with the considered judgment of Congress to improve upon it. And there is no sign that the Carter administration, despite its campaign pledge to help ease the financial plight of parochial education, has tried to do so. Its position so far is exclusively negative. It is a dog in a manger, a barking dog at that. But Congress did not fear its bite. ●

HOUSE OF REPRESENTATIVES—Friday, June 9, 1978

The House met at 10 o'clock a.m. and was called to order by the Speaker pro tempore (Mr. BRADEMAS).

DESIGNATION OF SPEAKER PRO TEMPORE

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 9, 1978.

I hereby designate the Honorable JOHN BRADEMAS to act as Speaker pro tempore for today.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Prove all things; hold fast that which is good.—I Thessalonians 5: 21.

Almighty God, our Heavenly Father, who art the source of light and life and whose glory is in all the world, in Thy Presence we pause in silence waiting Thy word for us this day. Move Thou through our hearts as we enter upon our activities. Guide us in the decisions we make, in the work we do, and in the plans we formulate for the coming days and months.

We pray Thee to bless and to preserve our beloved country. We are grateful for the rich heritage which is ours and pray that with the guidance of Thy Spirit we may make this land an even greater land for our citizens. By so doing may we make her an honor to Thee, to our people, and to all mankind.

In the spirit of Him who came not to be ministered unto but to minister we offer this our morning prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 1436. An act for the relief of William H. Klusmeier, publisher of the Austin Citizen, of Austin, Texas.

H. Con. Res. 635. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5493.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to a bill of the House of the following title:

H.R. 5493. An act to extend until October 1, 1980, the appropriation authorizations for the Seal Beach, Dismal Swamp, and San Francisco Bay National Wildlife Refuges.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested bills of the House of the following titles:

H.R. 8149. An act to provide customs procedural reform, and for other purposes.

H.R. 10822. An act to improve the operations of the national sea grant program, to authorize appropriations to carry out such program for fiscal years 1979 and 1980, and for other purposes.

H.R. 11401. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

H.R. 11832. An act to authorize appropriations for fiscal year 1979 under the Arms Control and Disarmament Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11401) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CANNON, Mr. MAGNUSON, Mr. STEVENSON,

Mr. FORD, Mr. SCHMITT, and Mr. GOLDWATER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1835. An act requiring the Secretary of Agriculture to conduct a study of the adequacy of the Nation's transportation system to meet the needs of American agriculture and rural development, and for other purposes.

S. 2946. An act to authorize the Secretary of Agriculture to relinquish exclusive legislative jurisdiction over lands or interests under his control.

S.J. Res. 140. Joint resolution to authorize and request the President to proclaim June 11, 1978, as "American University Press Day" to commemorate the centennial of university press publishing in America.

VANIK-PICKLE PROPOSAL WOULD PROVIDE NO REAL TAX RELIEF

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, in January President Carter submitted his 1978 tax program to the Congress. Five months have passed and we still have not seen any consensus emerge about the appropriateness of a tax cut large enough to avoid a real tax increase.

Lack of leadership on taxes has been so all encompassing it now appears that the Ways and Means Committee may seriously consider the Vanik-Pickle proposal which would simply extend provisions of current law—the general credit, the jobs credit, the earned income credit, and the corporate rate structure—and provide no real tax relief for American taxpayers. This is billed by its supporters as a means of offsetting inflation. That offset would come entirely out of the hides of taxpaying Americans.

The real impact of the Vanik-Pickle proposal will be to permit an increase of the Federal tax burden in 1979 by \$33 billion and that is assuming less than a 7-percent inflation rate for calendar 1978. If the inflation rate goes to 7 per-