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so many that it can be said "if each person for whom he did some kind and loving service would bring a blossom to Ben's grave, he would sleep forever beneath a cover of flowers that he loved so much."

Often he was asked, "Ben, why don't you write a book?"

He was too busy with all of us to write that book.

But in a sense he wrote a book—a big book—

He gave of himself so much that each of us are a chapter in his book.

Ben's only book.

How good a book Ben left us depends upon us.

It depends upon whether we preserve the counsel, the love, he gave us.

It depends on how we pursue the goals he guided us toward.

It depends on us to successfully advance the principles he wrote and spoke—for which he continually fought.

We have all gained from Ben.

Did I tell you "Thanks, Ben?"

We do thank you, Ben.

Did I tell you "I love you, Ben?"

We do love you, Ben.

Thanks, God, for letting us have Ben as long as we could—

But, Oh, how we miss you, Ben.

God love you, Ben.

Mr. YOUNG. Mr. President, I wish to join in the well-deserved tribute to the late Ben Stong. When I came to the Senate more than 35 years ago, I came as one who had, not long before, gone broke in the farming business during the Depression years. I was naturally interested in farm legislation. One of the first men I became acquainted with when I came here was Ben Stong. He, and about a half-dozen other men like him, had as much as anybody to do with the writing of the farm legislation then and in all the years since. Ben Stong had a major role in writing practically all the price support legislation, during the years I have been here.

Ben Stong was a friend of farmers. He knew farm legislation and the need of it. He always contributed new ideas and ways of doing things, not only to help farmers, but to help the whole economy. Our agriculture today is the most efficient in the world. Much of that is due to the farm legislation which Ben Stong helped to write.

Mr. President, Ben Stong was a wonderful person, one of the best friends I ever had. There is so much I could say about him and so much that could and should be said, but I shall just say in closing that I shall miss Ben Stong. I know all the Members of the Senate who knew him, and especially those people in agriculture, will miss Ben Stong. He was a great American and a wonderful friend.

Mr. BAUCUS. Mr. President, a lot of us are going to miss that growl at the other end of the line.

Ben was many things to those of us fortunate enough to know him and work with him. He was an encyclopedia of knowledge about agriculture, water, conservation and a host of other issues. He was a teacher, patient, but direct.

He was the voice of experience who knew what had been tried and what had not and why. And he was the voice of reason who knew what would work and what would not and why.

But most of all, Ben was an inspiration. He inspired us to accomplish lofty goals, to help our fellow men, and savor life.

He showed us what can be accomplished by dedication, creativity, and plain hard work. The Wilderness Act, the wheat certificate program, and a host of other bills and amendments—those are just a few of his accomplishments at an age when most people are in their rocking chairs on their porches.

He showed us that there is always time for others. Nobody on Capitol Hill was busier than Ben. But he always had time to listen and counsel—whether for the Secretary of Agriculture, a striking Great Plains farmer, a U.S. Senator, or a green young legislative aide.

He helped us remember the less fortunate. He was an advocate for programs to help feed people both at home and around the world.

And, he helped us remember the land. He worked hard and effectively to make sure that soil and water are conserved, and that our children and grandchildren experience and appreciate wilderness.

He helped us remember farmers. Ben thought farmers ought to have decent incomes and conveniences like electricity and telephones that cityfolks take for granted. He worked outside Government to help farmers organize, and he worked inside to help Government help farmers.

If we could all live our lives as fully and productively and compassionately as Ben, the world would be a darn sight better place to live.

He was a giant of the Earth.

Mr. MELCHER. Mr. President, I thank my colleagues, the Senator from North Dakota (Mr. YOUNG) and the Senator from Montana (Mr. BAUCUS), for their fine tribute to Ben Stong.

FOREIGN SERVICE ACT OF 1980

The Senate continued with the consideration of S. 3058.

Mr. PELL. Mr. President, in 1978, the Congress enacted the Civil Service Reform Act (Public Law 95-454), an attempt to improve the management and efficiency of the Federal civil service. S. 3058, the Foreign Service Act, is intended to be a companion measure designed to strengthen and improve the Foreign Service of the United States by reorganizing and consolidating the components of the Service which exist in six executive departments and agencies under one law governing all Foreign Service operations and personnel administration.

The basic legislation under which the Foreign Service officer corps operates today is the Foreign Service Act of 1946. The fundamental purposes for establishing a separate Foreign Service were to provide the President and the Secretary of State with an exceptionally able corps of disciplined officers and staff who could effectively represent U.S. policies and interests overseas, and assist the Secretary and his senior advisors at home in the formulation of foreign policy. In enacting the 1946 Act, Congress expressed the belief that if the Foreign Service were to accomplish its mission, its per-

sonnel policies would have to be adjusted to that mission. Therefore, the 1946 legislation incorporated a number of unique features considered necessary to assure continued high quality staffing in the variety of U.S. missions throughout the world, and drew from the civil service and military personnel systems as appropriate. The features which distinguish the Foreign Service from the civil service are the rank-in-person system, the requirement to serve overseas, the "up or out" principle, and mandatory retirement at age 60.

The Foreign Service was patterned after the military service and is closer to the military services than it is to the Civil Service. The Foreign Service is, however, different from the military services in that it is a civilian and not a uniformed service, it has a somewhat different system of pay and allowances, and its purpose is to preserve peace instead of waging war.

S. 3058 retains the above features and adds new provisions needed to improve the effectiveness of the Foreign Service.

This bill would:

First, provide a clear distinction between Foreign Service and Civil Service employment, and to eliminate the anomalous "domestic" Foreign Service personnel category;

Second, simplify and rationalize the various categories of Foreign Service personnel and establish a single Foreign Service salary schedule;

Third, make more uniform the statutory terms and conditions of Foreign Service employment;

Fourth, establish a senior foreign service (SFS) with rigorous entry, promotion, and retention standards based on performance, and with performance pay for outstanding service;

Fifth, provide a statutory basis for labor-management relations in the Foreign Service;

Sixth, improve interagency coordination in the interest of maximum compatibility among agencies employing Foreign Service personnel, and compatibility between the Foreign Service and the Civil Service; and

Seventh, consolidate the various laws relating to Foreign Service personnel which have been enacted outside the framework of the existing Foreign Service Act.

This bill has been the subject of extensive consultations and deliberations. Its provisions reflect comments and suggestions which have been received from interested agencies within the executive branch, and from the members of the Foreign Service and the organizations which represent them. The Foreign Relations Committee has held extensive hearings, considered numerous proposals, engaged in widespread consultation with interested groups and individuals, and incorporated numerous technical drafting changes to clarify and perfect the bill.

It should be noted that this bill is similar in most respects to H.R. 6790, which passed the House on Monday, September 9, 1980. It should, also be noted that this bill does not authorize new appropriations. Any increases in Federal

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spending which might result from the passage of this bill would require separate authorizing and appropriating legislation. Nothing in this bill should be construed as authorizing the enactment of new budgetary authority.

Mr. President, I would like to add a further clarifying point with respect to the use of these authorities by other agencies. In particular, I wish to elaborate on the use of these authorities by the Agency for International Development (AID). It is our intent that the current level of development of personnel policy for AID and the exercise of AID's personnel management functions, including senior-level appointments, will remain the responsibility of the administrator for AID and that this will continue to be reflected in relevant delegations of authority. The continued exercise of this authority by the AID Administrator is consistent with the intent of the reorganization plan which established the U.S. International Development Cooperation Agency.

Under the reorganization plan, the IDCA Director is able to provide policy direction to and coordination of U.S. foreign assistance activities, while delegating responsibility for management and operations to the administrator of AID.

Mr. President, in conclusion, I urge my colleagues to support the passage of this bill. The future mission of the Foreign Service will be complex and difficult. This legislation will provide the organizational framework for a strong Foreign Service, staffed by people of uncommon professional ability, experience, and dedication.

Mr. JAVITS. Mr. President, I urge the Senate to support S. 3058, the Foreign Service Act of 1980, which carries out a consolidation and administrative reform of our entire Foreign Service system. This legislation is the product of several years of careful discussions between the executive branch and the Congress, as well as a long history of experience and incremental changes in the system created by the Foreign Service Act of 1946. In particular, the detailed provisions on grievance procedures, labor-management relations, retirement and disability, and a bill of rights for the Service, are based upon years of negotiations, discussions, and trial-and-error within the system.

The principal administrative reform in this legislation concerns the creation of a Senior Foreign Service, comparable in conception to the Senior Executive Service established by the Civil Service reform bill 2 years ago, including the institution of an incentive, or "performance pay," system for the Senior Foreign Service. Though I know that my colleague, Senator PELL, and some members of the Foreign Service itself have serious reservations about the application of this system to the Service, I am prepared to support it as an experiment in administrative reform which can be modified in the future if experience does not justify this approach.

The performance pay system is my only serious difference with Senator PELL, the chief sponsor of this legislation in the Senate. I would therefore like to commend him for his strong initiative

and careful craftsmanship in developing the Foreign Service Act. Having served in the Foreign Service himself, Senator PELL is in a unique position within the Senate to understand the needs of the Service and we have all given the greatest weight to his views on these matters.

Mr. President, let me just mention two provisions of this legislation which I have had a hand in developing: A new system of awards for the Foreign Service and a change in the handling of the 6-month ambassadorial appointments. Section 613 directs the President to establish a system of awards to recognize in an appropriate manner the outstanding contributions of individuals in the Foreign Service. I share the views expressed by Senator PELL during our discussion of this legislation that Foreign Service officers share much in common with men and women of the armed services. In particular, appropriate commendations and public recognition of outstanding performance can be a greater incentive than monetary bonuses to patriotic Americans who take pride in service to the country. I trust the President will fully develop this opportunity to increase public awareness of the outstanding performance of Foreign Service officers.

On the issue of limited ambassadorial appointments which do not come before the Senate for confirmation, we have revised the reporting requirements in existing law to give earlier and fuller notice of the justification for such 6-month appointments. Our intention at the present time is not to deny the President the authority to make such limited appointments. However, I have become concerned lately about a possible tendency to abuse this authority and therefore want to tighten the reporting requirements to make certain that we keep better tabs on such appointments.

Mr. President, I urge my colleagues to vote for the Foreign Service Act, and once again commend Senator PELL for his leadership in its drafting and bring it to the Senate floor.

Mr. PELL. Mr. President, I ask unanimous consent to have printed in the Record the following material indicating endorsement of this bill: a letter from Secretary of State Edmund Muskie; a letter from Alan K. Campbell, Director of the Office of Personnel Management; a letter from former Secretary of State Cyrus Vance; a communication from former majority leader and present Ambassador to Japan, Mike Mansfield; the text of a statement adopted by the Board of the Foreign Service; a statement by Hon. George Ball, former Under Secretary of State; a statement by Richard I. Bloch, chairman, Foreign Service Grievance Board; a statement by former Secretary of State Henry A. Kissinger; and a statement of the American Foreign Service Association.

There being no objection, the material was ordered to be printed in the Record, as follows:

THE SECRETARY OF STATE,
Washington.

Senator PELL: I am writing to urge your support of the Foreign Service bill (S. 3058) which will be up for Senate action shortly.

Since assuming the duties of Secretary of

State four months ago, I have become keenly aware of the desirability of enactment at this session of this comprehensive and important bill to strengthen and to improve the Foreign Service. My predecessors strongly share this view as does a preponderant majority of the members of the Service. A brief description of the proposal is attached.

I want to give you my personal assurance that the Foreign Service bill is a completely non-partisan measure which has gained the overwhelming support of the Senators and Representatives who conducted extensive hearings and markups in 1979 and 1980. On September 8 the House passed the bill by a substantial bipartisan majority.

It is the direct result of five years of efforts begun during the last part of the Ford Administration in response to a Congressional demand in 1976 for a "comprehensive plan" for the improvement and simplification of the personnel system of the Foreign Service. Your support will be greatly appreciated.

Sincerely,

EDMUND S. MUSKIE.

FOREIGN SERVICE BILL: MAIN FEATURES
(A bill (H.R. 6790) to promote the foreign policy of the United States by strengthening and improving the Foreign Service of the United States, and for other purposes)

The bill provides a closer linkage between performance and all aspects of Foreign Service personnel management: recruitment, tenure, advancement, incentive pay, and retention, as judged by impartial selection boards of career and public members.

It simplifies the present overly complex personnel structure of the Foreign Service and converts to Civil Service status those who have not and will not serve abroad with full protection of pay and rights.

It establishes a Senior foreign Service compatible with the special needs and role of the Foreign Service and yet responsive to the purposes and goals which were sought through the creation of the Senior Executive Service under the Civil Service Reform Act of 1978.

Employee-management relations are placed on a sound statutory basis.

The bill replaces the Foreign Service Act of 1946 and codifies an accumulation of 34 years of legislation on the subject in one comprehensive new charter.

It effects numerous other reforms relating to the rights and benefits of the dedicated members of the Foreign Service and their families who are called upon daily to serve this country in increasingly dangerous and difficult circumstances abroad.

UNITED STATES OF AMERICA,
OFFICE OF PERSONNEL MANAGEMENT,
Washington, D.C., September 10, 1980.

HON. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR CLAIBORNE: As the Senate nears floor action on S. 3058, "The Foreign Service Act of 1978," I would like to note my continued strong support for this legislation which I believe will be highly beneficial to the Foreign Service.

Since early in 1979 when OPM became heavily involved with the Department of State in advising it during the formulation of the Administration's proposal, we have been enthusiastic about many of the features of this legislation which opens new opportunities for flexibilities in the management of the Foreign Service personnel system. Key to this forward looking legislation is the Senior Foreign Service with its opportunities for rewarding outstanding performance. We are also very happy with the bill's clear delineation of those positions which are appropriately under the Foreign Service personnel system.

The Senate report on S. 3058 carries the

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additional views of Senator Helms along with the substitute measure which he is sponsoring. Although Senator Helms has the good of the Foreign Service in mind, I must take issue with his proposal because of several features which I believe to be unsound from the standpoint of Federal personnel policy.

Section 3 of Senator Helms' bill, S. 2986, provides, in a revised section 413 of the Foreign Service Act of 1946, an additional lump sum payment to each member of the Foreign Service equal to 15 percent of the basic salary for such member within the limits of \$2,500 and \$7,500. The bill would further exempt this lump sum payment from taxation.

I strongly disagree with this concept. First, Senator Helms would offset the expense of this provision by deleting the Senior Foreign Service performance pay provisions. It is obvious to those of us who have studied and worked with compensation systems that rewards should go with performance. Senator Helms, in deleting the performance award system proposes a step backward in the progress toward pay-for-performance which is to be found under the Civil Service Reform Act, passed overwhelmingly by the Senate, and section 405 of S. 3058.

Further, there is no reason to believe that the added bonus would accomplish anything constructive in struggling with the problem of members of the Service who are reluctant to go overseas. Senator Helms explains in the committee report that "by providing the 15 percent tax-exempt incentive, it would reduce the resistance of married personnel to accept foreign assignments . . .". There can be no such direct effect from a bonus which goes to all members, without regard to their willingness to move to "undesirable" posts. The proposal would simply raise the level of compensation without a return benefit to the Government. Members of the Foreign Service receive post differentials provided under title 5, U.S.C., which are meant to compensate for the difficulties in recruiting at hardship posts. These differentials would be increased under S. 3058 and the House passed bill.

Section 6 of Senator Helms' bill would revise the retirement formula to increase the annuity of members of the Service from the current 2 percent for each year of service to 2½ percent. The bill would apparently provide this increased computation benefit to all service so that those retiring immediately after the Act's passage would receive a windfall the bill despite the knowledge that Senator Helms apparently does not intend that the increased benefit apply to service prior to the enactment date.

I do not find Senator Helms' analogy between the Foreign Service and the FBI and Air Traffic Controllers valid. The present computation of retirement for members of the Foreign Service already exceeds the normal Civil Service computation. The special computation provided for Air Traffic Controllers and other special occupations in which early retirement has been mandated, is meant to adjust the annuity to a normal level in the face of a career which is curtailed at a point of service which would otherwise provide an inadequate annuity. The increased computation in Senator Helms' bill for members of the Foreign Service is unnecessary. They do not normally have early retirement. Also, the House passed version of the Foreign Service bill raises the mandatory retirement age to 65, which indicates a trend toward longer service, rather than early retirement.

I have not touched on all of my concerns with Senator Helms' bill, but have indicated some of my primary concerns. I urge the Senate to move ahead on its consideration of S. 3058. Thank you for the consideration of my comments.

I have provided a similar letter to Senator Percy.

Sincerely yours,

ALAN K. CAMPBELL,
Director.

THE SECRETARY OF STATE,

Washington, D.C., June 20, 1979.

HON. WALTER F. MONDALE,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I transmit herewith on behalf of the Administration a Bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service of the United States and for other purposes.

The Congress took a major step last year to improve the management and efficiency of the Federal service by enacting the Civil Service Reform Act. This Bill is a companion measure to increase the effectiveness of the foreign policy arm of the government. It also responds to a Congressional directive (Sec. 117 of PL 94-350) to prepare a "comprehensive plan for the improvement and simplification" of the personnel systems of the Department of State and the United States International Communication Agency (previously the United States Information Agency). In addition, the Bill contemplates use of the Foreign Service personnel system by the proposed new International Development Cooperation Agency.

The last comprehensive Foreign Service personnel legislation was the Foreign Service Act of 1946. The need is clear, after more than three decades, for substantial legislative changes to strengthen and improve the Foreign Service to enable it to fulfill its essential role and mission now and in the years ahead.

I believe that this new Foreign Service Act is needed:

To provide a clear distinction between Foreign Service and Civil Service employment, and to convert to Civil Service status without loss those Foreign Service personnel who are obligated and needed only for domestic service;

To improve efficiency and economy by simplifying and rationalizing the various categories of Foreign Service personnel and by establishing a single Foreign Service salary schedule;

To establish a Senior Foreign Service (SFS) with rigorous entry, promotion and retention standards based on performance, with performance pay for outstanding service;

To make more uniform the statutory terms and conditions of Foreign Service employment based on merit principles;

To provide a statutory basis for labor-management relations in the Foreign Service;

To consolidate and codify the various laws relating to Foreign Service personnel which have been enacted both within and outside the framework of the existing Foreign Service Act;

To improve interagency coordination by promoting compatibility among the personnel systems of the agencies employing Foreign Service personnel and with those of other departments and agencies.

I am confident the Congress will agree that it is in the national interest to maintain and strengthen a professional Foreign Service, representative of the American people, to assist the President and the Secretary of State in managing the country's foreign relations.

I believe this Bill strengthens the professional character of the Foreign Service of the United States by:

(1) limiting Service status to those who accept its discipline including the obligation to serve anywhere in the world often under dangerous or unhealthy circumstances;

(2) requiring that all persons seeking ca-

reer status pass successfully through a strict but fair tenuring process; and

(3) establishing closer links between performance and promotion, compensation and incentive payments, and retention in Service.

The Bill will also improve the management of the Foreign Service and promote economy and efficiency by reducing the number of personnel categories under a single pay schedule, establishing a Senior Foreign Service comparable to the Senior Executive Service of the Civil Service, and by encouraging interchange and maximum compatibility of personnel systems among the foreign affairs agencies.

The Bill has been the subject of extensive consultations. Its provisions reflect comments and suggestions which have been received from the members of the Foreign Service and the employee organizations which represent them, and from interested agencies within the Executive Branch.

The Bill is divided into two titles. Title I, made up of twelve chapters, is the Foreign Service Act of 1979, a permanent body of law concerning the Foreign Service personnel system. Title II consists of transitional and technical provisions, and amendments to and repeals of other laws.

The Office of Management and Budget has advised that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely,

CYRUS VANCE.

[From Ambassador for Director General Harry Barnes]

FOREIGN SERVICE ACT

Would you be good enough to transmit the following letter from me to Senate Majority Leader Robert Byrd:

"DEAR ROBERT: Having now worked three and a half years with the Foreign Service of the United States, I have become more convinced than ever that it is a group of high caliber, dedicated men and women whose record of service to the United States Government is unexcelled. In the course of my years here in Tokyo I have become familiar with the provisions of the proposed new Foreign Service Act which I understand is now awaiting Senate action. It is my understanding also that differences within the Congress on the bill have been resolved and that, with everyone's help, a good bill has been produced.

"The concern now is whether the crowded congressional calendar will permit passage of the bill during this session of Congress. I believe that with all of the effort which has been put into the development of this new basic charter for the foreign service, it would be a tragedy to see it die when this Congress adjourns in October. I sincerely hope that you might be able to consider the possibility of working out a time agreement which could permit it to be brought to the floor during September. I know, better than most, the competing pressures you face in the month ahead, but I believe the passage of this bill would be in the best interests of our Government.

"With affection, respect and warm good wishes to you and Erma from Maureen and me.

"Sincerely,

MIKE MANSFIELD."

TEXT OF STATEMENT ADOPTED BY THE BOARD OF THE FOREIGN SERVICE, JUNE 20, 1980

The Board believes that the Bill represents a well considered effort to meet existing anomalies in the present Foreign Service personnel structure and should be supported.

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STATEMENT OF HON. GEORGE BALL, FORMER
UNDER SECRETARY OF STATE

The Foreign Service Act of 1979 which this committee is now considering should enhance the effectiveness of the Foreign Service while at the same time preserving the interests of the civil service employees who perform invaluable roles in the Department of State.

Although I do not profess a mastery of the details of the proposed legislation, it seems to me to achieve several essential purposes.

The first is that it would make a clear distinction between the Foreign Service and the Civil Service and provide for transferring out of the Foreign Service the purely domestic employees who are not prepared to commit themselves to overseas assignments. I think that is a useful move. It would give the Foreign Service greater homogeneity with a consequent improvement in the spirit of the Corps.

A second provision of the proposed legislation which could serve also to encourage the Foreign Service and increase its attractiveness to potential entrants is the proposed creation of a Senior Foreign Service which would provide not only greater rewards but also more vigorous performance standards for our older diplomats. Coupled with the other provisions of the proposed legislation, this would facilitate the absolutely indispensable process of selection out—the clearing out of deadwood which invariably accumulates in any career service.

I have not had either the time or occasion to study these measures in detail, but I did want to bring to this committee my sense that at least in its broad thrust this is a very useful and indeed necessary piece of legislation if we are to maintain the integrity and the spirit and the effectiveness of our Foreign Service.

STATEMENT OF RICHARD I. BLOCH, CHAIRMAN,
FOREIGN SERVICE GRIEVANCE BOARD

I serve as the umpire and arbitrator for a number of Federal agencies including the Internal Revenue Service, the Labor Department, the Treasury Department, Community Services Administration, Justice Department, and a number of others. I am familiar in general with arbitration systems both in and out of the Federal sector.

My judgment and it is a unanimous one, I might add, is that this system we have now even on the basis of the old legislation is the single best Federal sector system we know. We think the act is well structured and for the most part adequately responsive to the needs of the parties.

I have been impressed with both the quality of the presentations of the parties and the responses of our Board.

STATEMENT OF FORMER SECRETARY OF STATE
HENRY A. KISSINGER

I cannot be said to have been one of the greatest admirers of the Foreign Service when I was serving in the White House as a National Security Advisor. But when I had to work with the Foreign Service as Secretary of State I became convinced that it is one of the most dedicated and one of the ablest and one of the most indispensable groups of men and women in our Government.

In our system with its frequent alternation in high office, it is indispensable to have a professional corps that represents the continuity of our foreign policy, that operates professionally, that looks at foreign policy from the point of view of the general interest and while of course there are exceptions in any large organization, in my experience I have never worked with as able a group and as dedicated a group. As I read this proposal, this proposed legislation, it is an attempt to strengthen the professionalism.

It seeks to insure a recognition of measure and it attempts to open up the career ladder to the most promising men and women.

Although I do not claim familiarity with some of the detailed personnel provisions of the bill, I am satisfied that it would effect the three changes most needed to strengthen the Foreign Service and to enable it to meet more effectively the challenges ahead.

First, the bill recognizes the clear distinction between the Foreign Service and the civil service. As recognized in the interim report filed in January of 1977 by then Deputy Under Secretary Larry Eagleburger at my direction, earlier efforts to induce into the Foreign Service persons whose skills and services are needed only in domestic assignments were ineffective and unrealistic.

Second, the administration proposal would consolidate and codify the personnel system and laws of the Foreign Service—as also suggested in the 1977 interim report. The present multiple array of personnel categories and subcategories deters good management and makes individual inequities hard to avoid. The hundreds of amendments passed to the Foreign Service Act of 1946 and the many personnel laws which affect Service personnel need restatement and updating.

The pending bill provides a contemporary reaffirmation of the role of the Foreign Service, which should provide an excellent charter for many years to come.

Finally, and most importantly, the pending measure would provide needed closer linkage between granting career status, advancement, compensation, and retention in the Foreign Service and continuing high performance requirements. I am frank to say that although this was the intent of the 1946 act, it has not always been reflected in practice. The intended "up or out" principle has been breached too often. Officers at the top career ambassador and career minister ranks have been immune from performance evaluations and selection out, and sometimes stay on long past their prime periods of service.

In summary, I would urge your support for the proposed new Foreign Service Act. It will preserve and strengthen the best traditions of the Service, and make it possible for its members to better perform their essential role and missions now and in the future.

AMERICAN FOREIGN SERVICE ASSOCIATION,
Washington, D.C.

(The American Foreign Service Association Representing 11,000 Foreign Service People Urges Prompt Passage of the Foreign Service Act of 1980.)

This is an Act to strengthen the foreign policy of the United States by strengthening and improving the Foreign Service of the United States. It comes at a time when the United States faces increasingly complex challenges abroad which will require the best skills we can bring to bear to meet them. It also comes at a time when our people face increasing dangers, hardship and family dislocations by following careers of service wherever their country sends them, whenever they are needed.

The new Act is important because in the thirty-three years since the existing Foreign Service Act was enacted, the personnel structure of the Foreign Service has become overly complex; it is becoming increasingly difficult to recruit and retain top candidates; promotion rates have slowed and increasing responsibilities placed on our people have not been accompanied by increasing resources to meet them.

The new Act would:

A. Reaffirm the need for a separate career Foreign Service, characterized by the highest standards, able to advise the Secretary and the President on the formulation of foreign policy, and to implement the full range of programs to advance United States interests abroad.

B. Provide a strong voice for the members of the Service in protecting their own careers from political abuse and arbitrary ac-

tion through specific application of merit principles, collective employee representation, and legislated grievance procedures.

C. Provide more equitable compensation between the Foreign Service and Civil Service based on a thorough comparability study mandated by the Congress in the FY 1979 State Department authorization and provide other incentives for a lifetime of service abroad under difficult circumstances.

The House Foreign Affairs Committee and the Post Office and Civil Service Committee have spent a year examining this legislation in depth, after years of study by the Foreign Affairs Agencies and concerned employee organizations. Both Committees unanimously reported out similar bills.

While there is broad support for the Bill among the concerned House and Senate Committees, the Administration and employee organizations, there are a few areas to which particular attention should be paid.

A. Provisions guaranteeing full pay comparability to conform to the 1970 Pay Comparability Act are essential to the Bill. Denial of equity in the interest of saving a marginal amount of money would be a blow to the career service at a time when it is already under severe assault abroad.

We urge you to oppose; any attempt to dilute Section 403 providing for long overdue comparability.

B. Section 501(b) in the Post Office and Civil Service Committee markup would establish the principle that positions should be declared Civil Service unless there is a positive reason why Foreign Service designation is required, even for Foreign Affairs agencies. This establishes a presumption of guilt against the Foreign Service in Foreign Affairs agencies. We urge you to vote against Section 501(b).

C. We support proposals for a statutory Committee to review Ambassadorial candidates.

We urge you to support this amendment when offered.

The men and women of the Foreign Service will consider your support for all the essential provisions of the Foreign Service Act of 1980 as the greatest single demonstration that the sacrifices they are making around the globe are appreciated by their countrymen.

UP AMENDMENT NO. 1572

Mr. MATHIAS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Maryland (Mr. MATHIAS) proposes an unprinted amendment numbered 1572.

Mr. MATHIAS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Page 205, line 4, strike out "(a) In" and insert in lieu thereof "(a) Except as provided in subsection (b), in"

Page 206, line 1, strike out all through line 2 on page 207 and insert in lieu thereof the following:

(b) (1) Notwithstanding any other provision of law, the status, promotions, class, and tenure of individuals who, immediately before the date of enactment of this Act are in the Foreign Service in the International Communication Agency and are covered by a collective bargaining agreement between the Agency and the exclusive representative of those individuals shall, continue to be governed by the Foreign Service Act of 1946 and Public Law 90-494 (as those Acts were

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in effect immediately before the effective date of this Act.) This Act (except sections 402, 403, 404, 405, 504) shall also apply to such individuals, and such individuals shall be considered members of the Foreign Service for purposes of sections 103, 406, 501, 502, 503, 610, 803, 1002, 1101 of this Act.

(2) The President shall prescribe salary rates for the individuals in the Foreign Service who are covered by this subsection in accordance with the salary classes established under sections 414 and 415 of the Foreign Service Act of 1946. Salary rates for such individuals shall not be less than those rates in effect on the effective date of this Act and shall be adjusted at the same time and to the same extent as rates of basic pay are adjusted for the General Schedule.

Mr. MATHIAS. Mr. President, I am pleased to offer an amendment to section 2104 of the proposed Foreign Service Act of 1980.

Let me say before I discuss the amendment, however, that I express my appreciation for the work which the managers of the bill, the distinguished Senator from Rhode Island and the distinguished Senator from New York, have vested in bringing this bill to the floor.

One of the sources of pride at being a Senator from Maryland is that I am privileged to probably represent more Foreign Service officers than any other Member of Congress. Many, of course, have their home of record in the State of Maryland. They may be dispersed at embassies and other diplomatic posts around the globe, but we are very proud that so many of them have chosen to make the State of Maryland their permanent home.

Mr. PELL. Mr. President, if the Senator will yield at that point, knowing the Senator's partiality for the word "anomaly," I suggest it is an anomaly that the State of Rhode Island is the only State whose constituents are represented by an ex-Foreign Service officer also.

Mr. MATHIAS. I do not know that I would consider that an anomaly on my list of anomalies. I think it is a matter for which the citizens of Rhode Island are to be congratulated.

Mr. President, this amendment affects only 15 lines in a bill that has 254 pages as reported by the Committee on Foreign Relations. But in those 15 short simple lines it will prevent a substantial injustice from being imposed.

In 1977 the International Communications Agency and the representative of its employees entered into a negotiated agreement pursuant to the Nixon Executive order on labor-management relations. This agreement has three central features.

One, the Foreign Service "domestic specialists" at ICA would at no time be forced to convert to civil service status.

Let me repeat that because I think it is important that the Senate understand it.

It was agreed that at no time would the domestic specialists at ICA be forced to convert to civil service status. This was the word of the United States of America. This was the contract.

Second, these employees were given the option until June of 1981 to voluntarily convert, with the terms and conditions of their willing conversion guaranteed by the agreement until that date.

The third feature of this agreement was that ICA would discontinue hiring new employees as Foreign Service "domestic specialists." In time, therefore, this particular category of public servant would be phased out.

If the Senate will carefully peruse section 2104 of this bill, it will be observed that the bill would violate the agreement's open-ended prohibition against forced conversions.

What the bill does very simply is to break the word of the United States of America to its own employees.

This amendment would retain the status quo, would allow the agreement to remain in force, and would thereby prohibit the mandatory conversion to the civil service of these employees.

Of course, I am sure that all of the arguments that can be raised will be raised, such as "Well, this would establish a precedent; this would create problems in the future."

But those arguments are hollow when you consider that you are dealing with a very small group of people whose extinction is guaranteed by the terms of the agreement. They are going to be gradually phased out. There will be no more Foreign Service "domestic specialists."

The amendment would not affect the application of section 2104 to employees in the Department of State or the International Development Cooperation Agency nor would this amendment affect any other provisions of this bill.

The point of the amendment is so simple that I wonder that it really has to be raised, and that is the United States of America keeps its word to its own employees as well as to everyone else, and we are not keeping our word. This is not a case of some misunderstanding. It is a contract made by the Government of the United States and the only way to honor that contract is to adopt this amendment. I hope the Senate will do just that.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, the Senator from Maryland knows the regard and respect in which he is held in this body and that I hold for him.

I have gone over his amendment. I see his purpose, and I would like to be in agreement with him. But, alas, I cannot.

In the first place, as a matter of equity if this amendment were passed it should apply not only to ICA but to the other five agencies of the Government that are also involved.

But the argument against the passage of this amendment is that there is a fundamental principle in the bill that there be a very clear division of employees into Foreign Service and civil service components.

From the viewpoint of administering the agency, it would be impossible to have employees who are neither one nor the other. Great effort has been expended to insure that individuals who move from Foreign Service to civil service, because they will not be serving overseas, are fully protected with respect to their

grade, status, pay, and retirement system.

I think the International Communications Agency has estimated that it would take as long as 20 years to achieve a clean system if conversion proceeds only on a voluntary basis. So for this period of time we will have this very multihued system which is just exactly what we are trying to avoid with this legislation. This legislation, I might add, has been worked on for some years by both Republican and Democratic administrations, and it meets the needs that the Foreign Service and the American Government must have to be responsive to modern diplomatic demands.

Speaking in a more personal way, I have often thought that if the act of 1946 had been properly implemented, we would not have had to have this pending legislation. Unfortunately, it was not adequately applied. This was the reason for this proposal which was the original creation of, I think, Assistant Secretary Eagleburger. It was he who talked to me about it first, then Secretary Kissinger, and through the years it has developed as a nonpartisan effort. In my view, it is a pretty excellent bill.

The 3 years that are provided by this bill for people to convert to civil service should provide ample time for individuals to make decisions about their future careers and to move either to the worldwide Foreign Service category if there is a need for their services or into the civil service if they are to remain domestic employees.

For all these reasons I find myself compelled to oppose the amendment.

Finally, with respect to the so-called breach of word of the United States—and I am trying to get the text of the union contract now—we all know that such contracts or ruling are not immutable pledges for the life of the Government of the United States.

Mr. MATHIAS. Mr. President, if the Senator will yield, I do not believe it was a ruling. It was an agreement, it was a contract. This bill without my amendment will break that agreement.

Mr. PELL. Does the Senator have a copy of the agreement, by any chance?

Mr. MATHIAS. I will try to secure one for the Senator. Let me, while we are doing that, just explain a few other aspects of how this bill will operate for this small group within the International Communication Agency.

The bill excludes these employees from the increased pay provisions of the new act. Therefore, under the bill as reported, these employees will not be able to receive the higher level of pay which is given to the Foreign Service because of hardships attendant on service abroad.

Section 504 would require these domestic specialists to serve abroad, although the bill would prohibit them from receiving the compensation guaranteed others who fulfill this obligation.

The head of the Agency testified—and the Senator may recall his testimony—that although domestic specialists are technically available for worldwide assignment, the Agency has not and does not intend to force these employees to serve abroad, partly because there are

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no positions abroad. These domestic specialists serve the Agency's worldwide mission by their work as writers, broadcasters and engineers—work which is primarily performed domestically.

In line with these concerns expressed by the Agency, this amendment removes the bill's inconsistency between, on the one hand, denying the domestic specialist the pay rate that would be available to them if they served overseas, while, on the other hand, requiring them to be available for such services.

Mr. PELL. Mr. President, I believe, going back to this question of the word of the United States, I think a commitment was given in a contract between the American Federation of Government Employees, AFGE, and the U.S. Information Communications Agency.

The bill before us takes full account of this agreement. S. 3058, the bill before us, has provided that conditions of conversion are radically changed and that statutory authority to save pay, status, protection of Foreign Service retirement, and protection against downgrading are all provided to those who will convert. But here is the interesting point: None of these would have been possible under the AFGE-ICA agreement which constitutes the basis for what the Senator is talking about.

In fact, S. 3058 takes into full account the 1977 agreement, which is the so-called word of the U.S. Government, by providing that the conversion period will not begin until July 1, 1981.

Mr. MATHIAS. The Senator is exactly right. The bill does look to many provisions of the contract. That is why I am so distressed that this little group of people, this group of domestic specialists in the ICA, should be the only group whose rights under the contract are violated. I am not suggesting that the committee has ridden roughshod over the rights of the employees in general.

The Senator has suggested the word "anomaly." Perhaps this is, in fact, an anomaly that this group—which had certain specific rights guaranteed under that contract, finds that those rights are violated by this provision.

I am not suggesting that the Congress does not have the ability to break that contract. I am just saying by this amendment that we ought not to break that contract.

Mr. PELL. Mr. President, I understand the Senator's point. What really happened here was that an agreement was made that until 1983 nobody would be required to convert.

Mr. MATHIAS. Exactly.

Mr. PELL. But after that time, it was left absolutely blank. The contract was silent on it.

The Senator's interpretation is that it was an implicit commitment. That is like saying that in any union-management contract there is an implicit commitment to extend the terms indefinitely into the future enough for the term of the contract.

Mr. MATHIAS. Mr. President, I think it is clear that this group of employees was given the right until June of 1981 to convert. But I think it is equally clear

that they were at no time to be forced to convert, either before or after June of 1981.

In the CONGRESSIONAL RECORD of September 8, 1980, there is an excerpt from the testimony of Mr. Reinhardt, head of the Agency, in which a Representative, Mr. DANTE FASCELL is asking a question. Mr. FASCELL asked the question:

And this contract runs out on July 1, 1981? Mr. REINHARDT. Only as it applies to the voluntary conversion portions of the agreement. That is, the approximately 900 employees in USICA have until June 30, 1981, to make a decision as to whether they want to convert to the civil service or remain in the Foreign Service.

Mr. FASCELL. You mean that is in the contract?

Mr. REINHARDT. That is in our agreement with the union.

So there it is in black and white. I do not see how there could be any other interpretation than that which I have given to it.

There is another aspect to this, Mr. President. The reported bill contains a list of the provisions for which the employees who would be covered by this new subsection are to be considered members of the Foreign Service. My amendment makes two changes in the list.

First, it adds section 1102 on labor-management relations and 1101 on grievances, thereby continuing the present status of these employees under the existing grievance legislation and the Nixon Executive order on labor relations. Adding these two sections removed an unintentional ambiguity, because no one has suggested that these employees should have their existing status revoked.

I have a further excerpt from that RECORD of September 8, 1980, where, on page E4264, the statement is made:

Consistent with the later congressional testimony of both the agency and the employee representative, the circular prohibited mandatory conversion without any time limit. It stated, in underlined text: "Conversion from FS to GS will be entirely voluntary at the option of the employee."

Now, that is pretty clear, Mr. President. But let me just make this final observation. The second change made by the amendment is add section 504 of the bill to those sections of the new act, which would not apply to the employees protected under this amendment by the collective bargaining agreement. The reported bill already excludes the employees converted by this subsection from the increased pay provisions of the act.

If these people are not going to get higher pay for serving overseas, then they ought not to be subject to such service under this section. This amendment, with all deference to the authors of the bill, I think makes the bill consistent. These employees will not be paid the higher rates and they will not be forced to serve abroad.

I hope, Mr. President, that the Senate will adopt this amendment which observes commonsense, logic, and consistency but, most important of all, keeps the word of the Government of the United States to its own employees.

Mr. PELL. Mr. President, I appreciate

the articulate presentation of the Senator from Maryland. I think there are many arguments that can be made back and forth. I repeat again that the contract certainly covers the period of the contract, and should not bind us in the exercise of our legislative responsibilities.

Mr. MATHIAS. Mr. President, I have no desire to prolong this debate, a debate which may involve a small group of people, who, as a class, are headed for phasing out. But this is important to them. I do not like to have this decision, which is important to 900 faithful servants of the United States, made by two Members of the Senate. I say that in deference to the Chair because he is prevented by the rules from participating in this debate.

Though I am reluctant to disturb Senators who are busy doing many other things in other places, how can we avoid a rollcall?

Mr. PELL. Does the Senator want to ask for a rollcall vote?

Mr. MATHIAS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. MATHIAS. Mr. President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MATHIAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MATHIAS. Mr. President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Nebraska (Mr. EXON), the Senator from Colorado (Mr. HART), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. McGOVERN), the Senator from Mississippi (Mr. STENNIS), and the Senator from Florida (Mr. STONE) are necessarily absent.

Mr. STEVENS. I announce that the Senator from Colorado (Mr. ARMSTRONG), the Senator from Oklahoma (Mr. BELLMON), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. HAYAKAWA), the Senator from New Hampshire (Mr. HUMPHREY), and the Senator from Oregon (Mr. PACKWOOD) are necessarily absent.

The PRESIDING OFFICER (Mr. TSONGAS). Are there other Senators who wish to vote?

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The result was announced—yeas 52, nays 34, as follows:
[Rollcall Vote No. 399 Leg.]

YEAS—52

Baker	Heflin	Riegle
Baucus	Heinz	Roth
Bayh	Helms	Sarbanes
Boren	Inouye	Sasser
Boschwitz	Javits	Schmitt
Burdick	Jeppsen	Schweiker
Chafee	Kassebaum	Simpson
Cochran	Laxalt	Stafford
Cohen	Leahy	Stevens
Culver	Levin	Stewart
Danforth	Lugar	Thurmond
Dole	Mathias	Tower
Domenici	McClure	Wallop
Durenberger	Melcher	Warner
Garn	Metzenbaum	Welcker
Gravel	Moynihan	Young
Hatch	Percy	
Hatfield	Pressler	

NAYS—34

Bentsen	Durkin	Nunn
Biden	Eagleton	Pell
Bradley	Ford	Proxmire
Bumpers	Glenn	Pryor
Byrd	Hollings	Randolph
Harry F., Jr.	Huddleston	Ribicoff
Byrd, Robert C.	Jackson	Stevenson
Cannon	Johnston	Talmadge
Chiles	Matsumaga	Tsongas
Church	Mitchell	Williams
Cranston	Morgan	Zorinsky
DeConcini	Nelson	

NOT VOTING—14

Armstrong	Hayakawa	McGovern
Bellmon	Humphrey	Packwood
Exon	Kennedy	Stennis
Goldwater	Long	Stone
Hart	Magnuson	

So Mr. MATHIAS' amendment (UP No. 1572) was agreed to.

Mr. MATHIAS. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. PELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, what is the will of the Senate?

The PRESIDING OFFICER. Who seeks recognition?

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business and that Senators may speak therein for a period not to extend beyond 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9 a.m. tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UPON COMPLETION OF BUSINESS TOMORROW UNTIL MONDAY, SEPTEMBER 15, 1980

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow it stand in recess until Monday next. I will decide a time for convening a little later.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OF WALLS, CANALS, PIPELINES, AND PYRAMIDS; AND THE MX

Mr. PROXMIRE. Mr. President, the official Department of Defense MX office has updated the cost of the MX system in constant and appropriated dollars. The figures make for interesting if not alarming reading.

The R. & D. military construction, and deployment costs of the MX, in 1980 dollars, total \$33.8 billion. The cost of maintaining these missiles over a 20-year period is \$8.9 billion. This makes a 1980 life cycle cost of the MX program at \$42.7 billion.

Of course any calculation in 1980 dollars does not factor in inflationary changes over the years. The Congress does not get an opportunity to appropriate for any program, domestic or foreign, in constant dollars.

Think of it, Mr. President, if we could appropriate in constant dollars, we could hold the budget in balance. We could make true calculations of alternative programs. There would be no hiding large program increases in the "noise" of inflation.

But sadly, we must appropriate in the kind of dollars the taxpayers pay annually. So, we must consider the amounts the Congress will be called upon to approve for any weapons system, or water project, or education program.

The total acquisition costs of the MX in appropriated dollars will be \$52.7 billion. Adding in operation and maintenance costs over 20 years in appropriated dollars gives the grand total of \$78.6 billion.

As one Air Force official has been quoted, "the MX deployment will be man's largest project, larger than the Great Wall of China, larger than the pyramids, larger than the Alaska pipeline or the Panama Canal."

Will, I hope that the MX, if built, turns out more like the Panama Canal than the Great Wall of China, or the Alaska pipeline or the pyramids.

Why? Because the Panama Canal was completed in 1914 at a cost of about \$352 million or some \$23 million under the original estimate in 1907. Furthermore, it was open 6 months early. Now that is a story we do not hear much anymore.

The Alaska pipeline, in contrast, had an original estimate of \$900 million, later amended to \$3 billion, and a final cost of \$8 billion. If the MX program follows the pipeline example, the MX will cost \$142 billion and be years late, and that would not surprise this Senator one bit.

Or maybe the MX will fit into the mold of the Great Wall of China. The Great Wall started out, perhaps as early as the fifth century B.C., as a system of small walls protecting the northern borders. With consolidation and unification in 221 B.C. the Wall stretched to its fullest extent. The Great Yellow Emperor of the Chin dynasty reportedly diverted so much government revenue and labor service to consolidate the wall that many historians cite this as the principal reason for bringing his downfall and that of his successor son. There was rebellion in the land and control gradually fell to various generals.

It is hard to resist the temptation to draw an analogy, but I will resist.

And what of the pyramids? Herodotus claims that the Great Pyramid required 100,000 workers for 20 years, probably on 3-month a year shifts plus another 10 years for the associated minor construction. Other estimates state that for the six major pyramids, on average 74,000 people were required each year for one century—100 years of labor. No matter which estimate is assumed correct, there can be no doubt of the labor intensive requirement for pyramid building.

So what do we end up with? If the MX is the world's largest public works project, can we conjecture that it will suffer the manpower problems of the pyramids? Will it divert the national treasure as with the Great Wall so that a political system will fall? Will it have the cost overrun of the Alaskan pipeline?

Or will a miracle happen and it be built under budget and ahead of schedule like the Panama Canal?

With \$78.6 billion in tax dollars at stake, it is a question with more than a little importance.

HEROINE OF THE VILNA GHETTO

Mr. PROXMIRE. Mr. President, Anna Simaite served both the physical and the spiritual needs of the Jews imprisoned in the Vilna ghetto. She knew that human life consists of more than physical survival. She knew the importance of a flower to a woman struggling against despair. And she knew the importance of guns to those planning resistance.

When the war engulfed Lithuania, Anna was working in the catalog de-

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partment of the Vilna University Library. Her fame as a literary critic was well-established. She easily could have detached herself from the degradation of the Jews. Yet she would not accept her own safety while others suffered. As she said 10 years later:

I was ashamed that I was not Jewish myself. I had to do something. . . . I realized the danger involved, but . . . a force much stronger than myself was at work.

The plan she devised temporarily escaped Nazi suspicion. Claiming that many University library books were in the possession of Jewish students then imprisoned in the ghetto, she was granted immunity to travel freely between the ghetto and the outside in order to reclaim the books. Once past the wired and guarded ghetto walls, Anna began her underground work. Each day she would smuggle in flowers and guns, letters and forged Aryan papers. Each day she would calmly pass the guards while carrying out documents, a few books, and diaries of the imprisoned Jewish martyrs. She arranged for the housing of many Jewish children, and then helped them escape the ghetto. Her free passage mocked the purpose of the ghetto wall.

But in April of 1942, the Nazis began to suspect this tireless librarian. Though warned by friends that her arrest was imminent, Anna refused to desert the Jews. Total extermination was the unquestioned fate of the ghetto-dwellers. Her own arrest seemed a small risk in comparison. For 2 years she evaded the Gestapo, but in 1944 she was arrested, beaten, and sentenced to death. A friend bribed a high Nazi official to spare Anna, and she was deported to Dachau. The allies found her, skeletal and barely alive, in a concentration camp in southern France.

Anna was not forgotten by the children she had saved. Those who knew of her survival wrote letters of thanks. One persuaded Anna to go to Israel, where in 1953 she was warmly acclaimed. The works she has written since the war and those she smuggled out of the Vilna ghetto have enlightened our understanding of the war years.

Mr. President, I have recounted the story of Anna Simaite for one reason. I believe that her example makes a strong argument for ratification of the Genocide Convention. Her actions show the highest regard for human life and a most personal opposition to genocidal policies. Her actions reveal that she could not remain inactive while suffering surrounded her. Mr. President, this body also has a high regard for human life. I ask my colleagues to remain inactive no longer. In light of Anna's example, I urge the immediate ratification of the Genocide Convention.

GRAIN EMBARGO HURTING RUSSIANS

Mr. PROXMIRE. Mr. President, on August 20 and 21 the Committee on Banking, Housing, and Urban Affairs, which I chair, held hearings on the effects on Russia of President Carter's decision to suspend partially U.S. grain sales. The purpose of the President's action was to

make the Russians pay a price for their ruthless attack on the independent nation of Afghanistan. The hearing record shows clearly that the embargo is imposing significant economic and political costs on the Russians. Now we have additional information which supports that conclusion.

Prof. Gregory Grossman of the University of California at Berkeley, who is a leading academic expert on the Soviet economy has submitted a statement to the committee. Professor Grossman points out that the U.S. embargo does not have to be fully effective to be costly to the Russians. No one ever expected the Russians would be unable to replace part of the 17 million metric tons of grain the United States denied them. The shortfall, even if it is much less than 17 million tons, can still be quite expensive for the Russians. Professor Grossman states:

I submit that the short-term effect of the embargo on the Soviet economy may be considerable, even if it is only partially effective; and, further, that the longer-term effects on the Soviet economy may be more important yet. These effects largely derive from the central position of the meat supply in the Soviet scheme of things (and, for that matter, in East Europe generally, as this summer's Polish events have once again demonstrated).

Professor Grossman goes on to say that:

The gravity of the situation from the Soviet standpoint must be seen, of course, not only in economic terms. In the USSR—as throughout Eastern Europe—no problem has concerned the mass of consumers more than the price and availability of meat in official stores, and the price of meat in unofficial outlets. And probably no problem has been seen by the public and the rulers alike more than this one to be a leading test of the efficacy—and even political legitimacy of the regime.

Professor Grossman also argues that the grain embargo adds to the difficulties the Russians face in allocating resources to the major problem sectors of their economy: agriculture, energy and transportation. There are no easy choices for the Russians. As Professor Grossman says:

It must be emphasized that should the embargo enhance the Soviet search for long-term grain independence, the near-term pressure on Soviet resources might be appreciably increased, the energy, transport, and other major bottlenecks may be aggravated, and the course of the Soviet economy significantly affected for some time to come.

Mr. President, just yesterday the New York Times reported that the Russians are not going to have nearly as big a grain harvest this year as they had planned. They had hoped to raise 235 million tons of grain. The latest estimate is no more than 200 to 210 million tons. As the correspondent for the New York Times concludes:

This means that the already tight supply situation in feed grains, the controlling factor in the Government's hopes of increasing meat production, will be that much tighter, and the impact of the American embargo on grain sales to the Soviet Union will be that much sharper.

The fact is, as the New York Times

article points out, that despite the Soviet leadership's public commitment to increase meat production, the increase has only kept up with population growth, and the average Soviet citizen is getting no more meat now than he did in 1976. In many areas of the country beef is not available at all in the state stores.

The New York Times article says:

More than an improvement in diet is involved in the Government's promises to increase meat supply. The promises go to the heart of the entire economic plan.

The Defense Intelligence Agency estimates that the Soviets have had to pay \$1 billion in higher prices for the grain that it purchased in the world market to make up for the loss of U.S. supplies.

The grain purchased to substitute for the U.S. grain, as the New York Times points out, is often lower quality and has caused the Soviets additional problems with feed formulas for their livestock.

The partial grain sales suspension has been effective and ought to be continued. Certainly it ought not to be rescinded by act of Congress as some of my colleagues have proposed. Professor Grossman reminds us that the strikes in Poland were partially caused by hikes in meat prices, and he makes what seems to me to be the clinching argument:

A termination of the embargo by Congressional vote at this time would be likely to be interpreted by the peoples of Poland and the rest of Eastern Europe as essentially a discouraging signal, and to this extent would tend to relieve the economic as well as political pressure on the Kremlin from that side.

The decision to impose the grain embargo was a prudent and meaningful response to the Soviet invasion of Afghanistan. The embargo is forcing the Soviets to pay a heavy price for that transgression.

The embargo is not just a symbolic action. It is a positive, forceful, and tangible action and a costly one for the Soviets. If the Soviet harvest is as bad as is now being forecast the embargo will prove to be even more costly.

Mr. President, I ask unanimous consent that the statement by Professor Grossman and the New York Times article entitled: "Soviet Grain Prospects Worsening; Embargo by U.S. May Cut Deeper" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY GREGORY GROSSMAN

My name is Gregory Grossman. I am professor of economics at the University of California, Berkeley, and a long-time student of the Soviet economy and related matters. I am very pleased to have the opportunity to submit the following remarks for inclusion in the record of these Hearings. I am doing so entirely in my private capacity.

There seems to be some misunderstanding in our media and among some of our public figures in regard to the economic effects of our grain embargo on the Soviet Union. It is sometimes said that the embargo is "ineffective", has "failed", because much of the grain denied to the Soviets by us has been seemingly replaced by other non-communist countries. (I say "seemingly" replaced, because we cannot know exactly how much the Soviets would have bought anyway from the third countries in the absence of our embargo.) This conclusion is at best hasty, as