

under Medicare. This provision took effect November 1, 1983. Under this benefit, terminally ill individuals can elect in the last 6 months of their lives to receive palliative hospice care in the home provided by a qualifying hospice instead of intensive, traditional acute care in a hospital setting.

This expansion of Medicare was an important step toward providing more comprehensive health care coverage for the elderly and disabled. Unfortunately, a serious problem has arisen due to an oversight by Congress.

Under the law, hundreds of hospices around the country are unable to qualify as Medicare providers because of a provision in TEFRA which bars them from subcontracting for nursing services. This provision effectively excludes consortium model hospices from qualifying for Medicare. Because the law exhibits a shortsighted preference for free-standing hospices, many providers in my State and across the country have been frozen out of the system. The nursing care services requirement effectively forces hospices to hire nurses directly, competing with hospitals, home health agencies and nursing homes instead of allowing the more efficient use of such services under contract.

Unless this provision of the law is changed, hospices either will be unable to qualify for Medicare or, according to the National Association for Home Care [NAHC]—the Nation's largest home care provider organization, which represents as many hospices as any other organization—hospices "will have to undergo extensive restructuring which will greatly and unnecessarily inflate the costs which they will pass along to Medicare."

I have introduced legislation (H.R. 1742) to remedy the flaws in TEFRA and expand the hospice benefit so that it will more fully implement the will of Congress. My measure, which has been cosponsored by Representatives PEPPER, BIAGGI, SNOWE, BOEHLERT, and CONTE, and which has been endorsed by NAHC, would permit hospices located in rural or medically underserved areas or licensed or incorporated under State law prior to January 1, 1985, to subcontract for nursing services with Medicare-certified providers which were licensed or incorporated under State law prior to January 1, 1985.

The concept of hospice has proven beneficial of tens of thousands of terminally ill individuals who have been able to spend their final days in the comfort and familiar surroundings of their own homes. Subcontracting for nursing services by hospice programs represents community cooperation and efficient use of resources. I urge my colleagues to join me in pushing for passage of H.R. 1742 in order to expand hospice coverage around the country and to make this service available to all Americans.●

## BAN CANCER-CAUSING RED DYES

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1985

● Mr. FEIGHAN. Mr. Speaker, today, the Department of Health and Human Services announces new regulations on the use of red dyes, coal tar based additives in foods, drugs, and cosmetics used each day by millions of Americans. I am very concerned to learn that these new regulations will continue to permit the use of red dyes that have been shown to cause cancer. The Department of Health and Human Services and Secretary Margaret Heckler are placing millions of our citizens at risk, despite clear and convincing evidence and the strong recommendation of prominent health officials—including the Food and Drug Administration's leading scientists—that these cancer-causing dyes be banned at once.

Mr. Speaker, this issue is not new. In fact, the Health and Human Services Department has been sitting on this question for over 20 years. Yet, every day of delay in banning the dyes adds greater risk to everyone who consumes large amounts of foods containing the dyes. I am particularly troubled that our children constitute the group most likely in our society to consume large amounts of foods containing the dyes. One dye, red dye No. 3, is in candy, soft drinks, and ice cream. Each time a child eats or drinks those products, they may indeed be risking their future health and well-being. By the time a youngster is 10 years old, he or she will have consumed 3 pounds of food additives that are clearly carcinogenic.

One of the most troubling aspects about these new regulations is the fact that they deal with dyes that the law requires banning. Congress and the law have been very clear on this. Almost a quarter of a century ago, Congress passed legislation clearly stating that food additives shown to induce cancer in either human beings or animals must be banned. That is the law of the land. It is not negotiable. Yet, the Food and Drug Administration seems bent on turning its back on 25 years of accepted policy by refusing to ban these dyes. The credibility of the FDA as a regulatory agency committed to the safety of our food supply is in real danger as long as these dyes remain in our foods. The House Government Operations Committee has restated, with bipartisan support, that the U.S. Congress intended that cancer-causing substances in foods be banned. It is time for the FDA, the Department of Human Services and Mrs. Heckler to face the facts and obey the law.

Allowing these proven carcinogens to remain in the marketplace is unconscionable and unexcusable. In light of the failure by the responsible Federal

officials to carry out the mandate of Congress, I am today introducing legislation to ban the cancer-causing dyes. I hope my colleagues will join me in sending a clear message that cancer-causing additives do not belong in American's foods.●

## PEOPLE'S NATURAL GAS CO.

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1985

● Mr. MURPHY. Mr. Speaker, I am proud to rise in recognition of the People's Natural Gas Co. of Pittsburgh, PA, for its 100 years of service on June 26, 1985. In 1885, the People's Natural Gas Co. became the first company in Pennsylvania chartered to distribute natural gas. Throughout the years, regardless of gas shortages, and the fluctuations of both the local and national economies, People's Gas has maintained a high quality of service established by its founders.

Today, People's Gas is one of the Nation's largest distributors of natural gas, supplying more than 320,000 residential, commercial and industrial customers in Pennsylvania, Ohio, and West Virginia. The company employs 1,450 people and has seven operating divisions covering 16 counties in southwestern Pennsylvania, owns and operates a 7,200-mile underground pipeline network, 1,330 producing and storage wells and over 900 motor vehicles. People's Gas also supplies gas at wholesale to utilities in New York State and throughout the Northeast and is one of the Nation's primary gas explorers and producers.

I am confident People's Gas will remain both a competitor and leader in the years to come, with its pursuit of "nontraditional" business opportunities. People's Natural Gas Co. has been a pioneer in the development and implementation of new alternatives such as gas-powered vehicles, cogeneration and a "select gas" application for electric power generation.

Once again, I am proud to recognize this milestone in the People's Natural Gas Co.'s history.●

## CENTRAL AMERICA REPORT

HON. HANK BROWN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1985

● Mr. BROWN of Colorado. Mr. Speaker, our former colleague, James P. Johnson, who represented the Fourth District of Colorado, is now president of the board of trustees of the San Francisco Theological Seminary. The board has received a report from a seminary faculty member, Dr. Walter Davis, based on a 3-week Central America study seminar which took

place in January in Mexico, Honduras, and Nicaragua. Given the importance of events in that region, Dr. Davis' observations may be of interest to other Members.

The report follows.

#### CENTRAL AMERICA REPORT

##### 1. BACKGROUND OF THE NICARAGUAN REVOLUTION

Under the dictator Somoza, the economy was geared primarily for agricultural export, with a small but growing industrial sector of middle class entrepreneurs. Ten percent of the farmers owned 75% of the arable land. The Somoza family itself owned 21% of the best land. So poor were most families that in the middle 1970s 57% of the children under age four were malnourished. The small middle class was content with a classical capitalist approach to national development, and only criticized the worst abuses of the Somoza corruption and repressive brutality.

This began to change after the devastating earthquake of 1972. Instead of distributing the massive international aid to the needy, Somoza's national guard drove it to the markets in Army jeeps and sold it for profit. Then Somoza began establishing industrial enterprises and a bank of his own, no longer content to restrict his wealth to the agricultural sector. The urban middle class saw this as a direct threat. In 1974 this sector put forward its own candidate to replace Somoza, and a struggle ensued.

Meanwhile the Sandinistas, representing the interests of the campesinos, heated up their guerrilla struggle in the mountains. In 1978 the industrial-business sector organized a general national strike against Somoza. When it failed, this group and almost every other group in society, including the hierarchy of the Roman Catholic Church, threw its weight behind the Sandinista guerrillas. A year later, after the loss of 50,000 people, the Sandinistas routed Somoza and his national guard and initiated a process that would fundamentally restructure Nicaraguan society. However, they inherited a devastated economy with bombed-out factories, a large foreign debt and an empty treasury which Somoza had robbed.

##### 2. THE RESTRUCTURING OF NICARAGUAN SOCIETY

This is built upon a rather simple premise: the basic needs of the poor take precedence over an increase in the standard of living of the middle class or the wealthy.

It has been called "the logic of the majority" and is in keeping with much current Latin American Roman Catholic theology, which calls for a "preferential option for the poor." It is also consistent with a growing body of international opinion—including many World Bank economists—who believe that some form of a "basic needs" strategy is necessary to overcome poverty and political instability in Third World nations. This strategy must combine economic policies of distribution and productivity.

The Sandinista program is built upon three pillars, which clearly distinguish it from Marxist socialism:

- (a) political pluralism (and democratic freedoms),
- (b) a mixed economy, and
- (c) non-alignment in international affairs.

###### (a) Political pluralism

The Reagan administration and the political right in Nicaragua deny that these are the genuine goals of the revolution, but there is much evidence to support the Sandinista case. In fact political pluralism and democratic freedoms appear to be much more respected in Nicaragua than in most other Central American countries. (See the

report of Robert Evans and Ross Kinsler on the November 1984 elections.) The Sandinistas made some grave mistakes in their treatment of the Atlantic Coast Miskito Indians. They now recognize these mistakes and are trying to rectify them. The charge of religious persecution is simply untrue. Press censorship exists in the context of a society at war, where military, political and economic sabotage are all at stake. Even so, a much greater diversity of freedom and opinion exists in Nicaragua than in Guatemala, El Salvador or Honduras. In Nicaragua there is a complete absence of violent repression, but in Guatemala and El Salvador thousands have died at the hands of officially sanctioned death squads, without much objection from the Reagan administration.

Many revolutions begin with a bloodbath of those who are overthrown. This did not happen in Nicaragua. Not only did the Sandinistas maintain discipline after the triumph—they also punished excesses. Today 300 police, guards and soldiers of the Sandinista government are in prison for violations of the law. In fact, one of the first things the Sandinistas did was to abolish the death penalty and establish a 30-year maximum on all prison sentences. Thus there is considerable pressure to make the prisons places of genuine rehabilitation and to create opportunity for re-entry into productive society upon release from prison. It is too early to tell whether this policy will be effective with the most hardened of criminals. Of the 7500 Somoza national guardsmen who were tried for crimes by the Sandinistas, 2150 are still in prison.

One worrisome element for Westerners is the close association of the government with the Sandinista political party. To use this appears subject to abuse. But it is probably natural at this stage in Nicaraguan history, given the role of the party in beating Somoza and restructuring society. The revolution was inspired by the memory of Sandino, the guerrilla fighter of the 1930s who was assassinated by the Somozas. Only the Sandinista party is allowed to claim Sandino's legacy, which puts all other parties at a decided disadvantage. However, if elections remain free and if the FSLN (Sandinista party) is voted out of office, the next government could change this law.

###### (b) Mixed economy

Nicaragua has attempted to tilt its economic policies toward the poor while maintaining a mixed economy. 60% of the GNP is produced by the private sector, 40% by the public sector. 35% of the public sector's productive capacity was taken over by the State from the holdings of the Somocistas in 1979. 2¼% came from the holdings of those who have since left Nicaragua for Miami; and 2¼% has come from confiscations by the State.

By July of 1984, 45,000 families had been given title to 25% of the arable land, but no limit has been set on the amount of land a farmer may own, as long as it is productively used. Public investment priority has been given to human resources, especially the health and education of the poor and the vulnerable. Illiteracy has dropped from 50% to 12%; 800 new schools have been constructed, along with 485 rural hospitals. Polio has been eradicated and preventative care given priority in national health expenditures.

The response of the campesinos to these policies of redistribution has resulted in rates of economic growth that are higher than those of Nicaragua's neighbors: 10.7% in 1980, 7% in 1981, -4% in 1982 due to floods and drought, 5% in 1983, 1% in 1984. However, the war of attrition being waged

with U.S. support by the counterrevolutionaries ("Contras") is seriously weakening the economy. In 1980 6% of the national budget was spent on defense; in 1984, 40%. Moreover, Nicaragua's external debt has quadrupled in five years, and now a major portion of its foreign exchange is designated for debt repayment.

The major economic complaint of the business and professional class is government control over banking and the import-export business. These people are now forced into the cordoba economy and out of the dollar economy. Because there are quotas on what and how much may be imported in order to save precious foreign exchange, this sector of the population has experienced restrictions on its economic freedom. This has led to the charge, which is patently a non-sequitur, that Nicaragua has become a Marxist-Leninist state. In fact many Third World countries that are clearly in the capitalist sphere of influence attempt similar types of control on currency and imports/exports. The Sandinista leadership includes Marxists, and some who characterize themselves as Christian Marxists, but Nicaragua has not become a Marxist-Leninist state.

The hierarchy of the Roman Catholic Church also sides with this class against the Sandinista revolution and its preferential option for the poor. This is understandable, since a restructuring of society and a new form of popular participation in decision-making is also a challenge to the structures of authority within the church. The popular Roman Catholic Church, however, is solidly behind the revolution, which leads many observers to conclude that in Latin America a new Reformation as profound as that of the 16th century may be in the making. Although popular theologians insist that the church should not bless the revolution but maintain a certain critical distance, some in our group wondered about the danger of the popular church becoming a new form of civil religion, the reverse of the colonial "chaplain" church.

###### (c) Nonalignment

Non-alignment is a trickier issue. The Sandinistas know that they cannot achieve genuine economic independence. Therefore their goal is to diversify their dependency. Under Somoza 50-75% of trade was with the U.S. Now the attempt is 25% with the U.S., 25% with the Eastern bloc, 25% with Western Europe and 25% with Latin America and the Third World.

When the Sandinistas came to power, they rejected Carter's offer of Peace Corps volunteers, perhaps because of the memory of over 100 years of direct or indirect U.S. control over Nicaraguan affairs. Instead, they invited Cuban, Soviet, European and Latin American countries to send teachers, medical personnel and technicians. However, the war with the Contras has led to greater dependency on Cuban and Eastern bloc advisors and weapons. In fact, the Reagan administration is pushing Nicaragua more and more into the embrace of the Russian Bear, perhaps in an effort to create another Cuba and thereby justify its policy of intervention.

##### 3. THE ROLE OF THE UNITED STATES

When the Contadora countries (Mexico, Honduras, Costa Rica, Venezuela) proposed a negotiated settlement of Central American conflicts, the Sandinista government expressed its agreement to all of the terms. Since that time the U.S. has sought a change because the settlement would mean the removal of all foreign troops from Central America—including those of the U.S.—and the beginning of a real opportunity for

non-alignment in these countries. This would weaken U.S. hegemony. Thus the U.S. complains that Nicaragua won't negotiate when in reality it is the U.S. that does not favor any negotiations that would grant genuine sovereignty to the nations of the region.

On December 6, 1984 the General Assembly Council of the Presbyterian Church (U.S.A.) issued an interim statement on U.S. policy in Central America. It is an indictment—similar to dozens of others—of the illegality and immorality of U.S. actions and policies in the region. The Reagan administration is conducting an illegal war by proxy against the expressed will of Congress. In fact, our government appears intent on destroying the Nicaraguan revolution by any means. The most grotesque means are those used by the Contras, who are trained and equipped by the U.S. Theirs is a scorched earth policy of destruction of schools, hospitals, animals, crops and people. It is a veritable reign of terror involving torture, murder and mutilation. Since 1981 they have killed 8,000 people, most of whom were unarmed civilians. Proportionately this is the equivalent of 500,000 Americans, nine times as many Americans as were killed in Vietnam.

A justification for such means is found in the 1980 Santa Fe Document. Although this document is unofficial, some would say that it does describe U.S. policy. "War, not peace is the norm in international relations." This is one of the fundamental premises of the national security state as developed in the U.S. and in Latin America over the past three decades. The Reagan administration has not yet learned a fundamental lesson of Vietnam: that unrestrained and illegitimate violence has a boomerang effect on its perpetrators.

#### 4. WHY IS NICARAGUA A THREAT TO U.S. SECURITY?

Before I went to Nicaragua, I was persuaded that Carter's analysis was correct. At issue in Nicaragua are North/South issues of poverty and repression. Now I am persuaded that East/West issues are also at stake.

"Our revolution is more dangerous to the U.S. than the Cuban revolution," said one Sandinista official. "This revolution can't be tolerated because it has maintained a mixed economy, democracy and non-alignment. The U.S. doesn't care about democracy, but it can't tolerate non-alignment in this hemisphere."

There may be considerable truth to this. We would have to share Latin American markets with others, including the Eastern bloc. More important, the demonstration effect on Nicaragua has already provided hope for the poor in other Central and South American countries. Nicaragua's example is more powerful than any military assistance it could ever give to neighboring insurgents, for it is a direct challenge to U.S. hegemony, which has been the cornerstone of U.S. policy since the Monroe Doctrine.

We may not like it, but Central American Christians can hardly read I Corinthians 1:18-31 without a political application:

"Not many of you were wise . . . not many were powerful . . . but God chose what is foolish in the world to shame the wise; God chose what is weak in the world to shame the strong . . . so that no human being might boast in the presence of God."

Some believe that, given the history of poverty in Central America, revolutions are inevitable, and that these revolutions inevitably pose a threat to the U.S. According to this view, a preferential option for the poor in Central America would eventually lead to a similar preferential option in the U.S. The

Roman Catholic bishops already mentioned this last fall in the first draft of their pastoral letter on the U.S. economy.

#### 5. THE ROLE OF THE CHURCHES IN NORTH AMERICA

Some historians and political scientists believe that U.S. intervention is inevitable and only a matter of time. What might be the consequences? Nicaragua is not Grenada. No lightning surgical strike would be possible, either with troops or by air power. The Sandinistas would return to the mountains and armed struggle would probably spread throughout all Central America. U.S. interests in Mexico and other Latin American countries would be in danger; our European allies might desert us. Certainly the U.S. would divide again as it did in the Vietnam war, because there are many close ties between Christians in both lands.

Perhaps the greatest challenge in the months ahead is to keep the channels of communication open between Christians in the U.S. and in Nicaragua, in the face of current U.S. attempts to restrict relationships. We can be thankful for the influential role which the U.S. churches have already played, for several Nicaraguan officials told us of their firm belief that the voice of U.S. Christians is directly responsible for preventing greater U.S. intervention and an expansion of the war.●

#### A SALUTE TO GARY LEE WINEMILLER, JR.

#### HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1985

● Mr. DYSON. Mr. Speaker, I rise today to salute Gary Winemiller, Jr., who will receive the Boy Scouts of America's highest honor—the Eagle Scout Award—on June 30, 1985.

Gary is 14 years old and "crossed over" into Boy Scouts from Cub Scouts in June of 1982. In 3 years, Gary has earned some 51 skilled awards and merit badges. Few among the thousands in scouting attain the goal that Gary has achieved. Hard work and diligence have brought him to this end.

Gary participates in a rich and diverse range of activities. Gary plays the saxophone in the school band and has played soccer in the Waldorf Soccer League for the last 13 seasons. Other hobbies include racing his hutch bike, collecting council patches, hiking, and camping.

Gary graduated from John Hansen Middle School in June and will begin his high school education in September at Thomas Stone High School in Waldorf.

Gary's parents and sister Nicole, who have been instrumental in supporting Gary along his trail to Eagle, are very excited and happy for him at this truly high point in his life.

I congratulate Gary for all that he has achieved and wish him well in his ongoing pursuit of excellence.●

#### ANDREI SAKHAROV: HIS SILENCE SPEAKS

#### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1985

● Mr. BIAGGI. Mr. Speaker, I would like to take this opportunity to remind my colleagues, as we must always be reminded, of a man and his plight: Andrei Sakharov.

Dr. Sakharov is one of the Soviet Union's greatest nuclear physicists. In addition to developing the Soviet H-bomb he laid the foundation of fusion physics for all the world. For his genius he was given a place in the Soviet Academy of Sciences, the highest honor that can be bestowed on a Soviet scientist.

Dr. Sakharov's activities outside the lab however, resulted in his being placed in internal exile in Gorki, in 1980. He sacrificed his career, freedom, and social status to speak out against Soviet totalitarianism. For his human rights activities he was awarded a Noble Peace Prize, but he was not allowed out of the country to accept it.

In 1979 when the Soviets invaded Afghanistan, Dr. Sakharov's opinions were labeled "subversive" and in January 1980 he was abducted and placed in internal exile.

The Soviet Union has committed a moral and legal crime against humanity by treating a man, whose work would have benefited all peoples, in such a manner. The Soviet Government has refused both Dr. Sakharov and his wife, Yelena Bonner, necessary medical attention and did not allow his daughter-in-law to emigrate to be with her husband. They have kept him in exile beyond the legal limit of 5 years and have tampered with his mail. I would like to add that I recently wrote Dr. Sakharov, as did many of my colleagues, to express our continuing support on his behalf. Unfortunately, based on the Soviet Union's history of mail interception, Dr. Sakharov is unlikely to ever receive our letters. Nevertheless, our efforts to do what is right must not be deterred by the Soviet Union's continued repressive tactics. I am confident Dr. Sakharov knows of our supportive actions and those actions must not cease.

I would like to read an excerpt from a June 25, Washington Post article which exemplifies the typical, horrendous treatment which Mr. Sakharov has been subject to:

... On May 11 (1984) they began force-feeding—first it was done intravenously, then by a tube through his nose, then they held his nose closed and forced the liquid down through his throat when he opened his mouth to breathe.

All this caused excruciating pain . . .

Through all of this the Soviet Union has been unable to silence Andrei Sakharov. His plight has spoken loud and