

**CONTINUING MOST-FAVORED-NATION TARIFF
TREATMENT OF IMPORTS FROM ROMANIA—1977**

**HEARING
BEFORE THE
SUBCOMMITTEE ON INTERNATIONAL TRADE
OF THE
COMMITTEE ON FINANCE
UNITED STATES SENATE
NINETY-FIFTH CONGRESS
FIRST SESSION**

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CONTINUING MOST-FAVORED-NATION TARIFF TREATMENT OF IMPORTS FROM ROMANIA—1977

MONDAY, JUNE 27, 1977

U.S. SENATE,
SUBCOMMITTEE ON INTERNATIONAL TRADE
OF THE COMMITTEE ON FINANCE,
Washington, D.C.

The subcommittee met at 9:30 a.m. in room 3302, Dirksen Senate Office Building, Senator Abraham Ribicoff (chairman of the subcommittee) presiding.

Present: Senators Ribicoff, Byrd, Jr., of Virginia, Curtis, Hansen, and Packwood.

Senator RIBICOFF. The Senate Subcommittee on International Trade today conducts a hearing on the subject of trade with Romania. These hearings will focus both on continuing most-favored-nation tariff treatment for Romania and, more importantly, on extending the President's authority to waive the freedom-of-emigration provisions of the Trade Act of 1974.

[The committee press release announcing this hearing follows:]

FINANCE SUBCOMMITTEE TO HOLD HEARINGS ON CONTINUING MOST-FAVORED-NATION TARIFF TREATMENT OF IMPORTS FROM ROMANIA

The Honorable Abraham Ribicoff (D., Conn.), Chairman of the Subcommittee on International Trade of the Committee on Finance, today announced that the Subcommittee will hold public hearings on continuing most-favored-nation tariff treatment of imports from Romania and on extending the President's authority to waive the application of subsections (a) and (b) of section 402, the freedom of emigration provision, of the Trade Act of 1974 (Public Law 93-618). The hearings will be held at 9:30 A.M., Monday, June 27, 1977, in Room 3302 of the Dirksen Senate Office Building.

Chairman Ribicoff noted that on June 2, 1977, President Carter transmitted to the Congress his recommendation, under section 402 (d) (5) of the Trade Act, that the waiver authority be extended 12 months. This recommendation was based on his determination under section 402 (d) (5) of the Trade Act that the extension of the waiver authority will substantially promote the objective of freedom of emigration in general and, in particular, in the case of the Socialist Republic of Romania.

The Socialist Republic of Romania is the only non-market economy country which has been granted nondiscriminatory, or most-favored-nation, trade treatment under the authority of the Trade Act of 1974, Chairman Ribicoff said. He noted that the granting of most-favored-nation trade treatment was conditional upon compliance with the freedom of emigration provision of that law but that the law permitted the President to waive the emigration condition subject to Congressional review.

The Chairman said that the President's recommendation on June 2, 1977, set in motion a schedule of procedures by which the Congress may terminate, affirmatively vote to extend, or permit by inaction the extension of the authority by which the President may waive the requirement that countries allow freedom

of emigration to be eligible for most-favored-national treatment. Congressional action, if any, must occur before September 1, 1977, he said. After that date, if Congress takes no action, the waiver authority is automatically extended until July 8, 1978.

Requests to testify.—Chairman Ribicoff advised that witnesses desiring to testify during these hearings must make their request to testify to Michael Stern, Staff Director, Committee on Finance, 2227 Dirksen Senate Office Building, Washington, D. C. 20510, not later than Tuesday, June 21, 1977. Witnesses will be notified as soon as possible after this cutoff date as to when they are scheduled to appear. If for some reason the witness is unable to appear at the time scheduled, he may file a written statement for the record of the hearing in lieu of a personal appearance.

Consolidated testimony.—Chairman Ribicoff also stated that the Subcommittee urges all witnesses who have a common position or with the same general interest to consolidate their testimony and designate a single spokesman to present their common viewpoint orally to the Subcommittee. This procedure will enable the Subcommittee to receive a wider expression of views than it might otherwise obtain. Chairman Ribicoff urged very strongly that all witnesses exert a maximum effort, taking into account the limited advance notice, to consolidate and coordinate their statements.

Legislative Reorganization Act.—In this respect, he observed that the Legislative Reorganization Act of 1946, as amended, requires all witnesses appearing before the Committees of Congress "to file in advance written statements of their proposed testimony, and to limit their oral presentations to brief summaries of their argument."

Chairman Ribicoff stated that in light of this statute and in view of the large number of witnesses who desire to appear before the Committee in the limited time available for the hearing, all witnesses who are scheduled to testify must comply with the following rules:

- (1) All witnesses must include with their written statement a summary of the principal points included in the statement.
- (2) The written statements must be typed on letter-size paper (not legal size) and at least 75 copies must be submitted before the beginning of the hearing.
- (3) Witnesses are not to read their written statements to the Subcommittee, but are to confine their five-minute oral presentations to a summary of the points included in the statement.
- (4) Not more than five minutes will be allowed for the oral summary.

Witnesses who fail to comply with these rules will forfeit their privilege to testify.

Written statements.—Witnesses who are not scheduled to make an oral presentation, and others who desire to present their views to the Subcommittee, are urged to prepare a written statement for submission and inclusion in the printed record of the hearings. These written statements should be submitted to Michael Stern, Staff Director, Committee on Finance, Room 2227 Dirksen Senate Office Building not later than Monday, June 27, 1977.

Senator Ribicoff. Romania is the only nonmarket economy country which has been granted nondiscriminatory, or most-favored-nation, trade treatment under the authority of the Trade Act of 1974. The Trade Act establishes certain conditions for the granting of most-favored-nation treatment, most significantly the condition of freedom of emigration.

In extending the President's authority to waive the freedom-of-emigration provisions of the Trade Act last year, Congress expressed concern over the then low levels of emigration.

This year, I have to say I am disappointed with the performance of the Romanians on emigration. While emigration rates to several countries, including the United States, continue at last year's levels, the rate of emigration to Israel has dropped significantly. During the last 5 years, an average of 2,800 people have been able to emigrate to Israel each year. In 1976, the number was 2,000. This year, the emigration rate is down by almost a half from last year.

The significant decline in emigration to Israel is very disturbing. Not only have emigration trends to that country differed sharply from the trends to other countries, but the decline in emigration to Israel represents a serious falling off in the rate of Jewish emigration.

Also, I continue to be concerned by the sharp fluctuations in the monthly levels of emigration as well as the long delays in processing applications and other problems with Romanian emigration procedures.

In my discussions with representatives of the Romanian Government, it became clear that one of the factors limiting emigration rates is the small number of applications being filed.

I have looked into the application procedures, and frankly I can see that a great many people must be discouraged from even trying to emigrate. So I am not surprised at the relatively small numbers of applications filed.

I hope these hearings can focus on some of the problems with the emigration procedures as part of our overall review of Romanian performance on emigration.

With respect to trade between the United States and Romania, it is clear that both the overall volume of trade and the level of imports from Romania have increased steadily and dramatically during the last few years. I hope we will hear testimony today on the role which most favored-nation treatment and other discretionary trade preferences granted Romania have played in helping to bring about the recent increases in trade between our two countries.

Each witness's testimony will be reprinted in the record of these hearings. All statements received by the subcommittee will be turned over to the State Department with instructions that each statement be evaluated and, wherever appropriate, that the State Department raise matters of concern directly with the Romanian Government.

Your entire statement will go in the record as if read.

Mr. Matthew Nimetz, Mr. Alan Reich, and Mr. Richard Rivers.

ADMINISTRATION PANEL

**MATTHEW NIMETZ—COUNSELOR OF THE DEPARTMENT OF STATE
ALAN REICH—ACTING DEPUTY ASSISTANT SECRETARY OF COMMERCE FOR EAST-WEST TRADE**

RICHARD RIVERS—GENERAL COUNSEL, OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Mr. RIVERS. Mr. Chairman, Mr. Nimetz has been delayed. Why don't I lead off? I will summarize my statement. In my testimony, I wish to focus on the economic aspects of trade with Romania which are of special interest to the subcommittee. Mr. Nimetz, in his statement, will address the issue of freedom of emigration.

First, closer economic ties with Romania, as exemplified and supported by our bilateral trade agreement, have helped us improve political relations with Romania, and have allowed her to accept a greater degree of economic interdependence. As you know, Romania is a member of the GATT and an active participant in the multilateral trade negotiations (MTN) in Geneva. We fully expect the MTN to further liberalize trade between our two countries on a mutually advantageous

basis. There is a close connection between our bilateral and multi-lateral efforts to improve our ties. In the absence of a trade agreement our efforts in the MTN would be of little benefit to Romania. On the other hand, significant progress in the MTN will make it even more essential that we extend the agreement, when it must be renewed next year. Romania's participation in these negotiations is significant, in that the resulting agreements can heighten Romania's interest in improving overall relations with the United States and other Western countries.

A second point I wish to make is that our bilateral trade has expanded steadily under the agreement on a mutually beneficial basis. There has been a falloff in the rate of increase of Romanian exports to the United States, despite the fact that U.S. tariffs were lowered in succession to the MFN rate and on a number of products to the duty-free status provided under our generalized system of preferences.

Average U.S. duty rates on imports from Romania declined from 18 percent in 1974 to 5.7 percent in 1976. The falloff in the annual rate of increase in imports from 76 percent in the 4 years prior to the conclusion of the agreement to 26 percent in the 2 years under the agreement is largely explained by the fact that the base on which the increase is calculated is steadily rising. Romanian exports to the United States have increased steadily but pose no undue cause for concern.

In 1973-74 our imports averaged \$90 million. This figure rose to \$135 million in 1975 and reached \$200 million in 1976. Of this amount nearly half consists of petroleum products. Items that rose at above-trend rates between 1974 and 1976 included clothing and sheet glass. Clothing has subsequently become subject to a bilateral textile trade agreement and sheet glass to an upward price adjustment by the Romanians.

In 1976 GSP items totalled \$20 million, 10 percent of total U.S. imports from Romania. Among the products benefiting were PVC resins, wooden furniture, and machine tools.

On our export side, Romania continues to need substantial imports from the United States particularly of high technology goods. Our total exports rose from \$189 million in 1975 to \$249 million in 1976. These figures represent a considerable improvement over the 1970 level of \$66.3 million. The 1974 peak of \$277 million was an aberration from the trend in the 1970's, caused by one-shot grain and aircraft sales.

Currently, the United States continues to maintain its bilateral surplus of about \$50 million which has been registered on the average every year since 1970 except in 1974.

Finally, I would point out that even though our trade with Romania has increased steadily there has been no need to resort to the safeguard provisions of the agreement. In the event a potential market disruption problem arises, however, these provisions will allow us to respond promptly, flexibly, and effectively.

On a number of recent issues the Romanians have demonstrated a cooperative willingness to resolve potential problem areas and to avoid injuring U.S. workers and firms. Two years ago, in the context of an antidumping investigation the International Trade Commission determined that U.S. industry was not likely to be injured by imports of

work welt shoes from Romania since the Romanians had agreed to limit their exports. The Romanians took similar steps in the course of an antidumping investigation of Romanian clear sheet glass in early 1976. In that case the Romanians agreed to curtail exports and to increase their prices.

Most recently, early this year Romania concluded a comprehensive bilateral textile agreement with the United States covering Romanian exports to the United States of wool and manmade fiber apparel. We point to this record as evidence that, should we have to resort to import relief safeguards, there is a reservoir of good will between our two countries which will enable us to resolve this type of problem.

STR believes that the record of United States-Romanian trade over the last few years is an excellent one. Our bilateral trade agreement is a crucial element in building upon our accomplishments. Therefore we urge that the section 402 waiver be extended.

Senator RIBICOFF. I wonder, Senator Curtis, if we could have all the administration panel testify and then we will ask questions of them at that point?

Senator CURTIS. That is agreeable.

Senator RIBICOFF. Mr. Reich.

Mr. REICH. Mr. Chairman, Mr. Nimetz is here now.

Senator RIBICOFF. Mr. Nimetz came in late. He will testify last. You testify now.

STATEMENT OF ALAN REICH, DEPUTY ASSISTANT SECRETARY OF COMMERCE FOR EAST-WEST TRADE

Mr. REICH. The Department of Commerce recognizes that the United States-Romanian Trade Agreement has served the U.S. economy well and should continue to do so in the future. Extension of the waiver authority under section 402 of the Trade Act will allow that agreement to remain in force. We believe the agreement is in our national interest. It will substantially accelerate the development of United States-Romanian relations, and will contribute to the expansion of economic cooperation between our two countries on a firm and enduring basis. Mr. Chairman, I have submitted my prepared statement.

Senator RIBICOFF. All the statement will go in the record as if read.

[The prepared statement of Mr. Reich follows. Oral testimony continues on p. 12.]

STATEMENT OF THE HONORABLE ALAN A. REICH, DEPUTY ASSISTANT OF COMMERCE FOR EAST-WEST TRADE

Introduction

Mr. Chairman, I am pleased to appear before this Subcommittee today in support of the Administration's request to extend the waiver authority for Romania under Section 402 of the Trade Act of 1974. Extension of this waiver will result in the continuation of most-favored-nation tariff treatment for Romania for 12 months, thereby allowing the U.S.-Romanian Trade Agreement to remain in force and promoting the continued improvement of our economic and political relations with that country.

With the granting of MFN to Romania two years ago through the Trade Agreement, Congress took a major step towards normalizing trade between our two countries. Since then our economic and commercial relations have developed steadily. In making his recommendation to Congress to extend the waiver this year, the President noted his conviction that continuation of the Trade

Agreement would serve further to promote mutually beneficial growth in two-way trade between our countries. That growth and development will serve our own national interest and help Romania to develop its relationships with the West and to maintain its independent foreign policies.

While the Subcommittee's major interest today centers on emigration from Romania, I am certain that the Subcommittee members are also interested in the current status of our trade relations as well as the impact which the granting of MFN tariff treatment has had on our two-way trade.

Before moving to those issues I should add that the Department of Commerce fully endorses the views on emigration, being expressed here today by our colleagues from the Department of State.

Status of trade relations

Our two-way trade with Romania reached a record high of \$448 million in 1976 continuing the steady and impressive growth rate that has characterized our trade since 1970 (see Table 1). Of last year's total trade some \$250 million or 56% was U.S. exports. So far this year, total trade is running ahead of last year's pace and if this trend continues we could approach \$690 million in total trade by the end of the year. For the first four months U.S. exports comprised 54% of total trade, well ahead of last year's rate for the same period. In fact, the U.S. has run a favorable trade balance with Romania for over a decade. The expansion of our commercial relations in recent years can be attributed, in part, to the efforts of both our governments to create a viable framework and favorable atmosphere for the development of trade and economic cooperation.

The United States has taken a number of steps designed to expand U.S. exports to Romania. Since November, 1971, Romania has been eligible for trade financing programs of the Export-Import Bank of the United States (except for a short period of suspended activity from January, 1975 to August, 1975). As of March 31, 1977, outstanding Eximbank direct loans to Romania totaled \$44.9 million. Unutilized commitments for direct loans from Eximbank total approximately \$28 million. These direct loans, drawn and undrawn, comprise the Eximbank portion of financing for \$158.4 million worth of U.S. exports to Romania. Eximbank has also supported through guarantees or insurance an additional \$35 million of U.S. commercial bank loans to Romania. Eximbank programs thus help U.S. firms in competition with firms from other Western countries seeking markets in Romania.

Similarly, the Commodity Credit Cooperation (CCC) plays an important role in the export of U.S. agricultural commodities to Romania. Since 1970, Romania has used CCC credit programs to purchase a total of \$160 million worth of U.S. agricultural products. The amount for 1976 alone was \$35.7 million. In 1976, CCC financed \$1 million worth of credit sales of soybean meal to Romania against a line of credit established prior to October 1, 1976.

If the waiver were not extended for Romania, the U.S. Government would lose its authority to provide Eximbank programs and CCC credits to Romania. It would also result in the loss of MFN tariff status for imports from that country.

In addition to being granted MFN tariff status in August 1975, Romania was made a beneficiary of the U.S. Generalized System of Preferences (GSP) in January 1976 in recognition of its status as a developing country (Article I of the Trade Agreement) and in conformity with Title V of the Trade Act. Under GSP, Romania enjoys preferential tariff treatment on certain exports to the U.S. (An analysis of the effects of MFN and GSP on U.S.-Romanian trade follows later.)

Romania has made continuing efforts to integrate its economy into the world economic system and to make its foreign trade system responsive to dealing with Western firms. Romania is currently a member of the General Agreement on Tariffs and Trade (GATT), the International Monetary Fund (IMF), and the World Bank (IBRD). Participation in these and other international economic organizations has helped to facilitate Romania's efforts to direct its trade away from the Comecon countries. In 1976 approximately 2/3 of Romania's trade was with non-Comecon nations. Romania has also passed progressive legislation which allows foreign equity ownership in joint companies with Romanian partners and which permits U.S. and other Western firms to open representational offices in Romania.

Working together our two governments have taken important measures to facilitate trade and expand our economic relations. The American-Romanian

Joint Economic Commission has met annually to conduct a review of our bilateral economic and commercial relations and to discuss and resolve trade problems. Since its founding in 1973, the Commission's work has been supported by numerous experts meetings, working groups, and working level visits by trade officials of both countries. The Commission is next scheduled to meet this fall in Washington. The Secretary of Commerce co-chairs the Commission and will head the U.S. delegation to this session.

Since the visit of President Nixon to Romania in 1969, our two countries have maintained a continuing dialogue on a broad range of political, economic, scientific and cultural issues. This has been especially true regarding economic and commercial matters through the frequent visits to both countries by high-level government officials and working level commercial delegations, as well as by U.S. Congressional leaders concerned with trade issues. Among the more important visits during the past two years were:

A Congressional delegation to Romania led by Speaker of the House Albert W. Claitor in August 1975;

Deputy Prime Minister and Minister of Agriculture Miculescu to Washington in September 1975;

Deputy Prime Minister and Minister of Foreign Trade and International Economic Cooperation Patan to Washington for the Second Session of the Economic Commission in November 1975;

Secretary of Agriculture Butz to Romania in November 1975;

Minister of Transportation and Telecommunications Dudas to Washington in June 1976;

Secretary of the Treasury Simon to Bucharest in June 1976;

Secretary of Commerce Richardson to Romania in November 1976 for the Third Session of the Economic Commission; and

Romanian Presidential Counselor Pungan to Washington in February 1977.

The most important visit in recent years was that of President Ford to Romania in August 1975. During that visit he and President Ceausescu strongly reaffirmed their commitment to improving U.S.-Romanian economic and commercial relations and they signed the documents bringing the U.S.-Romanian Trade Agreement into force.

During the past two years, our governments have negotiated and signed a number of bilateral agreements which continue to broaden the foundation for the development of our trade relations. We signed two agricultural protocols in September 1975 providing for facilitation of the development of agriculture in both countries and the exchange of agricultural information. Recently, the joint agricultural working group provided for in these protocols met for the first time in Bucharest. In June 1976, we signed a Maritime Agreement by which we accord each other's ships and cargoes MFN treatment within our respective ports and waters, subject to port security regulations, and permit maritime enterprises to maintain operations representatives in each other's territory.

In January 1976, the U.S.-Romanian Income Tax Treaty entered into force. This Treaty facilitates the expansion of bilateral trade and investment through provisions designed to avoid double taxation. In November 1976, we signed a Fisheries Agreement which sets out an arrangement between our two countries governing fishing by Romanian vessels within the fishery conservation zone of the United States. In December 1976, we signed an Airworthiness Agreement which insures that Romanian-made glider exports to the United States meet U.S. aviation safety standards.

Most importantly, in November 1976, our two governments signed the U.S.-Romanian Long-Term Agreement on Economic, Industrial and Technical Cooperation to promote cooperation activities between our firms, enterprises and economic organizations. The Agreement sets forth general guidelines for long-term arrangements between firms, enterprises and economic organizations of the two countries, protects investors against expropriation or impairment of their contractual rights by government action, and contains measures for improving business facilities and the provision of commercial information. An annex to the Agreement is designated to facilitate the establishment of U.S.-Romanian joint ventures and other forms of business cooperation. This Agreement supplements, but does not otherwise modify, the U.S.-Romanian Trade Agreement.

On the private sector side we are very pleased with the work of the Romanian-U.S. Economic Council in facilitating increased contact between U.S. firms and Romanian enterprises and economic organizations and in helping to develop

further our trade relations. The Council will next meet in New York City on July 11-12 and we have been working with the Council in support of that meeting. We look forward to the Council's important and continuing efforts to expand commerce between our two countries.

To date eleven U.S. companies have established commercial representation offices in Romania to facilitate sales of U.S. goods and services and cooperation activities. A twelfth firm has recently applied to open an office in Bucharest and expects to do so soon. Still other U.S. firms are engaged in trade and cooperation activities in which they are establishing a commercial presence of one form or another in Romania. Many firms are negotiating sales, cooperation or joint venture agreements from which we expect substantially more U.S.-Romanian trade to develop. Among the major commercial arrangements concluded during the past two years are:

A \$23 million sale by Wean United of two steel mill stands for Romania.

A \$23 million sale by Lipe-Rollway of equipment for a Romanian roller bearing factory.

A long-term contract between Romania and the Island Creek Coal Company for the sale of up to 27.3 million tons of high-grade metallurgical coal valued at nearly \$2 billion. Romania is making an advance payment of \$53 million on the contract to assist in the development of the coal mine. Romania has increased its U.S. metallurgical coal imports in recent years, and this transaction represents a further effort to reduce its dependence upon the Soviet Union for this important raw material.

Romanian earthquake

On the evening of March 4, 1977, Romania was struck by a serious earthquake. Some 1,600 people lost their lives in this tragedy and more than 11,000 people in Bucharest and other cities were injured. Material losses and damage were extensive including the destruction of housing complexes, hospitals, schools, and cultural centers. The homes of 35,000 families were destroyed and over 33,000 other dwellings were seriously damaged. The Romanian Government estimates total damage resulting from the quake at approximately \$1 billion.

The U.S. Government's response to this disaster was quick and generous. Within days the USG offered a \$25,000 cash grant to Romania and delivered seven tons of medical supplies valued at \$85,000. Soon thereafter, we provided 300 tons of dried milk valued at \$471,000 and sent a team of U.S. engineers and geological experts (costing \$45,000) to Bucharest to work with Romanian specialists on assessing the condition of dams, buildings and seismographic monitoring equipment. By early May this assistance totaled \$626,000.

In April, following the introduction of a resolution by Senators Kennedy and Javits, the Congress authorized and President Carter approved a disaster relief program of \$20 million in reconstruction and rehabilitation assistance to Romania. The Agency for International Development (AID), which is administering the program, has been working closely with the Romanians and has begun the procurement process.

In authorizing the grant of \$20 million for disaster relief assistance, Congress indicated that this money should be spent for humanitarian purposes to assist the victims of the earthquake. Working with the Government of Romania, AID has identified assistance under the \$20 million program in the following areas: repair and reconstruction of severely damaged building structures, including housing blocs and hospital and medical facilities; replacement housing; replacement of medical and school equipment; technical assistance in construction design and repair methods; and technical assistance in seismology.

Besides U.S. Government assistance 63 other governments and a large number of international organizations, voluntary agencies, firms, and private citizens have offered aid to Romania. Total assistance is likely to reach \$60 million when assistance programs such as the U.S. effort are fully implemented. After the United States, the Soviet Union is the next largest donor with a contribution of supplies and construction equipment valued at approximately \$13 million. The German Democratic Republic's grant of \$4.5 million in medical supplies and food ranks next.

The earthquake has had a devastating impact on Romania and the full effect of it on the Romanian economy is still difficult to assess. Despite the disaster assistance efforts of many countries, the burden of restoring the country's economy will fall on the shoulders of Romania's people. An important element in this

recovery effort is Romania's ability to expand further its trade with the United States. The continuation of MFN, in turn, makes that continuing expansion possible.

Effect of MFN and GSP on U.S.-Romanian trade

With the granting of MFN and GSP, Romania went from discriminatory tariff treatment at the beginning of 1975 to nondiscriminatory tariff treatment in August of 1975, and then, with respect to a limited number of commodities, to preferential tariff status commencing in January 1979. An examination of the "before" and "after" trade figures indicates that (1) both imports and exports have followed quite smooth upward growth paths throughout the 1970s, apart from above-trend deviations in both series in 1974, and (2) the positive U.S. trade balance has continually maintained itself in the neighborhood of roughly \$50 million during the 1970's (see Table 1 and accompanying graph). Both of these trends appear to be continuing in 1977 (see Table 2).

The maintenance of an expansionary trend in U.S. trade with Romania during the past year contrasts strongly with the experience of our two leading Western competitors in the Romanian trade, West Germany and Italy. While U.S. exports to Romania rose from \$190 million to \$250 million between 1975 and 1976, West German exports to Romania dropped from \$660 million to \$520 million and Italian exports dropped from \$215 million to \$190 million. The rise in U.S. imports from Romania from \$130 million in 1975 to \$200 million in 1976 will very likely encourage a continued rise in Romanian orders for U.S. products. In the first four months of 1977, U.S. exports to Romania were \$36 million higher than in the corresponding period in 1976, while imports were \$14 million higher.

When we compare trade in 1974 (the last year under discriminatory tariffs) with trade in 1976 (the first year under preferential tariffs), we find that U.S. imports from Romania during this transition period increased at a significantly lower average annual rate (26 percent) than the average annual rate of rise between 1970 and 1974 (78 percent). The stronger rise in imports from 1975 to 1976 represented a return to the earlier rate.

Statistics on import trends are affected by the fact that petroleum product imports from Romania constitute a large portion of the total imports, but received no benefit from the granting either of MFN or of GSP. If petroleum products are subtracted from total imports, the 1974-76 average annual rate of increase (65 percent) slightly exceeded the 48 percent average annual increase between 1970 and 1974 (See Table 3). The effect of MFN and GSP would thus again appear to be essentially the maintenance of previous trends.

Imports of GSP-list items alone amounted to \$9 million in 1975 and \$20 million in 1976. They constituted just under 7 percent of total imports in 1975 and 10 percent of the total in 1976. The largest items in this category were PVC resins, wooden furniture, and machine tools.

In sum, except for 1974, a year in which Romania purchased high-value U.S. aircraft, equipment for a large tire manufacturing plant, and an unusual amount of grain, both total imports and total exports exhibit smoothly rising trend lines during the 1970s, with a continuing positive U.S. surplus in the neighborhood of \$50 million per year.

Safeguards affecting imports from Romania

The safeguard provisions in the Trade Agreement are intended to provide the greatest possible flexibility in dealing with problems caused by disruptive imports. Such flexibility includes the right to call for consultations with the Government of Romania and its economic organizations, to restrain imports from Romania unilaterally, or to act under the provisions of the Trade Act. I am pleased to report that it has not been necessary to use these special provisions, and that U.S. safeguards applicable to all imports have been quite adequate.

Over the past two years a number of issues have arisen involving imports from Romania. An anti-dumping action was instituted in 1975 regarding the importation of work welt shoes from Romania. The International Trade Commission (ITC) determined that U.S. industry was not being injured nor likely to be injured by these imports since Romania agreed to limit its export of work welt shoes to the U.S. Romania has adhered to this commitment.

In 1976, the ITC recommended to the President a five-year system of tariff rate quotas on imports of certain non-rubber footwear from a number of shoe exporting countries, including Romania. The President, however, decided not to call for quotas but to grant trade adjustment assistance to affected domestic

firms and to seek orderly marketing arrangements with major exporters. In view of Romania's very modest share of the U.S. market, it is unlikely that Romania will be affected. However, if Romanian shoe imports were to increase rapidly, we would expect to consult with the Romanians.

In January 1977, the Treasury Department determined that Romanian clear sheet glass was being sold in the U.S. at less than fair value. Hearings were held in March by the ITC and it was subsequently determined that there had not been, nor was there likely to be, injury to domestic manufacturers of clear sheet glass by imports from Romania. A factor in this determination was the assurance (through consultation) that Romania would limit its glass exports to the U.S. to a level not exceeding two-thirds of the quantity of 1976 shipments.

During the past year the U.S. acting under the GATT multifiber arrangement, has been consulting with Romanian authorities regarding the increasing number of Romanian wool and man-made fiber suit exports to the United States. After long negotiations a four-year, bilateral agreement restraining Romanian exports to the United States of wool and man-made fiber textiles and apparel was signed with an effective date of January 1, 1977. Romanian cotton textiles and apparel exports to the U.S. remain subject to the levels of the pre-existing cotton textile and apparel agreement which we intend to renew later this year before its scheduled expiration.

Business facilitation

The Trade Agreement contains an important section which addresses business facilitation. Through this section, important benefits are offered to U.S. business, such as:

Assurance that U.S. firms establishing offices and securing housing accommodations for their personnel in Romania will receive equal treatment to that accorded firms of any other foreign country;

The right of U.S. firms to deal directly with buyers of their products for purposes of sales promotion and servicing; and

The right of U.S. firms to have access to information concerning markets for their goods and services in Romania.

The presence of these and other business facilitation provisions in the Trade Agreement has been useful to the U.S. Government these past two years in promoting the interests of U.S. firms in Romania and in providing an incentive to U.S. firms expressing an interest in doing business there. We have expanded upon these provisions by negotiating similar business facilitation language into the Long-Term Agreement on Economic, Industrial and Technical Cooperation which, in turn, will aid U.S. firms interested in entering into cooperation activities with Romanian firms, companies or economic organizations.

Conclusion

The U.S.-Romanian Trade Agreement has served U.S. economic interests well and should continue to do so in the future. Extension of the waiver authority under Section 402 of the Trade Act, which will allow that Agreement to remain in force, is in our national interest. Its extension will accelerate the development of U.S.-Romanian economic and commercial relations and support the expansion of economic cooperation between our two countries on a firm and enduring basis.

TABLE 1.—UNITED STATES-ROMANIAN TRADE

	[In millions of dollars]						
	1970	1971	1972	1973	1974	1975	1976
U.S. exports.....	66.3	52.4	69.1	116.5	277.1	189.3	249.0
U.S. imports.....	13.4	13.8	31.5	55.7	130.5	132.9	198.8
2-way trade.....	79.7	66.2	100.6	172.2	407.6	322.3	447.8
U.S. surplus.....	52.9	38.6	37.6	60.8	146.6	56.4	50.2

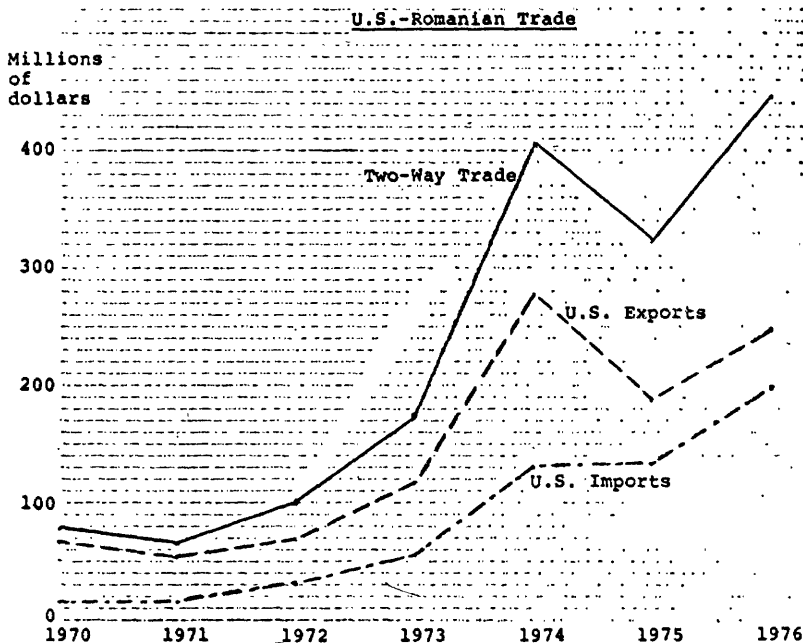


TABLE 2.—UNITED STATES-ROMANIAN TRADE, 1st 4 MOS OF 1976 AND 1977

[In millions of dollars]

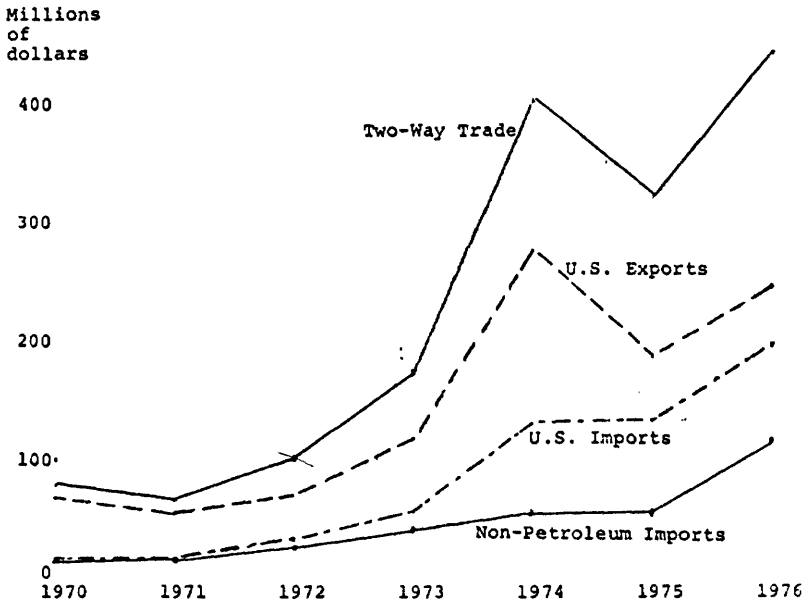
	1st 4 mo of 1976	1st 4 mo of 1977
U.S. exports.....	57.3	93.3
U.S. imports.....	66.4	80.8
2-way trade.....	123.7	174.1
U.S. surplus.....	-9.1	+12.5

TABLE 3.—U.S. IMPORTS FROM ROMANIA: PETROLEUM PRODUCTS¹ AND OTHER IMPORTS

[In millions of dollars]

	1970	1971	1972	1973	1974	1975	1976
Total imports.....	13.4	13.8	31.5	55.7	130.5	132.9	198.8
Petroleum product imports.....	5.5	2.9	8.8	15.8	80.2	82.4	81.9
Nonpetroleum product imports.....	7.9	10.9	22.7	39.9	50.3	50.5	116.9

¹ Predominantly fuel oil.

U.S.-Romanian Trade

Senator RIBICOFF. Mr. Nimetz.

**STATEMENT OF HON. MATTHEW NIMETZ, COUNSELOR OF THE
DEPARTMENT OF STATE**

Mr. NIMETZ. Thank you very much, Mr. Chairman. I have a formal statement for the record. Let me summarize a few key points. I would like to discuss with you the foreign policy framework in which our relations with Romania are set and thereby suggest the reasons why we believe that waiver of section 402 of the Trade Act is warranted.

The dominant theme of Romania's foreign policy continues to be a desire to maintain a high degree of independence in both its political and economic relations with other countries.

Because of the determination with which it seeks to maximize its independence, Romania has gone well beyond its fellow members in the Warsaw Pact and in Comecon—the Communist economic group—in expanding its ties with the West and with the world's developing countries. Romania was the only Comecon country to join the International Monetary Fund and the World Bank. It leads the other Comecon countries in the proportion of trade that it conducts with the West. It is also a participant in the General Agreement on Tariffs and Trade (GATT).

Romania did not break relations with Israel after the Arab-Israeli hostilities. It did not embargo fuel oil to the West. As you know, Romania is the only country to negotiate a trade agreement with the United States and has received MFN under the terms of section 402.

We believe that it is in the interest of the United States to encourage this independence by continuing to give Romania access to Government credits.

I would like to discuss briefly the question of human rights and emigration in Romania. We have maintained a useful dialogue with the Romanian leadership on issues that concern us. They are aware of Congress' and the administration's support for human rights both in the United States and abroad. We have found a willingness on the Romanian side to resolve in a humanitarian way issues on which we have expressed our concern. As the committee is aware there is a concern on the part of Members of Congress and the Hungarian-American community with the Romanian Government's treatment of minorities. This concern is focused on allegations of discrimination in education, culture, the economy, and the use of the Hungarian language. We have discussed this question on several occasions with the Romanian authorities.

Recently the Romanian and Hungarian Governments have publicly recognized the existence of the minority question in their receptive countries. We are pleased that the two governments have recognized that this question is one that concerns us greatly.

Mr. RIBICOFF. Let me ask you, Mr. Nimetz. Each year when this comes up there is always a rationalizing of the attitudes and practices of Romania. There are always assurances that they will do better next time, but they don't. What are we going to do about that? Are we going to continuously give them MFN even though they don't live up to their understanding with us respecting the barriers they put up against emigration?

Mr. NIMETZ. Mr. Chairman, we believe the Romanian performance is marginally better this year than last year and each prior year successively. Certainly when compared with the situation before MFN there have been improvements. We are not fully satisfied with the results. The President in his message to Congress has said he will scrutinize this matter carefully.

While we are not satisfied with the results we think we get better results with MFN than we do without it. As we look at statistics, emigration to the United States is marginally better these last 5 months than they were for a similar period last year and probably the total number this year will be ahead of last year. Last year was ahead of the prior year for U.S. emigration. When you look at emigration to West Germany there was a positive, singularly positive, improvement this year over last year.

In respect to the problem of Jewish emigration, there has been a decrease and this is quite troublesome to us. We have discussed with the Romanian authorities the significant decrease in the first 5 months of 1977 compared to the equivalent period last year.

Although the Romanian Government has given us some explanation of this, we are not totally satisfied.

Senator RIBICOFF. They give an explanation that does not satisfy you, what do you do about it?

Mr. NIMETZ. This is a matter on which we talk to them, we present lists, we go back to them frequently. It is a long and troublesome process. Over time we think we are making headway. They are much

more receptive to discuss this with our diplomats there and much more receptive here at their embassy. They are moving faster because of their sensitivity to congressional interest in particular cases.

We think that we have made some improvement. Certainly MFN has given us access to them. I am not saying it is an easy place to emigrate from. The procedures are long, it takes quite a while. The people who wish to emigrate are subject to discussions and procedures that discourage many of them. It is not the way you pick up and leave the United States and go elsewhere.

Senator RIBICOFF. Do you ever discuss with them methods and procedures that would make it easier for people to file applications to emigrate?

Mr. NIMETZ. They regard the question of procedures, of course, as an internal affair. We have encouraged them to streamline the procedures. As you know, Mr. Chairman, if one wants to leave Romania there is a whole set of regulations which takes months to go through. There are many forms to fill out. It is very bureaucratic.

This is something that we certainly encourage them to streamline.

Senator RIBICOFF. Senator CURTIS.

Senator CURTIS. I would like to ask you, Romania is the only non-market country where the waiver has been given?

Mr. NIMETZ. That is right, sir.

Senator CURTIS. They also receive generalized system preference, do they not?

Mr. NIMETZ. That is correct.

Senator CURTIS. At what point does a country such as Romania become disqualified for a generalized system of preferences?

Mr. NIMETZ. They still consider themselves and we consider them in the ranks of a lesser developed country. Maybe Mr. Reich could comment particularly on that question but I believe their per capita income still puts them in the ranks of a developing country.

Senator CURTIS. On the question of human rights that you mentioned, are you as an official of the State Department aware that there are many individuals living in these nonmarket countries who long very much for the opportunity to visit this country? They have relatives here. Some of them would like to emigrate and stay here. But they would like the right to visit. Sometimes they are denied that right. Sometimes they are harassed by long delays.

Sometimes they have a tax put on it. Sometimes restrictions are made on their using their own money. Sometimes if you are entitled to an old age pension you lose that. Do you believe that we should give most-favored-nation treatment, credits and loans and guarantees and other trade benefits to any country that does not permit its citizens to visit close relatives in the United States?

Mr. NIMETZ. Obviously we are very concerned about this and not only on a general bilateral basis but under the Helsinki Final Act where there is an obligation on all signatories to encourage visits of this type. So, it is a matter of real concern to us about which we talk to all these countries. I do not believe it would be worthwhile to tie MFN to still another matter. We have tied it to emigration. The only country with which we have been able to work out something under section 402 is Romania. We think we have had a marginal improve-

ment in emigration because of section 402 but I don't know what the consequences would be if we tried to link another matter to MFN. We certainly would not get any other countries to accept it as none other than Romania even accept section 402 as it presently exists.

So, we would not make any headway there. The only question would be whether we lose Romania.

Senator CURTIS. I would like to have you submit your answers to these questions for the record because the chairman is interested in moving along. I have a bill, S. 1713, which would deny all nonmarket countries special trade credits and guarantees and so on unless they permit these individuals to visit their close relatives, and emigrate too. I would like to have you submit your position in writing for our record on this.

Mr. NIMETZ. Senator, we will furnish a statement for the record.

[The statement to be furnished appears on p. 165.]

Senator RIBICOFF. Senator Packwood.

Senator PACKWOOD. Mr. Chairman, I have no questions. I am just reading Mr. Nimetz' statement now. It is almost a replay of the statement we get year after year no matter what administrations are in power, there are a hundred rationalizations why we have to temper our support of human liberties. It is good for business, or helping us to move the rest of the Eastern bloc.

I have no questions.

Senator RIBICOFF. The problem with those people of the Government of Romania is that you don't hear anything from year to year until we set these hearings down. Then you are visited by representatives of the Romanian Embassy. They are doing their job and they are sincere and they give you assurances that everything is going to be better. You hear the same story year in and year out and nothing happens. What I don't understand is why from year to year in between times the representatives of our Embassy in Bucharest don't get together with those representing the Foreign Ministry of Romania to discuss these issues. They come here and despite the skepticism expressed by Senator Curtis and Senator Packwood and myself, state that the people mean well.

I think there is an obligation not to wait 2 weeks before we start our hearings before there is concern about these problems. They have been going long enough, you ought to be able to straighten some of these matters out in the interim.

Mr. NIMETZ. Our Embassy in Bucharest is in touch on a very regular basis on these issue. As you know, Romania is only on a 1-year waiver provision which require our judgment that we are moving toward the objective.

About a thousand people did come to the United States and were reunited with their families. The list we are presenting and working on with the Romanians now is a different list from that on which we were working last year. There are people in the United States now who were in Romania last year. From this provision, we also have some leverage which allows us to talk about other problems, such as human rights problems in Romania. We do have some successes. These are successes with a family here, a family there. If you are speaking a total change in the Romanian way of doing business, that is not in the cards in my view on the basis of a year-to-year provision like this.

Senator RIBICOFF. I thank the gentleman.
 [The prepared statement of Mr. Nimetz follows:]

STATEMENT OF THE HONORABLE MATTHEW NIMETZ, COUNSELOR OF THE DEPARTMENT OF STATE

Mr. Chairman, I am pleased to have this opportunity to testify on behalf of continued extension of most-favored-nation treatment for Romania.

I would like to discuss with you the foreign policy framework in which our relations with Romania are set and thereby suggest the reasons why we believe that waiver of Section 402 of the Trade Act is warranted.

The dominant theme of Romania's foreign policy continues to be a desire to maintain a high degree of independence in both its political and economic relations with other countries. President Carter took note of this theme in making his determination that continuation of the waiver is justified. In his recommendation to the Congress, the President said, "I believe that a further extension of U.S.-Romanian economic relations can help to promote a continuation of such independent policies and that the Trade Agreement, non-discriminatory tariff treatment and authority to extend Commodity Credit Corporation and Export-Import Bank credit are essential to maintain and expand our present over-all bilateral relationship with Romania."

Because of the determination with which it seeks to maximize its independence, Romania has gone well beyond its fellow members in the Warsaw Pact and in COMECON—the Communist economic group—in expanding its ties with the West and with the world's developing countries. Romania was the only COMECON country to join the International Monetary Fund and the World Bank. It leads the other COMECON countries in the proportion of trade that it conducts with the West. It is also a participant in the General Agreement on Tariffs and Trade (GATT).

Romania is also continuing its efforts to structure its relations with its Eastern European neighbors along lines that tend to increase its freedom of action on the world stage. For example, Romania continues to restrict its participation in Warsaw Pact military exercises and has no Soviet troops stationed within its borders. In addition, Romania continues to champion the right of each Eastern European country to set its own goals and priorities according to its own interests.

Romania's independence is also reflected in its continued ability to maintain good relations with countries that have widely differing social and economic systems—with the United States, the People's Republic of China, Israel, and the Arab countries. Unlike other Warsaw Pact countries, Romania did not break diplomatic relations with Israel upon the outbreak of Arab-Israeli hostilities and maintains constructive relations with the Israelis. Romanian petroleum products, such as fuel oil, continued to flow to the United States during the oil embargo.

As you know, Romania was the only country to negotiate a trade agreement with the United States and to receive MFN under the terms of Section 402 of the Trade Act. In this respect as well, Romania has demonstrated a readiness to strike out on its own path.

We believe it is in the interest of the United States to encourage this independence by continuing to grant Romania MFN and access to U.S. Government credits. We also believe that good relations with Romania contribute to our policy of reducing East-West tensions. Accordingly, the U.S.-Romanian Trade Agreement and MFN play an important role in our foreign policy. Conversely, abrogation of the Trade Agreement and withdrawal of MFN would set back our bilateral relations with Romania and might discourage other Eastern European countries from pursuing closer ties with the United States.

I would like to review for you briefly some of the developments in U.S.-Romanian relations that have taken place since the Senate Finance Committee last reviewed the question of extending MFN to Romania, in September 1975. On November 21, 1976 U.S. Secretary of Commerce, Elliot L. Richardson, and Romanian Deputy Prime Minister, Ion Patan, Co-Chairmen of the United States-Romanian Joint Economic Commission, signed a ten-year agreement on economic, industrial and technical cooperation. The agreement was signed at the Third Session of the Commission in Bucharest. It reaffirms the support of both countries for the expansion of economic relations. This agreement is intended

to supplement, and not to replace, the U.S.-Romanian Trade agreement, concluded with Congressional approval in August, 1975. It sets forth general guidelines for long-term arrangements between firms and enterprises of the two countries. It protects investors against expropriation or impairment of their contractual rights by government action, and contains measures for improving business facilities and the provision of commercial information. We expect this agreement to contribute to the steady growth of trade between the United States and Romania.

At the same time, we have continued the wide range of programs in the academic, scientific, commercial and cultural fields, some officially sponsored and some private, which have served to expand our relations with Romania and to broaden the range of contacts between the governments and the citizens of our two countries.

We have also maintained a useful dialogue with the Romanian leadership on issues that concern us. We have, for example, made very clear to the Romanian authorities that this Administration and this Congress remain deeply committed to the support of human rights, both in the United States and abroad. As in the past, we have found that our relations with Romania are sufficiently mature to enable us to discuss usefully even issues on which we do not share the same perspective. We also continue to find a willingness on the Romanian side to resolve in a humanitarian way issues about which we have expressed our concern. Only in the framework of a firm relationship, of which MFN forms a part, can such discussions take place, often with favorable results.

We have also held frequent discussions with Romania on the implications of the Helsinki Final Act and the follow-up meetings which have recently begun in Belgrade. While here again our perspectives are not always the same, the exchanges have been useful, and I might point out that the Romanian leadership has affirmed its commitment in this context to help the reunification of divided families.

As this committee is aware, there is concern on the part of members of Congress and the Hungarian-American community with the Romanian Government's treatment of its ethnic minority. This concern has focused on allegations of discrimination in education, culture, the economy, and the use of the Hungarian language. We have discussed this question on several occasions with Romanian authorities. Like all governments, however, including our own, the Romanian Government has preferred to deal with the problems of minorities as an exclusively domestic question. Recently, however, the Romanian and Hungarian Governments have publicly recognized the existence of a minority question in their respective countries. In a joint communique issued on June 17, President Ceausescu of Romania and General Secretary Kadar of Hungary declared that the existence of ethnic minorities in Romania and Hungary "is a major factor in the development of friendly relations between the two countries." The two sides agreed to approach this problem in accordance with the international norms adopted by the United Nations for the protection of the rights of ethnic minorities. We are encouraged that the two governments primarily concerned have openly discussed the problem, and we hope that this statement will lead to positive steps by both governments to improve the conditions of their minorities. We believe that such a cooperative approach on the part of the Romanian and Hungarian governments offers the best prospect for progress. At the same time we recognize our obligation to lend whatever positive encouragement we can.

I would like now to touch on a few significant aspects of U.S.-Romanian trade, which may be of interest to the Committee.

In 1976 U.S. trade with Romania reached an all-time high of \$448 million, which represents an increase of about 40% over the 1975 two-way figure. There was a trade surplus in our favor of over \$50 million. This trend of increasing bilateral trade has continued into 1977, as has the U.S. positive trade balance, and at the present rate we could expect U.S.-Romanian trade to approach \$600 million for 1977. I think it is quite clear that this growth has occurred in large measure as a result of our having accorded Romania MFN and of the positive climate for American firms which this action has produced in Romania. The Romanian Government has stressed its interest in developing and expanding our trade relations even further. We believe that an expansion of our commercial relations can play a significant role in encouraging Romania's economic and political independence.

The recently concluded arrangement between Romania and the Island Creed Coal Company of West Virginia is a good example of Romanian interest and

ability to enhance its independence of action in the commercial field. Under the terms of this long-term contract, Romania will purchase a minimum of 14 million tons of coal—with an option to buy considerably more over the next 30-40 years—for an advance payment of \$53 million and subsequent payments which could reach as much as \$2 billion. These purchases will permit Romania to lessen its dependence for this vital raw material on the Soviet Union and other suppliers.

I would like to note that extension of the Section 402 waiver for Romania will also permit the United States to continue both the CCC and Export-Import Bank credit programs in Romania, which have supported our agricultural commodity and machinery exports.

I have dealt only in rough outline with the important subject of our trade relations with Romania, but the statement which Mr. Reich of the Commerce Department has submitted to you provides a more detailed description. I think that Mr. Reich and Mr. Rivers would also be pleased to answer any questions you have on trade or commercial matters following my presentation.

Mr. Chairman, you and other members of your Subcommittee are aware of the efforts of the State Department, and those of Ambassador Barnes and our Embassy in Bucharest, to help resolve the many hundreds of emigration and humanitarian cases that have come to our attention. Because of the general waiver authority granted to the President under Section 402 of the Trade Act, and its application to Romania, it has been possible to pursue our interests in easing emigration restrictions in the context of good U.S.-Romanian relations. Consequently, I am pleased to say that a good proportion of these cases have been favorably resolved.

We continue to believe that the understanding that we reached with the Romanian Government on this matter satisfied the provisions of the Trade Act. We believe that the Romanian performance on emigration during the past year has contributed to the achievement of the objectives of the Act.

As President Carter stated in his request for extension of his waiver authority, we intend to monitor closely Romanian compliance with the objectives of Section 402. Should performance not accord with the intent of this provision, we would recommend reconsideration of his recommendation. In addition, we will bring to the attention of the Romanian Government any actions or emigration trends which do not seem to conform to the assurances which they have provided in the past to treat emigration requests in a humanitarian manner. We will continue to keep the Congress informed of the results of this monitoring process.

I should point out that Romania does not encourage emigration by its citizens. We still hear complaints, perhaps as the result of arbitrary decisions by local authorities. The bureaucratic procedures remain burdensome and time-consuming and could well be streamlined and speeded up. Further, approval of each request to emigrate is not assured, particularly for persons without relatives in other countries.

The Romanian Government has demonstrated, however, an understanding of the importance we place on emigration and a willingness to discuss our concerns whenever we raise them. In addition, Romania accepts a commitment to help carry out the reunification of divided families, as provided in the Helsinki Final Act.

Mr. Chairman, we have provided for you and your Subcommittee statistics which enable us to assess Romania's emigration performance. If we look at the totals for the first five months of this year and last year, we can see that the rate of emigration to the United States is now running slightly above last year's rate. That is, in the period January 1-May 31, 1977, 496 persons emigrated from Romania to the United States, as compared to 465 during the same period last year. In addition to being slightly above last year's rate, this emigration level is considerably above emigration rates in the pre-MFN years.

In addition to monitoring emigration from Romania to the United States, we have also followed closely the progress of Romanian emigration to Israel. Here the results are not nearly as encouraging. The five-month total for 1977 is only 458 persons, compared to 853 in 1976.

The problem of assessing Romanian emigration performance with regard to Israel is complicated by uncertainty regarding the number of Romanian Jews who actually wish to depart. As you know, Romania has in the post-war period followed a liberal policy toward Jewish emigration. Well over 300,000 Jews have been permitted to emigrate to Israel. Many of those who remain are quite elderly, and may not wish to emigrate. While we believe that there are Jews in Romania who wish to emigrate but feel prevented from doing so, we have no accurate way

of determining how many wish to depart. At times the debate over the conflicting figures has diverted attention from the central humanitarian issue.

In this situation, we believe our best approach is to concentrate our efforts on securing improved Romanian performance.

In the final analysis, we recognize that an acceptable level of emigration from Romania to Israel is the principal concern of the two countries involved. Only the Israeli authorities can determine which Romanians who apply to immigrate to Israel are qualified to do so. It is our impression that Romanian and Israeli authorities conduct periodic discussions on emigration. At the same time, we intend to keep this matter constantly before the Romanian Government—but in the context of good relations, not confrontation.

I would also like to mention that there are signs of greater Romanian willingness in recent months to permit increased emigration to other countries. For example, in the case of the Federal Republic of Germany—the destination of the largest proportion of Romanian emigrants—emigration has increased greatly this year compared to 1976. During the first four months of this year, some 4,300 Romanians arrived to settle in the Federal Republic, and Romanian statistics show that over 5,600 persons left Romania for West Germany up to June 14. This is more than double the number of Romanians who, according to German statistics, settled there in all of 1976. I must add, however, that the number of Romanians emigrating to West Germany in 1976—2,720, according to German figures—was relatively low. In 1974, for example, German figures record 5,400 Romanian immigrants.

We believe that the positive effect which the U.S.-Romanian Trade Agreement has had on trade, emigration, and our general bilateral relations with Romania fully justifies continuation of the Agreement. The Agreement has provided an additional stimulus to Romanian independence. In addition, our resulting improved relations with Romania have enabled us to further other worthy humanitarian objectives. We therefore support extension of the President's waiver authority and its application to Romania.

Romanian immigration to the United States, monthly totals

	<i>Immigrant visas issued¹ by Embassy Bucharest</i>
1975:	
January -----	27
February -----	13
March -----	14
April -----	24
May -----	20
June -----	29
July -----	110
August -----	182
September -----	161
October -----	131
November -----	62
December -----	97
Total 1975 -----	<u>890</u>
1976:	
January -----	74
February -----	87
March -----	130
April -----	97
May -----	77
June -----	111
July -----	96
August -----	104
September -----	74
October -----	40
November -----	66
December -----	65
Total 1976 -----	<u>1,021</u>

Romanian immigration to the United States, monthly totals—Continued
Immigrant visas issued¹
by Embassy Bucharest

1977:	
January	69
February	59
March	138
April	101
May	129
June 1-17	87
Total through June 17, 1977	503

¹ Includes 3d country processing, but excludes dual nationals.

ROMANIAN IMMIGRATION TO THE UNITED STATES

	Annual totals	
	Fiscal year	Calendar year
1965	274	
1966	104	
1967	19	
1968	27	68
1969	154	142
1970	372	373
1971	629	352
1972	269	348
1973	367	469
1974	511	407
1975	312	890
1976	1,339	1,021
Through May 1977	941	496

Romanian Jewish immigration to Israel, monthly totals

	Number of immigrants
1975:	
January	62
February	41
March	102
April	60
May	46
June	199
July	403
August	238
September	282
October	350
November	130
December	115
Total 1975	2,008
1976:	
January	328
February	232
March	99
April	51
May	143
June	211
July	237
August	238
September	117
October	118
November	79
December	136
Total 1976	1,980

Romanian Jewish immigration to Israel, monthly totals—Continued

	<i>Number of immigrants</i>
1977:	
January -----	46
February -----	62
March -----	133
April -----	132
May -----	105
Total through May 31, 1977-----	458

Romanian Jewish immigration to Israel

	<i>Approximate annual totals</i>
1971 -----	1,900
1972 -----	3,000
1973 -----	4,000
1974 -----	3,700
1975 -----	2,000
1976 -----	2,000
1977 (through May)-----	458

Senator RIBICOFF. Dr. William Korey, please.

**STATEMENT OF DR. WILLIAM KOREY, DIRECTOR, B'NAI B'RITH
INTERNATIONAL COUNCIL**

Mr. KOREY. Mr. Chairman, I appreciate this opportunity to present the view of the Conference of Presidents of Major American Jewish Organizations. The conference is composed of 32 national Jewish organizations. I serve as director of the International Council of B'nai B'rith, one of the constituent organizations of the conference.

As was noted last year in our testimony on the question of renewal of most-favored-nation (MFN) status for Romania, there have been aspects of Romanian policy which are indeed worthy of commendation. We have welcomed the increasingly independent foreign policy which the Romanian Government has pursued, and its efforts to maintain friendly relations with the United States, with Israel, and with other Western nations. We are also appreciative of the religious and cultural rights extended to the Romanian Jewish community. The American Jewish community during the past year has demonstrated its concern for Romania in response to the earthquake devastation in that country.

We point out these positive elements of Romanian policy because they deserve mention. We wish we could similarly report positively on Romanian performance in an area under consideration here today, that of Romanian Jewish emigration. Regrettably, the facts do not permit us to do so.

As you will recall, when MFN for Romania was first being considered by the Congress in the summer of 1975, the relevant House and Senate Committees agreed to the extension with the understanding that the emigration performance would improve and the emigration figures continue to rise in proportion to the number of individuals indicating their desire to leave. In taking favorable action on MFN, Congress accepted the State Department's urging that actual future Romanian performance be used as the measure by which to judge that country's compliance with the provisions of Section 402 of the Trade Reform Act.

When MFN extension came up for renewal last year, we noted with regret that there had not been an increase in the level of Romanian Jewish emigration. In fact, there was actually a slight decline in the emigration figures below the level for the 12 months preceding MFN extension (2,501 Jews left during August 1975 through July 1976 as compared with 2,592 Jews during August 1974 through July 1975).

Senator RIBICOFF. Dr. Korey, what information does your organization have concerning the decline of emigration? Why do you think that has taken place?

Mr. KOREY. Mr. Chairman, we don't know the reason for the decline of emigration. We simply can highlight the fact that there has been a systematic decrease in the monthly figures. We believe that one of the major factors here is the climate which operates in Romania, a climate of an obstacle course that has to be run by a would-be applicant, a form of intimidation and harassment which makes one reluctant to apply for an application. As a matter of fact, since the introduction of MFN there is now required a preapplication process. That is, one has to indicate that one desires to obtain an application for emigration, whereupon that person is then called before a committee and the committee subjects him to all kinds of questions which have a harassing and intimidating effect.

It is for this reason we believe that there has been a decline in addition to the fact that those who do succeed in making application are very frequently turned down.

Senator RIBICOFF. Of course a country does have its own right internally to determine procedures. We are concerned with procedures that are arbitrary or designed to prevent the carrying out of emigration consistent with what we consider human rights and not with invading the sovereignty of another country. Do you have any specific recommendations how you can reconcile both considerations?

Mr. KOREY. We do not question Romania's right to determine its emigration procedures as long as it is quite clear that those procedures are not of a character designed to discourage emigration. In this case they are designed to discourage emigration. People are asked why they want to leave. Arguments take place, efforts are made to encourage them not to make application to leave. This is a form of discouragement. Moreover, one finds when one makes application to leave, very frequently he may not only be refused but at the same time he is deprived of his job or given jobs of a menial form. These kinds of procedures I submit are of a nature that discourage emigration.

They are not merely formal procedures, Mr. Chairman. They are procedures that are designed to do violence to the objectives of the section 402 of the Trade Reform Act.

Senator RIBICOFF. Will you submit to the committee a bill of particulars of what you consider are harassing procedures and a series of recommendations on how to eliminate these harassing procedures.

Mr. KOREY. Yes, we will.

[The following was subsequently supplied for the record:]

OBSTACLES TO ROMANIAN JEWISH EMIGRATION AND
RECOMMENDATIONS FOR REMOVING THEM

GUIDELINES FOR MEASURING ROMANIAN EMIGRATION PRACTICES

We define as obstacles to emigration any procedures or other barriers which restrict an individual from exercising freely his right to leave Romania for the country of his choice.

The Final Act of the Conference on Security and Co-operation in Europe, signed by 35 nations at Helsinki in 1975, set forth certain international standards concerning family reunification and other human rights. Since Romania was a signatory to this most recent multilateral accord, it is appropriate to refer to relevant provisions of the Final Act which can serve as guidelines by which to measure the reasonableness of Romania's emigration procedures and practices.

The section on Human Contacts of Basket Three of the Final Act calls on the participating states "to facilitate free movement . . . among persons . . . to contribute to the solution of the humanitarian problems that arise in that connexion (sic)".

Specifically, the portion dealing with Reunification of Families calls on the participating nations to:

Deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family;

Deal with applications in this field as expeditiously as possible;

Lower where necessary the fees charged in connection with these applications to ensure that they are at a moderate level;

Confirm that the presentation of an application concerning family reunification will not modify the rights and obligations of the applicant or of members of his family.

Applications for the purpose of family reunification which are not granted may be renewed at the appropriate level and will be reconsidered at reasonably short intervals by the authorities of the country of residence or destination, whichever is concerned; under such circumstances fees will be charged only when applications are granted.

Persons whose applications for family reunification are granted may bring with them or ship their household and personal effects.

OBSTACLES TO EMIGRATION

To the best of our knowledge, the following emigration procedures currently exist in Romania. They present obstacles to unrestricted emigration and serve to intimidate visa applicants and discourage others from applying to leave.

1. The pre-application process

Before an individual is even allowed to apply for an exit visa, he must successfully complete an intimidating pre-application process. He first goes to the local police station to obtain pre-application forms ("FISA") on which he must fill in the name, address, age and place of work of all his relatives both in Romania and abroad.

The necessary visit to the police station is in itself intimidating. It is often difficult for an individual to obtain the required information about all his relatives, particularly those living in other countries. Sometimes, the required pre-application forms are not available at police stations outside the major cities.

Next, all adult members of the family desiring to leave must appear before a Committee consisting of 8 to 14 people, including representatives of the army, the police, security police, the individual's place of work, management of his apartment house, and the Communist Party. They try to convince him not to apply for a visa to leave Romania.

Each adult in the family must appear separately. The extreme pressure placed on the individual forces many to renounce their intention to apply for a visa. Family dissension is sometimes provoked when one member of a couple is courageous enough to persist in seeking a visa but his spouse is frightened into agreeing to stop the process.

2. *Arbitrary judgments as to who can apply*

Those who are not intimidated by the pre-application process wait for a decision as to whether they will be permitted to apply for an exit visa. An individual may either receive permission to fill in an application; be denied permission to make application if the Committee feels he hasn't proved good reason for wanting to emigrate; or receive no reply at all. This procedure provokes much anxious uncertainty for the individual. If he is refused permission to apply or receives no answer, there is no appeal process to which he can turn.

3. *Burdensome documentation requirements*

Along with the application form, one must submit various forms which are often hard to obtain. These include, among others: marriage or divorce certificate; approval from the management of his apartment building; approval from his place of work and certification that his work has not dealt with State secrets; assurances that all his taxes and utility bills are paid; educational diplomas.

4. *Costly fees*

A single individual has to pay approximately a month's salary to cover all the fees necessary before he can emigrate (e.g., costs of passport, renunciation of citizenship, etc.). The head of an average household has to pay at least a quarter of his yearly salary in order for his family to emigrate.

5. *Uncertainty of application process/indefinite time period*

If the application is rejected, there is no mechanism by which the applicant can appeal the decision. If the application is approved, a passport is issued. The passport is routed through various national and local government agencies, and can be withheld at any point in the process, even after it has been sent to the Israeli Embassy in Bucharest and that Embassy has issued a visa for the applicant. The applicant never knows if he will be allowed to emigrate until he actually receives the passport at the end of the process. There are no definite, regular time intervals between the steps of the application process, each one of which may take months. Many Jews who have applied to emigrate to Israel have been waiting for a year for either permission to leave or a response to their request to be allowed to apply to leave. Others have been waiting for years.

6. *Sanctions against applicants*

Many visa applicants face retribution from the Government. A Communist Party worker or a Government worker in an area such as education or communication immediately loses his job when he applies for an exit visa. A worker in a technical specialty, particularly if he is in an administrative position, can invariably expect to be demoted. A student is expelled from his university.

7. *Lack of time to prepare for departure*

When an applicant is finally notified his application has been approved and receives his passport, he is given only a few days until he must leave the country. Because of the uncertainty of the decision during the application process it is only at this point that he will begin to conclude his personal affairs, dispose of items he can't take out of the country, pay final bills, fix up his apartment, etc. Often he does not have time to obtain personal documents, such as diplomas, which he will need in his new country, since he must get them certified from both Education and Foreign Ministries but can only apply to them *after* he has received his passport.

8. *Limitations on money and property taken out*

The emigrant can take with him no money and no personal items of value. He must pay custom duty on his own used household goods.

RECOMMENDATIONS FOR REMOVING OBSTACLES TO EMIGRATION

Generally, the recommendations below are listed in order of priority, with the most important ones first. Highest priority is given to those changes which would have the greatest impact in increasing the number of visa applicants and, hopefully, thereby increasing the emigration flow. Consideration was also given as to which recommended changes lend themselves to monitoring from the West, so that compliance by Romania can be measured.

1. Everyone who wants to should be able to submit freely and without intimidation an application for an exit visa. The Romanian Government should allow this unrestricted application policy to be made known publicly and be discussed openly in the media and elsewhere. The pre-application process, which screens out many would-be applicants, should be abolished.

(Note: The pre-application process was initiated after both the initial extension of MFN and the signing of the Helsinki accord. Its introduction goes counter to the Helsinki accord and Jackson amendment which call for facilitating freer emigration.)

2. At the same time, sanctions against those who apply to leave (i.e., demotion or dismissal from jobs, expulsion from universities, etc.) and other forms of harassment should be terminated.

3. An appeal process should be set up to provide recourse for those individuals refused permission to emigrate. The reasons for denial should be made clear to the applicant and should not be arbitrary.

4. The application process should be shortened and facilitated (e.g., through reducing the amount of required documentation). The time period for the whole process should be regularized. The applicant should receive a definite answer as to whether he has permission to leave as soon as the application has been approved, so that he can make plans for his departure (NOTE: "approval" actually is given by the appropriate authorities *prior* to the passport being routed to the various government agencies). It would seem reasonable to expect that the process from submission of an application until the applicant is permitted to leave the country should be completed with 2 to 3 months.

5. An emigrant should be allowed to take with him his money and his personal effects, which may represent his lifetime savings. He should not be required to pay duty on his already used household goods.

6. The cost of fees involved in the emigration process should be reduced.

RECOMMENDATIONS FOR MONITORING ROMANIAN COMPLIANCE

1. Expanded monitoring by the Administration in Bucharest and Washington, combined with on-going discussions with the Romanians regarding compliance with the recommendations to liberalize emigration procedures.

2. Periodic review by the appropriate Congressional subcommittees, perhaps on a quarterly basis, of Romanian compliance and the level of emigration figures. Congressional communication with Romanian Government representatives, as appropriate, regarding the findings of the review.

As a basis for the review, the subcommittees might require periodic written status reports from the State Department, as well as requesting reports from private groups monitoring the emigration situation. Information to measure Romanian compliance should also be obtained through questionnaires and interviews routinely administered to emigrants who have left Romania.

Senator RIBICOFF. Senator Packwood.

Senator PACKWOOD. No questions, Mr. Chairman.

Mr. KOREY. Thank you, sir.

Senator RIBICOFF. Thank you very much. Senator Curtis, do you have any questions?

Senator CURTIS. Just very briefly. The emigration has dropped off the first 2 years?

Mr. KOREY. Yes.

Senator CURTIS. Down to about 1,400?

Mr. KOREY. That is right.

Senator CURTIS. I note what you have to say about the procedures, various means for harassing and delaying. Do you think that 6 months to act favorably on an application would be long enough?

Mr. KOREY. We would have to look into that question, Senator Curtis.

Senator CURTIS. It should not go on and on.

Mr. KOREY. That is right.

Senator CURTIS. Do you have instances where individuals would like to leave for a visit and are denied that right?

Mr. KOREY. This we have not looked into, Senator.

Senator CURTIS. That is all.

Senator RIBICOFF. Senator Packwood.

Senator PACKWOOD. I notice on page 5 of your statement, Mr. Korey, you indicate that MFN should probably be extended for a year and the Jewish community would monitor it closely and if during that year there has been no improvement you would recommend termination next year.

Mr. KOREY. We follow the viewpoint here of the President. We did not indicate precisely what our own position is on this subject. As a matter of fact you will find on page 6, Senator, that we have urged this committee and the Senate to hold up action until the last possible moment to see if there is any marked improvement.

Senator PACKWOOD. As I recall it we have about a month.

Mr. KOREY. Until September anyway. Right, until about August 7. But we take as a critical point here, and this I want to stress, we take as our critical point the position taken by President Carter in recommending an extension of MFN. He qualified that recommendation and I think this is the first time that the Administration has so qualified a recommendation. He made it very clear and my quotation here from his statement is of critical importance, he warned that "should performance not accord with the intent of this provision," referring to section 402 of the Trade Reform Act, "I would want to reconsider my recommendation."

This is from the President's statement. I believe that this message is clear and the administration has put the Romanian Government on notice that compliance is required. I am willing to ride with that statement of the President.

Senator PACKWOOD. Are you speaking for the Jewish community?

Mr. KOREY. Yes.

Senator PACKWOOD. So if this committee does give the extension for 1 year the Jewish community is saying we will ride with the President's statement, give them a year but with a fair warning, if next year the statistics do not change—

Mr. KOREY. Right.

[The prepared statement of Mr. Korey follows:]

STATEMENT OF DR. WILLIAM KOREY FOR THE CONFERENCE OF PRESIDENTS OF MAJOR AMERICAN JEWISH ORGANIZATIONS

SUMMARY

1. We recognize the extensive religious and cultural liberty which the Romanian Jewish community has enjoyed and also appreciate the independent foreign policy pursued by Romania in moving to normalize its relations with the United States, Israel and other nations of the non-communist world.
2. We are greatly disturbed, however, by the decrease in Jewish emigration from Romania during the last year. This downward trend is in sharp contradiction to the large numbers of Jews who have indicated they want to leave Romania to reunite with their families in Israel. Current Romanian emigration performance does not comply with the provisions of Section 402 of the Trade Reform Act, which calls for liberalized Romanian emigration as a condition for receiving MFN.

3. We are distressed by both the continued existence of obstacles built into the visa application process and the atmosphere of intimidation confronting those desiring to leave. This reduces the number of individuals who actually apply for exit visas. Accordingly, the most significant standard for judging Romanian emigration performance must be the number of Jews who actually leave Romania.

4. Both Congress and the Administration have indicated their dissatisfaction with the recent Romanian emigration performance. We are encouraged by the language in the President's request to Congress where he states his intention to monitor closely Romanian compliance and, "should performance not accord with the intent of this provision", to "reconsider" his positive recommendation on extending the waiver authority. Accordingly, we would expect that if significant improvement in emigration performance does not occur in the coming 12-month period, the President and Congress will take appropriate action to terminate MFN next year.

5. If Congress agrees to extend the waiver authority for another 12 months and the emigration performance does not improve significantly, the Jewish community will support the termination of MFN when it comes up for renewal next year. We will be closely watching for a liberalization of the visa application process and a lessening of the atmosphere which inhibits Jews from applying to leave.

6. Since there is still time before the Subcommittee needs to decide whether to recommend a resolution disapproving the MFN extension request, we recommend that this body not make an immediate decision. We suggest that the Subcommittee use the next few weeks to monitor emigration performance closely as an indicator of the Romanian Government's intention to comply with the provisions of the Trade Reform Act in the future.

STATEMENT

Mr. Chairman: I appreciate this opportunity to present the views of the Conference of Presidents of Major American Jewish Organizations. The Conference is composed of 32 national Jewish organizations. I serve as Director of the International Council of B'nai B'rith, one of the constituent organizations of the Conference.

As was noted last year in our testimony on the question of renewal of Most-Favored-Nation (MFN) status for Romania, there have been aspects of Romanian policy which are indeed worthy of commendation. We have welcomed the increasingly independent foreign policy which the Romanian Government has pursued, and its efforts to maintain friendly relations with the United States, with Israel, and with other western nations. We are also appreciative of the religious and cultural rights extended to the Romanian Jewish community. The American Jewish community during the past year has demonstrated its concern for Romania in response to the earthquake devastation in that country.

We point out these positive elements of Romanian policy because they deserve mention. We wish we could similarly report positively on Romanian performance in an area under consideration here today, that of Romanian Jewish emigration. Regrettably, the facts do not permit us to do so.

BACKGROUND

As you will recall, when MFN for Romania was first being considered by the Congress in the summer of 1975, the relevant House and Senate Committees agreed to the extension with the understanding that the emigration performance would improve and the emigration figures continue to rise in proportion to the number of individuals indicating their desire to leave. In taking favorable action on MFN, Congress accepted the State Department's urging that actual future Romanian performance be used as the measure by which to judge that country's compliance with the provisions of Section 402 of the Trade Reform Act.

When MFN extension came up for renewal last year, we noted with regret that there had not been an increase in the level of Romanian Jewish emigration. In fact, there was actually a slight decline in the emigration figures below the level for the 12 months preceding MFN extension (2,501 Jews left during August 1975 through July 1976 as compared with 2,592 Jews during August 1974 through July 1975).

Since the renewal of MFN last September, the emigration situation has deteriorated markedly. During the last ten months, only 1,146 Jews have been allowed to leave for Israel. Projecting this rate for a full 12-month period (August 1976 to July 1977), the Jewish emigration total will not even reach 1,400. This level would represent a drop of more than 1,100 individuals—or 45 percent—below that for the previous 12 months and an even greater drop below that for the year prior to the initial granting of MFN.

It is significant to note that the Jewish emigration level for the pre-MFN calendar years of 1973 and 1974 was about 3,700 per annum. This level was reduced to approximately 2,000 a year during 1975 and 1976, and at the current year's rate will reach only 1,100 for 1977. Thus, instead of improving following the extension of MFN to Romania, the permitted Jewish emigration rate has dropped sharply and is being maintained at a low level. This situation surely does not demonstrate Romanian compliance with the liberalized emigration practices required by Section 402 of the Trade Reform Act.

When we look at the number of Jews wishing to emigrate, Romanian performance becomes particularly distressing. While there are no exact figures, our best estimates are that between 60,000-70,000 Jews remain in Romania, not the 25,000 recently claimed by the Romanian authorities. While a sizeable portion of this population is elderly and expected to choose to live out their days in Romania, it is estimated that about half of the Jews still in Romania desire to emigrate to Israel. This estimate was substantiated in a letter of May 8, 1975, sent by the Confederation of Romanian Immigrants in Israel, at the time of Congressional hearings on the extension of MFN status to Romania. This letter stated that "to the best of our knowledge, there are 30,000-40,000 . . . cases" of Jews still in Romania who have been trying to get visas to reunite with their relatives "and only a very small percentage receives a positive response". Since the receipt of that letter, fewer than 5,000 Jews have actually been permitted to leave for Israel. At the rate of emigration permitted during the last 2 calendar years (approximately 2,000/year), it would take some 15 to 20 years for all the Jews desiring to leave for Israel to emigrate from Romania.

OBSTACLES TO EMIGRATION

The Romanians have tried to minimize the size of the Jewish population which wishes to leave both by arbitrarily lowering its "official" figures as to the number of Jews still in Romania and by asserting that only a few thousand Jews a year are applying for exit visas. To understand the true situation, we must look at the climate the Romanian authorities have created.

While many Jews have formally applied for exit visas and either been refused or not answered by the authorities, thousands more have been discouraged from applying by the obstacles built into the application process. Those who seek an application for a passport and exit visa are confronted by official committees which probe their motivation and try to dissuade them from applying. Individuals who persevere in the process may find they suddenly lose their jobs and are permitted only menial work for as long as they remain in Romania, which may be indefinitely. If their passport is not vetoed by any of the various national and local authorities which must pass judgment on the emigration request, the passport is given to the Israeli Embassy in Bucharest, which issues a visa for Israel. Even a fully-processed passport with visa, however, may be arbitrarily withheld from the applicant at the last moment by Romanian officials. Those who have applied to leave may wait indefinitely with no word as to the final decision. Others are refused permission, reapply, and are refused again, for no apparent reason. Since the emigration rate is carefully controlled, many wishing to emigrate hesitate to subject themselves to harassment and a prolonged state of uncertainty by applying. These facts cause us to reiterate that the sole standard for judging Romanian emigration performance must be the number of Jews who actually leave Romania.

CONCLUSIONS

The poor showing on emigration over the last 2 years leads us to conclude that the Romanian Government believes Congress will continue to renew MFN automatically regardless of performance in this area. This attitude violates the spirit of the trade agreement and disregards the strong Congressional commitment to the principle of freedom of emigration.

The Administration and Members of Congress have both clearly expressed their dissatisfaction with Romania's poor emigration performance during the last 2 years. In President Carter's request to Congress, it is significant that in stating his intention to give the Romanians the opportunity to prove directly to his new Administration a willingness to comply with the law, he carefully qualified his recommendation for MFN extension. He has stated the Administration's determination to monitor closely Romanian compliance with Section 402 of the Trade Reform Act and warns that "should performance not accord with the intent of this provision, I would want to reconsider my recommendation". He has also specified that the Administration "will bring to the attention of the Romanian Government any actions or emigration trends which do not seem to conform to the assurances which they have provided in the past to treat emigration matters in a humanitarian manner . . .".

Rather than a pro forma request to extend MFN, the President has chosen to be consistent with his Administration's concern for human rights. The message is clear and the Administration has put the Romanian Government on notice that compliance is expected.

If MFN is extended for another year and significant improvement in Romanian emigration performance does not occur during that period, we would expect the President and the Congress to take appropriate action to terminate MFN next year.

The Jewish community would support the termination of MFN under these conditions. We will be watching closely for a true liberalization of the visa application process and an easing of the present atmosphere of intimidation confronting those desiring to apply to leave. These changes must be made so that Jews in Romania will feel free to exercise their freedom to emigrate.

There is still some time left before the September deadline by which the Senate must act to pass a resolution disapproving the current MFN extension request. We therefore recommend that the Subcommittee not make an immediate decision on the President's request. We respectfully suggest that during the next few weeks the Subcommittee watch to see whether there is significant improvement in the emigration figures. This period would provide a good indicator as to whether the Romanian Government will demonstrate to the new Administration its intention to comply with the Act, or whether it will continue to disregard both the law and the principles governing the MFN status it now enjoys.

Attached on Appendix A are relevant figures on Jewish emigration from Romania.

Permitted Romanian emigration to Israel—1973-77

Yearly total:	
1973	8,700
1974	8,700
1975	2,140
1976	2,035
1977	1,000

¹ Projected.

*Emigration before and after most-favored-nation extension
(most-favored-nation extended August 1975)*

1 yr. pre-most-favored-nation		1976:	
1974:		January -----	350
August -----	612	February -----	243
September -----	328	March -----	103
October -----	287	April -----	51
November -----	200	May -----	140
December -----	200	June -----	222
		July -----	237
1975:		Total -----	2,501
January -----	70		
February -----	45	Sec. yr. post-most-favored-nation	
March -----	100	1976:	
April -----	80	August -----	238
May -----	50	September -----	117
June -----	210	October -----	118
July -----	430	November -----	79
Total -----	2,592	December -----	136
		1977:	
1 yr. post-most-favored-nation:		January -----	46
1975:		February -----	62
August -----	250	March -----	113
September -----	295	April -----	132
October -----	360	May -----	105
November -----	140	Subtotal for 10 mo.	1,146
December -----	110	Projected total for 12	
		mo. August 1976-	
		July 1977 -----	1,375

¹ Note decline in emigration beginning in September which coincides with assurance of MFN renewal following Sept. 8 hearings by Senate Finance Committee.

NOTE.—Emigration performance is actually poorer with MFN in effect than before MFN extension. The projected emigration to Israel for 12 mos. (August 1976–July 1977) represents a drop of 47 percent below that for the 12 mos. prior to MFN extension and a 48 percent drop below the level for the 1st 12 mos. post-MFN.

Senator RIBICOFF. Thank you very much, Dr. Korey.

Mr. Berry, you may proceed.

**STATEMENT OF MAX BERRY, EXECUTIVE DIRECTOR, EAST-WEST
TRADE COUNCIL**

Mr. BERRY. Mr. Chairman and members of the subcommittee, I am pleased to have this opportunity to appear before you on behalf of the East-West Trade Council. My name is Max Berry and I am executive director of the council. I have with me today Mr. Mark Sandstrom, who serves as general counsel of the council. The East-West Trade Council is a nonprofit organization, established in June of 1972, whose membership is comprised solely of U.S. businesses, financial institutions, associations, academicians, and individuals interested in East-West trade. The council is financed solely from its membership.

The East-West Trade Council strongly supports the extension of the President's authority to waive section 402 of the Trade Act of 1974 and the continuation of most-favored-nation tariff treatment for the imports of Romania, because we believe that it is in the best interests of the United States. We testified before your committee in support of the initial congressional approval of the United States-Romanian

Trade Agreement, and in support of the continuation of MFN treatment for Romania last year.

We fully concur with the statement of the President in his message to the Congress of June 3 of this year that:

“* * * The reasons for retaining good commercial and political relations with Romania remain as valid as in the past. Such relations have contributed to a continuation and strengthening of Romania's independent policies, many of which have proven beneficial to U.S. foreign policy interests. Romania has continued to pursue friendly relations with countries of differing political and economic systems—with the United States, the People's Republic of China, the developing world, and with Israel as well as Arab countries. Romania's participation in international organizations, including the IMF and World Bank, shows a high degree of independence in economic matters that parallels its relative political independence. More than half of Romania's trade is with non-communist countries, and it is taking part in the Multilateral Trade Negotiations as a GATT Contracting Party * * *”

The primary goal of the East-West Trade Council is, of course, the expansion of U.S. trade with the socialist countries. In the case of Romania, the granting of MFN tariff treatment and Export-Import Bank credits to that country has resulted in a clear and steady growth in United States-Romanian trade. Furthermore, the overall trade balance has continued to remain in favor of the United States each year since the original approval of the United States-Romanian Trade Agreement of 1975. On the basis of current contracts, it is estimated that total trade turnover in 1977 will be approximately \$550 million, a significant increase over last year's trade level.

U.S. TRADE WITH ROMANIA

(In millions of dollars)

	U.S. exports	U.S. imports	Total trade turnover	U.S. trade balance
1975.....	189.28	132.96	322.24	+56.32
1976.....	249.03	198.75	447.78	+50.28
January to March 1977.....	64.28	56.85	121.13	+7.43

Source: U.S. Department of Commerce.

Our exports to Romania continue to face stiff competition from the aggressive trade policies of other European and Asian countries. Denying MFN could stunt the development of our trade with countries such as Romania, relegating the United States to a comparatively insignificant role in the Western trade of the region. It is essential that imports from Romania continue to benefit from most-favored-nation treatment if the significant growth of United States-Romanian trade is to continue.

Romania is currently operating under a development plan which stresses a major increase in industrial growth. This industrial growth will require substantial imports of manufacturing and capital goods. In order for Romania to finance these imports on a long-term basis, it will be necessary for it to sell its products in the markets of the indus-

trialized countries from which it purchases. In this regard, it should be stressed that Romania has, since 1973, conducted more than half of its trade with non-Communist countries and is the first member of Comecon to do so. Termination of most-favored-nation tariff treatment for Romanian products would have significant adverse effects upon the U.S. economy, since it would result in a significant decrease of the growing share U.S. producers enjoy in the Romanian market.

The council is aware that the Trade Act of 1974 requires the Congress to consider noneconomic issues in deciding whether to continue the waiver authority under title IV of the Trade Act, that is, the issue of emigration. Overall emigration from Romania has continued to increase each year following the initial grant of MFN tariff treatment to that country. Although there has been a decrease in the level of emigration to Israel, emigration to Israel is continuing, and we expect that the emigration level will continue to be favorable in keeping with the concerns expressed in President Carter's message to the Congress requesting the extension of the section 402 waiver.

Overall, the goal of promoting emigration has been served by the conclusion of the United States-Romanian trade agreement under the scope of the Trade Act of 1974. That goal would appear to be further enhanced by the continuation of the United States-Romanian trade agreement and MFN tariff treatment thereunder.

The East-West Trade Council therefore supports the extension of the waiver and the continuation of MFN tariff treatment for the imports of Romania.

On behalf of the East-West Trade Council, I want to sincerely thank the subcommittee for this opportunity to testify. I will be pleased to answer any questions committee members might have.

Senator RIBICOFF. Members of your Council probably have more direct contact with the Romanians than anyone else. In your discussions with them do you try to impress upon them the importance of the congressional sentiment, the Presidential sentiment, concerning the emigration policy?

Mr. BERRY. Yes; Mr. Chairman, we do. We think it is important and it directly relates to the future progress of our bilateral trade relations.

Senator RIBICOFF. Don't you think you have a good opportunity to discuss with them harassment and discouragement of applications and methods so that you could encourage the filing of applications and also free emigration?

Mr. BERRY. Yes, sir, I cannot speak for many different corporations who have individual discussions with a country wherever that may be, but I am personally encouraged. While there are problems that show up in recent statistics over a 3-month or a 4-month period, over the long range, taking into account the last 20 years which I know to be more important to you, the trend with Romania is encouraging. You said when the U.S.-Romanian agreement first became law that you were going to be very interested in the future trend of emigration to the entire world, I think if we can keep this in mind during the next few months, that the trend will be favorable for Romania. You have spoken, the President has spoken, and I think we are going to see progress.

Senator RIBICOFF. It is the same thing that Senator Curtis and Senator Packwood and I have been concerned about. We run into the same thing every year. We hear nothing much during the year. We do not hear of any progress. A week before the hearings we have assurances of improvement. Then no improvement takes place. Next year we go through the same exercise again.

Senator Curtis.

Senator CURTIS. Just one question. Does Romania want to trade with us?

Mr. BERRY. Yes, sir.

Senator CURTIS. Is it more beneficial to them than it is to us overall?

Mr. BERRY. I think, Senator, that it is proven by the statistics to be mutually beneficial. We do have a favorable balance of trade with Romania. The overall bilateral trade was around \$450 million. Romania had a decent share of that. This presents a good opportunity for Romania to earn foreign exchange. I think it is mutually beneficial. Romania wants to increase this trade to earn foreign exchange to be able to buy more U.S. products.

Senator CURTIS. It seems to me if we were firm with them on emigration and on the right to visit close relatives in this country that the trade would mean so much to them that they would comply.

Mr. BERRY. I think it is significant what the President said in his message to Congress. He remarked, in part, about the trade Romania already has with the Western world, which is approximately 50 percent of her total trade. He reiterated that their independent policies have led them into this situation. I think that they are the only Comecon country that is a member of the Western organizations you mentioned, and I think this is one reason why they are the only country under the new Trade Act who has received most favored nation. While there are problems in existence there are also many favorable factors for Romania which distinguishes them in this situation. Maybe when you have problems you never talk about the "pluses," but I would like to go on record to say there are a good number, in the case for Romania.

Senator CURTIS. That is all, Mr. Chairman.

Senator RIBICOFF. Senator Packwood.

Senator PACKWOOD. In your testimony you have some trade statistics. What do you project the U.S. trade balance to be through this year?

Mr. BERRY. It is hard to project that exactly, Senator Packwood. I would think that in terms of dollars we will have about a \$30 million balance.

Senator PACKWOOD. Over the years you predict it will fall into a negative?

Mr. BERRY. No, sir, I don't predict that. As bilateral trading started out—at an overall level of \$7-\$9 million, the United States may have a tremendous trade balance. But generally the history with most countries is that as trade increases, the need for the foreign exchange also increases, which usually narrows the balance of trade gap. I would think that based on our experience with other countries in Europe, we can say that we probably will see ourselves in a 1½-to-1 favorable balance of trade ratio, to a 2-to-1 favorable balance.

Senator **PACKWOOD**. You have lost me there. The total trade curve is going up, the U.S. trade balance is going down. You are telling me that that will turn around at some place for some reason.

Mr. **BERRY**. I think it narrows as it goes up; when the gross trade volume increases. Next year we may have an unusual occurrence where a U.S. airplane is purchased. In a small area of trade that can make a big difference in statistics. Leaving that out, I will predict the trade will go up, possibly to \$550 million for 1977, and that we will probably have about a 1½-to-1 favorable balance of trade ration.

I am saying this on the basis of how our trade has gone in other similar areas of the world.

Senator **PACKWOOD**. In your statement you make reference to the Trade Act of 1974 that requires Congress to consider non-economic issues. As I recall, the East-West Trade Council testified against the Jackson amendment.

Mr. **BERRY**. That is correct.

Senator **PACKWOOD**. You did not want noneconomic issues to the Trade Act?

Mr. **BERRY**. Yes, sir.

Senator **PACKWOOD**. Why is that?

Mr. **BERRY**. We took the same position at that time of the President, the Secretary of State, and the Treasury and Commerce Departments, that the term "quiet diplomacy," which was expressed then by Secretary Kissinger, was more effective. We felt in 1973 there had been such an increased amount of emigration, speaking now with reference to the U.S.S.R. that the emigration had reached a high level in 1973, because of world pressure. That was before Jackson-Vanik. We felt that we had better not rock the boat and disturb things. It looked like it might go on through "quiet diplomacy." We thought while the purpose is right and you cannot argue about the purpose, it is right, that the method was not the best means to achieve that purpose.

If you asked me today, because one always changes his mind as time goes on and as you see more things, for practical reasons, I would not now say that we should totally abolish the Jackson-Vanik amendment. I think it needs to be significantly amended. If there can be significant gives and takes on both sides of the aisle with respect to how it could be amended, with compromise language, this would be constructive.

Senator **PACKWOOD**. I am delighted to see that change. Do you think maybe there might be other human liberty issues that we might want to tie to Jackson-Vanik in future years?

Mr. **BERRY**. I can see that possibility. But of importance, I can also see the possibility, Senator, in major and minor ways of amending title IV in other ways. Certain things are particularly objectionable to sovereign countries and one of them, I think, is the requirement of requiring official written assurances on emigration. I think if you had informal assurances, while this might be a minor point, that it might also be a constructive step.

Senator **PACKWOOD**. The Council no longer takes the position that noneconomic matters are unrelated to trade?

Mr. **BERRY**. Certainly, from a practical standpoint, we would agree that there are noneconomic matters relating to trade; that is correct. We have not had an official meeting where we have changed the Coun-

cil's initial position. So I am really speaking now of my own personal views.

I think if the occasion arose, and we did have an editorial in our Council newsletter a few months ago where we did go into a discussion of how we thought certain changes under present title IV, could be effective.

Senator PACKWOOD. Mr. Chairman, that is a major step forward to at least have that admission that there are some other issues other than economics that might be tied to trade.

Senator RIBICOFF. I think Senator Packwood makes a very good point. There may be a continuation of problems around Helsinki and human rights. There will be an opportunity for further discussion. I think Senator Curtis makes a very good point. In terms of human rights, to allow people to visit their relatives is a very worthwhile point.

Thank you very much, Mr. Berry.

Mr. BERRY. Thank you, Mr. Chairman.

Senator RIBICOFF. Mr. Rosenthal.

STATEMENT OF MILTON F. ROSENTHAL, CHAIRMAN, U.S. SECTION OF ROMANIAN-UNITED STATES ECONOMIC COUNCIL

Mr. ROSENTHAL. I am Milton F. Rosenthal, president of Engelhard Minerals and Chemicals Corp., and chairman of the U.S. section of the Romanian-United States Economic Council. It is once again a privilege to appear before this subcommittee to support the President's request for an extension of the waiver authority for Romania under section 402 of the Trade Act of 1974.

I am testifying today on behalf of the American membership of the Romanian-United States Economic Council, a list of which I am submitting with this statement. They are senior executives of firms and trade associations representing a broad cross section of American industry committed to improving commercial relations with Romania. To this end, the United States-Romanian Trade Agreement, together with the Long-Term Agreement on Economic, Industrial and Technical Cooperation, have made valuable contributions.

The trade agreement has served as an important point of reference for discussions within the Council on such topics as facilitating the establishment and operations of American representative offices in Romania, as well as joint American-Romanian companies in that country. This is particularly important to our membership, as several of our U.S. members maintain offices in Bucharest, and one participates in a joint venture company in Romania. We will continue to discuss these and other business facilitation issues during our future Council sessions. Indeed, at our next session in July, the Romanians will discuss their plans to establish a new international trade center with improved facilities for Western offices.

The trade agreement has also provided an important mechanism for safeguarding the American economy against potential market disruption caused by imports from Romania. Fears expressed in some quarters that Romanian goods would flood the United States as a consequence of the extension of nondiscriminatory tariff status have, of

course, not materialized. In cases where it has appeared that Romanian exports might be contributing to market disruption in the United States, the Romanians have promptly consulted with our Government, as set forth in the trade agreement. The Romanians, moreover, have voluntarily limited exports of those commodities in question, notably welt work shoes and sheet glass. In this regard, the commercial consequences of the trade agreement can be regarded as satisfactory and supportive of U.S. interests.

Although the Romanian-United States Economic Council is concerned with issues of a commercial character, we cannot but observe with satisfaction the positive trend in Romanian emigration which has continued over the past year. This performance would appear to meet the requirements prescribed by the Congress in section 402 of the Trade Act of 1974. Therefore, we feel neither the commercial nor the emigration implications cast doubt on the ultimate merit of the United States-Romanian Trade Agreement.

I would like to conclude on a more personal note. As you are aware, Romania is now recovering from a disastrous earthquake, which inflicted the country with a great deal of human suffering. As an American with a long personal relationship with Romania, I look with pride at this country's response to Romanian tragedy.

In April, a \$20 million relief package was authorized by the Congress and signed by the President. Many thousands of additional dollars in relief supplies have been made available to the Romanian people by our Government the business community—including the Council.

It would appear to me that suspension of nondiscriminatory tariff status and U.S. Government credits coincident with our ongoing relief efforts would be self-defeating.

I thank you for this opportunity to share our views.

Senator RIBICOFF. Thank you very much, Mr. Rosenthal.

Mr. Rosenthal, as I look over the membership of the Romanian-United States Economic Council I see there are some of the leading industrial corporations of our country.

Mr. ROSENTHAL. Yes, sir.

Senator RIBICOFF. Many of you, as you indicate, are in the process of using joint American-Romanian companies in various venture projects.

Mr. ROSENTHAL. Not many, Senator. There is just one in existence. Some others are under discussion.

Senator RIBICOFF. Now, there is an appreciation on our part of Romanian independence. That country has shown a great deal of courage in keeping its independence in the Eastern bloc. Now, as you do business with the Romanians, while they may decry capitalism, I find that in almost every Communist country there is a grudging admiration for capitalism. They listen to you. I think they admire your accomplishments, they admire your achievements. If there is a desire on their part to continue advancing trade, is there not an opportunity when you meet with those responsible for economic affairs or government affairs in Romania, to have a general discussion of the significance of human rights to America, not only on behalf of the President but also on behalf of the Congress. Isn't there an opportunity to ex-

plain that some of their restrictive methods, some of their harassment, if it were eliminated could really bring a new era in American-Romanian relations? Do you ever discuss this with them quietly, in so-called "quiet diplomacy" with other men across the dinner table?

Mr. ROSENTHAL. Senator, I happen to be a very strong and firm believer in our American system of government and the human rights which are an integral part of it. I am never bashful about extolling the virtues of the American system especially so far as human rights and freedom are concerned.

Senator RIBICOFF. The point I make is that every year we have the same problem, the same questions, the same testimony. I would guess there has been no variation in any of the testimony over the last few years since the Jackson-Vanik amendment of 1974. Next year it will probably be the same thing. Isn't there an opportunity for you and your counterparts, executives from all the major corporations, as you visit Romania, to impress upon them the necessity of some moderation in their points of view on human rights?

Mr. ROSENTHAL. The Romanians have taken the position in those discussions I have had that they have been quite liberal in their policies permitting emigration. They have given me statistical data with respect to it to demonstrate from their point of view that they have been permitting emigration from their country and that they have a very good record in this respect. They have also said to me that they feel that it is not in the interest of their country to go out with a program to encourage people to emigrate from their country. They say they have a lack of people with skills, especially in those areas that would be conducive to the effective industrialization of their country and, therefore, they do not want to appear to encourage emigration.

Senator RIBICOFF. I understand that. I don't think you can tell a country to force their people out. I have no problem with that. What I am going to ask the committee staff to give you is a list of what we consider to be harassments and restrictions. In your quiet moments, when you talk to the Romanians, talk to them candidly and frankly about these issues. I will get that list to you. This does not have to be public, this is just private, for your discussions.

I happen to feel that men like yourselves and the heads of companies I see listed here could be very influential. I do believe that in the interchange of business relationships it is both possible and important to break barriers like this one on human rights. I am for trade between the United States and all the other nations of the world. But I also believe that the leaders of American free enterprise can play a very important role in breaking down many of these barriers. So, since you come here speaking on behalf of the Romanian-American Economic Council, as the president of one of the great American corporations, I am going to ask the staff to give you a list of matters to discuss with those that you talk with in Romania.

Mr. ROSENTHAL. I will be delighted to receive it.

Senator RIBICOFF. Senator Curtis.

Senator CURTIS. I will be very brief.

It seems to me that in promoting trade the business community should keep in mind that free emigration and particularly the right for people to leave and come to this country for a visit, some of them

are old, they have relatives here, and they would like to come visit, but they are denied that right—that that would actually promote trade. I believe every time someone comes from a foreign country and visits the United States it creates a desire for United States products. They also go back and they tell of their experiences.

I have no question but my thought is this, that if the business community could help us insist that anyone who has special trade favors from us, guarantees, loans, or anything else, would allow free emigration and would also allow their people to visit close relatives here, instead of hampering them, it would in the long run promote more trade.

Mr. ROSENTHAL. I will be glad to convey that message.

Senator RIBICOFF. Senator Packwood.

Senator PACKWOOD. The Romanian-United States Economical Council is nothing more than a group of businesses interested in trade between Romania and the United States?

Mr. ROSENTHAL. Senator, the origin of these economic councils is that they have been established under the aegis of our own Government between members of the private sector in this country and obviously members of government and government organizations in the various Eastern European countries. Such councils exist with the U.S.S.R., Romania, Hungary, Czechoslovakia, East Germany, Poland, and Bulgaria.

Senator PACKWOOD. Are the expenses of them funded by the government?

Mr. ROSENTHAL. No. The expenses are funded entirely by contributions of dues—membership dues—by American members here, and generally by a matching of such payments by the other countries. I do want to emphasize that the suggestion for the establishment of these councils originated with the executive branch of this Government.

Senator PACKWOOD. Do you have any objection to tying noneconomic issues, especially issues involving liberties, with trade?

Mr. ROSENTHAL. I have taken a position when asked that question, and I would reiterate it here, that that is a political decision to be made by the Government of this country and not just by the business community. I think it really belongs in the Government. If the Government takes that position, then the private sector of this country is honor bound to implement it.

Senator PACKWOOD. In reaching that decision, as a member of the business community, what would you recommend?

Mr. ROSENTHAL. I think the business community should not act as a monolithic element in our society. Members of that community should act as individuals.

Senator PACKWOOD. What would you personally recommend?

Mr. ROSENTHAL. As to the tying of these?

Senator PACKWOOD. Right.

Mr. ROSENTHAL. I would like to think that one over.

Senator PACKWOOD. Have you thought about it before?

Mr. ROSENTHAL. Yes; I have thought about it before. I have given various answers depending on the various situations that obtained. I can see some situations in which it would be effective in achieving the objectives that would be tied. I have seen other situations in which the

contrary has taken place, in which I would have favored a quieter and a more private technique for achieving those objectives. I think it would have been more fruitful.

I will say this. If our Government ties it in, I will not object to it. That is a political decision and I would loyally abide by it. If you ask me I will state that I am very strongly in favor of the international free, unfettered movement of technology, of people, of ideas and of trade. That is what I am devoted to.

Senator PACKWOOD. If a country would not allow a free unfettered movement of people and ideas would you support the United States putting a restriction on trade with that country?

Mr. ROSENTHAL. If the U.S. Government through its Congress and administration so does, I would certainly support it.

Senator PACKWOOD. I would hope you would do that as at a minimum if that is the law. I want a recommendation.

Mr. ROSENTHAL. If a country adopted an attitude which was against the basic precepts in which I believe as a human being I would oppose those precepts in any effective manner I could as a private citizen.

Senator PACKWOOD. I have no further questions, Mr. Chairman.

Senator RIBICOFF. Senator Byrd.

Senator BYRD. My views are very similar to those of Senator Ribicoff and I think you, Mr. Chairman, have covered the questions that I had in mind. So I have no further questions.

Senator RIBICOFF. Senator Hansen.

Senator HANSEN. Thank you, Mr. Chairman.

Senator Packwood raised the general thrust of the concerns that I have. I think you said that your personal view was that you would encourage the movement of persons, ideas, and technology. I think that President Carter indicated a misgiving about our making available some computer sales of technology to the Soviet Union. Do you imply that you would have encouraged that decision.

Mr. ROSENTHAL. No. I think that considerations of the welfare and security of this country must always be paramount.

Senator HANSEN. I share Senator Ribicoff's view that if I had my "druthers," I, too, would and do support the idea that human rights ought to prevail everywhere.

My question is, Do you think that our continuing pressures for an extension of human rights have been counterproductive in our efforts to achieve other goals?

Mr. ROSENTHAL. I think I have seen some evidence of its being counterproductive. I was present at the luncheon which Senator Ribicoff attended 2 weeks ago in which some evidence of that tendency was manifest.

Senator HANSEN. I have no further questions, Mr. Chairman.

Senator RIBICOFF. Thank you very much.

A number of members of the subcommittee have asked if we will vote on this today. The answer is no. We will complete the hearing and when the full committee meets we will take the matter up.

Thank you very much, Mr. Rosenthal.

Mr. Rosenthal, again I was very serious in my comment. You are in the forefront of the whole field of international trade. Your company is involved in the four corners of the world, as a matter of fact. Again,

in conversations with people in every type of economy, I realize the respect that is shown the members of the industrial community. They may decry it but yet almost every philosophy seeks to copy it and to fashion their business after American business and this is one of the ironies. They have great respect for the American business community, the American leadership. I know there is a difference between a Jackson-Vanik approach to policy and a quiet conversational approach. I don't think the results are in yet as to which is the better, but there is an opportunity to prove that the other could be better. I would say that men like yourselves and those who make up your Council have a great opportunity in your quiet discussions with those all over the world with whom you do business to impress upon them the opportunity to show that another way is better than the Jackson-Vanik way.

Mr. ROSENTHAL. Senator, I can assure you that in my own way as I travel around the world I am certainly not mute with respect to the benefits of human freedom.

Senator RUBINOFF. You can talk to your counterparts in the leading American corporations. Thank you very much, Mr. Rosenthal.

Mr. ROSENTHAL. Thank you Mr. Chairman.

[The following material was submitted by Mr. Rosenthal:]

ROMANIAN-UNITED STATES ECONOMIC COUNCIL

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Senator RUBINOFF. Mr. Jacob Birnbaum, please.

STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR, THE CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY

Mr. BIRNBAUM. Mr. Chairman, I am delighted that we are discussing this year, the third year of our discussions on this matter, practical matters of how to implement the law of the land.

I would like to offer one or two suggestions, but before I do that may I discuss one or two misleading points urged by previous speakers.

During the last few months the human rights situation in Romania has not only remained in the same poor shape as in previous years; it has, in fact, in many senses become radically worse. Once a few weeks ago there was a major public campaign in Romania against emigration, a very strong, wide-ranging campaign.

The difficulties of emigration harassment have been institutionalized as never before. A would-be emigrant has to undergo a three or four-stage process before he can get an application form in his hands. Further, my friends and myself have noticed that this summer the Romanians have been less responsive than previous years around MFN time. Fewer "approval" lists have circulated. There have been plenty of visits by Romanian officials to influential Washingtonians but their assurances have contained even less substance than in earlier years. Certainly the one country where there is a major Romanian human family base, a human base for family reunion from Romania, Israel, has seen, twice in 3 years, a steep decline, a halving of the emigration flow.

I think we should take most careful note of what the President said in his letter of June 2. It has only been touched upon so far at these hearings but he made a radical innovation. He spoke about "close monitoring." He spoke about the possibility of "reconsidering his recommendation" for the waiver. He spoke about intervening with the Government of Romania in terms of "actions and emigration trends" which were unsatisfactory in accordance with past humanitarian assurances. His was a three-part warning to the Romanians.

It seems to me that the work of this committee should lie in trying to see how to support and assist the President in the implementation of his proposals for monitoring and for discussing with the Romanians on a systematic basis how to improve the situation.

Now, I have a number of such systematic proposals but I have not been given enough time and hopefully they will emerge from the questions.

Senator RUBINOFF. Thank you very much, Mr. Birnbaum.

I have looked over your brief and very significant remarks. They are constructive, your recommendations are constructive. I would suggest that the State Department and the Commerce Department and the STR representatives look over Mr. Birnbaum's recommendations. I think that if they do and follow up we can do much to determine whether the Romanians are sincere or not sincere. Your testimony was brief, but very effective, Mr. Birnbaum.

Mr. BIRNBAUM. Thank you.

Senator RIBICOFF. I would ask the staff to insure that the specific recommendations that are contained in Mr. Birnbaum's testimony are given to the executive branch.

Senator CURTIS.

Senator CURTIS. I will be very brief.

You have mentioned in your recommendations intimidation, over-complexity in these matters. Does your information indicate that when these individuals apply for the right to emigrate or apply for the right to come here and visit close relatives that many different things are resorted to discourage them?

Mr. BIRNBAUM. Yes. I prepared a list of six categories but they are by no means exclusive. I would agree that difficulties for persons wishing to visit also should be placed among those categories. However, I would say that they are somewhat less significant, those difficulties are somewhat less significant than others.

Senator CURTIS. I had reference to the delays. Do the Romanians in both of these cases resort to a number of schemes, you might say, to discourage and delay?

Mr. BIRNBAUM. My experience is that there are many cases of rather considerable delays and sometimes outright refusals for straight visiting. I believe that.

Senator CURTIS. And sometimes they are told they will lose their old age pensions or questions are raised in their minds?

Mr. BIRNBAUM. Intimidation and hints of that nature are made certainly. It is a climate of fear.

Senator CURTIS. That is all, Mr. Chairman.

Senator RIBICOFF. Senator Packwood.

Senator PACKWOOD. No questions, Mr. Chairman.

Senator RIBICOFF. Thank you very much.

Mr. BIRNBAUM. Thank you, Mr. Chairman.

[The prepared statement of Mr. Birnbaum follows. Oral testimony continues on p. 50.]

STATEMENT BY JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY AND STUDENT STRUGGLE FOR SOVIET JEWRY

SUMMARY

IMPROVING ROMANIAN EMIGRATION POLICIES AND PROCEDURES

- I. Expansion and sharpening monitoring facilities.
- II. U.S.-Romanian discussions to eliminate the elements of intimidation and over-complexity from emigration procedures.

Romania has MFN status under false pretenses

The past few months have seen major public campaigns against emigration by the Romanian government, a further startling decline in Romanian emigration to Israel (the figures are down by half, the second time in the last three years), an "increase" of 28 in migration to the U.S., and no letup in the ceaseless stream of reports of fear, harassment, job displacements. Clearly, Romania has been enjoying MFN trading status and attendant economic benefits in recent years under false pretenses.

President Carter's three warnings to Romania

Despite these massive violations, the President has recommended the extension of the waiver for another year in the hope of providing an "incentive" for better "performance". He made it plain however that he intended—

1. "To monitor closely compliance with the objectives of section 492".
2. If "performance" was unsatisfactory, he reserved the right "to reconsider my recommendation".
3. "We will bring to the attention of the Romanian government any actions or emigration trends" not "conforming" to past "humanitarian assurances".

If the members of this Trade Subcommittee accept the President's recommendation, they should strive hard to insure that—

A. The facilities for "close monitoring" of which the President speaks will become operational in a way that they have not been before.

B. "The actions or emigration trends which are not satisfactory will really be taken up with the Romanians with a new kind of forcefulness.

How do we deal with the Romanians?

A. "Close Monitoring

1. Expansion of the Administration's monitoring facilities in Bucharest and Washington, with frequent detailed reports, followed by reviews, leading to action.

2. Expansion of Congressional review and action facilities.

3. Persistent Administration intervention with the Romanians, to be complemented by steady Congressional pressures on them.

B. *Initiating U.S.-Romanian discussions about the various types of difficulties*

Once again, Congressional pressures can be most helpful to the Administration's negotiations. Here are some of the categories for discussion—

1. Simplification of emigration procedures.

2. Reunion of separated couples; difficulties in marrying non-Romanians.

3. Job displacements and demotions.

4. Discrimination against children of prisoners.

5. Discrimination against relatives of former high officials.

6. Special hardship cases of elderly former prisoners.

What do we want from the Romanians?

A. Early permission to leave for those waiting more than a year.

B. Cessation of the varied harassments.

C. Adequate emigration flows—

To the U.S., maintain steady growth.

To Israel, revert to the 1978/4 levels of 300-400 monthly.

STATEMENT

IMPROVING ROMANIAN EMIGRATION POLICIES AND PROCEDURES

Mr. Chairman, this is the third year of Congressional hearings to determine Romania's eligibility to be exempt from the force of section 402 of Title IV of the 1974 Trade Reform Act, on the understanding that "substantial progress" is being made toward Romanian emigration policies and procedures devoid of harassment and intimidation and fear. We hope that this time members of the Trade Committee will find ways of insuring real progress.

Romania has MFN status under false pretenses

In 1976, after having heard the assurances of former Undersecretary of State A. Hartman and of former Romanian Ambassadors C. Bogdan and I. Dacu, I did not testify. Unfortunately, after a brief respite, my phone lines once more became burdened with complaints of endless harassments. I regret that my analysis of Romanian emigration statistics, of the various types of harassment and their consequences in my 1976 testimony to the Trade Subcommittee of the Senate (Sept. 8, '76) and of the House (Sept. 14, '76) is still perfectly valid. My conclusion was that in the light of the facts, a straightforward waiver would "need some justifying" indeed. At the time I suggested the establishment of Congressional monitoring and review facilities. The suggestions, expanded in a letter to the Committee a few days later, were ignored and I am under the impression that after the hearings were completed, no committee discussions of any kind were held. The only effort made to deal with this question of monitoring was incorporated into House Resolutions 596 & 7, initiated by Congressmen Koch, Drinan and Dodd.

Seven months later, my testimony of March 15, 1977 before the Commission on Security and Cooperation in Europe, could find no improvement. Quite the contrary. I related an incident which took place in Bucharest during July 1976 at the very time the Romanians knew that the Senate and House hearings had been postponed until the beginning of September to give them a chance to improve

their performance. "We went to the State Committee for Visas and Passports to plead for our reunion . . . we were given a chilly reception When I alluded to the human rights provisions of the Helsinki Accord and other international agreements which Romania is a party to, the official said he could not care less about such agreements and this Helsinki business didn't mean a thing as far as they were concerned."

The conclusion was inescapable: Romania is in violation of the family reunion emigration provisions of Basket III of the Helsinki Final Act and is enjoying MFN trading status and other economic benefits under false pretenses.

Bucharest less responsive in 1977

Furthermore, the Romanians appear to be substantially less responsive this time around. There are fewer flashy "approvals" (which incidentally may often not turn into actual exit permits for a very long time.) They point to an "increase" of Romanian migration to the U.S. between January 1 and May 31. On examination, the "increase" turns out to be 281 (472 to 500). For the same period, the flow to Israel has halved to 458 from 853. If this is maintained for the rest of the year, it will be the second time in three years that the flow to Israel was halved. The 1973 and 1974 figures were in the 4000 range; for 1975 and 1976, they were 2000. Now they seem to be shooting down to the 1000 range for 1977. It is further ironic that Israel with by far the greatest human base for family reunion from Romania should now have a smaller flow of migration than the U.S. Romanian motives are obvious.

Few in Washington have heard of the public campaigns against emigration in Romania this year. Romanian diplomats blandly assert that there is really no problem and that the sources of emigration, particularly within the elderly Jewish community, are drying up. These cruel falsehoods ring hollow in the ears of those of us in intimate touch with the situation. Mr. Chairman, I find it curious that my phone lines never hum with the pleas of persons trying to get their relatives out of neighboring Hungary which has a Jewish community of like size!

The ominous words of the woman who wrote to us last year are coming true: "I believe the new stratagem of the Romanian authorities is to refuse the petitioners the right to file for travel documents and when questions from abroad arise, the answer may be, 'Sorry, but the people you mention never filed an application, and we don't force our citizens to emigrate!'" It is true that there is now a highly intimidating series of processes before the application forms ever become available.

Despite the massive violations indicated, President Carter, in his letter of June 2, 1977, followed his predecessor in recommending the extension of the waiver for another year. He hopes thereby to provide an "incentive" for improved "performance". With one large exception, the wording of his letter is the same or similar to that of Mr. Ford's last year. There is the same emphasis on good trade relations as an encouragement to Romania to maintain her independent style foreign policy. While this is a worthy aim, we should beware of the myth, still subscribed to by many in Washington, that if we do not appease the Romanians they will be driven into the arms of Moscow.

The President asserts that "overall emigration [to Israel] has risen markedly since the implementation of the U.S.-Romanian Trade Agreement." This is incorrect, especially if seen in the "overall" perspective of the declines since 1974; a halving twice since that time.

President Carter's three-part warning to Bucharest—emphasis on "close monitoring"

The President's letter contained a radical innovation, however—a three-part warning to the Romanians indicating that he was seeking improved "performance". He intended—

1. "To monitor closely compliance with the objectives of section 402.
2. If performance was unsatisfactory, he reserved the right to "reconsider my recommendation".
3. "We will bring to the attention of the Romanian government any actions or emigration trends" not "conforming to past humanitarian assurances".

After my long campaigns in Congress, the State Department and, recently, in the National Security Council, for such monitoring, I have at last become more hopeful that such facilities will shortly be established by the Administration in Bucharest and Washington, supplemented by expanded Congressional review and monitoring mechanisms.

In my opinion, once Bucharest realizes that we intend (a) to follow up continuously on a case-by-case basis (b) to insist on a U.S.-Romanian discussion of the various categories of difficulties, the signal will finally get through that we are really serious in this area.

Let us briefly examine these two sections further.

A. Continuous comprehensive monitoring will have to include—

1. More detailed and frequent reports from our embassy in Bucharest, relating also to would-be emigrants to lands other than the U.S. If additional staff is required, this would be in line with some recent recommendations for more utilization of staff for human rights work abroad.

2. Expansion of the Administration's monitoring and review facilities in Washington.

3. Expansion of Congressional review and action procedures.

4. Persistent Administration intervention with the Romanians, assisted by steady Congressional pressures.

B. Initiation of U.S.-Romanian discussions about the various difficult categories as—

1. Simplification of family reunion emigration procedures. For example, a simple letter of intent might be regarded as the first recognized step to emigration.

2. Reunion of separated couples (the President's second annual report to the Helsinki Commission mentions the present number in relation to the U.S. as being 71; the second highest number reported is 11 for East Germany); the extreme difficulty of marriage with former Romanians and, of course, with foreigners.

3. Job displacement and demotion.

4. Discrimination against children of prisoners, sometimes even former prisoners.

5. Discrimination against relatives of former high officials.

6. Special hardship cases of former prisoners, now elderly and ailing. They are doomed to a kind of eternal limbo, unable to join their children abroad, unless they can pay impossible fines. A group of these people underwent "scapegoat" trials in the late 1950s and early 1960s.

To sum up, what do we want from the Romanians?

1. Early permission to leave for those waiting more than a year.

2. Cessation of the various harassments outlined above.

3. Adequate emigration—

Maintain steady growth to the U.S.

Revert to the 1978/4 levels of 800-400 monthly to Israel.

CONCLUSION

The Romanians know that our attitude to them is fundamentally moderate and positive. Our recent unconditional gift of \$20 million is surely indicative of this. We need not fear therefore that our signals to them about the seriousness of our concerns in this area will be misjudged, and that the Romanian government will rush panic-stricken beneath the sheltering wings of the Kremlin. In the final analysis, the Romanians need us—politically and economically—far more than we will ever need them. In my opinion, most of these petty oppressions will disappear once they are convinced that we are willing to firmly back up our views.

Mr. Chairman, we look forward to your Committee's detailed recommendations to help the President implement his proposals for "close monitoring" and appropriate interventions with the Romanians. Thank you very much.

ROMANIAN JEWS DESIRING TO IMMIGRATE TO U.S.A. OR CANADA

List of Abbreviations: s.=son, d.=daughter, b.=brother, si.=sister, f.=father, m.=mother, w.=wife, ch.=child, chn.=children, cr.=close relative such as cousin, u.=uncle, a.=aunt, P.=Prisoner, FP.=Former Prisoner, BU.=Bucharest ** extreme cases, (E) emigrated; (A) Rom. emigration approval but exit unknown to J. B.

Aronsohn, Janku—Nitu Vasile, BU.—cr. B. Rothenberg, 1909 Quentin Rd, Bklyn, N.Y. 11229, Ernestina Korner, 8785 Bay St., Brooklyn, N.Y.

Albu, Dr. and Mrs. Eugene—3 Cibrian Porum Boscu, BU.

Adam, Anna Clara—Batistel 9, BU.—cr. J. Manollu, 751 Layne Ct., Ap. 6, Palo Alto, CA. 94306.

Abraham, Chidali, w. Lisa, d. Anna—Undricani 25; b. Aron 142 Pershing Crescent, Briarwood, N.Y. 11435.

(E) Breier, Fredl, w. Manuell, d. Hedi—Sabinelor 72a, BU. (See Tarnaceanu).
U. Dr. A. Rogers, 70 Edgewood Dr., New Hyde Park, N.Y. 11040.

Benyik, Imro & Family, G. Enescu 30, Oradea: B. Julius, Vestal Plaza, Ap. 3-3, Binghamton, N.Y.

Benes, Solomon, w. Ludmilla—Hrisovului 26, BU.—Parents, Mr. & Mrs. Moritz Benes, 1125 Commonwealth Av., Ap. 16, Boston, Mass.

(A) Bucicov, Vladimir—Bd. Micurini 5a, BU.—A. A. Natasha Hirsch, 140 West 55th St., N.Y., N.Y. 10019.

Clejan, Mrs. Toni, s. Avrum, w. Eugenia, 2 chn—Ramure 1, Ploesti. B. Silviu Schmelzer, 8807 Link Pass, Houston, Texas.

Cojocaru, Aron Hers, w. Yenta—December 30, Dorohoi grands. Sholem Zeligher, 118-80 Metropolitan Av., F.H., N.Y. 11415.

(A) Costescu, Minel—BLV. Magheru 7, BU. (see m. Sitaru, Ruhla).

E Dima, Cornel, w. Jeanna; Vinatori 25; F. Dima, Millo, Flushing, N.Y. (Tel. 212.886.2975).

David, Kalman, w. Betti, Trandafirilor, Dorohoi. s. David, Sumer, w. Suzanna, d. Lora cr. Sholem Zeligher, 118-80 Metropolitan Av., F.H., N.Y. 11415.

(A) Elias, Baruch, w. Maria & son—Blv. 1 Mai 152, BU. b. David Cotter, Encla Dr., Escalon, CA. 91316.

** (FB) Edelstein, Sami, w. Chitla, Blv. Magheru 29, BU.: SiGita&Leon Litner, 53-23 97th St., Rego Pa., N.Y. 11368.

(B) Frost, Leo, w. Anutza, s. Andrei—ed. Dinicu Golescu 37, BU.—Passport received, cancelled s. Julia Han, 156 West 106th St., Ap. 4c, N.Y., N.Y. 10025.

E. Friedman, Vladimir, Brezoianu 28-32, ap. 52, BU. wife: Leibovici Brandusa, 314 East 80th St., ap. 4d, N.Y. 10021.

FP. Chinsbruner, Angelo, w. Silvia—Maria Rosetti 17, BU. cousins: Dr. Armin Casvan&Lucy Fouer, 140-95, Burden Crescent, Briarwood, N.Y.

(E) Illovid, Marc, w. Kathrin, d. Irina—Sipotul Fintiniilor 5, BU. cr. Leonard Chase, West Hartford, Connecticut.

Ingel, Isu, w. Frida—Trandafirilor, Dorohoi: c. Sholem Zeligher, 118-80 Metropolitan Av., F.H., N.Y. 11415.

Lerner, Moishe, w. Liba, ch. Josilica—Trandafirilor, 17 Dorohoi. cr. Sholem Zeligher, 118-80 Metropolitan Av., F.H., NY 11415.

Lehrer, Mihail—Cale, Pretenia 20, Radauti—U.S. brother.

Meitani, Alexandra Elena Ralu—Baba Novae 1—Husband on way to U.S.

Licrangi, Anton, w. Rosalia, Communa Vladimirescu, Gare 4, Jud. Arad d. Teresa Schneider, 77 Bronx River Rd., Yonkers, NY 10704.

Margindeanu, Florina, w. Denisa Amado—Bu: cr. P. Ofer, 114 E. 44, N.Y.C.

(E) Moldoveanu, Victor, w. Florica, d. Alice—De Mijloc 13, Brasov d. Monica Shevack, 201 Foster Av., Brooklyn, NY 11230.

**FP. Morsky, Bernath—G-ral Florescu 16, BU.—d. Mrs. Joe Bergida, POB 2848, St. Thomas, Virgin Isle, U.S.A.

Marcus, Saul, w. Teresa, chn. Luiza, Cecilia, m. in law, Gitla Rabinovici, Lucaci 113 BU. b. David, 3811 N. Newhall St., Milwaukee, Wis. 53211.

(E) Munteanu, Mariana—Dr. Lister 5a, BU.—Finance, V. Radulescu, 43-33 46th St., N.Y. 11140.

Merovici, Mr. and Mrs.—Helesteului 21, BU.

**Mendelovici, Moshe—Al. Pioneer Ilor, Visuel de Sus: cr. Leibl Mendelovich, 1427-55th St., Brooklyn, NY.

(E) Mihaescu, Dr. Edith, h. Constantin—Cartier Nord 40, Rimnicu Vilcea (s. Adrian) sj. Elizabeth Herdan, 5910 Kirby Rd., Bethesda, Md. 20034.

Neculia, Emanuel Carmen, Horia—Cal Grivited 85, BU. Iordachita; Alexandra. F. Dr. Virgil N. c/o St Luke's Hospital, 1004 Amsterdam Av., NY 10025.

Prato, Rut—Cal. Grivitel 240, BU.

Preis, Adela, d. Erica—Vasile Conta 18a Oradea: cr. Mary Weiss, 81-14 Baxter Av. Elmhurst, N.Y. 11373.

Rabinovici, Gitla—Lucaci 118, BU. (see Marcus S.).

**F. P. Stosel, Josef, Florentina M. Blv 10 N. Sulex, Bl. 13, Bu. U. Josef Stosel, 184 Routledge St., Brooklyn, NY.

Serban, Pia (Schwarz); Tudor Arghesi 26, Bu. cr. Aron Schwartz, Brooklyn, NY. (212.485.8220).

Sharf, Solomon, Grivitel 168, BU.—U. Max Kluger, 149 E. Bradford Av. Cedar Grove, N.J. 17099.

**F. P. Salovici, Martin—Parcu Traian 1, Jud. Oradea: U.S. brother.

Simon, Martha, chn. Rita, Toma—Unirii 7, Cluj cr. Lester Harrison, 80 Old Colony Rd., Hartsdale, NY 10630.

Simon Isidor—Roselor 26, Satu Mare: b. Simon, Zelig, 950-43, Brooklyn, NY 11219.

(A) Sitaru, Rubla—Dum Petrescu 79, BU. (See Costescu D.)

(A) Sigal, Dr. Janku Solomon, w. Aura, d. Rolande—Al Avocat Salaganu 7, BU. cr. Eva Strominger, 104-40 Queens Blvd., F.H. NY 11375.

(E) Tarnaceanu, Jean, w. Rubla—Sabinelor 72a, BU. (see Breier), b. Dr. A. Rogers, 70 Edgewood Dr., New Hyde Park, NY 11040.

* * Wexler, Mrs. Vlorica—Bolitaneanu 2, Bu.: Sa. Carol Kohn, 90-56 Av. Flu., NY 11373, sister: Silvia & Marcel (Mendel) Simon—M. Eminescu 38, BU.

Zonis, Isak, m. Sara—Al. Fetesti 8-12, bl. 1-26, BU. F. Jacob Zonis.

CANADA

Clejan, Mrs. Toni, s. Avrum, Eugenia, 2 chn—Ramure 1, Ploesti. Brothers: David Schmelzer, 6260 Deacon Rd., Montreal., Bernard Schmelzer, 3450 Drummond St., Ap. 1424, Montreal.

(E) Frank, Deiderill, w. Ecaterina, s. Mark—Al. Compozitor Ilor, 11, Ap. 57, BU. cr. Lawrence Cohen, 121 Hunter St., Ap. 616, Hamilton, Ontario.

(E) Mendel, Irena—Al. Zoe 2, Sect. 1, BU. m. Vrablo, Adriana Zoe 2, Sect. 1, BU. wish to join husband & son. Ernst Mendel & Radu, 5475 Rosedale Av, Ap. 407, Montreal.

(E) Panijel, Marcel, w. Silvia, d. Rifca—Sos. Mihai Bravu 116-122, Bl.D 14, ap. 162 BU. b. Mihael Habet, 5105 Sax St., Ap. 202, Montreal.

FP. Rubinger, Herman, w. Gina Nicos Belolianis 9, Bu. s. Rubinger Bruno, w. Gaby, s. Marchy Nicos Belolianis 9, Bu.

d. of Herman & Gina, Carla Ulpian, 4680 Bouchester St., Montreal.

(E) Glancz, Yakov—Mihail Viteazu 4, Oradea: U.S. Ambassador Bogdan wrote Congressman Fred Richmond (Oct. 23, 1975) that Glancz had permission to study in the United Talmudical Academy of Brooklyn. Unfortunately, nothing seems to be happening.

ADDITIONAL U.S. NAMES

Florescu, Adrian (ne Friedman, Aron)—Mich. Brau 42 62, Bu.; w. Rosetta, 2 chn et. Silvia Rosenfeld (nee Friedman); 5902 12th Ave., Brooklyn, N.Y. 11219. Herscu, Dan; Schitu M. Gurenu 2733; cr. Alex Katz, Brooklyn, N.Y.

Illoviici, Sami, w. Dorothea, 2 chn, Patha Cogeniceanu, 1, Bu.-br. Illoviici. Marc, 51, Beacon St., Hartford, Conn.

Ivanciu, Alexandrina, h. Alexandru; Al. Moghloros 13; et. Mrs. H. Flint, 88-08 82 Av., N.Y. 11.

Katz, Israel, Ramos 10. Bu.—son J. Katz 152-18 Union Turnpike, N.Y. 11376.

Solman, Dumitru, w. Helena, s. Daniel—Al Moghloros 13; et. Mrs. H. Flint, 88-08 82 Av., N.Y. 113.

Sorin, Ada, Moise; Ramos 10, Bu.—U. Jos. Katz, 152-18, Union Turnpike, N.Y. 11376.

Stern, Dr. Iuliu & w. & 2 chn; Dostolewski 2-4, OLUJ; cr. J. Ehrlich, 105 Claybrook Dr., Silver Spring, Md. 20902.

Weissenberg, Anna, H. Maurice, 2 chn, Gina & Ada (Sorin); Ramos 10, Bu. Br. Joseph Katz, 152-18, Union Turnpike, N.Y. 11376.

ROMANIAN JEWS DESIRING TO EMIGRATE TO ISRAEL

s.=son; d.=daughter, b.=brother, sl.=sister, f.=father, m.=mother, w.=wife, ch.=child, chn.=children, cr.=close relative such as cousin, u.=uncle, a.=aunt. P.=Prisoner, B.=Bucharest, F.P.=Former Prisoner.

**Extreme cases (E) emigrated; (A) Rom. emigration approval but exit unknown to J. B.

**P. Asher, Andrei, w. Ibolica, Kolantina 11, B. Died in prison, June 77. b. Tibor, zahal 47, Haifa, s. Mrs. Isak Horenstein, 1549-55th St., Brooklyn, N.Y.

(A) **Asher, Petru, w. Hermlna, chn. Simona, Alize: Masina de Plin 69, B. (son of Andre).

- **P. Aronovich, Marcu**—Sibiu Prison: 5 brothers, sister in Israel. Eldest b.—Haim Doron, Allenby, 40, Tel Aviv.
Anghel, Dr. Razvan, w. Dr. Maria—Bivd Nic. Balcescu 85, B.
Abraham, Ghidali, w. Lisa, d. Anna—Udricani 25, B.—3 brothers in ISr., 1 in N.Y. (F.P.) b. Shimon, Aronovich 8, Holon; Itshak, Raines 15, Murasa, Ramat Hasharon.
Avram, Saul Ber, Spiru Haret 34, Dorohoi.
Butolanu, Dr. Elena (nee Wexler), & h. & Da.—Galati 6, Bu.—Relatives in Israel.
Bucur, Viorel, si. Adina, si. Kurmen—Zurchi 2, Timisoa, Grandm. Frida Jeger, Rehovot.
Bernstein, Miriam, Anni, Robert, Cecelia.—Tiglina III, Galati.
****Blum, Anna**—Pope Soare 52, (F.P.) B.—A. Magda Barna, Kiriat Asor, 526, Nahariya.
Belgrader, Andrei, w. Dora—Drobeta 8, B.—U. Boris Bendarski, U.S. or Canada.
Baltusch, Marian, w. Felicia, s. Alexandru: Drumul Taberei 23, B.
 (A) **Breitman, Harry, w. Vera, chn. Rolly, Yvonne**: [A. Hedda Fodor, Weitzman 5, Natanya.] Vacarescu 12, Timisoara.
 (A) **Cheptea, Mircea**: 68-70 Cal. Victoriei, Bu.—Numerous relatives in Israel.
Chisnezsch, Emile, w. Odette, 2 sons: c/o Mrs. Chisnezsch, V. Manu 42, B. Yuri, w. Ina, baby. Georghe, Biv. N. Balcescu, B.
 B. in Israel, Andrei, Kibbutz Gan Shmuel.
Cohn, Morel, w. Nadia, 2 chn: Padurea Craiului 2, Bu. Bu.—cr. H. Brandman, 23 Clearland Rd., Syosset, L.I., N.Y. 11791; Justin Duncan 18 Fuller St., Brookline, Mass. 02146.
David, Adrian and m. Dora—N. Balcescu, 86, B.
****F.P. (?) Davidovich, Lazar**—Carpati 17, Visuel de Sus: W. & b. Josef, Yotfat, Bl. 32, Natseret Al. cr. Maurice Nemes, 518 McLean Av., Yonkers, N.Y. 10705.
****Donath, Paul, s. Peter & w.**—Biville Bintille 12, B.
****Doreman, Haim, w. Euta, s. Enech, c/o Mania Halperine, Soseauatutura 15, Jassy.**
Clainer, Oslas—Bradului, 16, Bu.
Elias, Radu—Biv. Lenin 5, Cluj.
 (A) **F.P. Faibish, Surica, Com. Bacesti, Jud. Vaslui**: s. Sabina Cohen, Nahlat Yitshak, 11, T.A.
 (A) **Feldman, Julian, w. Lillian, s. Alexandru**; Romulus 17, B.—B. Aurel, Itshak Sadeh 88/6, T.A.
Fablan, Alexandru, w. Charlotte—Salcinilor, Satu Mare.

ROMANIAN EMIGRATION TO ISRAEL

- (E) **Fleisher, Carolina, Bl. Leontin Salajan 48, B.**
 (A) **Gainaru, Rodica & Viorica**—Casa de Copii, Beius Oradea (16 yr old twins waiting to join mother, Melinda Herskovic, Shikun Ramat 14/17, Lod.
F.P. Gelber, Aron—Intr. Lemnea 8, B.—s. Harry, Kiriat Ono.
Gherets, Julian, w. Dana, Bucharest.
Goldenshton, Hartin—Lugofatul 60, B.
E. Kovacs, Susana and mother, Dobrogeanu Gherea 12, Brasov: Relatives in Israel.
Herscovici, Max—Corvin, Cluj.
Hersen, Dan, Schitu M. Gurenu, 2733—cr. Alex Katz, Brooklyn, N.Y.
Herscu, Radu—Piata Splaiului 3-5, B.
Herscu, Sofia—Palatulul, Bl. 7, ap. 45, sect. 7, B.
Herscovici, Corina, h.—Al. Lapusmeanu 24, Galati, probably left, to be checked.
Hajos, Ladislau—Galati 48-50, B.—Fiance in Israel: Vita Milstein, Tagore 11, Ramat Av.
 (A) **Hirsch, Nicolae**—Comel 8, Brasov: Wife in Israel, Toni, 2 chn, c/o Yona Zaler, Rashbam 18, Bnai Brak.
Isser, Mendel—Poiana Narciselor 7, B.
Israel, Iancu-Armeanu 16, Jassy.
****P. Itshkon, Avram, prison unknown here, B. Marcel, Hagana, 25/23 Rehovot.**
****F.P. Itic (Ungar), Avram Natan**—Mamulari 8, B. Arie, Rashi 16a, Haifa.
IACOB, Isoif W. Roji-Mihail Eminescu 12, Nassaud Reg. Cluj—Brothers in Israel—Emil, Meahe, Noah Rubin—cousins in U.S.A.

Kaufman, Harry—Petru Rares 12, Galati—Eugene & Bertaloin Slegelstein, Brooklyn, N.Y.

Kirshenbaum, Bernath—Vlad Tepel 8, Dej—Richard Rubin.

Julian, Dumitru (ne Steinbock, David), w. Paraschiva; Dr. Staicovici, 49, Bu: SI Freda Braunstein, Kib.Givat Brener; s/Sara Figer, Atzmut 14, Hadera; M. Marta Steinbock, Netan.

Lebrery, Mihail—Calea Pretenia 20, Radauti.

Lackner, Julian, w. Rodica, baby; Schitul Maiclor 14, Bu.—Relatives in Israel.

** Leibovici, Mendel, w. Eliza—Al. Cimpul cu Flori 8, B.—Sisters in Israel.

(F.P.) Frida Bercovici, Aticot Ashkelon 285/14, Bernact Herscu, Der. Anitahon, Ashkelon.

Manescu, Vlad—Popa Savu 8a, Sectional, Bucharest—finance in Israel—Inberg, Suzana.

Manhaim, Georghe, w. Ernestina, chn, Aurel, Annmarie—Invoiriti 12, B. Ramdt Hashar.

Moscovici, Maral, w. Sofia—Sfintulsava, 19, Jassy—want to join children.

Mendlovici, Sanilicu, Bl. 23, August 24, Timisoara.

Moscovici, Elias—Nicolina 3, Jassy.

Mayerson, Samson, w. hermina—Mantuleasu 12, B.—M. in Israel, Rebecca, Nitsana 199, Ramat Josef and 3 sisters.

Liber, Livin, w. Monica—Cuza Voda 45, Bu.—relatives in Israel.

** Negrea, Anton, w. Maria, 5 chn—Blv Magheru 9, B.—Desperate parents in Israel, Herscu Schwartz (82), w. Rebecca (78), Maon Haakademaim, 225, Kiriati Haim, Haifa.

Ostas, Hersu, w. Draga, d. Mariana—Cerbulin 82, Brasov—multiple refusals.

Roll, Teofil, wife, 2 chn, m.in. law; Al. Moldovita 6, Bu—relatives in Israel.

Poper, Zoltan—Trib. Jud. Bihor 1785/1968, Oradea.

** Popescu, Silviu—Apolodor 18, B. U Leelefer, R. Kibbuk, 658/2, Ashdad. Israel B. Nathan, Koornan, Rue General Riberlo da Costa 121, Ap 401, Rio de Janeiro, Brazil.

(E) ** FP. Recu, Misu, w. Franchetten—Solca 5, B.—2 ds. in Israel: Violet Wilk, Hamlasha 7, Ramat Gan; Marcela Garon, Hadar Yosef.

** FP. Rosinger, Adalbert, w. Maivine—Stirbel-Voda 4, B. D. Veronica, Hana Senesh 2, Bnal Brak; M. Hala Herscovici, Der. Tsarpat 15/16, Kiriati Sprinzak, Haifa.

** FP. Rosenberg, Heinrich, w. Lilica—Lapuseneanu 24, Galati: D. Corina Hershovici arrived Israel with husband.

Reichman, Herman—Deda Brista Reg. Tg. Mures.

Reichman, Isidor—Gral Florescu 16, B.

Smllovici, Herscu Marcel—Decembrie 60, B.

(A) Solomon, Leon—Stefan Cel Mare, 33, Birlad, Jud. Vaslui: ch. Rabbi Daitch, Ahed Haam, Petach.

** FP. Sheener, Otilia—Cal Grivitel 67, B.—A. Lotte Schener, Hamaleh Korech, 16, T. A.

** FP. Suzin, Micu, w. Veronica, d. Mariana—Piata Buzesti 0, B.—SI Lill Deutsch, Yavneh.

Solomon, David, w. Clara, and daughter—Decembrie 30, 48., Dorohoi.

(A) Sigal, Dr. Janku Solomon, w. Aura, d. Rolande—Al. Avocat Salaganu 7, PU.

Schwartz, Benjamin, w. Corina—Prof. Georgescu 27a, B.

b. Marcel Segal in T.A., sl, in Haifa, Clara Schechter.

Schwartz, Martin, w. Adriana 111 Calarosi, B.

Schwartz, Mayer, w. Miriam—Antin 87, B.

Schechter, Ichil—m Docebal 67, Constanta.

Salomon, Alexandru Garril 85, Osorhol, Jud. Bihor.

** P. Schwalb, Dr. Naftali—Petru Maior 10, Braila, W. Dr Betty, 5 chn S. Eva Bar Sina (Schwalb), Hanasi 24, Haifa.

** P. Simian, Samoil—Tauti de Sus 18, Baia Mare 4900 : S. Esther Berger, Nordau 5, Petach Tik.

Schachter, Y.—18 Decembrie 9, Falticani Reg Suceava.

** Unger, Nathan (F.P.)—Mamulari 8, B.—B. Arle, Rashi 15a, Haifa.

(A) ** FP. Useriu, Mihail—Justitel, 7, B.—B. Israel Ochri, Habas 61, Haifa.

** Usher, David, (F.P.)—Nogrestii Vaslui, Decabal 4, Jassy—B. Avraham, R. Avoda 23, T.A.

Vasilescu, Stefan, w. Leontina—Al. Episcopul Ambroisie, Apt 5, B.—Trying 9 years.

Vianu, Irene, h. Raymond, 2chn—homeless, earthquake; M. Sofia WILHELM, S, TZIPORNIM, 7, Rama Yosef, Bat Yam.

(A) Weinberger, Zoltan.—N. Balchescu 5, Brasov.

**FP. Weiss, Nissim David, w. Florcta, s. Lucian—Intr. Pictor Vermont 3, B. b. Jancu, Haifa P.O.B. 4072, b. Lazar, Kikar Histadrut, 6, Nescher Haifa. Wulch, Milea—Prisaca Dornel 6, B.

Senator RIBICOFF. Mr. Hugh Donaghue.

STATEMENT OF HUGH DONAGHUE, VICE PRESIDENT AND ASSISTANT TO THE CHIEF EXECUTIVE OFFICER, CONTROL DATA CORP.

Senator CURTIS [presiding]. Give your name and capacity in which you appear to the reporter.

Mr. DONAGHUE. My name is Hugh Donaghue. I am vice president and assistant to the chief executive officer, Control Data Corp.

Control Data Corp. is present at the opportunity to present testimony to this committee expressing our support of the extension of the most-favored-nation tariff treatment of imports from the Socialist Republic of Romania.

Control Data Corp. is a major manufacturer of computers and related computer peripheral equipment, not only for our own systems needs, but for their computer manufacturers in the United States and abroad. In 1976 our computer operations produced revenues of just over \$1.3 billion. Of this, \$457 million was from overseas business.

We operate in 31 countries worldwide, including Romania, where we have been active in marketing our products since 1968. In April 1973 Control Data entered into a joint venture with the Industrial Group for Electronics and Vacuum Technology (CIETV), a Romanian enterprise, to form Rom Control Data S.R.L. This company manufactures computer peripheral products, and is 45 percent owned by Control Data of the United States and 55 percent by CIETV of Romania.

The joint venture currently produces three models of a line printer and is about to start the production of 30 and 60 megabyte disk files. Approval to start production was recently granted us by the United States Government, and we hope to start shipments of these products from the factory by the end of this year. We operate out of a new plant of 65,000 square feet and employ over 200 people including several Americans in various managerial positions.

We view this joint venture as a unique experience for our company. As you may know, it is the first joint venture between a United States firm and a Romanian enterprise: a capitalist corporation and a socialist entity. The establishment of this joint venture was possible because of changes in Romanian law that were made in November 1972. Also in 1972 Romania became a member of both the World Bank and the International Monetary Fund.

In 1975 a United States-Romanian Trade Agreement was concluded, with the approval of Congress. Under that agreement Romania first acquired most-favored-nation treatment. This was followed in 1976 by a United States-Romanian 10-year agreement on economic, indus-

trial and technical cooperation. These actions on the part of Romania attest to its efforts to encourage industrial cooperation with the United States.

Control Data's experience to date with our joint venture has been most rewarding. First, Romania has become a second source of supply for the products to be manufactured there, and the workers in the plant have met the high technical standards necessary to insure quality products.

Second, these products now are firmly established in the Romanian marketplace, and as we expand our product line, we will increase our penetration of this market. This, in turn, will strengthen our sales efforts in other Socialist countries as well. These marketing opportunities would not have been available to us had we not been willing to enter into some form of cooperation with Romania.

Third, our Romanian partner has agreed to share future research and development costs of new products to be manufactured at this plant, which will increase the profitability of the joint venture to Control Data.

And last, but certainly not least, having Americans resident in Bucharest and working side by side in the plant with our Romanian counterparts should lead to a better understanding of each other, our different economic systems, customs, et cetera.

Since the establishment of this joint venture there has been considerable interest on the part of many other U.S. companies in entering into similar agreements with other Romanian enterprises. Our company has responded to several dozen requests for information concerning the negotiations and the establishment of our joint venture. This interest has increased since the signing of the United States-Romanian economic agreement last fall. You may recall that the agreement includes wording designed to facilitate the establishment of United States-Romanian joint ventures and other forms of business cooperation on terms familiar to the U.S. business community. Renewal of the extension of most-favored-nation treatment will further encourage this trend.

In conclusion, I should like to acknowledge that a profitable business operation is not the only reason for our support of the President's request for extension of MFN treatment. As I mentioned earlier, Romania has taken many steps to encourage trade and cooperation with the West. Passage of this extension by the Congress will surely indicate to Romania and the rest of the world that its approach to cooperation is correct and worthy of emulation.

Thank you, Mr. Chairman.

Senator CURTIS. Is this joint venture that Control Data Corp. has with Romania with the government or a private concern in Romania?

Mr. DONAGHUE. It is with a government enterprise.

Senator CURTIS. It is manufacturing in nature?

Mr. DONAGHUE. Yes; it is.

Senator CURTIS. How many people are involved?

Mr. DONAGHUE. A little over 200.

Senator CURTIS. Is it dependent on the most-favored-nations clause?

Mr. DONAGHUE. No, sir, it is not.

Senator CURTIS. Is it dependent upon credits or guarantees of the U.S. Government?

Mr. DONAGHUE. No, sir.

Senator CURTIS. So that while your company has a direct interest in trade there, your appearance here is not in reference to that joint venture that it is necessary that you have it?

Mr. DONAGHUE. No, sir, the joint venture itself is the basis of our relationship.

Senator CURTIS. On that basis you are giving us your observations?

Mr. DONAGHUE. Yes, sir.

Senator CURTIS. Senator Packwood.

Senator PACKWOOD. No questions, Mr. Chairman.

Senator RIBICOFF. We thank you for your appearance here.

Mr. DONAGHUE. Thank you, Mr. Chairman.

Senator RIBICOFF. The next witness is Mr. Andrei Aszody. Please give your name to the reporter.

STATEMENT OF ANDREI ASZODY, NEW YORK, N.Y.

Mr. ASZODY. My name is Andrei Aszody, Mr. Chairman.

Senator RIBICOFF. What is your address?

Mr. ASZODY. New York. I am from New York.

Senator RIBICOFF. For whom do you appear?

Mr. ASZODY. For myself.

Senator RIBICOFF. Will you identify the gentleman accompanying you.

Mr. ASZODY. I can't because my English is not so good.

Mr. HAMOS. My name is Laszlo Hamos.

Senator RIBICOFF. You may proceed.

Mr. ASZODY. Mr. Chairman, my emigration from Romania to the United States was connected with a personal tragedy. My wife and I were living in Bucharest with our infant son, as native citizens of Romania. My 3-year-old son Andrei was suffering from a special kind of leukemia, a disease which Romanian medical science is presently not able to treat. In our utter desperation, and after considering every possibility, my wife and I realized that Andrei's only chance for cure would be in the United States.

We succeeded in contacting some American friends who immediately made the necessary arrangements for his treatment at Beth Israel Hospital in New York. An American organization, the Jewish Family Service, guaranteed living expenses here, for both Andrei and my wife, who is also a doctor. The prospect of Andrei's survival, which would have been impossible in Romania was now seemingly in sight.

Our relief lasted until we came face to face with the Romanian authorities in our attempt to obtain permission for my wife and son to travel to the United States. We dropped into the grind mill of the Romanian bureaucracy where the investigation and evaluation of any application for a passport takes months, and in most cases is refused. I first sought the help of the Romanian Department of Health, and a hearing followed. I went there almost daily, and on one of these visits I was curtly reprimanded for "making such a big thing over one person's leukemia."

When I finally received a medical certificate stating that my son's disease was indeed incurable in Romania at that time, I went to the

secret police, which is in charge of issuing passports. I became a daily visitor there as well; they listened but did nothing.

Meanwhile Andrei's condition was getting worse. All our efforts seemed futile. We were completely helpless with our dying child, in the face of the indifference of a so-called Socialist Republic. I was facing a state machinery which is prompt and effective when it has to punish someone for expressing the slightest dissatisfaction or dissident views. But now when help was needed, no one would take the responsibility.

Finally, after many weeks of frantic searching among friends of friends, we found a go-between with connections to party higher ups, and so my wife and son obtained the long sought passport. By that time my son's condition deteriorated to such an extent that he was in a coma when they boarded the airplane.

Upon his arrival to Beth Israel and subsequent treatment, his condition improved. However, 5 weeks later he made a turn for the worse. The doctor indicated that the best possibility for improvement at this point was a bone marrow transplant from myself to my son. Thus, the process of obtaining a passport began anew.

The receipt of the passport took 3 months. Merely obtaining the application forms and documents to be submitted with them—such as approval from my place of employment—took six weeks. The Romanian officials dragged their feet for so long, that the reason for my trip changed. By the time I received my passport it was too late to perform the bone marrow transplant; and the problem became granting Andrei's wish to see me for the last time.

At the suggestion of the doctors treating Andrei, my wife contacted Congressman Edward I. Koch whose district remained indifferent even to his appeals; he alerted the newspapers, television and radio stations of New York. But even the extensive media coverage did not seem to impress the Romanian authorities. Meanwhile my son was rapidly approaching death. My wife had to undergo a daily routine of interviews, photographic sessions and media reports, while holding a vigil over our dying child. Of course, this media coverage was very helpful, but under such circumstances it was torture for both my wife and son.

At this point Congressman Koch delivered a virtual ultimatum to the Romanian Embassy, telling them that if I was not on a plane the next day he would spare no effort to halt the renewal of their most-favored-nation status. That threat finally proved effective, and I was on a plane to the States the next morning, alas 3 months late. I could see my son, but there was no way to help him any more. Ten days later he was dead.

Originally I had no intention of staying here permanently. However, as a result of this inhuman treatment, I decided not to be a subject of that regime again.

This horrible experience is indicative of two things. First, it shows the brutal and cruel nature of the Ceausescu regime. Second, it illustrates my firm opinion that the U.S. Congress is too timid in utilizing the leverage it has in the form of the trade benefits it has granted to Romania.

With the recent large increase of trade with Romania, it could certainly extract from the Romanian Government, in return, some concessions in the field of human rights. At present the requirements of

the Jackson-Vanik amendment are taken less and less seriously by the Romanian Government, since the United States does not enforce them, or to my knowledge even bring them to the attention of the Romanian Government.

At this point I would like to share with this distinguished subcommittee some observations based on my experience as a Romanian citizen of minority extraction.

I am mostly Jewish by origin, Hungarian by name, and Romanian by mother tongue. The classification of my nationality was changed by the Romanian State depending on their particular purposes.

For example, though neither of my parents were of Romanian nationality, I was reported as such in the census of 1966. But when at my place of employment the quota system demanded a Hungarian or a Jew, I suddenly was reclassified. Given my experience with this type of manipulation of statistical data, it is no surprise to me, that the population statistics on the national minorities are routinely understated. This statistical annihilation of large segments of the minority population is the basis for keeping the number of minority schools, cultural institutions, publication of books, and so forth, too low to fulfill the needs of a given nationality group.

As one who worked at the Institute of Political Sciences, I had an opportunity to observe at firsthand the unscientific method of research exercised there.

Last year, this institute published a booklet called, "The Hungarian Nationality in Romania," in response to the movement of Hungarians in the United States on behalf of the minorities in Romania. It was widely distributed here in the United States, from the official Romanian Communist state's propaganda outlet in New York, the Romanian Library. This booklet is presented as the objective work of a scientific institution. However, it was not the result of any independent research, but merely a compilation of previously published unreliable data from official party releases.

Discrimination in employment with respect to minorities is quite evident. On several occasions, I expressed dissatisfaction with the advancement possibilities at my place of work in relation to my performance. At this time, I was unofficially told that if I changed my unmistakably Hungarian name my chances for promotion would definitely be enhanced. This happened despite the fact that only my name is Hungarian. I do not speak the language, and don't particularly identify myself as Hungarian.

Further manipulation of the truth also occurred in the field of history. Unproven theories about the 2,000-year continuity of the Romanian nation are presented as fact starting from kindergarten and permeate all forms of cultural life. This is done in a way that those of minority extraction will consider themselves as inferior, the descendants of unwelcome intruders.

Non-Romanian historical figures who played a major role in the territory that is today Romania, are either ignored in the history books or are claimed to be Romanian. A glaring example of this is the transformation assigned by the Romanians to the name of the great Hungarian Gen. Janos Hunyadi, whose famous defeat over the Turks at Belgrade in 1456 is celebrated to this day throughout Europe, with the ringing of church bells at noon.

In the course of my primary and secondary schooling his name was changed from Janos Hunyadi to Joan Corvin de Hunyade to Joan Corvin de Hunedoara, to Joan Hunedorara and finally to Jancu de Hunedoara. This fabricated Romanianization with no basis in historical truth serves to rob the Hungarians of one of their greatest heros.

The state is also silent on any event which does not testify to, what they consider to be the greatest of the Romanian nation. Thus, there is a complete silence on the 1941 murder of thousands of Jews in Jasi, at the hands of the Romanian Nazis, the largest mass murder of Jews prior to Hilter's atrocities.

The present Romanian state comprises three historically independent principalities. One of the three, Transylvania, was a Hungarian principality for many centuries, then became part of the Austro-Hungarian Empire and only after the First World War was it annexed to Romania. While current historical writings deal extensively with the glorious heritage of the two Romanian principalities, Transylvania is completely neglected.

In March 1974, on the pretext of a paper shortage, all newspapers, magazines, and book publications were drastically reduced. This reduction, of course, affected the minority publications much more severely. In the case of newspapers, it meant the elimination of sometimes the only source of information in a given minority community in its own language.

Books, newspapers, and magazines from Hungary are nearly the cultural source for the Hungarian minority in Romania, and it is also a Communist state; hence, only the planned oppression of the minorities can explain this state of affairs.

The reason I devoted the second part of my testimony to the situation of Romania's minorities is that I think that they are the forgotten victims of Romania's chauvinistic policies. On the one hand, the government claims that there is no minority problem since it has solved it in the spirit of Marxism-Leninism, which allows cultural identity. In reality, however, minority cultural expressions are discouraged through the unofficial state policy. I can verify that these grievances are extremely serious and the oppression extensive, and that there is no forum that can be more effective for their resolution than this distinguished body.

Senator CURTIS. Mr. Aszody, I have scanned your statement and I am very impressed by it. As I understand it, your 3-year-old son was suffering from leukemia.

Mr. ASZODY. Yes.

Senator CURTIS. Through groups of Jewish people arrangements were made for him to be brought to this country for treatment; is that correct?

Mr. ASZODY. That is correct.

Senator CURTIS. But you had difficulty getting the passport and permission to leave on the part of your wife and your son.

Mr. ASZODY. Yes.

Senator CURTIS. How long did that take?

Mr. ASZODY. Almost 2 months. My boy was without any medical treatment.

Senator CURTIS. Your wife is a doctor?

Mr. ASZODY. Yes.

Senator CURTIS. So, you know that for any possible hope of help you had to go elsewhere.

Mr. ASZODY. Yes.

Senator CURTIS. Finally they got the passport.

Mr. ASZODY. Yes.

Senator CURTIS. At one stage of those proceedings they told you you were making too much of a fuss about one case of leukemia?

Mr. ASZODY. Yes; that was the health department in Bucharest.

Senator CURTIS. Then after your son and wife got here and were in the hospital in New York what was it that made your presence necessary here?

Mr. ASZODY. The doctor felt that the only chance to prolong the life of my son might be a bone-marrow transplant.

Senator CURTIS. That is what you wanted to come here for?

Mr. ASZODY. Yes.

Senator CURTIS. Did you experience the same months of delay?

Mr. ASZODY. More than 2 months.

Senator CURTIS. Finally a Congressman in this country got interested?

Mr. ASZODY. Yes. Congressman Koch.

Senator CURTIS. Your paper recites that he tried and finally gave them an ultimatum that unless you were soon placed on a plane coming over here he would lead a fight against the most-favored-nation status?

Mr. ASZODY. Yes. I think this was the only reason.

Senator CURTIS. And that did bring results?

Mr. ASZODY. Yes, I am sure.

Senator CURTIS. Mr. Packwood.

Senator PACKWOOD. No questions, Mr. Chairman.

Senator CURTIS. We thank you for your appearance here.

Mr. ASZODY. Thank you, Mr. Chairman.

Senator CURTIS. Our next witness is Mr. John O. Logan.

STATEMENT OF JOHN LOGAN, CHAIRMAN, UNIVERSAL OIL PRODUCTS, INC.

Mr. LOGAN. Thank you, Mr. Chairman.

I am John O. Logan, chairman of the board of UOP, Inc.

Senator CURTIS. What is UOP?

Mr. LOGAN. UOP is an abbreviation for Universal Oil Products Co. Around the world we are well known by the term UOP because for 60 years we have been processing technology and selling it around the world. I am here in my capacity as chairman of the board of that company.

I won't outline the history of our efforts. Suffice it to say that our ability has been recognized by the installation of well over 2,000 units in approximately 85 countries around the world.

I would also like to support Mr. Rosenthal's statement because I have been a founding member and officer of the Romanian-U.S. Economic Council since it began several years ago.

In June of 1975, we strongly supported the granting of MFN status for Romania. We were convinced at that time that this action would be mutually beneficial to the Romanian people and to the citizens of the United States. We remain convinced that MFN treatment is essential to the furthering of beneficial trade opportunities for both nations.

Since MFN status was granted to Romania, the Romanian Government has demonstrated to us their willingness to cooperate on numerous in-country projects as well as third market country activities. We have found that our previously friendly business relations have been further strengthened by our government's recognition of Romania as a friendly trading nation.

Romania has demonstrated its interest in U.S. business opportunities by their continued energetic support in the activities of the United States-Romanian Economic Council and other similar trade promotion organizations. We believe that the Romanians have also demonstrated a keen interest in continued liberalization of human rights policies and emigration issues.

The continuation of MFN status will further strengthen and facilitate the conduct of business with Romanian organizations through improved communication between Romanian buyers and U.S. companies, and will allow for additional freedom of travel and residence in our respective countries for business purposes.

Significant steps have been taken during the last year to improve the effectiveness of administrative bodies and for increased access to courts and other judicial organizations for settlement of disputes. Continuation of MFN status will further encourage U.S. corporations to utilize major U.S. financial institutions, thereby allowing U.S. exporters to compete more favorably with other governments such as Japan, United Kingdom, and Germany, who subsidize many of the actions of their corporations.

Throughout our four decades of business with Romania, we have found our Romanian counterparts to be good businessmen and dependable customers. Their recent interest in joint venture activities and cooperation in third countries further enhance the attractiveness of Romania to U.S. corporations. I might inject there the activity in third countries which we are beginning to become heavily involved in with the Romanians will not show up in the trade statistics for Romania because it will show up on our books in the country where the work is done, but it will be largely through the cooperative effort with the Romanians this work is undertaken.

UOP wholeheartedly supports President Carter's recent recommendation for MFN status for Romania and believes such action to be fundamentally sound national policy for the United States. UOP Inc. and other U.S. corporations will continue to benefit by such an agreement, thereby enhancing the creation of jobs in the United States and closer social and political ties with the Romanian people and their government. To deny approval would strike a damaging blow to the current friendly relations between our two countries.

I urge you as members of the Subcommittee on International Trade to endorse extension of MFN and thereby continue to demonstrate our sincerity as represented by the Trade Act of 1974, and our continuing interest in closer ties with Romania.

Thank you.

Senator CURTIS. Is your company currently doing business in Romania?

Mr. LOGAN. We have done business in Romania almost continuously since 1928 with a short period of World War II being an exception. Yes, we have a number of projects underway in Romania currently.

Senator CURTIS. Are those projects dependent on the most-favored-nation clause?

Mr. LOGAN. Not directly. To the extent that the Romanian Government and its people would feel favorable toward the United States or antagonistic toward the United States we would presumably be affected accordingly.

Senator CURTIS. Are your business transactions in Romania the beneficiaries of loan guarantees or credits or participation by the Government of the United States in any way?

Mr. LOGAN. No, ours are not. There might be certain projects in which we would supply our technology in which the other facets of the projects might be supported by the Ex-Im Bank or some financial institution of that nature.

Senator CURTIS. Senator Packwood.

Senator PACKWOOD. Mr. Logan, are you familiar with the basic provisions of the Helsinki Agreement?

Mr. LOGAN. Only in general terms.

Senator PACKWOOD. Russia got what they wanted in the way of recognized security boundaries, a realignment of the boundary lines secured by World War II. Romania and the Eastern bloc countries are signatories to the Helsinki agreement. Of course, one of the provisions is the human rights provision of the Helsinki agreement. Helsinki was not unilateral. Russia and Romania were dragged in against their will. What should the U.S. position be? What should the business community's position be if those countries will not observe the human liberties part of the agreement?

Mr. LOGAN. Senator, I think we have two facets to the relationship. One is the commercial business relationship, and I feel qualified to comment on the characteristics that affect that particular aspect of the situation. I hardly feel qualified to suggest what should be done in the area of political aspects.

I think the emigration issue or the boundary issue to be political in nature. Certainly those of us who travel internationally recognize and enjoy the great freedoms of this country. I think we would hope that the world would ultimately follow our pattern in that respect. I don't think I am qualified to say what the political sectors or our system should do about such situations.

Senator PACKWOOD. That is very discouraging. We have held these meetings for a number of years. The business community is opposed to them. You are the second business representative who has no opinion about them, saying it is a political decision. Yet, if we decided to end the MFN with Romania the business community has given us no input as to what they are going to do. If that is going to be the attitude of the business community fine. Yet, they should not complain.

about any decision they do not like, since they have been unwilling to give us their input from the start. Is that right?

Mr. LOGAN. That is not fair. You have a responsibility and I have one. I am asking that we each carry out our respective responsibilities. We will abide by the decision that affects the respective arenas.

Senator PACKWOOD. I understand that. The President has the power to make regulations. You will observe the regulations. That is the minimum to expect of citizens of this country, that they will observe the law.

You are telling me that you don't feel that you should make any suggestions as to what the U.S. policy should be as far as the human liberties part of the Helsinki agreement, and if by chance, having placed yourself in the position of not offering advice, should we make decisions that adversely affect the business community you won't find that you had any input.

Mr. LOGAN. I didn't say that I would just obey the rules. We all have private conversations with Romanians, Russians, with people all over the world. What I did say was that I did not want to say what the political sector of our society should do with the rules. I have talked to the Romanian Ambassador, the present one, and the prior Ambassador. I have talked to our Ambassador in Bucharest, Harry Barnes. He does a great job over there. It is not for me to come out and say that the law should be done this way or should say this or that because it is a part of a broader spectrum. It affects not only Romania but it affects other people.

Senator PACKWOOD. You said the MFN should be extended.

Mr. LOGAN. I felt the commercial aspect of our business and business community, yes, sir, I believe it should be extended on that basis.

Senator PACKWOOD. That is a political decision. You are giving us advice on that political decision.

Mr. LOGAN. Yes, sir. I am not telling you how to do it, how to write the rules.

Senator PACKWOOD. I understand that. You are offering political advice on a political decision in this area.

Mr. LOGAN. I suggested that the commercial sector of our society had been enhanced by virtue of MFN. I thought we were opening up new avenues for a broader expansion of that and, therefore, it made sense from that standpoint to have MFN continue. visions of the Helsinki agreement!

Senator PACKWOOD. Mr. Logan, last year we argued on deferred foreign source income and taxation of it. I defended the business community. I think it was a wise decision. American business does a good job overseas. It is good for the business of this country to increase trade.

I don't accept the argument that it causes loss of jobs. There is more to business than business. There is a moral obligation, a moral leadership. I just hate to see business defaulting. I am not just saying this of you. I have talked to business groups. They are hesitant to get in this. They don't want to step on any toes.

Mr. LOGAN. The place for U.S. business to be vocal is within the United States. There is no question we are and we take postures. But with regard to external situations we are not privy to the facts as to what U.S. policy is on an international basis or what it is going to be.

This is part of a total segment. I don't think, therefore, that we should invade that arena to try to tell you how to do it.

Senator PACKWOOD. All I am saying is even on internal decisions Congress makes decisions. This is an internal decision. Should we extend the MFN? Should we have the provisions of the Jackson-Vanik amendment on trade? If you say you don't want any part in those decisions, that is your choice. I don't think then you can complain that you have been adversely affected.

Mr. LOGAN. I think I expressed my views that we have had a part in that decision. We have been a beneficiary of the decision. We believe it was the right decision. I think we are talking semantics, about techniques versus the overall situation.

Senator PACKWOOD. I don't think we are talking semantics. The United States is going to have to make a decision about what are we going to do. Are we going to use any economic weapons we have to try to enforce the Helsinki accords or not? At that stage we are going to ask the business community, especially those with tremendous business relations with Eastern Europe, "What is your opinion?" I hope your answer is not that, "It is a political decision, we don't have an opinion."

Mr. LOGAN. I didn't say that.

Senator PACKWOOD. I said, "What would you recommend that we do?" What was your answer?

Mr. LOGAN. Please state what we recommend we do about what? Let us define what the problem is.

Senator PACKWOOD. If we find that the Eastern European nations are not living up to the human rights part of the Helsinki agreement what should we do?

Mr. LOGAN. I think if you have the evidence of that and the data strong enough to support it you have to exercise some form of sanctions or discontinue any multilateral arrangements that you have.

Senator PACKWOOD. Good. I am glad to hear you say that.

Mr. LOGAN. I don't think I am in a position to judge those facts. That is all I am saying.

Senator PACKWOOD. Neither do we. We have to depend on other people who gather the facts and who sometimes are right and sometimes are wrong. We have to make decisions on sometimes inaccurate or incomplete information. I am glad to hear you say assuming the facts show the premise I stated that we might have to discontinue the most-favored-nations status.

Mr. LOGAN. There is no question, Senator, that one of the strongest forces the United States has is vast technological ability, its vast productive ability and its production techniques and so forth. At some stage these might have to be used. There is also an offsetting factor.

Senator PACKWOOD. That is why I have found it impossible to defend the business opportunities for the business to offer. I am ready to defend it against the people who want to bring in trade barriers. The United States both agriculturally and industrially has tremendous clout in this world. I would like to see it used to help further the cause of human liberty.

Thank you.

Senator CURTIS. Thank you.

Mr. LOGAN. Thank you, Mr. Chairman.

Senator CURTIS. Our next witness is Mr. Mesterhazy.

Mr. Meterhazy, before you proceed, I wish to make a brief statement. This hearing was called for two purposes. One, to receive the testimony in reference to the waiver in regard to Romanian freedom. The other one was to receive testimony in reference to S. 1713. I ask that a copy of that bill be incorporated in the hearing at this point.
 [The bill, S. 1713, follows:]

95TH CONGRESS
 1ST SESSION

S. 1713

IN THE SENATE OF THE UNITED STATES

JUNE 17 (legislative day, MAY 18), 1977

Mr. CURTIS introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend section 409 of the Trade Act of 1974 relating to freedom of emigration from Communist countries.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That this Act may be cited as the "Freedom of Emigration
 4 Act".

5 SEC. 2. Section 409 of the Trade Act of 1974 (19
 6 U.S.C. 2439) is amended to read as follows:

7 "SEC. 409. FREEDOM TO VISIT OR TO EMIGRATE TO JOIN
 8 A VERY CLOSE RELATIVE IN THE UNITED
 9 STATES.

10 "(a) To assure the continued dedication of the United
 11 States to the fundamental human rights and welfare of its

1 own citizens, and notwithstanding any other provision of
2 law, on or after the date of the enactment of the Freedom
3 of Emigration Act, no nonmarket economy country shall
4 participate in any program of the Government of the United
5 States which extends credits or credit guarantees or invest-
6 ment guarantees, directly or indirectly, and the President
7 of the United States shall not conclude or renew any com-
8 mercial agreement with any such country, during the period
9 beginning with the date on which the President determines
10 that such country—

11 “(1) denies its citizens the right or opportunity
12 to visit or to join permanently through emigration
13 (within six months of the date of application or at-
14 tempted application for the proper passport or other
15 documents necessary to be able to leave for the United
16 States) a very close relative in the United States, such
17 as a spouse, parent, child, brother, or sister;

18 “(2) imposes more than a nominal tax on emi-
19 gration or on passports, exit visas, or other documents
20 required for visits or for emigration, for any purpose
21 or cause whatsoever, on a citizen described in paragraph
22 (1);

23 “(3) imposes more than a nominal tax, levy, fine,
24 fee, or other charge on any citizen as a consequence of

1 the citizen's desire to visit or to emigrate to the country
2 of his choice;

3 " (4) does not allow a citizen described in para-
4 graph (1) to pay for the transportation needed for the
5 visit or emigration, and to take along currency equal to,
6 if visiting, one-half, and if emigrating, five times the
7 cost of the tourist fare for a regularly scheduled airplane
8 to the United States, in addition to the payment for
9 transportation;

10 " (5) does not allow a citizen described in para-
11 graph (1), if retired and receiving a pension or other
12 old age benefit, to receive the benefits while visiting in
13 the United States, or after emigrating to the United
14 States; or ~~_____~~

15 " (6) makes it difficult or impossible for a citizen
16 described in paragraph (1) to receive visitors from the
17 United States by forcing the visitor to exchange or
18 spend a certain amount of western currency, while visit-
19 ing, or by other means applied to circumvent the re-
20 quirements of this section,

21 and ending one year after the date on which the President
22 determines that such country is no longer in violation of
23 paragraph (1), (2), (3), (4), (5), or (6).

24 " (b) After the date of the enactment of the Freedom of
25 Emigration Act, (A) a nonmarket economy country may

1 participate in any program of the Government of the United
2 States which extends credits or credit guarantees or invest-
3 ment guarantees, and (B) the President may conclude or
4 renew a commercial agreement with such country, only
5 after the President has submitted to Congress a report in-
6 dicating that—

7 “(1) the country is not in violation of paragraph
8 (1), (2), (3), (4), (5), or (6) of subsection (a);
9 and it was never in violation of any such paragraphs
10 while it was obligated to observe them; or

11 “(2) the country has not been in violation of any
12 of such paragraphs during the one-year period ending
13 on the day on which such report is submitted.

14 Such report with respect to such country shall include in-
15 formation as to the nature and implementation of its laws
16 and policies and restrictions or discriminations applied to or
17 against persons wishing to visit or to emigrate to the United
18 States for any reasons. The report required by this sub-
19 section shall be submitted initially as provided herein and,
20 with current information, on or before each June 30 and
21 December 31 thereafter, so long as such credits or guar-
22 antees are extended or such agreement is in effect.

- 1 “(c) If the Senate or the House of Representatives by
2 resolution of either House finds that a country is in viola-
3 tion of paragraph (1), (2), (3), (4), (5), or (6) of sub-
4 section (a), then the President shall treat that country as
5 being in violation for the purposes of this section.”.

Senator CURTIS. S. 1713, a bill which I introduced, amends section 409 of the Trade Act of 1974. Section 409 relates to the freedom to emigrate to join a very close relative in the United States and is similar to section 402, the Jackson-Vanik amendment that prohibits MFN treatment and the granting of credits unless certain immigration requirements are met. S. 1713 would tighten the requirements of section 409 in several respects.

One, the bill would place a 6-month limitation from the date of application to the granting of a passport to leave to visit a family member.

Two, it would allow individuals to retain funds to travel.

Three, it would provide that persons receiving retirement benefits would continue to do so when in the United States.

Four, it would provide that a person may see visitors from the United States.

Five, it would provide that visits may be made to the United States to visit close relatives without hindrance.

In other words, we add to our efforts for the emigrants the right to come to this country to visit a close relative.

Your attention is called to many instances where perhaps someone is living in one of these countries, they are getting old, they have a son or daughter, or other close relative in the United States that they would like to see very much. We feel that that is a basic right for someone to be with their relatives and loved ones particularly in times of need and in times of advanced age and they should be allowed to visit.

It is on that basis that this bill is introduced.

Mr. Mesterhazy, you may proceed.

**STATEMENT OF SZABOLCS J. MESTERHAZY, GROSSE POINTE PARK,
MICH.**

Mr. MESTERHAZY. Mr. Chairman, I studied and graduated from Communist political science with honors in 1955 in Budapest, Hungary. As a high school teacher, I attended many Communist seminars and once I attended, because of an administrative mistake, a seminar prepared for those selected to become members of the ruling group.

I am sure that I am not alone in this category. Our country is the country of immigrants, and I may add the country of the loyal immigrants. Loyal, because we were accepted with love and understanding in this country. Here there are many, much more talented loyal

Americans, who were also trained by the Communists behind the Iron Curtain. They can see as clearly as I do the carefully planted traps behind the statements and actions of the Communist government.

It is obvious that for us, who were trained how to plant the mines, it is easier to find them. So, it can't be surprising that for us it was easy to detect in advance that the Helsinki accord would be another "give-not-take agreement," or as some of our politicians call it—a one-way street—in our relationship with the Soviet bloc.

It was clear before our eyes at the outset that the Communists would not honor one word of it. I knew I was too small to stop Dr. Kissinger from taking our poor good President to Helsinki to sign the Helsinki accord, but I did do the possible. I flew to Kansas City and was able to convince the Republican Convention to put a short, but significant sentence into the Republic platform to correct at least partly the damage which was done in Helsinki by taking away the hope of the people of Eastern Europe that they ever would be free again.

And I am here today also to ask the U.S. Senate through you, Mr. Chairman, to legislate a small two-way street into our one-way street foreign policy. It will be a very small, very narrow two-way street. There will be no room in it to talk except for the American husbands to see their wives, to the American sisters to see their brothers, and to the American children to see their parents before they die. I know it will affect only a very small group and will insure the possibility of reunification of broken American families only.

But even this humanitarian bill will not be easy for you to pass in its present form because the Communists hate the word insure—they prefer the word promise instead, which they never keep, so they will do their utmost to take from it the possibility of enforcement by suggesting that the waiver be included in the section again.

And this bill, no matter how small, narrow, and humanitarian, if it becomes the law of the land in its present form, and I emphasize "in its present form" will set a precedent—a precedent for a two-way street in our one-way street foreign policy. The Communists will hate this even more. So the unregistered Soviet lobby will be in full operation soon. As I look on the actions of Congress in recent months, I see that the unregistered lobby of the Soviet bloc is losing ground rapidly on Capitol Hill. The more pushy their masters become around the globe so shrinks their influence in both Houses of Congress. So those who predicted an early funeral for our Nation miscalculated the American character. The more we are threatened, the greater our resolve becomes.

It is possible that I am a little early in talking about Soviet lobby. Those who started to roll up the cover from Watergate never thought that the cover will keep rolling farther than they wished and finally will fall off even from their loved ones. But this is what is happening.

And those who pulled the cover off from over the deeds of the South Korean lobby never dreamed either, and they still don't, that it will fall off from the unregistered Soviet lobby as well. But I predict it will.

I realize that the Soviet lobby has a much stronger, heavier, and better protected cover than its South Korean counterpart. It is obvious if we compare the resources of the two countries. But, still, I am convinced that their cover will fall. I am more convinced that the Soviet

lobby, even with its presently unbroken cover, will not be able to prevent the bill I drafted, and the Senior Senator from Nebraska—the Honorable Carl Curtis—introduced from becoming the law of the land as it was introduced.

I know I am a private citizen and an immigrant only, whose forefathers did not build this Nation with their blood and their sweat, but I never experienced having my fellow citizens look down on me for this so I hope that the honorable U.S. Senators in this committee who disagree with me even on one word of this bill as it was introduced will not look down on me by refusing to accept my invitation to challenge me with questions and statements while I testify.

If they do challenge me, they will provide me with the greatest honor of my life and will help me to prove as I tried in the past that our system of government is working well if we, the private citizens of this land, are doing our part to make it work.

I received two pieces of information loosely related to the subject at hand, but I feel I must mention them because the first can bear tragic consequences to a small nation and the other can affect our survival itself.

One, I was informed that our new administration already decided to exchange a gift for a promise with a Communist government regardless of what we experienced in Helsinki in this field. I am talking about the holy crown of Hungary. Our executive branch decided to exchange the holy crown for the promise of the Communist government of Hungary that they will keep it always easily accessible where the Hungarian masses could pay it homage freely.

The holy crown was given to the United States in Germany by the legally elected protectors of the holy crown by the Hungarian people to preserve it for the Hungarians until they become free again. I lived 10 years in Hungary under the Communists waiting for the moment when our freedom would come back to us with the holy crown. I want to tell you, sir, that in the Presidential debate President Ford made a statement that he was in Eastern Europe and saw the people are free there. So this is why maybe our present President who disagreed with him at that time accepted now after he became President and that is why he wants to send the crown because he feels they are free.

In Hungary last year October was the 20th anniversary of the Hungarian revolution. I wrote at that time a very short little poem. This was just after the President's statement. I want to tell you:

The children's blood,
 The worker's blood,
 Was sprayed in Budapest,
 Was sprayed in Budapest,
 By the Soviets,
 The rain in 20 years,
 It washed the blood away.
 So a man in that debate didn't hesitate to state:
 "I was in Eastern Europe,
 So trust me when I say,
 The Soviets don't dominate them,
 They are free in every way."
 But after five days' briefing,
 Now even he can see,
 What is in Eastern Europe,
 Is close to slavery.

There is a myth attached to the holy crown in the minds of most Hungarians which is not related to a king. If the crown arrives without freedom most of them will feel their freedom will never come.

Our President likes to communicate through symbols. No matter what he will say, the Hungarians will believe more in his symbolic message: "Don't hope for freedom." In my judgment, it will be a very costly gift for such a small promise. The President's decision was not announced yet so Congress can stop this one-way street agreement a la Carter without harming the President's prestige in any way. I, for one, will be happy to take the blame for the "false" information I give today on the subject of the holy crown.

I realize that the fate of the Hungarian holy crown is remotely related to the subject at hand, as I said before, but I felt I must protect our new President with your help to pick up one of the worst habits of previous administrations; namely, exchanging gifts for never-kept promises. It looks as though we stick to our bad habits instead of learning from their consequences.

Two, a few years ago we accepted a bad SALT I agreement for a promise from the Soviets for a good SALT II agreement this year. What about this year? This year our President is considering accepting a bad SALT II agreement for the promise of a good SALT III agreement in 1985. What about in 1985? Oh, no! I hope you agree with me that we must protect our brand new President from indulging in this type of habit or we will be buried with nuclear ashes just as Khrushchev indicated. We felt that he did not mean it.

If you have any questions, sir.

Senator CURTIS. I have a few questions.

Now, in reference to this bill that you are supporting, it differs from the existing law in that it gives attention to those people who want to come to the United States for a short visit while the present law does not; is that correct?

Mr. MESTERHAZY. Yes, sir. I want to tell you the reason behind it. This visiting provision was in the original section 409 but was taken out on the Senate floor through a gentleman's agreement, at the request of the managers of the bill. At that time they had some justification for it because they already had through Secretary Kissinger a secret agreement with the Soviet Union for emigration. They never thought about the visiting. They never mentioned it to the Soviets. So it would be unfair in the last moment to put it in. Now that it is all over and the Soviets rejected the whole agreement, the argument to keep the visiting provision out from the section is void.

Senator CURTIS. In other words, there were people who previously believed that it could be brought about without putting it in the law?

Mr. MESTERHAZY. Yes. I tell you why it is so important. There are people back in the old country, their sons escaped or came here in some way, their children, they grew up here. They are afraid to go back. Now, these old people who lived their lives there want to finish there. They want to die there. So, they want to come here only to visit their loved ones.

Senator CURTIS. In other words, you are speaking of a very important humane and human right.

Mr. MESTERHAZY. Yes, sir.

Senator CURTIS. This proposal that you are supporting would apply to all nonmarket countries?

Mr. MESTERHAZY. Certainly all of them who we are subsidizing with our tax money to bury us.

Senator CURTIS. I understand that. Also, Mr. Mesterhazy, this proposal which you are supporting would require them not only to grant permission for such visits, but to do so reasonably promptly, within 6 months, and also not to throw other hindrances in the way such as abnormal taxes and fees or threats of losing their pension and matters of that kind?

Mr. MESTERHAZY. Yes, sir.

Senator CURTIS. Do you think those things are necessary?

Mr. MESTERHAZY. Everything in the bill as it is written I feel is necessary. I can prove every word why it is necessary if I am given the time. I have limited resources, sir, but I would be willing to come here. If I have to walk to Washington from Michigan I will come here to be able to help to establish through legislation a two-way street in our foreign policy.

Senator CURTIS. I understand that. I understand how deeply you feel and I agree with you. I just want to establish a few facts in the record and then we must go on to the next witness. We know how strongly you feel. You have stated that. We know it.

Is it your experience, not only firsthand, but in your communications with others, that there are many situations in respect to all of the nonmarket countries where there are individuals, particularly older people, who want very much to have this right to come to the United States to see their close relatives?

Mr. MESTERHAZY. Yes, I have, and I have especially even more on these with Romania because I, who drafted the old section 4, I am monitoring the compliance of the Socialist Republic of Romania for compliance. Many people are writing to me in my mailbox. I have to tell them I can't help them all.

Senator CURTIS. We appreciate your appearance here.

We will call the next witness, Mr. Adalbert Feher from New York.

Mr. VERESS. I have to correct. Mr. Feher just arrived to this country. He is emigrant to Canada. That is where he is living right now. He does not speak English. I will read the English version of his statement.

Senator CURTIS. What is your name.

Mr. VERESS. Bulcsu Veress.

Senator CURTIS. Where do you live?

Mr. VERESS. I live in New York City.

Senator CURTIS. Will you give the address.

Mr. VERESS. My address is 20 East 94th Street.

Senator CURTIS. Now, tell us again for the record the identification of Mr. Adalbert Feher.

Mr. VERESS. Mr. Feher is a former citizen of Romania. He was expelled from the country because he belonged to the circle of the dissident writer Paul Goma and signed the manifesto. That was widely reported in this country last February. After that he lived in Austria waiting for permission to emigrate to Canada. He got here through the assistance of Congressman Edward Koch who intervened with the American authorities to give him a visa.

Senator CURTIS. The statement that you are going to give is the English version of his statement?

Mr. VERESS. Right.

Senator CURTIS. You are competent in the Romanian language?

Mr. VERESS. No. He speaks Hungarian. He belongs to the Hungarian minority.

Senator CURTIS. Are you?

Mr. VERESS. I am an American citizen of Hungarian extraction.

Senator CURTIS. Are you qualified to translate Hungarian into English.

Mr. VERESS. I am registered with the State Department as an interpreter.

Senator CURTIS. This is a correct interpretation of his statement?

Mr. VERESS. Yes. If you desire we can submit the copy of the Hungarian version.

Senator CURTIS. All right, you may proceed.

STATEMENT OF ADALBERT FEHER, NEW YORK, N.Y. (READ BY BULCSU VERESS)

Mr. FEHER. Mr. Chairman, my name is Adalbert Feher and until my expulsion from Romania in March of this year, I belonged to the circle of Paul Goma, the dissident writer. As such, I was among the eight persons who, on the 8th of February 1977, signed a letter to all the countries that ratified the Helsinki agreement, calling their attention to the blatant violations of fundamental human rights in Romania.

I feel greatly honored that very shortly after arriving to this continent, I am given the chance to be heard by such a distinguished body. At the same time, I would like to express my gratitude to the U.S. Senate for championing the cause of human rights in the numerous dictatorships of this world.

I have spent the last 6 years in a so-called internal exile, in Romania, half of this time in prison. I can state on behalf of all fellow dissidents who stayed behind that nothing provided us with as much encouragement as hearing, usually on Radio Free Europe, that the President of the United States, or one of the Houses of Congress declared solidarity with our struggle for a better and more humane world.

In my testimony I wish to relate the story of my opposition to the Romanian Government, because I feel that it will help this subcommittee to form a clearer picture on the inhuman nature of the Ceausescu regime.

I am not an intellectual, I am a worker. I have not written any literary masterpieces as Solzhenitsyn has. Rather, my weapon against oppression was the way I conducted my day-to-day life.

Many years ago when I was in the fourth grade, one of my teachers noticed that in a textbook I had blackened in the eyes of a picture of then dictator Gheorghiu-Dej. He took me into the teachers' room and beat me savagely, banging my head against the wall, while holding my hair. This event made me sick for life. I blackened the eye because I disliked the dictator. I dislike the present one, Mr. Ceausescu, even more. I disliked him because I knew he was the reason my father was

hauled away night after night, for interrogation by the secret police, all because the small plot of land he owned was needed for the agricultural collectivization campaign. I was shocked to see him crying after he returned from an entire night of such torture.

They tried to teach me lies in school; they tried to persuade me to be ashamed of being Hungarian. As for schooling, I could only study a trade in the Romanian language. I am a lathe operator. In spite of the fact that I lived in a purely Hungarian area no trade school in the Hungarian language exists there. When I was in military service I voiced doubts at the ideological indoctrination session; it is resulted in my having to carry a heavy machinegun for the extent of my time in the service.

Despite every possible effort I was unable to visit Hungary until I was expelled earlier this year.

In every field of life I felt that the fact that I was a Hungarian made me a second-class citizen. This was also the fate of my Saxon and Jewish fellow citizens.

In my 25th year my determination not to live as a slave crystallized. In 1971 I was captured attempting to cross the Romanian-Yugoslavian border, and was convicted for 1 year in prison.

In prison I engaged in a hunger strike, and was force fed for weeks. In 1973, I had somewhat better luck, I successfully crossed the border into Yugoslavia, but was captured at the Yugoslav-Austrian border. The Yugoslavs rewarded me with 8 days of imprisonment and then extradited me to the Romanian mother country. The latter, in her generosity, granted me 22 months of imprisonment.

After my release I was unable to find any meaningful employment. I was called a traitor everywhere I turned. After a while I began to accept this fate and even started to enjoy being closed out of society. Indeed, it was an honor to be closed out of that society.

I worked at unreported odd jobs, avoiding any contact with the regime or its representatives. In August of last year, I formally renounced my citizenship, though I knew my renunciation would not be accepted. I wanted to demonstrate my utter contempt of the regime. I was summoned for interrogation frequently, and finally last January I was ceremoniously informed that my request has been denied.

Last fall on Radio Free Europe I heard about the activities of Sergiu Manoliu, a dissident artist, whose address was also given during the broadcast. I immediately went to see him in Bucharest. It was the first time that I had met someone who like myself, placed himself openly and defiantly outside the slave-holding regime. Sergiu belonged to the circle of Paul Goma, the well-know dissident writer. After Sergiu became convinced of my sincerity, he introduced me to the circle. Paul Goma is the finest man it has been my pleasure to meet. He is a man whose concern is not exclusively the freedom and well being of those of Romanian birth. Rather, he declares genuine solidarity with those of his countrymen who also bear the double burden of communist and minority oppression; the Hungarians, the Jews, the Saxons, the Ukrainians, the Serbians, et cetera. Such a person unfortunately is an exception in Romanian society today.

In February of this year Sergiu summoned me to Bucharest. We gathered at his apartment, where Paul Goma presented us with a letter

to the signatories of the Helsinki Agreement. In it he outlined the Romanian Government's violations of that agreement.

By this time I knew Paul well enough to sign his letter without any reservations. It was signed by eight of us, the descendants of Romanian, Hungarian, German, Jewish, and Greek ancestors. I returned home to Nagyvarad, and started to listen constantly to Radio Free Europe. On the eve of February 14 at 8 p.m. our letter was reported. At 9 our names were read over the air, and at 10 o'clock the secret police were ringing my doorbell. I was interrogated in my apartment for an hour, whereupon I was ordered to report to their headquarters the following morning. In the morning I called Paul Goma; he urged me to remain calm. That was my last contact with him.

After my interrogation the police followed me everywhere. If they lost sight of me for a few hours they interrogated me on where I was and where I went and with whom I met. They isolated me from everyone so that I was virtually living under a glass bell. I was prepared for everything, even death if necessary. However, by that time, as I learned later, the Western press gave extensive coverage to our letter. That was what saved us. Shortly, I was informed that I had been stripped of my citizenship, and ordered out of the country. I did not protest.

On March 14, I arrived in Austria; while there I was constantly followed by Romanian secret agents. I was photographed on the street and now and then I was even accosted by Romanian speaking strangers. It is now 6 days since my arrival in Canada where I am now a resident.

I would like to emphasize that I would never have left my native land had I been allowed to live proudly as a human being and with my Hungarian culture. I ask this distinguished subcommittee, before it comes to a decision, to consider that forthright action on its part can improve, however slightly, the human conditions of the minorities in the multinational State of Romania. To be effective the oppressive regime of that country must be dealt with firmly and resolutely.

Thank you once again for the opportunity to testify before you today.

Senator CURTIS. I wish you would extend the thanks of the committee to the witness. This statement of his giving his view and experience concerning the situation with respect to civil rights and human rights in that country is beneficial to the committee.

I will not undertake to ask any questions that would have to be translated, but we do appreciate his appearance here.

Our next witness is Mr. Laszlo Hamos, Committee for Human Rights in Romania.

For whom do you appear?

STATEMENT OF LASZLO HAMOS, COMMITTEE FOR HUMAN RIGHTS IN ROMANIA

Mr. HAMOS. On behalf of the Committee for Human Rights in Romania.

Senator CURTIS. What is your address?

Mr. HAMOS. 175 East 93d Street, New York.

Senator CURTIS. You may proceed.

Do you have a written statement?

Mr. HAMOS. Yes, I do.

Senator CURTIS. It will be incorporated in the record.

You may proceed.

Mr. HAMOS. Mr. Chairman, the survival of 2.5 million Hungarians living in Romania is the single issue of deepest and most urgent concern to the 1 million Hungarians in America today. For the past two decades, this enormous minority population, the largest national minority in Europe, has been the object of a carefully planned, systematic, and aggressive campaign of forced assimilation, a campaign which amounts to cultural genocide. The brutal and newest manifestations of this campaign are detailed in our written testimony to this subcommittee and I will not now take the time to present these facts.

Mr. Chairman, minority citizens in Romania must bear the burden of ethnic discrimination in addition to the usual terror which affects the life of every citizen of a Communist state. Minority oppression, however, is simply not necessary, as a controlled press is, for the maintenance of a closed Communist society.

It follows, therefore, that with a sufficient amount of pressure by the U.S. Government, Romania can be convinced to take the steps necessary to improve the situation of its minority citizens. Rather than encouraging the dissatisfaction and bitterness of its minority population, granting this population a measure of cultural autonomy and satisfying its just and reasonable needs would actually strengthen Romania.

In contrast to the reasonable and realistic measures which the U.S. Congress could undertake, it has reacted to this issue with almost total indifference. The Senate Finance Committee, instead of expressing serious concern for the rights of minorities to achieve even the simplest of basic human rights in this field, has chosen to remain passive. It has avoided any meaningful action with respect to a legitimate and real concern of a sizable number of U.S. citizens.

As a result, a tremendous sense of disillusionment and frustration has been aroused in the Hungarian-American community, not to mention the Hungarian community in Romania.

Mr. Chairman, our contention is that the Senate Finance Committee would have all proper authority to act on this issue. According to existing international law, the United States would have every right to protest minority oppression in Romania—even if section 402 of the Trade Act did not exist.

Moreover, in our written testimony we present a careful analysis of the Jackson-Vanik amendment. A correct interpretation of section 402 reveals that the provision allowing waiver of the free emigration requirement must be justified by proof inter alia that such waiver would substantially promote the objectives of section 402. The objectives of 402 are "to insure the continued dedication of the society to fundamental human rights." Hence, the United States could point to positive developments in the situation of minorities as a justification for waiving the free emigration requirement.

The fact that the amendment was intended to cover far more than simply one particular human right is clear from numerous aspects of the structure, grammar, and logic of its text.

Moreover, no lesser authority than the Senate Finance Committee itself explicitly confirmed the same in Senate Report 98-1298. Commenting on section 402, the committee stated:

The committee believes that it is equally reasonable to establish conditions on all basic human rights, including the right to emigrate as well as basic property rights, before extending broad concessions to communist countries.

I would like to comment briefly here on the agreement between Hungary and Romania which was referred to by the representative of the State Department. There was no agreement concluded at any time which grants any rights to the Hungarian minority living in Romania. All that happened was that the existence of this minority was mentioned in a final communique issued after a meeting of the first secretaries of the Communist Parties of the two countries. Aside from the failure to provide for any improvement in the situation of these minorities, I might add that communiqués issued by Communist Party secretaries belong among the greatest pieces of fiction in the world.

In closing, I would like to express the hope that with the wealth of new emphasis on human rights in our foreign policy which the Senate has overwhelmingly endorsed, at least verbally, that the Finance Committee will adhere to its own pronouncement quoted above. Judging from past experience, we have good reason to be skeptical that the committee will ever sincerely commit itself to an examination of human rights in Romania.

I might add here that I am encouraged to some extent by the change in atmosphere today as opposed to last year.

At any rate, my testimony is offered for this eventuality—that the Finance Committee will decide to express strong concern about minority oppression in Romania.

Thank you.

Senator CURTIS. Your entire statement will be incorporated in the record.

I have one question. Are the basic human rights extended to the citizens of Romania who are not members of minorities?

Mr. HAMOS. They are not.

Senator CURTIS. Take, for instance, the freedom to emigrate and the freedom to quickly receive permission to leave the country to visit relatives in the United States.

Mr. HAMOS. No; they are not. My statement simply emphasizes the fact that the human rights situation for minorities is far worse than the situation of a nonminority Romanian citizen. The minority citizens are subjected to dual oppression. In addition to the normal oppression which all citizens in a Communist state must suffer, minorities are additionally discriminated against.

Senator CURTIS. We thank you very much.

[The prepared statement of Mr. Hamos follows. Oral testimony continues on p. 95.]

TESTIMONY OF LASZLO HAMOS, ON BEHALF OF THE COMMITTEE FOR
HUMAN RIGHTS IN ROMANIA

FOREWORD

The state of Romania contains an immense minority population consisting of 2.5 million Hungarians, 400,000 Germans and sizable numbers of Ukrainians,

Jews, Serbs, Greeks, Turks and others. The Hungarians alone comprise the largest national minority in Europe. Most of these peoples live in Transylvania which is one of Europe's most significant multi-ethnic regions. Were enlightened 20th Century standards applied, Transylvania could be a model of the coexistence of diverse nationalities in an atmosphere of mutual tolerance and understanding. However, under the rule of Romania's current dictator Nicolae Ceausescu, nothing could be further from the truth.

According to reports emanating out of Romania, for the past two decades this enormous minority population has been the object of a carefully planned, systematic and aggressive campaign of forceful assimilation—a campaign which amounts to cultural genocide. This outrage must be borne in addition to the usual intolerance and terror which affects the life of every citizen of a Communist state, regardless of ethnic origin.

Alarmed at the arrogant brutality of this campaign, young Hungarian-Americans gathered in February 1976 to form the Committee for Human Rights in Romania, an organization which soon won support by all major associations of the approximately one million Hungarians in America. The Committee's objective is to alert the public opinion and political leadership of the United States to the gross discrimination and human rights violations against national minorities in Romania.

We are motivated by the realistic conviction that minority oppression in Romania can be checked. Ethnic discrimination is simply not necessary, as a controlled press is, for the maintenance of a closed Communist society. Our hope then is that pressure from our government will convince Romania that it is not in its best interest to encourage the dissatisfaction and bitterness of its 3.5 million minority citizens. On the contrary, granting this population a measure of cultural autonomy and satisfying their just and reasonable needs would actually strengthen Romania.

The Committee's efforts rest squarely on international human rights agreements signed and ratified by Romania. Not we, but those rules of international law comprise the authority for censuring Romania's brutal mistreatment of its national minorities.

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STATEMENT

The Committee for Human Rights in Romania respectfully requests that the United States Senate using the authority granted by section 402(d)(4) of the Trade Act of 1974, adopt a resolution disapproving the extension of the President's authority to waive the application of section 402(a) and (b) with respect to Romania.

Our request is based on two grounds:

1. The President's message on June 2, 1977 recommending extension of the above waiver authority is seriously deficient in fulfilling the requirements of section 402(d) (1) of the Trade Act.

2. The Romanian Government continuously and flagrantly violates norms of international law in its treatment of national minorities, which violations, according to the proper interpretation of section 402 of the Trade Act, mandate at least a temporary suspension of the Trade benefits accorded to Romania.

* * * * *

The true content of the Jackson-Vanik amendment

This occasion marks the second time that the Committee for Human Rights in Romania is submitting testimony before this subcommittee on the continuation of Romania's most-favored-nation status. We fear, however, that our efforts to obtain a fair hearing will again be frustrated by a major obstacle which was blatantly obvious last year: the unjustified tendency to restrict the application of the Jackson-Vanik Amendment to as narrow a field as possible. Continuing in last year's worst tradition, some Members of Congress have again argued that the only right which the Jackson-Vanik Amendment intends to promote is freedom of emigration. There are some who have remained oblivious to even this right.

But the fact that the Amendment was intended to cover far more than simply one particular human right is clear from the structure, grammar and logic of its text. Moreover, no lesser authority than the Senate Finance Committee itself explicitly confirmed the same in Senate Report 93-1298 (November 26, 1974). Commenting on section 402, it stated:

"The Committee believes that it is equally reasonable to establish conditions on all basic human rights, including the right to emigrate as well as basic property rights, before extending broad concessions to communist countries."

One would hope that with the wealth of new emphasis on the role of human rights in our foreign policy—which the Senate has overwhelmingly endorsed, at least verbally—the Finance Committee will adhere to at least its own pronouncement above. Judging from past experience, we have more than ample reason to be skeptical that the Committee will ever sincerely commit itself to an examination of human rights in Romania. This testimony is offered nevertheless, for just that eventuality.

Returning now to the intent of the Jackson-Vanik Amendment, section 402 of the Trade Act of 1974 clearly states its objectives in the first half-sentence: "To assure the continued dedication of the United States to fundamental human rights. . ." The section then proceeds to define the means for achieving these objectives as the requirement of free emigration as a condition for extending trade benefits to nonmarket economy countries. The relationship between the ends (fundamental human rights) and the means (requirement of free emigration) is unmistakable.

The precise definition of the objectives of section 402 is important in light of the provisions contained in section 402(c). According to that subsection, the President may waive the requirement of free emigration "if he reports to the Congress that—

"(A) he has determined that such waiver will substantially promote the objectives of this section; and

"(B) he has received assurances that the emigration practices of that country will henceforth lead substantially to the achievement of the objectives of this section."

Unfortunately, the objectives twice referred to in the above text are frequently obscured by a practice—either unwitting or purposeful—of misrepresenting the language of the Trade Act: other expressions are inserted to replace the words "objectives of this section"; creating the impression that the new words actually appear in the Act. The most recent example of this practice can be found in the press release announcing these hearings. Concerning the President's message of June 2, the release states:

"This recommendation was based on his determination under section 402(d) (5) of the Trade Act that the extension of the waiver authority will substantially promote the objective of freedom of emigration in general and, in particular, in the case of the Socialist Republic of Romania." (Emphasis added.)

This statement is false. Nowhere does the President's message employ the phrase "the objective of freedom of emigration". The words which it actually uses are in conformity with the Trade Act, i.e. that the waiver "will substantially promote the objectives of section 402 of the Act." The unmistakable intent behind the language used in the press release is to restrict the objectives of the section to the right of free emigration exclusively. We contend of course that the "objectives of this section" are the broader "fundamental human rights" clearly stated at the beginning of the section.

Our interpretation is supported by grammatical evidence as well. The authentic language of the Trade Act uses the plural: "objectives of this section". Of the phrases "fundamental human rights" and "freedom of emigration", only the former is plural. The expression "objectives of this section" clearly refers back to some antecedent and the only plural antecedent to be found in the section is "fundamental human rights".

Further logical evidence of this view is provided when subparagraphs (A) and (B) of section 402(c) (1) are analyzed. Even if we assume that the objectives of the section is freedom of emigration, subparagraph (A) ("he has determined that such waiver will substantially promote the objectives of this section") still makes no sense. The manner in which a waiver of the condition of freedom of emigration could substantially promote the objectives of freedom of emigration is simply beyond our comprehension. Moreover, if we accept this nonsensical interpretation, there would be no need for both subparagraphs (A) and (B) because their meaning would be virtually identical.

It seems important here to reiterate the correct interpretation. The structure, grammar and logic of section 402 uniformly reveal that its objectives are fundamental human rights. The means to promote them is the requirement of free emigration. Ultimately, a country which respects the human rights of its citizens has no reason to fear an opening of its borders to all those who wish to leave. A regime which denies its citizens this right is required by the wisdom of the Trade Act to show a definite improvement in some other areas of fundamental human rights as well as to provide some assurance of future improvement in the field of emigration as well. In light of this interpretation, the role of subparagraphs (A) and (B) of section 402(c) (1) becomes instantly clear. The President can waive the requirement of free emigration if he reports to Congress that—

"(A) he has determined that such waiver will substantially promote the objectives of this section [i.e. that instead of free emigration, there is a definite improvement in that country's practices concerning other human rights—for example, in Romania's treatment of its minorities]; and

"(B) he has received assurances that the emigration practices of that country will henceforth lead substantially to the achievement of the objectives of this section [i.e. that there must be assurances of progress in its emigration practices as well]".

In sum, the insertion of the Presidential waiver into section 402 was not meant to water down its impact. Rather, the waiver option was intended to provide some degree of flexibility. Instead of imposing a rigid noncompromising requirement of free emigration, it gives the countries involved a clear choice: they can either comply with the requirement of free emigration, or they can show improvement in their general respect for human rights, together with the promise of improved emigration practices. This arrangement strikes us as being very sensible, aside from the fact that it is the only correct interpretation of section 402. All other interpretations advanced thus far seriously weaken the section, so much so that Romania has been able to almost totally ignore it. We believe that the United States Congress should no longer tolerate this state of affairs.

One counterargument occasionally advanced is that the legislative history of Title IV reveals a concern for no other human right except free emigration, chiefly Jewish emigration. We have two answers to this contention.

First, it is a well known tenet of legal research that legislative history is only a secondary source of interpretation. The strong presumption is that a piece of legislation means what it says it means. Grammatical and logical interpretation, therefore, always take precedence over historical interpretation. The latter gains importance only if the text is unclear, but in this case the text clearly expresses a concern for fundamental human rights.

Second, the creation of Title IV was accomplished with a prospective Soviet Trade Agreement in mind. Foremost among the legislators' concerns at the time

was the right of Soviet Jews to emigrate, and the record reflects the preeminence of this specific concern. That preoccupation however, should in no way preclude the later focus by Congress on other human rights issues.

The President's Message of June 2, 1977 does not fulfill the requirements of the Trade Act

In light of the above interpretation, the President's recommendation of June 2, 1977 falls far short of satisfying the requirements of section 402(d) (1). Specifically, the message nowhere shows the manner in which the proposed waiver will substantially promote the objectives of section 402. President Ford's recommendation of last year was grossly deficient in this respect. At times however, the President's aides this year did not even bother to change the wording of that message. Both contain the same generalities about "mutually beneficial growth in two-way trade", "favorable political relations" and Romania's alleged "independent policies" about which more will be said later. These are all wholly uncalled for considerations completely irrelevant to the justifications for the waiver required by section 402.

Moreover, even if the objectives of the section were restricted solely to the right of free emigration, the message falls far short of substantiating its claim. The rate of emigration from Romania has remained clearly unsatisfactory according to Jewish organizations who monitor it closely. The recommendation provides no basis whatsoever for the claim that "extending the waiver authority for Romania should provide an incentive to bring about a more consistent and forthcoming performance on emigration by Romania". On the contrary, Romania's capricious behavior in the field of human rights during the past twelve months shows that the only lesson which the Romanians learned from last year's extension of the waiver authority was that neither the Administration nor Congress takes even the emigration requirement seriously not to mention the plight of minorities.

In sum we maintain that the shortcomings of the President's recommendation in fulfilling the statutory requirements are serious enough to warrant its disapproval by the Senate.

On the right of free emigration

The United States is a nation of immigrants. The right of free emigration is held in very high esteem here. There is even a tendency to regard it as the most important of all human rights, the one which can be substituted for all others. The latter view, in our opinion, is severely distorted. We contend that the right to emigrate is merely a right of last resort; it is an escape chute to be used when all other measures to uphold human rights have failed. When people reach the point of clamoring to emigrate en masse from their homeland, there is clear evidence that deeper problems are to blame.

It should be noted here that the right of Jewish people to emigrate to Israel is unique in character and rationale. While they too are most often escaping persecution and undoubtedly experience difficulties in adjusting to a new environment, they still leave with the joyful idea of returning to their ancient homeland.

The situation of the national minorities in Romania is entirely different. Hungarians have lived in this area of Eastern Europe for eleven centuries; they consider this region to be their homeland. Instead of allowing or urging or forcing them to leave, they should be aided in their struggle to use their own language, maintain their own culture, practice their own religion—in short to gain some protection against discrimination and gross violations against their human rights.

Certainly, Romania's burning human rights problem cannot be successfully tackled through the simple device of easing restrictions on free emigration. Even for the remaining Jewish population, estimated between 50,000 and 100,000, this measure would provide only a partial solution. Those who wish to, might be permitted to leave for Israel, but those who elect to stay are also entitled to protection of their human rights.

The true nature of the Ceausescu regime versus its "public relations" image

The chief justification advanced for extending trade benefits to Romania is the alleged "bravely independent" foreign policy of that country. The extent to which this legend has been sold to the West, together with the vague image of a liberal regime trying mightily to break away from the Soviet camp, is astonishing.

The fact is, however, that Nicolae Ceausescu has not renounced a single tenet from the worn-out and disgraceful book of Marxism-Leninism. He operates an

old-fashioned Stalinist dictatorship, maintaining all the usual paraphernalia, including an omnipresent secret police and an insanely promoted personality cult. By placing his wife on the ruling politbureau, he has broken all records for nepotism, even in the Communist world.

Mr. Ceausescu is not independent, he simply has a longer leash than the other East European puppets. As Romania is "landlocked" by other Communist countries, the Soviet Union could safely withdraw its troops in the late 1950's with no danger of losing Romania to the West. The absence of Soviet troops gives Ceausescu some room to maneuver. But he knows how far he can go, and Brezhnev knows that he knows. Romania's "independence", therefore, is due to geographic and political factors over which it has little control, rather than to any real tendencies toward liberalization. Continuously, and with remarkable success, President Ceausescu has employed a scheme of making the given geo-political factors appear to be his own achievements, thus pulling the wool over Western eyes.

Any careful, scholarly analysis of Romania's foreign policy reveals that the skillfully fabricated image of "independence" simply does not stand up under scrutiny. Consider, for instance, the conclusion to a recent article by a scholar of Romanian origin who thoroughly investigated Romania's recent foreign policy (Vladimir Socor, "The Limits of National Independence in the Soviet Bloc: Romania's Foreign Policy Reconsidered", *Orbis*, Fall 1976, p. 729) :

"At the same time the appeal to nationalism has helped the rulers to eschew internal claims for relaxation and reform. Characteristically, any suggestions for measures of liberalization, however modest, are systematically rejected by the party as conducive to "external" (i.e., Soviet) interference and therefore detrimental to the country's independence. To safeguard national sovereignty and the independent foreign policy, Romanians are told, the RCP has to pursue a course of unabated orthodoxy at home. The latter is relentlessly being done, as the population of "independent Romania" enjoys the least degree of political liberalization or economic reform and remains subject to the tightest controls in the Soviet bloc. The illusion of self-assertion in foreign policy has been used as a convenient substitute for long-overdue internal reforms the party would not undertake.

"The phraseology of independence has also been ingeniously manipulated by Bucharest leaders to modify the image of their regime abroad. The endeavor has proven largely successful, as the pretense has often been accepted at face value. In lieu of substantiation by actual policies, the nationalistic rhetoric, along with leaks and 'confidences' elaborately disseminated by Bucharest to the Western press, officials and ranking visitors, have been accepted as evidence of an independent foreign policy. Thus rhetoric and a sustained policy of misinformation have combined to erase the satellite image and build the new image of a 'national Communist' regime striving for independence from Moscow. As a result the West has afforded Bucharest, through exchanges of official visits and favorable publicity, an international respectability unprecedented for a communist government. The regime has succeeded in eliciting international and particularly Western acceptance as a substitute for the internal legitimacy eluding it. Its reputation for independence has also attracted a larger flow of Western trade and credits than granted to any other country in the Soviet bloc."

At any rate, unhampered by admonishment from abroad—least of all from the United States—Romania's dictator Nicolae Ceausescu is growing more and more arrogant.

The recent crackdown on East European dissidents was especially severe in Romania, with arrests, beatings, torture, and "voluntary" work assignments in labor camps reported most recently by the Associated Press on March 29, April 13, and April 18. In February Ceausescu branded as "traitors" anyone wishing to leave the country. On March 29, he declared that there had been a "resuscitation of fascist ideas" in certain Western countries, which were "compelling Romanians to remain abroad or leave Romania." Presumably this definition includes the United States Congress as a source of "fascist ideas."

While an official Romanian propaganda outlet called the "Romanian Library" is allowed to function undisturbed in New York City, visitors to the United States Information Service library in Bucharest are harassed by the Romanian police according to the New York Daily News ("Romania Nabs Critics, Aims Propaganda at West," May 1, 1977, p. 51). In the same article we find that :

"The Romanian government, which enjoys favored-nation trade status with the U.S. is conducting a bitter anti-American and anti-West propaganda drive.

"The state-operated television service has twice screened 'The Front,' a film dealing with the McCarthy era, then followed up with a press campaign citing it as a current example of the suppression of liberty in the United States."

Together with all Hungarian-Americans, we are deeply concerned for the restoration of freedom and independence for all the peoples of Eastern Europe. We would most certainly welcome genuine independence for any of these countries as a development beneficial to the entire area. But we condemn with equal force the notion of granting the Romanian regime license to trample on human rights as a reward for propagating the wholly unfounded myth of independence.

Minority oppression is a matter of international concern per se

As a consequence of the rearrangement of East Central Europe's borders following World War I, there are now 2.5 million Hungarians and 400,000 Germans living in Romania. Specifically these nationalities are concentrated in the region known as Transylvania, of whose population they form about 40 percent.

Romania's national minorities are, of course, subjected to the same general suppression of freedoms as all the other inhabitants of that country. Their situation however is made much more grave by the additional burden of a systematic and increasingly aggressive campaign of forceful assimilation amounting to cultural genocide.

Due to the presence of sizeable indigenous minority populations within its borders, Romania is one of those countries to which Article 27 of the United Nations Covenant of Civil and Political Rights applies. Despite ratification of this Covenant by Romania, its minority policies stand in clear violation of that article which provides:

"In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

Measures used to oppress nationalities in Romania also violate those provisions of the Helsinki Agreement which prohibit discrimination on the basis of national origin and provide for the positive support of regional cultures and national minorities.

As a matter of course, human rights violations are a subject of international concern; when the expression "human rights" is uttered, it automatically falls within the framework of international law. Moreover through its own ratification of the agreements mentioned above, Romania has rendered itself rather accountable to international scrutiny.

Romania's treatment of its national minorities, therefore, can in no way be construed as a matter of purely internal concern to that country. The United States has every legal basis to insist on the restoration of fundamental rights to the minority populations of Romania.

* * * * *

In the following sections of this testimony, we will first summarize the overall nature of Romania's anti-minority campaign, followed by a description of ten specific elements of that campaign, presenting newly obtained information to update last year's testimony.

GENERAL CHARACTERISTICS OF THE OPPRESSION OF MINORITIES IN ROMANIA

Before turning to the individual elements of Romania's abusive minority policies, it must be pointed out that those elements cannot be properly viewed as distinct or isolated infractions. They form instead, the interrelated components of a well-planned and systematically executed campaign to eliminate Romania's national minorities through forcefully assimilating them into the dominant nationality. The whole then, is equal to far more than the sum of its parts. The proper term for a program of this nature is cultural genocide.

This expression is by no means an exaggeration. In 1948, the United Nations Ad Hoc Committee on Genocide formulated a draft definition of the concept of cultural genocide (U.N. Doc. E/447). Regardless of the fact that the final text of the Convention on the Prevention and Punishment of the Crime of Genocide did not incorporate this definition, the Romanian Government is not absolved of the fact that its behavior exactly corresponds to several elements of the definition.

Unfortunately this situation has, in general, escaped the notice of American officials and reporters. The International Commission of Jurists, however,

examined the question as early as 1963 when the campaign was only a few years old. The report of its investigation contained the following conclusion ("The Hungarian Minority Problem in Romania," Bulletin of the International Commission of Jurists, No. 17, December 1963, p. 41):

"Too many individual items which could be capable of other explanations than discrimination if taken singly point unmistakably when viewed as a whole towards a pattern of conduct. In short, as far as the Hungarian people in Romania are concerned, they appear in the give and take of living together to lose on both the swings and the roundabouts. When this happens to a minority group it is difficult to resist the conclusion that they are being subjected to discrimination."

More recently, a correspondent for the Sunday Times of London arrived at an even stronger conclusion ("Romania's Oppressed Minority", April 17, 1977, p. 8):

"Romania's unstated but unmistakable aim is to become a state without any minorities. The evidence [from a recently smuggled document], which tallies with other information, is of a campaign to eliminate the Hungarian intelligentsia and skilled working class, which have a strong national consciousness and cultural traditions, and to break up the cohesion of Hungarian districts."

On proving the existence of discrimination

The difficulties involved in obtaining meaningful and factual data from a totalitarian country are obvious especially when such information concerns governmental abuse. In a Communist state the oppression of any particular group must be examined in the context of the entire social and political outlook of the state, since many rights and freedoms as understood in liberal democracies are denied to the whole population. The detection of discrimination is a difficult process because the fact of discrimination seldom appears in the text of legislation and in the absence of discriminatory law it is difficult to pin down administrative practice as discriminatory. The existence of a parallel rule-making and executing network (the Communist Party apparatus), where important decisions are distributed by internal memoranda inaccessible to outsiders, simply increases the difficulty of documenting the abuses. Discrimination in Romania, however, is so pervasive and arrogant that the available evidence constitutes more than sufficient proof.

Concerning the problem of obtaining reliable and new data, we have been greatly assisted by the arrival of a 16,000-word document (recently smuggled from Romania) which details the oppression of national minorities. The new evidence was described as unique and reliable by the Sunday Times of London in the article quoted above. During a follow-up telephone conversation, the Sunday Times correspondent responsible for the article further characterized the document as "authentic beyond any doubt. (Whenever information from this document is used below, the source will be noted as "London Sunday Times Report".)

With respect to a proper investigation of the discrimination issue, lofty guarantees of minority rights in the Romanian Constitution serve to obscure more than they enlighten, since they are not observed. Section 22 for instance prescribes that

"In territorial-administrative units also inhabited by population of non-Romanian nationality, all the bodies and institutions shall use in speech and in writing the language of the nationality concerned and shall appoint officials from its ranks or from among other citizens who know the language and way of life of the local population."

The sole difficulty with the above section is that, it is completely disregarded: the language used in public administration and the courts is exclusively Romanian.

A consistent pattern of minority oppression

The failure to observe constitutional and other legal guarantees is one characteristic feature of minority oppression in Romania. Another major component is the absolute refusal to allow the minorities any role even vaguely resembling the conditions for self-determination, autonomy or independent decision-making. Although there are officials of minority extraction at every governmental level, they are permitted no meaningful voice in representing their own ethnic groups. The Council of the Working People of the Hungarian Nationality was established in 1963 as the only body capable of serving the in-

terests of the Hungarian minority. But the very text creating this Council exposes it as an instrument of the State, acting to undermine minority interests. The Council's stated purpose is "to assist the Party and the State, on both the central and local levels, in mobilizing the nationalities to assume their responsibilities in the building of socialism, in researching particular questions concerning the respective populations and in implementing the nationality policies of the Party".

But let us look further into this matter. We find that Hungarians are proportionally represented, but only in those State and Party organs which are not allowed to exercise any real power, such as the showcase "Grand Assembly" (Romania's excuse for a parliament) and the 500 member Party Central Committee. Hungarians are virtually excluded from any body which is granted an effective role in matters affecting their own interests. Of the 25 members of the Council of Ministers, for example, only one is Hungarian. The Secretary for Nationalities in the Party Central Committee cannot speak any minority language, only Romanian. In the leadership of such vital organs as the Department of Culture and the Department of Education not one Hungarian is to be found, even among the deputy ministers. The entire Department of Culture contains only a "Bureau" of Nationalities, with a personnel of 4 (!), which is expected to serve all the cultural needs of all the minorities. On the county level, the ineffectual People's Councils and Party Committees by and large do maintain proportional representation. But where the real power lies, within respectively, the 7-11 member Executive Committees and Party "Bureaus", Hungarians are grossly underrepresented. Indeed, in several heavily Hungarian populated counties such as Banat, Arad and Maramures (Hungarian Máramaros), they are completely excluded from the Party "Bureaus".

Another ingenious method for compelling minorities to assimilate can be found in the structure of cultural institutions in Romania. Independent minority institutions even at the lowest levels, have been virtually eliminated. The Hungarian university in Cluj (Hungarian Kolozsvár), for example, was made a section of its Romanian counterpart; Hungarian schools have been merged into Romanian schools as sections; four out of the six formerly independent Hungarian theaters are now just sections of Romanian theaters; Hungarian writers are allowed to maintain only a section of the Romanian Writers Association, and so on. The purpose of such arrangements is to deny the existence of a distinct Hungarian nationality, culture or language. Even the expression "national minority" is not tolerated in official publications. The minorities are referred to in official documents as "co-inhabiting nationalities", thereby implying their dependent status vis-a-vis the Romanians who are, by implication, the only legitimate inhabitants.

Since the pronouncement by the dictator Gheorghiu-Dej in January 1953 that "the nationality question has been solved" it has been forbidden to discuss the situation of minorities in any meaningful way. Still less is it permitted to propose any improvement in their situation. The only task remaining is to combat "nationalism" (meaning, of course, minority nationalism) and to neutralize the "troublemakers". Accordingly, any demand or complaint concerning minority conditions is wholly ignored.

Coupled with this official disregard is another general characteristic: the absence of any effective remedy against abuse. Section 247 of Romania's Criminal Code which forbids discrimination on the basis, inter alia, of national origin, is never enforced in criminal trials.

This deficiency clearly violates the International Covenant on Civil and Political Rights which states (Article 2, Section 3):

"Each State party to the present Covenant undertakes:

"(a) to ensure that any person whose rights and freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

"(b) to ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

"(c) to ensure that the competent authorities shall enforce such remedies when granted."

It would, of course, constitute a patent contradiction for the Romanian regime to observe these provisions and to prosecute officials under Section 247 of the

Criminal Code; such officials would have to be punished for faithfully executing the policies of the Romanian Party and State.

In turning now to the list of individual human rights violations against minorities in Romania, it is advisable to ponder not only the substance of the given violation, but also to examine the manner in which it fits into the comprehensive pattern of minority oppression, interacting with and serving to reinforce the other elements of this reprehensible campaign.

SPECIFIC ELEMENTS OF THE OPPRESSION OF MINORITIES IN ROMANIA

1. Discrimination in elementary and high school education

Official Romanian statistics indicate that of all pupils attending preschool institutions in Romania, the proportion of those allowed to be educated in Hungarian dropped by over 50 percent from 14.4 percent in 1956 to 6.8 percent in 1976. The same proportion for primary and secondary school students fell from 9.5 percent to 5.6 percent, and for high school students from 8 percent to 5.5 percent. The total decline in the above categories was from 10 percent to 5.8 percent. The percentage of students attending Hungarian vocational school dropped from 6.1 percent in 1956 to 1.5 percent by 1976. The figures used to compute these percentages are presented in the table below. (This table and, except where otherwise noted, all of the data in this section are taken from the Romanian Government propaganda booklet *The Hungarian Nationality in Romania*, Bucharest, 1976, pp. 15-17.)

	1955/1956	1974/1975
Preschool education:		
All students.....	275,433	770,016
In Hungarian classes.....	39,669	52,765
Percent in Hungarian classes.....	14.4	6.8
Primary and secondary education:		
All students.....	1,603,025	2,882,109
In Hungarian classes.....	152,234	160,939
Percent in Hungarian classes.....	9.5	5.6
High school of general culture:		
All students.....	129,135	344,585
In Hungarian classes.....	10,370	19,050
Percent in Hungarian classes.....	8.0	5.5
Vocational education:		
All students.....	123,920	615,876
In Hungarian classes.....	7,585	8,974
Percent in Hungarian classes.....	6.1	1.5

These official Romanian statistics indicate that while 20 years ago the number of students allowed to attend Hungarian classes was roughly proportionate to the size of the Hungarian population, the latest figures show an alarming decline. Attendance in Hungarian classes has fallen in each category far below the levels which even the official population statistics would warrant.

How has this drastic result come about? The process by which the Romanian Government eliminates Hungarian schools began in 1959. Since that year, independent Hungarian schools have been systematically attached to Romanian schools as mere sections, which sections, in turn, have been gradually phased out. The process of totally eliminating these Hungarian sections was legitimized by enactment of the clearly discriminatory Decree/Law 278 (May 11, 1973).

This unprecedented piece of legalized discrimination requires the presence of a minimum quota of 25 students at the grade school level and 38 students at the high school level in order to maintain or establish a class in one of the minority languages. (Prior to the issuance of this Decree, the quota had been 15 students.) If a given Hungarian community contains, for example, 24 Hungarian students for a given elementary school class, these children are forced to complete their studies in the Romanian language. As most villages in Transylvania have only between 500 and 1,000 inhabitants, the number of Hungarian students very often falls short of the required quota, and the Hungarian classes must be terminated. Once a school has thus been forced to become Romanian, use of the Hungarian language is forbidden even during recess.

What makes this Decree still more offensive is that the provisions applicable to Hungarians and other minorities do not apply to Romanian sections or classes

in areas inhabited predominantly by Hungarians. In such towns or villages, a Romanian section must be maintained regardless of demand (i.e., even if a given Hungarian village contains only one Romanian student). The wording of Decree/Law 278 makes this requirement perfectly clear:

"In those communities where schools function in the language of the cohabiting nationalities, Romanian language sections or classes shall be organized regardless of the number of students."

"And this, according to official interpretation, is all supposed to be for the good of the minorities", comments an article in the London daily newspaper, the Financial Times ("Transylvania's Ethnic Strains", April 2, 1975).

In 1973, after the issuance of Decree/Law 278, Hungarian sections and schools were eliminated in many villages. Parents attempted to compensate for the loss by arranging at their own expense for rented buses to take their children to the nearest village which still had a Hungarian school. This practice, especially widespread in the counties of Harghita (Hungarian Hargita) and Salaj (Hungarian Szilagy), was soon recognized and summarily terminated by the State citing the excuse of a "gas shortage". (Romania, of course, has so much oil that it exports the surplus.)

As students are prevented from being bused to nearby Hungarian schools, the sole remaining alternative would be to send them away to live at the nearest Hungarian boarding school. The State, however, allows boarding facilities for Romanian schools only. Assorted discriminatory techniques are thus cleverly intertwined and their effect is absolute: in the many heavily Hungarian populated, but small communities where the number of Hungarian children falls short of the required quota, those children are left with no other option but to attend a Romanian school. The school may be located within the community or, if the community is too small, it may be a boarding school in a larger town, but in either case the State has made certain that it is a Romanian school.

The systematic elimination of Hungarian schools continues unabated up to the present time. In the county of Cluj (Hungarian Kolozs), for example, in 1973 there were 14 Hungarian general high schools. By the beginning of the 1976-77 school year however, there were only 11. During the same period, the number of Romanian general high schools rose from 61 to 74. Thus, in the last three years alone, the percentage of Hungarian schools has declined from 18.7 percent to 12.9 percent in a county where even according to Romanian official statistics 26.1 percent of the population is still Hungarian. (London Sunday Times Report.)

The situation is not much better in other regions. Analysis of recent official data indicates that during the current academic year 40 percent of eligible Hungarian high school students in Mures (Hungarian Maros) county, and 35 percent in Bihor (Hungarian Bihar) county, have been denied the opportunity to attend Hungarian schools. (London Sunday Times Report.)

Even in the remaining Hungarian schools and sections, not just the Romanian language, but the subjects of literature, geography and history must also be taught in Romanian. In many Hungarian sections, there are so many Romanian-language courses that the section is Hungarian in name only. This is especially the case in Hungarian vocational and technical schools, where only Hungarian literature and physical education are actually taught in Hungarian. As reported in the respectable Swiss daily Neue Zürcher Zeitung (in that paper's latest comprehensive survey: "Romania's Controversial Minority Policy", April 8/9, 1977, p. 3):

"In technical high schools, if a Hungarian student is to advance, he must take mostly those courses offered only in Romanian. There is no possibility whatsoever of obtaining a higher education in the technical fields in Hungarian."

In trade schools, only the simpler trades are taught in Hungarian. Thus, studies in Romanian are necessary for advancement into the more highly developed technical fields, such as electronics, information technology, medical technology, and industrial chemistry. In 1973-74, for example, of the 174 first year classes entering the trade schools in Cluj (Hungarian Kolozs) county, only two (!) were Hungarian, one in textile manufacturing, and the other in the construction industry. Such is the case in a county where, as noted above, even according to official Romanian statistics 26.1 percent of the population is Hungarian. (London Sunday Times Report.)

Finally, through discriminatory admissions policies, the State makes it difficult for graduates of Hungarian schools or sections to enter the next higher

educational level). Naturally, the Hungarian-language courses at these levels are rapidly eliminated, their existence being predicated upon the number of Hungarians who enter them. The Romanian State, in the meantime, alleges that it is due to lack of popular demand that such courses are closed. Thus, as in the many illustrations above, the vicious discriminatory cycle is complete and the outcome for the Hungarian minority is devastating.

2. Discrimination in higher education

Higher education has a great historic tradition in Transylvania. The Bolyai University of Cluj (Kolozsvár), for instance, can be traced to the Jesuit academy founded by the Hungarian prince István Báthory in 1581.

On March 5, 1959, the Bolyai University was forced to merge with the Rumanian Babes University. In his book "Minorities Under Communism," Robert R. King calls the elimination of this Hungarian institution "the most serious blow to intellectuals among the Hungarian minority" (p. 153). Three professors, including the celebrated writer László Szabédi, committed suicide out of despair at this arbitrary act. Today, many view it as the first major step in the current campaign of cultural genocide, sanctioned at the outset by Moscow in retaliation for the 1956 revolt in Hungary. Incidentally, both Szabédi and Nicolae Ceausescu were present at the dinner where the merger of the two universities was celebrated in the name of brotherhood and equality. Ceausescu, secretary to the then dictator Gheorghe Gheorghiu-Dej, had been sent to head the campaign to intimidate the Hungarian professors in order to force them to accept the crippling of their university. During the dinner Szabédi questioned the motives of the Government in ordering the merger. The result was an intensive harassment of Szabédi by the secret police, which finally drove him to commit suicide a few weeks later. It is characteristic that the document of unification, which lists the existing faculties of the two Universities at the time of the merger, has been concealed ever since, so as to hide any official evidence of the extent to which the Hungarian faculties have been eliminated. King further states that after the merger "the 'Romanianization' of the unified university was gradually carried out" (p. 154). He cites numerous examples of this ruthless process (ibid.):

"Although at first there was an attempt to give Hungarians adequate representation in the administration of the merged university, gradually Romanians have come to play an increasingly dominant administrative role. When the merger was announced the rector was Romanian but two of the three prorectors were Hungarian. By 1967 the number of prorectorships had been increased to five, but three were Romanian. Also, seven of the eight deacons of the university and 61 percent of the teaching faculty were Romanian."

Present conditions at this allegedly bilingual university are dismal. In the current academic year, of all the students (approximately 6,000 only 8 percent (480 students) have the opportunity to attend Hungarian classes. (London Sunday Times Report.) Typical of the lack of Hungarian-language courses is the situation in the University's Department of Chemistry. Only 6 of the 32 courses are taught in Hungarian, but 5 of those 6 are ideological courses (Marxism-Leninism, etc.) and the sixth is Organic Chemistry. (London Sunday Times Report.)

A meaningful indicator of the total volume of Hungarian-language education which occurs at the University can be computed by multiplying the number of Hungarian courses by the number of students attending those courses. In recent semesters, the resulting figure has fluctuated between 5 percent and 10 percent of the comparable figure at the time of the merger. (London Sunday Times Report.)

Why is the elimination of the Bolyai University considered such an outrageous measure? The reason lies in the fact that the Hungarian minority in Romania forms an immense population, the largest national minority in Europe. One third of all the countries in the world have fewer inhabitants than three are Hungarians in Rumania. It is grossly discriminatory that this population of 2.5 million is not allowed to maintain a single university of its own.

In addition to this University, all other Hungarian institutions of higher education have been systematically curtailed or eliminated. King writes that "at the time Babes and Bolyai Universities were merged, the Dr. Petru Groza Agricultural Institute in Cluj was 'reorganized', and separate language instruction was dropped. The Hungarian medical school in Tirgu Mures has also undergone a process of 'Romanianization'" (p. 154). The number of cases is endless. In

1976 a Romanian rector was appointed to head the Hungarian Teachers College in Tirgu Mures (Marosvásárhely) for the first time in the history of the school (London Sunday Times Report). Based on past experience, there can be no mistake as to the meaning of this measure for the future of this prestigious college.

The pattern of systematically eliminating these educational institutions was already obvious in 1963 when the above quoted report by the International Commission of Jurists was issued. The report described this pattern in the following manner (p. 40):

"At the level of higher education the Romanian authorities introduced a system of "parallel sections". This meant that in such an institution a parallel Romanian curriculum with Chairs held by Romanians was introduced. When this cuckoo in the nest was big enough it took over the whole nest and the Hungarian section disappeared."

One final comment on this topic seems appropriate. The severe restrictions on those subjects which can be taught in Hungarian is not without serious impact on the lower levels of education. As indicated earlier, the various elements of discrimination in Romania cannot be isolated, for they act to reinforce one another. Thus, the fact that the number of subjects which can be pursued in Hungarian beyond high school is relentlessly declining undoubtedly serves to pressure aspiring Hungarian students to begin studying those subjects in Romanian during their earlier years of schooling.

3. Dissolution of compact minority communities and dispersion of ethnic professionals

As a Communist dictatorship, the Romanian Government has almost complete control over its labor and housing markets. This control is used to break up homogeneous ethnic Hungarian communities.

The systematic denationalization of Hungarian cities has been noted in the Financial Times article cited above. The case of Cluj (Kolozsvár), Romania's second largest city, is described as follows:

"Over the past 15 years, Romanians have been settled in this formerly almost entirely Hungarian city whereas Hungarians from the surrounding area have been banned with the result that Romanians now make up 65 percent of the population."

In Romania, citizens are not permitted to resettle into another city without official approval. At the same time, it is government policy to prevent the minority populations of cities from growing. Accordingly, while Hungarians find it almost impossible to move into the major cities of Transylvania, the influx of Romanians is not only permitted, but encouraged through offers of favorable housing opportunities and other benefits.

Industrialization, which as in all Communist states is government-planned, is used as a tool to achieve the same purpose. Earlier some of the most heavily Hungarian populated counties were among the most industrially underdeveloped. Hungarians seeking industrial employment were thus constrained to move to Romanian areas or to commute long distances. Presently, with industrialization reaching into such counties as Covasna (Kovácsna, 74.4 percent Hungarian) and Harghita (Harghita, 88.1 percent Hungarian), instead of employing the local population, the new factories are staffed mostly by Romanian settlers imported by the government from outside areas.

It has been alleged that the reason for the decline in the Hungarian percentage of some Transylvanian cities is that their "hinterland" was much more Romanian than Hungarian and "that upward mobility has favored the lesser developed Romanian masses". This hypothesis is disproved by such cities as Miercurea Ciuc (Csikszéreda) where in the past 10 years, as a consequence of industrialization, the percentage of Hungarians has fallen from 90 percent to 70 percent. This city happens to lie in the heart of a region which is purely Hungarian.

Another example of this policy is the manner in which workers have been hired at the new Azomures chemical factory in Tirgu Mures (Marosvásárhely). This city lies at the center of an area surrounded by a 60 percent majority of Hungarian inhabitants. Despite this fact, 90 percent of the workers in the Azomures plant are Romanian. (London Sunday Times Report.)

A Decree issued in 1976 limits the opportunity for workers to commute. Thus, Hungarian workers who had been able to live in their native communities because they were willing to commute long distances must now either move to

their place of employment (usually to Romanian communities) or face the loss of their jobs. (London Sunday Times Report.)

The breakup of Hungarian communities is further accomplished through the routine assignment of Hungarian graduates of universities and trade schools to jobs outside their native communities. The stated policy of the Romanian Government, that graduates with the highest grades are given first choice of where to work, cannot account for the extent to which Hungarians are sent into Romanian areas and Romanians into Hungarian districts. As a result, these Hungarians are cut off from their ethnic roots, and their children have no opportunity to attend Hungarian schools. More importantly, however, the Hungarian minority is deprived of doctors, lawyers, and other professionals who speak their own language. A frequently heard complaint, especially among the elderly in rural areas, is that they cannot communicate with the local doctor. Obviously, the otherwise sensible practice of rewarding top graduates with first choice in place of employment could still be applied effectively with the simple modification that Hungarian graduates be allowed to choose from among Hungarian areas and Romanian graduates from among Romanian regions.

The fact that Romanian graduates are also sent into Hungarian districts does not make this policy any less discriminatory. On the contrary, although Hungarians are required to speak Romanian in the Romanian areas to which they have been sent, Romanian professionals do not have to speak Hungarian in Hungarian areas. Consequently, the local population must either accommodate to the language of the Romanian professionals foisted on them, or suffer the consequences. The discriminatory nature of this policy is clear. It is also intimately tied to the Government's policy on minority schools. The sending of Romanians into Hungarian areas paves the way for the elimination of Hungarian schools, since the children of these Romanians are educated in newly created Romanian sections. The Hungarian sections are then phased out as shown before.

Clearly, the Ceausescu regime, which appeals to nationalistic chauvinism as a source of legitimacy and power, does not easily tolerate compact masses of another nationality. Dissolution of communities is an effective way to disrupt the life and weaken the identity of ethnic groups.

4. *Lack of bilingualism*

The Romanian Government's policy of referring to Romania as a "unitary national state" is well known. But while that condition might be the desire or the aim of the Government, it is also true that Romania is currently a multi-ethnic state, especially in the region of Transylvania. The presence of several million inhabitants comprising large national minority groups is an undeniable fact which has well defined consequences according to the rules of international law applicable to such minorities.

In contravention of these rules and Article 22 of the Romanian Constitution quoted earlier, Romanian is the official language spoken everywhere in Romania; it is the exclusive language at all levels of government bureaucracy. In addition there is an increasing tendency to appoint Romanian personnel to all positions which involve contact with the public in Hungarian areas. Bilingual street names and road signs are limited to a few localities in the Székely (predominantly Hungarian) region. Traffic safety signs and bureaucratic forms are all in Romanian. In Tirgu Mures (Marosvásárhely), for instance, which as already noted is still 70 to 75 percent Hungarian, the Romanian mayor does not even speak Hungarian and postal service personnel are almost exclusively Romanian.

According to Article 109 of the Romanian Constitution, judicial proceedings throughout the country must be conducted in the Romanian language. The only right a Hungarian defendant or litigant has before the court of his own native community is to be provided with an interpreter. This "right," however, is no more than the right granted to any foreigner brought to trial in Romania.

In the technical professions, due to the absence of bilingual instruction noted above, use of the Hungarian language is simply impossible. It is also impossible to find a menu in Hungarian in the restaurants of Cluj (Kolozsvár) where a large percentage of the population is Hungarian. Postcards depicting Hungarian historical monuments bear descriptive texts in four or five languages, none of them Hungarian.

In this regard, the author of the *Nene Zürcher Zeitung* article cited above made the following observation:

"In Cluj whose population is still 45 percent Hungarian-speaking, signs in that language are clearly forbidden. Only Hungarian theater billboards and announcements in churches visited by Hungarians are in Hungarian."

The use of Hungarian place names is permitted only insofar as they resemble their Romanian counterparts. As most of the Romanian names in Transylvania are Romanialized versions of Hungarian names, the Hungarian names are generally allowed, as in the cases of Cluj-Kolozsvár, Timișoara-Temesvár, or Satu Mare-Szatmár. Where the Romanian name is completely different, such as Gherla-Szamosújvár, only the Romanian may be used. Thus, with respect to the multiethnic city of Brasov, the Hungarian Brassó is permitted, but the German Harmanstadt is not.

Due to this complete absence of any degree of bilingualism and the chauvinism encouraged by governmental policies, members of minorities are often forced to endure derision and threats for using their mother tongue, even in private conversations at public places. It seems fitting to conclude here with the experience of a recent visitor, a well known writer, to Transylvania. In the predominantly Hungarian village of Sic (Szék), he found only one Hungarian sign. It hangs on the wall of the village tavern and declares: "It is forbidden to sing in Hungarian."

5. Curtailment of cultural opportunities

In view of the already discussed decline in Hungarian educational opportunities and the increasing denationalization of Hungarian communities, it is hardly surprising that the same policy of curtailment and elimination permeates every aspect of minority cultural life as well. The following are only some examples of this discriminatory process:

- No independent Hungarian writers, artists, or musicians association may exist in Romania today despite the rich, living heritage of Transylvanian Hungarian creators in those areas. Even in the field of literature, where language is obviously of supreme importance, only a Hungarian section operating as part of the Romanian Writers Association of Cluj (Kolozsvár) is allowed. This section does not have the right to pass even resolutions of its own. Its only right is to make proposals to the entire body. Its leaders are not elected, but appointed by the Romanians. Within their "section," out of "courtesy" to the attending Romanian officials, Hungarian writers are not able to hold meetings or carry on discussions in their own mother tongue. In this way, Hungarian poets and authors are forced to discuss their literary work in another language: Romanian. Contacts—even informal—with literary associations in Hungary are strictly forbidden. Though only a fraction of their work is allowed to appear in Romania, Hungarian writers are prohibited from publishing any original material in Hungary.

- The volume of Hungarian-language books published in Romania is clearly insufficient. According to official statistics 1,334,016 copies were published in 1975 meaning only one book per Hungarian for the entire year, even if we accept official Romanian population data. And, of course, this figure includes textbooks, children's books and an inordinately heavy share of translations from the Romanian language, including such "gems" as the collected works of Nicolae Ceaușescu. The Romanian Government's excuse of a "paper shortage" as having caused the recent publishing cutbacks is an outright deception. Romania is very rich in timber products, which comprise one of its major export items.

- The number of Hungarian-language newspapers, frequency of publication and number of pages have all been forcibly curtailed in the past years under the same pretext of a "paper shortage". Romanian newspapers were also curtailed, but their allocations were soon reinstated while those of the Hungarian papers were not. Six Hungarian newspapers formerly published daily are now allowed to appear only weekly. There is no journal on drama or music or the other arts in Hungarian, even though the demand for these items is high. Nor are there any technical, medical and other professional journals in the minority languages. Those publications that do exist are used by the State to further undermine the national identity of the minorities. Newspapers, magazines and literary publications in Hungarian do not serve the political, economic or cultural/spiritual needs of the Hungarian minority. Literary magazines, for example, are to a great extent devoted to the translated works of Romanian authors and to the activities of the Communist Party.

- To counter the charge of discrimination in this field, it could be argued that all publications, including those in the Romanian language are filled with official propaganda. But of all the Communist-ruled countries, Romania appeals the most to the national chauvinism as a source of popular support. The Ceaușescu regime, intoxicated with delusions of its own grandeur, treats the mere existence of minorities as anathema. Official Romanian propaganda, therefore, is not only

Communist, but especially chauvinistic in nature. If serves the interests of a chauvinistic dictatorship bent on robbing its minority populations of their national identity. Thus even when applied equally to both Hungarians and Romanians, it is inevitably discriminatory against the former.

• Book imports from Hungary are severely restricted by Romanian regulations which tie their number to the volume of books Hungary imports from Romania. Because obviously more Hungarian literature is produced in Hungary than in Romania, and the publication of Hungarian-language books in Romania is kept at an artificially low level, this linkage works as an effective obstacle to the importation of literary products from Hungary. In this way, for example, the most widely-known novel by one of the greatest contemporary writers in Hungary, László Németh, published in 1948, was not distributed in Romania until 1967. The restriction on literary imports from Hungary applies equally to classical literature, specialized scientific and technical texts, and phonograph records, even those containing only folk and gypsy music. Subscriptions to periodicals published in Hungary can be obtained only with official permission and only if they do not exceed a numerical quota (London Sunday Times Report). Eighty to ninety percent of such requests are rejected, including those of schools, libraries and institutions as well as individuals (ibid.).

Apologists for the Romanian Government—among them our State Department under the previous administration—explained this phenomenon by speculating that it is motivated by “fear of possible penetration . . . of the pro-Soviet foreign policy line of the present Hungarian government” and “the revanchist hints sometimes evident in Hungarian historical and literary materials connected with Transylvania” (“Information about Romania’s Magyars”, prepared by United States Embassy in Bucharest in early 1976, p. 4). But where can the “pro-Soviet line”, or “revanchist hints” be found in these materials? Just as an effect cannot precede its cause, there can be no “revanchist hints” in anything written before 1918. Moreover, we challenge anyone to produce any revanchist material ever published in Communist Hungary. In reality, any discussion of Transylvania’s Hungarians even vaguely critical of their situation, is totally absent from literature published in Hungary. The Romanian regime does not fear “revanchist hints” but rather that contact with their brethren will help Hungarians in Romania to maintain their cultural identity. Yugoslavia, for example, is much more independent from the Soviet Union than Romania, yet literary products from Hungary are readily available to the Hungarian minority there. Oddly enough, the Yugoslavs seem not to have discovered any “penetration of the pro-Soviet policy line” or “revanchist hints”.

Furthermore, it is well known that the literary output of present-day Hungary is far freer of Communist orthodoxy than of any other East European country, especially Romania. Consider then, this irony: The onslaught against the Hungarian minority was started after the 1956 Hungarian Revolution because the Hungarians proved themselves to be anti-Soviet. For instance, in a speech at Tîrgu Mureş (Marosvásárhely) two months after the suppression of the revolution, the then dictator Gheorghiu-Dej branded Hungarians as “revisionists” and “counter-revolutionaries”. But the campaign is being continued today because the Hungarians are allegedly too pro-Soviet. The fact is, however, that the average Hungarian, whether in Hungary or Romania, is fiercely and consistently anti-Soviet. The Hungarians in Romania look to Hungary not for political guidance but for poetry, fiction, drama, cinema, music, art—in short, the fruits of their common culture.

• Twenty years ago there were six independent Hungarian theaters in Transylvania. Today only two of them exist, one in Cluj (Kolozsvár) and the other in Sântul Gheorge (Sepeszentgyörgy). The remaining four have been merged into Romanian theaters (except that of Timişoara (Temesvár) which was merged with the German one) where the management and service personnel are exclusively Romanian.

The purpose of the mergers was to suffocate a flourishing institution, the Hungarian theater. A good case in point is the process which occurred in Tîrgu Mureş (Marosvásárhely). This predominantly Hungarian city (70 to 75 percent) is the cultural center of a totally Hungarian rural hinterland (90 to 95 percent). Though there appeared to be no need for a Romanian theater, one was created and forcefully merged with the Hungarian theater. As expected, Romanian performances played before an almost completely empty house while Hungarian performances were almost sold out. The result is that season tickets can now be bought only for the combination of Romanian and Hungarian performances.

Hungarian theater-goers are thereby forced to subsidize the Romanian performances and, consequently, the gradual suffocation of their own theater section. Coincidentally, the city's Hungarian College of Dramatic Arts has also been merged into a newly created Romanian counterpart. But Airgu Mures (Marosvásárhely) has never had a Romanian theatrical tradition, and it lacked even the necessary drama instructors. The only purpose of the new school was to provide the means for gradually eliminating a vital Hungarian institution. Even the Romanian theatrical elite was outraged at this measure.

For many years Hungarian theaters in Romania fulfilled an important mission by touring the Hungarian-inhabited countryside performing plays for the people in small towns and villages. In recent years, however, the government has begun to interfere with this practice as well. It has, for instance, restricted the amount of gasoline allocated to the Hungarian Theater of Cluj (Kolozsvár) and in 1975 it confiscated the Theater's truck. Many outlying localities thus lost the opportunity to benefit from the Theater's performances. (London Sunday Times Report.)

• Ten years ago the Hungarian Folk Institute of Cluj (Kolozsvár) was closed without explanation. At about the same time the Székely Folk Ensemble was also eliminated. A so-called Maros Folk Ensemble was created in its place, which performs considerably more Romanian than Hungarian numbers. This case is mentioned only as an example indicative of the manner in which allegedly Hungarian groups must apportion their time and repertoire.

• Despite a potential audience numbering in the millions, films in Romania cannot be made in Hungarian. There are no facilities for the training of theatrical directors, drama critics, art critics, or music critics in Hungarian. Requests for permission to study in these professions in Hungary are routinely denied.

• Fortunately, the inadequacy of Hungarian-language broadcast programming in Romania is partly offset by the invaluable services of Radio Free Europe and the Voice of America. Nevertheless the situation falls far short of expectations: The present 2½ hours of television programming a week in a language that is the mother tongue of 2.5 million people is grossly inadequate. Adding to this insufficiency, television program schedules were rearranged in January 1974 so that even these scant 2½ hours are now broadcast during a time period (Monday, 4:30-7:00 PM) when the majority of potential viewers are still at work. The situation with respect to radio programming is no less deplorable. It is outrageous and highly discriminatory for example, that Radio Tirgu Mures (Marosvásárhely), whose broadcast area has a Hungarian population of more than 80 percent transmits only 2 hours daily in Hungarian.

• Finally, it is revealing to examine the supply of books in public libraries. According to recent data the volumes in these libraries are predominantly in the Romanian language even in entirely Hungarian communities. Two examples are the library located in the Kalotaszeg region (close to 100 percent Hungarian populated) where out of 30,000 books only 5,471 (18.2 percent) were in Hungarian, and the library of Rimetea (Torockó, 93.1 percent Hungarian populated) (where out of 7,581 books only 3,228 (42.9 percent) were in Hungarian. (London Sunday Times Report.)

6. Falsification of population statistics

Romanian statistics consistently understate the size of the Hungarian minority in Romania. Based on a census taken in 1910, the Hungarian population within the region which later formed the Romanian state was placed at 1.6 million. According to the 1966 Romanian census, despite the passage of 56 years, the number was still the same.

This strange result might be explained by internal inconsistencies in those Romanian statistics which deal with the growth rate of the Hungarian minority. According to official government figures, the growth rate of the Hungarian population in Romania was greater during periods of war and strife than during years of relative peace and stability. This result conflicts with all historical data on patterns of population growth—including the pattern of growth in the rest of Romania.

The last three censuses in Romania have produced the following published statistics on the Hungarian population:

1980	-----	1,428,500
1956	-----	1,587,675
Percent change	-----	+11.3
1966	-----	1,019,592
Percent change	-----	+2.0

According to these figures, between 1930 and 1956, the Hungarian population grew by 11.3 percent. Between 1956 and 1966, however, the new growth was allegedly only 2.0 percent.

But it seems highly improbable that the population growth of Hungarians could have been higher in a period of war, turmoil and border shifts (1930-1956) resulting in mass expulsions and emigration of Hungarians, than during a period of relative stability (1956-1966).

In addition to this improbability, there are demographic statistics on Hungarians which suggest a significantly larger Hungarian population than that which is officially reported. According to official Romanian sources (e.g., *The Hungarian Nationality in Romania*, Bucharest, 1976, pp. 23-24), there are about 1.5 million active Hungarian churchgoers in Romania. This number represents 92.6 percent of the Hungarian population shown in the table above. The magnitude of this percentage, however, is clearly absurd given the well-known pressures in Communist countries against practicing one's religion. The comparable percentage for the United States where freedom of worship is fully protected, is only 62.9 percent. Taking the given 1.5 million Hungarian churchgoers and applying 62.9 percent, a figure probably still an exaggeration for a Communist country, the size of the Hungarian population would be approximately 2.4 million.

During his recent visit in the United States, a high-ranking official from Romania provided a still more astonishing example of the internal inconsistencies in Romanian statistics. Seeking to prove the vast freedom of worship for minorities in Romania, he quoted the results of a new survey to determine the number of Hungarians belonging to each of six religious denominations. When added up, however, the six figures totaled 1,724,00 or 104,000 more Hungarian churchgoers than the entire Hungarian population according to the most recent Romanian census!

The Romanian regime uses several techniques to under-represent the size of the Hungarian minority. One method is to eliminate two ancient Hungarian groups from population data on Hungarians: the Csángós and the Székelys. The Csángós number about 250,000 and are the only major group of Hungarians who lived under Romanian sovereignty even before the Romanian annexation of Transylvania. They have comprised a minority amidst Romanians for centuries, living in Moldavia outside the Carpathian basin. They are never counted as Hungarians despite the fact that they have preserved their distinctive Hungarian language, culture and Roman Catholic faith. Their statistical annihilation as Hungarians is only part of the Government's campaign against them. In 1958, for example, they still had 72 schools. Today they have none (London Sunday Times Report). Further, not only Hungarians from Hungary but Transylvanian Hungarians as well are discouraged through intimidation from visiting the Csángó region. Recently, a Transylvanian Hungarian ethno-musicologist, the widely respected Zoltán Kallós, was imprisoned on false charges of homosexuality while he was engaged in researching the folk music of the Csángós.

The Székelys (sometimes called Szeklers in English) on the other hand, are an autochthonous population of Transylvania. They are often, though not always counted separately from Hungarians in spite of their being proudly Hungarian and indeed, the most resistant to the inroads of forceful Romanianisation. In any case, the distinction between Székelys and other Hungarians is of purely historic interest and is no more or no less significant than, for example, the distinction between Normans and other Frenchmen, Prussians and other Germans, or Highland and Lowland Scots. According to an English historian "they differ, in their own eyes, from the other Magyars only in being more Magyar than they" (C. A. Macartney, *Hungary and Her Successors*, Oxford University Press, 1968, p. 255). The Romanian policy of playing up this distinction and completely excluding the 250,000 Csángós, can have no other end than to reduce the significance of the Hungarian population to which all Hungarians, Székely, Csángó or otherwise, equally belong.

Another sly tactic involves the demographic questionnaire used to compile census data (most recently, in January 1977). The form contains three spaces requiring identification as to "citizenship", "nationality" and "mother tongue", in that order. The census taker is instructed not to complete the "nationality" blank, as if he had forgotten to pose that question. As "citizenship" is obviously Romanian, where "mother tongue" is Hungarian, the blank is later filled in as follows: "Nationality Hungarian-speaking Romanian". The result statistically, is one less member of the Hungarian nationality and one more Romanian. This artificial distinction between nationality and mother tongue, together with the

"correction" of census returns, thus serves the dual purposes of understanding the size of the Hungarian population and increasing the number of Romanians. This practice was uncovered by the International Commission of Jurists as early as 1963. Its report stated (p. 41):

"The Romanian National Statistical Office carried out a census in 1956 and it was emphasized that the civil servants carrying out the census were obliged to call attention in each case to the basic difference between nationality, i.e., ethnic origin, and mother-tongue. All persons registered had to state to which national ethnic group they belonged. The distinction between national group and mother-tongue and the obligation to state before officials one's national group drive a wedge between a people and its culture and this indeed is reflected in the figures given by the census. For every thousand people of declared Hungarian origin there were one thousand and forty-two giving Hungarian as their mother-tongue. It is difficult to believe that Hungarian, difficult and almost unrelated to other languages, is the mother-tongue of any but Hungarians, and yet 4.2 percent of the Hungarian minority group shrank from stating that they were Hungarian. The reasonable conclusion to be drawn from this is that in their eyes it was better not to declare oneself to be Hungarian."

7. Confiscation of church archives

In 1948 the United Nations Ad Hoc Committee on Genocide accepted the following definition as one of the ways by which the crime of cultural genocide may be committed (United Nations Document E/447):

... systematic destruction of historical or religious monuments or their diversion to alien uses, destruction or dispersion of documents and objects of historical, artistic, or religious value and of objects used in religious worship."

As noted earlier, regardless of the fact that the final text of the Convention on the Prevention and Punishment of the Crime of Genocide did not incorporate the above language, Romania's recent behavior exactly corresponds with this definition.

Act No. 63 of November 2, 1974, on the protection of the national cultural Treasury and Decree/Law 207 (1974), (amending Decree /Law 472 (1971) on the National Archives) are major tools used to eradicate the history of the Hungarian cultural institutions. Under the above laws, the government summarily nationalized all "documents, official and private correspondence, memoirs, manuscripts, maps, films, slides, photos, sound-recordings, diaries, manifestos, posters, sketches, drawings, engraving, imprint, seal and like material" over 30 year old, from the possession of religious and cultural institutions or private citizens. The pretext was the "protection" of these documents but the real intent soon became obvious from the crude and summary manner by which the regulations were enforced.

The Swiss daily *Neue Zürcher Zeitung* ("Bureaucratic Chicanery Against the Churches in Romania", February 1/2, 1976, p. 6) reported this outrage in the following manner:

"The intent behind the nationalization of the ecclesiastical archives is to sever the religious communities from their historical roots. A church without a past (tradition) has no future, especially one which represents a religious and national minority. The first victim of these warlike designs against the religious and cultural minorities by the Romanian regime was the Hungarian Reformed Church in the northeast districts of Oradea, Satu Mare, Baia Mare and Zalău. Here, in the mother country of the Reformation in Transylvania, appeared officials from the State Archive, assisted by an authorized agent from the Department of Culture and, a representative from the episcopate, who seized the archives of approximately two-hundred church communities and deaneries. The material was—in many cases without receipt—loaded onto trucks and carted away. The historical order of the archives has become completely disrupted in the process—one method of "reserving" and "protecting" historical materials—rendering scientific research for the next decades impossible. The Romanian government has openly embarked on an escalated campaign against the Reformed Church and the Hungarian nationality (minority).

"It would be much easier and simpler, from a scientific point of view, if the church archives were to keep the originals and were to hand out copies to the state. In this way, the claimed scientific concern by the state would be amply maintained, and the articles would remain in the archives, instead of being transported away to distant, unknown and possibly inaccessible locations.

"The Archive Decree affects the Roman-Catholic, the Hungarian Reformed and the German Lutheran churches considerably more than the Romanian Orthodox Church because the latter, as all Eastern churches, primarily cultivates the liturgy, and relies much less on a written, firmly established historical tradition.

"Especially the two 'reformed' churches, i.e., the Reformed and Lutheran, have been preserving in their archives the tradition of their religious and linguistic individuality, dating back to the time of the Reformation."

These church archives had for centuries been inventoried by the churches themselves. The archives were generally in excellent order and condition but more importantly, they were accessible to researchers. In contrast, for the past 26 years Rumania has maintained absolutely no facilities for the professional training of archivists, not even in Romanian. (During the "legislative debate" surrounding the passage of Act No. 63, Ceausescu himself was astonished to learn this fact.) The few archivists extant in Romania are not expert in ancient Slavic, ancient Greek, Hungarian and Latin, the languages in which the documents were written.

The above-mentioned outrages form part of systematic effort to re-write Romanian history in order to suppress the significance of the indigenous Hungarian culture. Another means for achieving the same objective is again reported by the *Financial Times*:

"A favourite device is to 'facelift' the tombs and crypts of famous Hungarian families in the medieval Házeongárd cemetery in Cluj by allotting them to recently dead Romanians. In this way, the ethnic composition of the former population, now dead, is restructured favorably."

8. Harassment of churches

The multinational region of Transylvania has a long heritage of religious freedom. It was in Transylvania that freedom of religion was written into law for the first time in history, in 1568 at the Diet of Torda. Significantly, this momentous event occurred at a time when elsewhere in Europe wars of religious intolerance were raging.

The Romanian State, through its Ministry of Cults, exercises a policy of total interference in ecclesiastical matters regardless of their administrative, social, or theological nature. No decision can be implemented by the churches unless it is thoroughly reviewed and approved by the Ministry of Cults. For instance, any social or religious gathering, with the exception of Sunday worship, must be approved by the State. The same condition applies to the right of churches to use their material resources. State approval of such use has been known to take years. Moreover, Protestant congregations are denied the ancient and traditional right to elect their own ministers and presbyters. They may only propose candidates, since the State has reserved the right of selection for itself. Religious instruction is also subject to debilitating government intrusion. While the State does approve religion classes to be held during certain prescribed hours, school authorities are instructed to organize compulsory school activities at precisely the same hours. Non-attendance at such activities results in official reprimand of not only the "delinquent" child but the parents as well.

It should be emphasized that these restrictions harm especially the minority populations. Religious affiliation generally corresponds with nationality in Romania. The Church then is the only remaining institution which could fulfill the minorities' needs and permit them to nurture their ethnic heritage. In this sense, therefore, "harassment of churches" assumes a far greater meaning for minorities than only the curtailment of religious freedoms.

By paying one third of the salaries of clergymen, the State claims the right to their complete and faithful cooperation. If the situation calls for it, they can be forced at any time to become part of the Communist propaganda machinery—both at home and abroad. It is no accident, for example, that on June 4, 1976, a five-member delegation of church leaders was herded on three days' notice to the United States to promote the Romanian Government at various educational and theological institutions. Nor is it accidental that since that time, several other church leaders have been sent on similar public relations missions to American legislators and politicians.

Forced isolation harms minority churches which have sister communities in the West and which are dependent to a great extent on donations from abroad to support their charitable work. Aside from limitations on their travel, clergy-

men are forbidden to receive gifts from abroad and to correspond with relatives, friends or institutions in noncommunist countries.

Freedom to publish theological books, petriodicals, and other religious material is extremely limited. The propaganda booklet "The Hungarian Nationality in Romania," distributed last summer by the "Romanian Library" in New York is able to list only five theological books published in Hungarian in the last quarter-century (p. 25). For the 700,000 members of the Hungarian Reformed Church (p. 23), only one bimonthly publication can be circulated in a mere 1000 copies (p. 43). Furthermore, church libraries are forbidden to lend any books, even though they were acquired through the donations of the very same parishioners who might wish to borrow them.

The Hungarian Protestant Theological Institute of Cluj (Kolozsvár) came into being in 1949 as a result of forced unification of the independent Presbyterian and Unitarian Theological Institutes. This institute is indeed, as the above-mentioned propaganda booklet claims, "a unique institute" (p. 24): Through this forced unification, both the Presbyterian and Unitarian Churches were deprived of their ancient tradition of self-determination which had included the training of their own ministers. The curriculum of the Protestant Theological Institute is now carefully designed and supervised by the Ministry of Cults. Exams, which are all oral, are chaired by an Inspector from the Ministry of Cults to insure that future clergymen of the Hungarian minority keep in line with State policy.

Verification of the statements above and further details concerning the situation of minority churches in Romania can be provided by several high-ranking American Protestant church leaders who have taken a direct interest in that situation.

9. Bans on private lodging

Decree/Law 225 (1974) prohibits the accomodation of non-Romanian citizens in private homes with the exception of closest relatives. The punishment for disobeying this law is a draconic fine of 15,000 leis (about \$1,200) which is imposed on the unfortunate host. The law was ostensibly created for the protection of the hotel industry and applied to all visitors. The discriminatory character of the law becomes obvious, however, in the light of the fact that it is the 2.5 million Hungarians who have the greatest number of relatives and potential visitors abroad—among the 10.5 million Hungarians in neighboring Hungary alone, not to mention the several million Hungarians in the West who have escaped Romania's intolerant atmosphere since World War I. Indeed it is difficult to find a Hungarian family in Romania without relatives or close friends living in either Hungary or the West. Due to the extreme scarcity of hotel facilities in rural Transylvania, the generally modest means of these would-be visitors, and especially the threat of harassment and intimidation for even the most innocent failure to obey the unreasonable and selectively enforced provisions of this law, visits are often rendered a practical impossibility.

A *Neue Zürcher Zeitung* reporter (April 3/4, 1977, p. 4), finding this law to be obviously discriminatory against Hungarians, interpreted its existence as resulting from a fear inherent in Romanian internal policy which sees in any visitor from Hungary, a country which by Communist standards is less orthodox, a carrier of the dangerous bacteria of freedom." One wonders at the true extent of oppression in Romania, where visits even by citizens of a "fellow socialist country" are subject to official obstruction.

Claims concerning the alleged non-discriminatory nature of Romania's restrictions on foreign visitors have become especially untenable since the issuance of Decree/Law 372 (November 8, 1976) amending Decree/Law 225. According to its text, one of the express purposes of the new Decree is to encourage and advance the enrichment of the "Romanian language and culture," unmistakably excluding a similar desire for minority languages or cultures. Moreover, the lifting of visiting restrictions and the elimination of currency exchange requirements apply only to visitors of "Romanian origin"; there have been reports that at border crossings this vague category is strictly interpreted to include only those of Romanian nationality as determined by the name and birthplace appearing on travel documents or according to similar unwritten and arbitrary criteria.

10. Falsification of history

The Romanian Government is obviously annoyed by the fact that for many centuries before the first arrival of Romanians in the region of present-day Ro-

mania, several other nationalities (today's national minorities) had already inhabited that area. Nevertheless, in order to prove the Romanians' historical "precedence" in the area, the government—through its academic mercenaries—has utilized an unproven theory based largely on pseudo scientific speculation. According to this theory the Romanians are descendants of the ancient Dacians, a people whose last proven presence in the area predates the appearance of Romanians there by nine centuries. Although this theory has little credence in the eyes of any serious non-Romanian scholar, according to a *Neue Zürcher Zeitung* reported (April 3/4, 1977, p. 3), it has been elevated to the level of State ideology.

At this point it should be noted that arguments concerning the historical priority of people living many centuries ago have no relevance whatsoever to the rules of international law governing the treatment of national minorities; still less can such arguments be used as an excuse for the oppression of 3.5 million minority individuals. The only reason for dealing with this theory is to point out the sinister goal which its promotion serves in Romania today.

The theory does not stop at the assertion of Romanian priority. Romania's historians today stigmatize minority groups as "intruders" who upset the social and cultural order of the "original inhabitants", the Romanians. In many cases, textbooks, travel guides and other literature actually re-christen Hungarian historical figures and make them into Romanian national heroes having no connection with the Hungarian people. The same materials contain an almost absolute silence on the centuries of Transylvania's Hungarian history.

In this way, the dynamism and superiority of the Romanian people becomes "historically proven", while national minority inhabitants, lacking historical or cultural roots of comparable brilliance, are considered no more than second-class citizens. One devastating practical effect of this process in Romania today is that minority children are taught that the cultural richness of the area is solely the result of Romanian creativity, thereby making those children ashamed of their ethnic identity. The remaining schools which still educate children in Hungarian must use official textbooks which teach these children that their nationality has no past in the area. Without a past, by implication, this nationality can have no future—unless, of course, it assimilates into the resplendent Romanian people.

The notion of Romanian superiority thus provides a convenient "scholarly" justification for implementing the massive campaign of forceful assimilation against minorities, involving the vast array of discriminatory measures noted above.

CONCLUSION

The Committee for Human Rights in Romania was formed in the simple belief that Congress intends to enforce section 402 of the Trade Act. Further hope has been evoked in us by the Senate Finance Committee statement, quoted at the beginning of this testimony, that all basic human rights should be considered when extending concessions to Communist countries.

Adherence to existing international law and full restoration of minority institutions is all we demand of the Romanian government. We believe these demands to be fair and reasonable. The Romanian Trade Agreement provides the United States with strong leverage to promote such noble objectives. It should be utilized to its full extent. We are aware that the Administration generally does not like section 402 of the Trade Act. Nevertheless, it is on the books, it is the law of the land, and it must be executed to the letter.

The indifference with which our requests were met by the respective congressional committees last year has created widespread feelings of disillusionment and frustration in the Hungarian-American community. The survival of Hungarians in Romania is the single issue of deepest and most urgent concern to Hungarians in America today. In light of the contemptuous manner in which Congress has avoided any meaningful action on this legitimate and real concern, Hungarian-Americans feel that they have been treated as second-class citizens. Moreover, every Hungarian knows that his small nation has made vast contributions to the scientific and cultural achievements of the United States. Their desire for our government's support is thus wholly justified and meritorious, and should no longer be ignored.

Senator CURTIS. Our next and last witness is Mr. Barbu Niculescu.

**STATEMENT OF BARBU NICULESCU PRESIDENT, AMERICAN-
ROMANIAN CULTURAL FOUNDATION, INC.**

Mr. NICULESCU. Mr. Chairman, honorable members of the subcommittee. I am grateful that I was asked to come to testify in person. It just happened that I just returned from Romania.

By the way, my name is Barbu Niculescu. I am president of the American-Romanian Cultural Foundation which is, in our opinion, a very prestigious foundation because it has members like Dr. Palade who is a Nobel laureate; Dr. Carlton; Honorable Dorn; Mr. Gallu, who is the best story teller of President Truman's life who is making a movie and was the best seller of the year; Mr. Jackson; Mr. Morgan, who is the president of the Ambassadors for Friendship Foundation; Rabbi Schneier, who is the President of a most wonderful foundation, Interfaith Foundation, working for free religion in the world.

Senator CURTIS. You are identifying some of the members—

Mr. NICULESCU. Yes; and whom I represent.

Senator CURTIS. You have a statement in writing?

Mr. NICULESCU. I have a statement in writing.

Senator CURTIS. That will be received in full.

You may proceed.

Mr. NICULESCU. I was invited in my capacity to celebrate, like other leaders do of other countries, the centennial of the independence of Romania from the Ottoman Empire. This is very significant that during the time when Russia tried very hard to embarrass Romania about its freedom and independence they are making a big issue out of it and celebrating this independence.

So I was there and I spent about 2 weeks. I traveled everywhere and I talked to everybody, including our distinguished ambassador, Harry Barnes. I had access to practically all of the information I needed.

I must tell you that I represent the opinion of all these people who are officers of the foundation and trustees. The foundation is composed of over 200 Ph. D.'s and professionals of different American universities specializing in different fields. We feel that we are right to support President Carter's point of view of according continuation of the most-favored-nation status to Romania.

Although Romania, as we all know, is under the Soviet bloc, America never has had a foreign policy for this country for a long period of time until not long ago when the United States finally decided to have a policy for this country and they did. They realized that it will be suicide to believe that any country can be liberated through invasion, but we have to find solutions to liberalize them.

So the American idea is one of the most fabulous weapons against tyranny and oppression, namely, independence. Now, how can we make them independent from Russia? Romania was occupied by Russia. Romania was just a deadly enemy of the United States because the Russians were there. Suddenly when the Russians were pushed out and Romania became independent, suddenly Ceausescu became a most independent man. He was the marvel of the whole bloc. He never took part in the war against Czechoslovakia. He never allowed Soviet troops to remain on Romanian territory to have maneuvers. He never allowed air rights to fly over Romania. He never allowed the corridor to the Black Sea to go to Bulgaria which is occupied by Soviet Russia.

Why? Because they have the Black Sea to go directly. Which shows what? That they are determined to keep their independence.

So the policy of America is a very good one. How? By helping them economically to stay independent and to fight for their independence. In the meantime, liberalize the system. We have proof because between then and now there is a big difference in liberalization of Romania.

Senator CURTIS. As I understand your position in regard to the matter before us, you favor—

Mr. NICULESCU. I believe in this American policy. I think it is the only way we can hope for seeing a free and happy world. There is no other way.

Senator CURTIS. We thank you for your appearance.

I want to say I am informed that there are a number of individuals in the room who were not scheduled as witnesses. It will not be possible for those people to give oral testimony. However, you can give your statements to the staff and, if no objection is raised by the Senator, your testimony will be printed in full as given.

The meeting stands adjourned.

Mr. NICULESCU. Thank you very much, Mr. Chairman, and the distinguished members.

[The prepared statement of Mr. Niculescu follows:]

STATEMENT OF MR. BARBU NICULESCU, REPRESENTING THE AMERICAN-ROMANIAN CULTURAL FOUNDATION

SUMMARY STATEMENT

Mr. Chairman, honorable and distinguished members of this important committee, I am Mr. Barbu Niculescu and am honored to have this opportunity to testify at these most important hearings as the President and Chairman of the Board of Trustees of the American-Romanian Cultural Foundation, P.O. Box 3492, Grand Central Station, New York, N.Y. 10017.

The American-Romanian Cultural Foundation consists of very prominent and distinguished Americans (including a Nobel Laureate) who are Scientists, Businessmen, Professors, Deans and Presidents of colleges and universities, Lawyers, Religious Leaders, Authors and many others from all professions and fields.

The foundation I represent here today clearly supports and is in complete agreement with President Carter's recommendation to grant the most deserved extension of Most Favored Nation trade status to Romania.

As I testified in each of the hearings held on this subject in past years, there is absolutely no doubt that granting MFN status to Romania is in America's interest, encourages independence of Romania and overall significantly benefits mankind both in tangible economic terms and in intangible terms such as those identified as emigration, etc.

Our evaluation as well as those of government and non-government specialists have all unanimously concluded that continuation of MFN status for Romania is not only necessary for preservation of all gains in prior years under MFN but is vital as the primary force that will assure continued favorable growth in American-Romanian relations.

There is no doubt that this extension of MFN trade status has been clearly earned and is deserved by Romania. Romania's performance in both economic and humanitarian areas has proven Romania's clear understanding, commitment and willingness to perform as committed by all terms and conditions included in every agreement with America. Even the most optimistic are very pleasantly surprised by the fact that Romania's favorable performance has surpassed all expectations.

The fact is that Romania has clearly performed to the letter and spirit of all terms and conditions of MFN trade status and all other commercial agreements. The significant political, economic and humanitarian benefits produced from this Romanian willingness to perform as committed all clearly justify America's complete, unequivocal and overwhelming support of the MFN extension

to Romania. No other action by America can be considered to be proper and fitting.

The following briefly summarizes our position and the principal items reflected in the statement itself:

1. Progress on the emigration has been exceptionally favorable and essentially resolves this issue.

2. All American government agencies, departments and leaders completely support extension of MFN trade status for Romania.

3. Assisting Romania to maintain a strong and flexible economy and encouraging greater participation in international trade with all nations encourages, preserves and strengthens Romania's ability to maintain a high degree of independence.

4. America's benefits received depends primarily on exports which in turn are very dependent upon the fact that Romania has MFN trade status. Without MFN, Romania is deprived of access to and use of financing for major purchases of America's products. Therefore America will most likely lose many large and profitable sales.

Without MFN, Romania is automatically deprived of the services of U.S. Eximbank and the Commodity Credit Corporation.

5. The increased trade relations under MFN resulted in the development of high degrees of confidence, trust and dialogue among those engaged in trade and soon quickly expanded and became established at all levels and in all departments within each government. This is vitally important as this confidence, trust and dialogue enables both countries to bring up, discuss and mutually agree on solutions of problems ranging from the most routine to the most delicate and sensitive.

We have no relationship with any other East European country that even has the slightest degree of resemblance to the relationship we are able to enjoy with Romania.

6. The volume of trade between the countries has been steadily increasing with America having the sales and balance of payments significantly in its favor. This is expected to continue in growth and remain in America's favor for many, many years to come.

7. Experience with and encouragement by America in the many areas that may be considered to be included in human rights had a very significant effect on Romania that not only benefited its citizens but enabled Romania to play a major and favorable role at Helsinki. In addition, Romania signed the Helsinki Accords and it is expected that Romania will respect and respond to its commitment on the subject of human rights.

America's exports to Romania not only greatly exceeded imports from Romania but represented product exported that came from industries where America has faced a persistent long term surplus of capacity and manpower.

The favorable impact of exports from America was further improved by the fact that the majority of imports from Romania were petroleum products and scarce chemicals vitally needed by American industry.

The above favorable trends are expected to be maintained for many years to come.

8. As part of Romania's compliance with its commercial commitments, there has not been one documented instance where Romania violated any volume, price and anti-dumping provisions in its trade with America.

No American industry and/or group of workers have been hurt by Romanian imports into America.

In summary, we cannot envision any possibility that Romania would have MFN extension approved by anything less than a major majority. Romania's performance has been outstanding and should be rewarded.

DETAIL STATEMENT

The following discussion is presented in essentially three sections of Emigration, Minority Discrimination-Cultural Genocide and Trade.

EMIGRATION

There can be absolutely no doubt or reservation that American extension to Romania of Most Favored Nation trade status isn't more than well deserved and earned by Romania's significant and continued progress in this most sensitive and delicate issue of emigration.

Progress in this area since the last MFN reviews and overall since MFN status was first granted has proven beyond any doubt that Romania's response to America's concern on this issue has been greater than ever anticipated by even the most optimistic who shared concern over this subject.

Based on Romania's exceptional progress; complete, unequivocal and overwhelming approval of extension of MFN trade status to Romania is completely justified. To do so is the only proper and fitting action that should be taken by America as testimony of its recognition and appreciation of Romania's complete understanding and sincere positive response to America's expression of concern on this most sensitive and delicate matter.

Since verified facts are the best evidence of performance, I wish to present the following statistics that I gathered and verified with the American Embassy in Bucharest only a few weeks ago during my two week stay in Romania in the latter part of May 1977. These concern the most sensitive areas of emigration and are obviously very impressive:

Emigration to	12 mos 1976	5 mos 1977	Annualized 1977
West Germany.....	8,613	5,667	13,601
Israel.....	4,023	1,553	11,327
United States.....	1,674	713	1,711
Total.....	14,310	6,933	16,639
France.....	1,058	(*)	(*)
Italy.....	180	(*)	(*)
Canada.....	130	(*)	(*)
Austria.....	124	(*)	(*)
Other Western.....	114	(*)	(*)
Total.....	1,606	(*)	(*)

* As in recent years, it is necessary to clearly make the point that emigration levels of Jewish Romanian citizens will reflect expected reductions. The reason for this expected reduction has been verified several times by the American Ambassador in Bucharest and is universally recognized as being due to the following major factors:

1. Romania has been liberal in permitting emigration of Jewish Romanians since Israel was established as a sovereign nation and that the major emigration experienced has been occurring well before MFN trade status was ever contemplated for Romania.

2. The present day population of Jewish Romanians is approximately but no more than 37,000 persons. It is a logical fact that as this total is reduced, the emigration levels will also be reduced as a result of the lessening of the total maximum potential emigrees.

3. As the total population of Jewish Romanians lessens, the proportion of those who do not want to leave Romania becomes greater and greater. All must properly recognize that many Jewish Romanians want to stay in Romania for various valid reasons. Among these reasons are instances where there is intermarriage with non-Jewish Romanians; those who enjoy success and hold important positions in government, business, education, and other professions and do not want to give up their success and start over again in a strange new country. A very large proportion of those remaining are the elderly who want to enjoy their retirement years in the land of their birth and be buried with their relatives and friends. Another major point concerning the elderly is their unwillingness to leave Romania and lose their government guaranteed retirement pension as well as other retirement benefits. In fact, there is considerable activity by rabbis and the government advising the elderly that leaving Romania means automatic loss of pensions and unless they have relatives who will care for them outside of Romania, they will be forced to live out their last years in poverty and on whatever welfare their new country is willing to make available to them in their hour of need. Those who have no one to depend on to support them are advised not to emigrate.

4. We must also recognize that the emigration levels to America, etc. include a significant number of Jewish Romanians who prefer to emigrate to these countries as opposed to Israel or any other.

5. As of May 1977, well over 300,000 Jewish Romanians were issued emigration visas in response to their requests and intentions to emigrate to Israel.

* Not available due to lack of time.

All concerned can confidently conclude that Romania's progress in the area of emigration is not a problem and that by performance, Romania has proven that it fully understands and has performed to the full letter and spirit of America's desires in this matter. Being a Eastern European country exposed to others who do not share the same concerns and exhibit the same type of performance results in this being a very sensitive and delicate subject to discuss publicly. However there is no doubt that we can accept the obvious identified in the statistics and facts verified by the American State Department.

We must however take a minute to answer those who are misinformed and once a year at MFN review time bring up their fabricated claims that Romania does not permit emigration of Jewish Romanians and others. All facts such as the above that are verified by the American Government clearly identify the falseness of all of these claims that visas are not available. We recognize as does the American government that those applying for emigration visas must be persistent

and patient as Romania has its own good share of what is commonly known here in America as "Bureaucratic Red Tape" and "Bureaucratic Paperwork". Those who are willing to apply and work through the system will receive their emigration visas as hundreds of thousands of Romanian emigrants have received in recent years. Those who do not apply and work within the system will obviously not receive emigration visas and have no justified right to claim that they are denied emigration visas and that their basic human rights have been violated.

Hopefully this is finally a settled issue. As a final comment, all past and present members of the various American and Romanian government committees and departments and those private organizations and individuals who were sincerely concerned and worked together on this subject should all take great pride and satisfaction in their accomplishments and that this issue has finally been resolved.

MINORITY DISCRIMINATION AND CULTURAL GENOCIDE

Once each year since granting MFN trade status was first contemplated and by deliberate coincidence at the time MFN hearings are being scheduled and heard, various small groups appear, hold themselves out as being Americans who are very concerned about what they claim to be very inhumane discrimination of minorities in Romania. These so called concerned groups also make various false claims that Romania is following a program whereby they are attempting to erase and destroy all traces of the history, language and culture of the ethnic minorities they choose to identify with.

These American protesters usually identify themselves with Romanian citizens having ethnic backgrounds of Hungarian, German or Greek. They initiate their once-a-year protests through paid newspaper advertisements, demonstrations and letter writing campaigns to Senators, Congressmen and various other American government officials for the sole purpose of disrupting the MFN considerations and trying to discredit Romania by making their false but impressive claims by using words such as cultural "genocide".

Anyone having been exposed to these short once-a-year attacks and having knowledge of the verified facts made available by the State Department and other American groups will quickly recognize that these claims are completely false or where there is even the slightest trace of truth, grossly exaggerated to a point where they are completely misleading.

Our foundation was recently very disturbed by a nearly full page paid advertisement that appeared in the New York Times and was sponsored by a group of so-called concerned former Romanians having Hungarian ethnic backgrounds. This concerned group never really identified themselves but they did have the nerve to not only falsely accuse Romania of "cultural genocide" but also falsely accused America of endorsing Romania's inhumane actions. This false attack prompted our foundation to prepare a factual and complete reply and this reply was published in the Washington Post. The Washington Post article is attached and made part of this testimony because it is very clearly written and factually discusses all aspects of these false claims against Romania.

This New York Times advertisement was so false and vicious in its attack on Romania and America that it prompted the State Department and some Senators and Congressmen to have the claims investigated. The result of these investigations was documentation of true conditions which essentially reconciled to what our foundation had itself proven in our article.

As one final comment on this subject, the Romanian government sponsors and pays all expenses of the following activities in Romania:

1. Over 6,000 hours of radio and television broadcasting by government owned stations in specific minority languages of Hungarian, etc.
2. There are currently over 322,000 Romanian students attending schools below college level that are being taught in Hungarian, Greek or other language. Each student and parents have the opportunity to choose the language they prefer.
3. The above practice (2.) is also true at the college and university levels. As an example, the world famous Babeş-Bolyai University has currently 1,069 students with Hungarian backgrounds, 188 with German backgrounds and 54 from various other backgrounds. Of the total at Babeş-Bolyai University, 26% represent ethnic minority groups.
4. There are over 5,214 government officials having names and backgrounds in Hungarian, German, etc.
5. There are 14 major theaters and musical institutions in various ethnic minority languages. The oldest active Jewish theater is in Bucharest.

6. There are 49 newspapers and magazines published in the various minority languages. Also published are over 340 books in these same minority languages. Numerous additional books, newspapers and magazines are imported in the various languages to supplement what was printed in Romania.

As stated earlier in this testimony, the claims of persecution of minorities and destruction of all aspects of ethnic history, culture, etc. is not true. Verified facts support this conclusion and are available in the Congressional Record.

TRADE

All must agree with the evidence and conclusions made available by reliable and expert government sources that the positive performance and significant varied benefits derived from American-Romanian bilateral relations fully justifies unqualified continuation of MFN trade status for Romania.

As with the obvious tangible benefits derived from this dramatic increase in trade since MFN was granted to Romania, it must also be properly recognized that this American-Romanian trade activity has also resulted in very dramatic increases in and cementing of favorable political relations between not only America and Romania but also those many new close and friendly relations established between Romania and other non-East European nations throughout the world. The many political benefits derived as a result of Romania's greater participation in international affairs and trade have the overall beneficial affect of easing of world tensions and providing mankind with greater assurances of continued world peace.

America clearly recognized that its trade with Romania would encourage and greatly help Romania achieve its most wanted objective of being a independent nation that develops its own foreign policy, is free to chart its own destiny and is free of domination by another nation. America recognized the historically proven principal that being firmly integrated in international trade with all nations of the world would assure Romania of the ability to not only realize its objectives of independence but would align Romania with many friendly nations that will help Romania remain permanently independent from domination by others.

While America and Romania can take great pride in accomplishing these non-tangible benefits, we must also fully recognize and appreciate the many tangible benefits that are being realized as a direct result of the increased trade between America and Romania under the provisions of MFN. We should also recognize that MFN status permitted America and Romania to enter into many other commercial agreements.

The future growth in higher volume trade coupled with additional trading opportunities is very significant and will have a major tangible impact on both Romania and America.

Also to be mentioned is the fact that all past and current trade and political relations with Romania since MFN have been excellent and far exceeded all favorable expectations.

As stated earlier, all evidence and conclusions testify to and support unequivocally the clear fact that America must with greatest pride and pleasure, extend MFN status to Romania as recommended by President Carter and other knowledgeable leaders. In making the decision, we must properly and fully recognize all tangible and intangible benefits to be realized from a continued relationship in which Romania is assured of remaining an independent nation.

The following discussion concentrates on and supports major items stressed in the above paragraphs:

1. One of the most beneficial results realized from MFN trade is the establishment and continued strengthening of confidence, trust, respect and dialogue between each country's leaders and subordinates in all areas. This favorable condition permits either country to comfortably raise, discuss and reach mutual agreements on even the most sensitive of items.

2. All evidence and conclusions presented prove beyond a doubt that Romania has more than satisfactorily performed in accordance with all aspects of its agreements with America.

3. With due consideration given to and despite the unfavorable and uncontrollable economic effects of world recession, the major 1975 floods and the devastating 1977 earthquakes in Romania, trade between America and Romania has significantly increased in each year. This significant increase is predicted as continuing for many years with America continuing to enjoy the most favorable balance of payments.

As an example, 1976 American exports to Romania were \$248 Millions. 1976 imports from Romania were \$198 Millions.

The ever so important balance of payments always remains in America's favor.

4. Romania's current 5 year plan identifies significant opportunities for increased trade in areas where America suffers reduced volume and heavy unemployment.

5. America's exports are responsible for at least 1 out of every 5 jobs in America's industries. Romania's share and contribution to this capability is significant.

6. America's imports consist primarily of various key shortage commodities such as petroleum products and chemicals needed by America's industries. A steady and reliable flow is anticipated to continue without interruption.

7. When commercial questions and/or problems materialize, all are quickly settled in a friendly and cooperative manner as stipulated in various commercial agreements.

8. America used MFN trade status as a means of encouraging Romania to become more active in the international trade area with the end result of Romania establishing more and stronger relationships with Western countries.

This relationship not only benefited Romania economically but also had the very important action of strengthening its drive and preserving its gains as an independent sovereign nation.

9. Romania has been a very valuable trading partner as there has never been a proven instance where Romania was guilty of "dumping", "price cutting", etc. with the end result being the unfavorable affects on America's industry.

SUMMARY

The above major points alone testify to and more than adequately justify America's extension of MFN trade status to Romania. The favorable relationships developed and carried out between America and Romania have proven that it is possible to effectively work together and establish and maintain high levels of trust, confidence and understanding between America and Romania.

Extension of MFN status to Romania clearly identifies to the world that America is vitally interested in the independence of all nations, that America is not only interested in helping a country start gaining greater degrees of independence but that once they are on the road to independence, America will continue to help them in their efforts to not only gain greater independence but to strengthen their economy in order to preserve and enjoy what independence they have already gained.

Extending MFN to Romania is also proof that a Western nation such as the United States can work with and get along with a Eastern European nation like Romania. There is no other close arrangement such as this with any other East European nation.

MFN must be extended and both America and Romania should continue to reap and enjoy the benefits from this close and mutually beneficial relationship.

[From the Washington Post, Sunday, June 13, 1976]

WHAT'S BEHIND THE CLAIMS AGAINST ROMANIA?

We have read with amazement and indignation in the May 7, 1976 issue of the New York Times a paid advertisement entitled "Will the United States endorse cultural genocide in Romania?" It contains several charges which even at first glance are strikingly untrue. We, Americans of Romanian background, are perfectly aware of the difficulties and restrictions in Romania which as a matter of fact, are common in all communistic countries. Nevertheless, we know well enough the living conditions of all minorities in Romania and cannot be deceived by unfounded allegations such as those presented in that May 7th ad identified above.

We are truly indignant because of this attempt to mystify the American reader of that newspaper and get the reader to believe that such conditions do exist when they do not. That is the reason why we consider it our duty as Americans to reply to the advertisement in order to restore the truth and at the same time raise our voices against such maneuvers which we believe have nothing to do with the status of Romanian citizens having a minority Hungarian background.

CLAIMS AND FALSEHOODS

The advertisement alleges that Romanian citizens with minority backgrounds are prevented from offering their children an education in their own ethnic language rather than the national language of Romanian. This is not true. Statistics and facts which are referred to in this May 7th ad identify that today in Romania there are 260,000 Romanian-Hungarian children being educated in Hungarian speaking schools staffed by Romanian-Hungarian teachers. These educational establishments cover all grades of instruction from preschool and elementary on through college. School books and other teaching materials are printed in the Hungarian language and are provided free of charge to all Romanian-Hungarian students. In the same manner, the entire education process at all levels from preschool through college is free of charge in Romania, irrespective of the student's ethnic background.

As an example, the University of Cluj-Napoca (in Transylvania) bears the name of a famous Romanian scholar (Victor Babes) and the name of an equally famous Romanian-Hungarian Mathematician (J. Bolyai). The administration, teaching staff and students at this University are primarily of Hungarian background. The standards of admission at all Romanian schools and colleges are the same for all students, irrespective of their ethnic background of Hungarian, German or any other.

It is also stated in the above mentioned May 7th ad that the use of minority languages is suppressed in Romania. This is not true. Against this affirmation pleads the fact that published in Romania in 1975 alone were 575 books in Hungarian (more than 2,500,000 copies) and 170 books in German (more than 500,000 copies). To these amounts must be added another 200,000 books printed in Hungarian and 200,000 books printed in German that were imported into Romania. All of these books were sold at very low prices; a fact even recognized in Hungary (see Elet es Irodalom, Budapest, 1976). The Romanian-Hungarian minority in Romania publishes 30 newspapers and magazines and the Romanian-German minority has 8 such publications in Romania. Other Romanian citizens having backgrounds such as Serbian, Jewish and others also have periodicals published in their own ethnic languages. Radio and television stations broadcast about 1900 hours in Hungarian and some 700 hours in German. In Romania, there are 10 Hungarian theaters including an opera house in Cluj-Napoca) and three German theaters. The oldest Jewish theater in the world is to be found in Bucharest and this year celebrates its centennial. Nearly 2,000 Romanian-Hungarian amateur artistic groups and 460 Romanian-German groups are performing freely in Romania. Romanian educated and trained poets, novelists, playwrights, painters, sculptors and others are among the most renown in today's Hungarian and German cultures. In addition, these famous and renown artists gained their international fame during their days in Romania. Under such conditions as these, it is very difficult to believe how Romania can be accused of "suppression of minority languages in Romania."

We Romanian-Americans are indignant about the enormity of such allegations because many of us left Transylvania before World War I because of the Hungarian government's policy of forced magyarization as pursued by Count Apponyi. Never did we and our parents living in this former Austria-Hungary nation enjoy the same rights as the Romanian-Hungarians enjoy in today's Romania.

REFUTAL BY A LEADER OF THE HUNGARIAN CHURCH OF ROMANIA

Significant testimony as to the true living conditions of the Romanian-Hungarian citizens in Transylvania is a recent statement made by Bishop Dr. Papp Laszlo, President of the Reformed Church Council of Romania: "It is with regret that, during the past months, I have seen and heard that the "concern" about the situation of the Hungarians in Transylvania has marked a new upsurge . . . The Hungarians from Transylvania have a complete opportunity to assert themselves . . . on the spiritual . . . level . . . inform those who are "worried that in the past three decades the bells have never ceased to ring in the churches where Christ's truth is preached in the Hungarian language."

IGNORANCE OR FALSIFICATION

It is very easy to contest the Marxist version of Romanian history. It is a recorded and documented historical fact that Transylvania and Banat were originally Romanian and were lost when Hungarians invaded and occupied this

part of Europe in the ninth century. At this time, there were in Transylvania and Banat the three Romanian states of Menumorut, Vlad and Gelu. This historical fact is recognized world wide, including Hungarian history (the oldest Hungarian chronicles including the "Chronicle of the Anonymous Notary of King Bela"). It is also recognized as historical fact that during the occupation by Hungary, the Romanian language was always the predominant language of occupied Transylvania and Banat. Therefore, true recorded history (including Hungary's) disproves beyond any doubt that these territories were originally Romanian and that the May 7th ad is incorrect in the statement that "the indigenous Hungarian culture predates the emergence of the first Romanian state by three centuries."

In 1974 and in response to the recommendation of the United Nations, Romania as did many other nations, adopted a law for the protection of the cultural patrimony of Romania. This law corresponds entirely to the recommendations repeatedly made by UNESCO to United Nations' members to defend, restore, protect and render valuable the works of art and culture on their territory. This law, which is similar with and in no way more rigorous than the law recently adopted by Canada for the protection of its own cultural property, is aimed at preventing the loss and destruction of all works of art that currently exist. This new law is in the general interest of all current and future citizens of Romania and benefits all Romanian citizens regardless of ethnic background. In fact, this law serves to protect and preserve the historical ethnic cultural background of all those Romanian citizens who identify themselves to one of the many ethnic groups.

From my own experience, I noticed while visiting Romania several times that the State has invested considerable amounts of money in the restoration of Hungarian monuments in Transylvania, that works of art and culture created by Hungarians are preserved and displayed in the museums of Romania, that Hungarian painters and sculptors exhibit their own creations in the official halls of Romania, etc. As far as the Hungarian historical documents are concerned, these have been published in scores of volumes along with other Romanian, German, Latin and Greek documents regarding the history of Romania. Numerous volumes of these history books can be found in many American libraries.

We Romanian-Americans also protested against the Romanian law 225/1974 providing that foreign tourists cannot be accommodated in private homes unless they are close relatives of the family being visited. However, we also recognize that housing in Romania is allocated based upon size of the family to be accommodated and that accommodating large numbers of tourists would not serve to benefit the Romanian family, the visitors or anyone else. The May 7th ad is very unfair and is misleading when it says that this Romanian law prevents anyone from visiting and meeting with their relatives and friends in Romania. Everyone who has visited Romania can testify that one can enter Romania freely and that visas are granted to foreign tourists at time of arrival at any of the border checkpoints or international airports in Romania. It is a recognized fact that each year hundreds of thousands of citizens of Hungary, the Germans, Israel, etc, visit and travel in Romania while visiting friends and relatives and that they are not denied this right. This free and easy access to friends and relatives is not available in Hungary and other communistic countries.

WHAT IS THE TRUE PURPOSE OF THESE ATTACKS ON ROMANIA?

The claims of "cultural genocide" are easily proven to be completely incorrect and unfair charges against the Romanian people. What must be properly recognized is the fact that these weak allegations are being made and that a rash of these claims have recently been experienced. We have never in past years been subjected to such claims and the increasing frequency that these are being publicly made. The answer to this question appears in the final lines of the May 7th ad where all of a sudden it appears that there are some who do not accept the fact that Transylvania is and will stay part of Romania, not part of Hungary as decided in the Paris Peace Treaties and supported by the United Nations. As pressure on Romania, this May 7th ad and its sponsors are stirring up the detested specter of "cultural genocide" as a means of discrediting all Romanian citizens and also to use this public opinion along with misleading so-called historical facts to unfavorably influence the policies of the American government towards Romania. The worst and possibly a near fatal blow to Romania that this May 7th ad advocates is America's reversal of the Most Favored Nation status granted to Romania in 1975. This trade status granted to Romania has been re-

quested by and denied to Hungary, Russia and nearly all communistic countries who are guilty of inhumane treatment of its citizens and are guilty of "cultural genocide." It should be recognized that the United States Congress, our President, State Department and many others ordered separate investigations to be made prior to granting Romania Favored Nation status and that the results of these investigations did not support any claims concerning "cultural genocide." We Romanian-Americans supported granting of Most Favored Nation status to Romania because this action by America would greatly enlarge Romania's expectations and greatly improve its chances of returning to the free world and improving the standard of living for all Romanian citizens, regardless of ethnic background.

Although Romania is a communistic state, if is not a Moscow controlled satellite and it is recognized world wide that she has vigorously affirmed her old ideals for independence and free development. For us Romanian-Americans, this a fact to which we attach a special importance since this is the only way that will serve to preserve our former country and the independence of those relatives and friends who remain in Romania. This independence—that some dare to put in quotation marks—should not be considered the result of the policy and action undertaken only by the communist regime in Bucharest. This independence has been the sacred cause of the whole Romanian people for which the sons of our nation, our ancestors and many of our parents gave their lives at Rovine and Vaslui, at Plevna and Grivita at Marasesti and Oituz, etc.

Of course there are many nations, especially those in the communist camp, which are not pleased with this Romanian independence. Many of these have disclosed their disagreement by referring to Romania's independence in quotation marks in articles attacking Romania; thereby disclosing the political doctrine that usually is the source of these attacks and inspirations. The doctrine of "limited sovereignty" is well recognized as being very dear to Mr. Brezhnev and many others in Moscow.

America should not be misled with the result of punishing Romania for her attempts to break the chains of slavery established by Moscow in the Yalta Agreements. We as Americans cannot be misled by use of unsupported and very general claims such vague ghost of "cultural genocide."

WHO IS DEFENDING THE MORAL PRINCIPLES OF THE AMERICAN REVOLUTION?

It is not difficult to see the conflict between the claimed "cultural genocide" and the American ideals and moral principles referred to at the beginning of the May 7th ad. If the United States takes the action suggested in that advertisement, it will have the end result of denying all Romanian citizens the fundamental human rights which have been proclaimed in the "Universal Declaration of Human Rights" recently signed at Helsinki. We find it very painful and upsetting to see such ideas being advertised in the very year when we as all true Americans celebrate the Bicentennial of the independence of our great nation which emerged and developed by massive immigration of freedom loving people from all parts of the world.

We are fully convinced that the American public and our government will not allow itself to be misled by such dangerous claims as discussed above. We must continue all efforts for the exchange of information, publications, scientists, scholars, artists and others as this is the most effective way by which America and Romania will become better acquainted and closer in their relations. Having a good and true understanding of each others culture, traditions, values, standards, history and other aspects of each country enables both countries to work closer and more effectively—with the end benefits going to all citizens in each country.

UNANSWERED QUESTIONS

We suggest that those that are sincerely concerned with the well being of Hungarians direct their efforts to areas such as the following and recognize that Romanian-Hungarians are much happier and better off than their relatives in Hungary itself:

1. Why not direct efforts to improve the freedom of those in Hungary itself and bring this level up to that enjoyed by those in Romania?
2. Why not work for easing of restrictions on travel to Hungary and bring these up to Romanian levels
3. Why not try to get Hungary established as a independent and sovereign nation that is not occupied by another's troops?

4. Why not campaign to improve conditions for minorities such as those of Hungarian background in the Soviet Ukraine and Sovietized Slovakia, etc.?

5. Why not encourage Hungary to formally recognize Israel and establish formal diplomatic relations with Israel as was done by Romania shortly after Israel was established?

6. Why not get Hungary to pledge to not again participate in an invasion of another country such as the invasion in 1968 of Czechoslovakia as a means of extinguishing all thoughts, hopes and efforts for freedom by the people of that nation?

Naturally there are many, many more projects that are equally or more desirable than those suggested above.

SUMMARY

Congressman Edward I. Koch was concerned with the claims made in the May 7th advertisement in the New York Times and asked the U.S. Department of State for comment on the ad's allegations. The response of the State Department, published in the Congressional Record (May 26, 1976, H4995), cited a review of information available to the American Embassy in Bucharest made at the direction of Ambassador Horry G. Barnes, Jr. The report states that restrictions on civil liberties are applicable to all Romanian citizens in Romania with no discrimination to ethnic and religious groups—including Hungarian minority groups—as claimed in the advertisement. The report also stated that "any restrictions imposed by a predominantly Romanian regime will be resented with special bitterness by the ethnic Hungarians whether or not these restrictions are imposed in a discriminatory fashion."

Our foundation strongly deplores any and all discrimination on ethnic or any other grounds, or persecution for religious belief, in America, Romania or any other part of the world. We will continue to monitor civil liberties in Romania, etc. and will firmly support all humanity in the full realization and enjoyment of all fundamental human rights. We recognize that conditions for all Romanian citizens could be improved and we will never hesitate to speak out and work for such improvements. We will also continue to speak out whenever we note the use of incorrect and incomplete historical facts such as those presented in the May 7, 1976 advertisement in the New York Times. We strongly urge all Americans to study the findings and statistics recorded in the Congressional Record and the history of Romania and to use these facts as a basis for developing their own conclusions.

The American-Romanian Committee for Transylvania, which is part of the American-Romanian Cultural Foundation, Inc., asks you to participate in a demonstration on June 16, 1976 at 12:00 Noon in front of TARAS SEVCENCO statue at 22nd Street and Q Street in Washington, D.C., in order to show our American-Romanian solidarity against such allegations.

AMERICAN-ROMANIAN CULTURAL FOUNDATION INC.,
BARBU NICULESCU, *President*.

[Whereupon at 12:05 p.m., the subcommittee concluded.]

APPENDIX A

Communications Received by the Committee Expressing an Interest in This Hearing

STATEMENT OF SENATOR MARK O. HATFIELD

On June 2, 1977, President Carter requested a one-year extension of most favored nation status for Romania. Congress now has sixty days in which it may disapprove MFN status through a Resolution of Disapproval. If neither House nor Senate take such action, MFN status will be extended. I urge extension of MFN treatment for Romania for another year.

"EQUALLY FAVORED NATION" STATUS

Before discussing reasons supporting extension of MFN treatment, I want to offer a suggestion, albeit somewhat facetiously. Everyone in the Congress knows that the phrase "most favored nation" is a misnomer. When MFN status is granted a country, the result is not favored treatment, but equal treatment.

Were it possible, therefore, I would suggest replacing the "most favored nation" terminology with a more descriptive phrase: "equally favored nation." I recognize that the phrase MFN has been etched for years into international law and to suggest such a change may be heresy. Although my suggestion may be facetious, my concern is serious. As we in Congress review changes in our economic relations with COMECON countries, certain segments of our population react in strenuous opposition. Part of this concern rests in the belief that the United States is seeking international accommodation at too great a cost. Such fears may not always be founded on fact, but they are deeply held.

I would guess that all members of Congress have been asked, on occasion, why Congress wanted to give special treatment to Communist countries by granting MFN. The name itself, most favored nation, helps generate this concern.

As I indicated, sufficient roadblocks probably exist that would make it difficult to replace MFN with EFN. If it could be done, however, the concept would be understood more easily by our constituents, and less confusion would result.

ROMANIA'S POLITICAL INDEPENDENCE

A central reason for urging extension of MFN treatment for Romania is the unique role it occupies among the COMECON countries. The independence shown by President Nicolae Ceausescu must be considered. In his political and economic posture, he has helped Romania pursue a policy of greater political and economic freedom from her fellow Warsaw Pact and COMECON allies. I understand, for example, that Romania is the only COMECON country to be a member of the IMF and the World Bank. Since 1969, five visits have provided an opportunity for President Ceausescu and American Presidents to share views. In 1969, President Nixon visited Romania, as did President Ford in 1975. President Ceausescu visited the U.S. in 1970, 1973, and 1975. I hope he and President Carter will meet soon to continue this dialogue.

I do not pretend that Romania is an ally of the United States, but Romania is a country with whom we can minimize our differences as we broaden our ties. Because of the independence shown by Romania, I believe our actions should signal continued support for increased cooperation between our two countries. A rebuff to Romania by denying MFN status could well have wide economic and political consequences.

ECONOMIC TIES

Other experts will provide the Committee with details regarding our growing economic ties with Romania. I will mention only a few. Growing from a two-

way trade total value at \$8 million in 1965, bilateral trade reached \$79.5 million in 1970, and had climbed to \$449 million in 1976. The United States has maintained a positive trade surplus in these years, helping our balance of payments.

Because I recognize the realities of global economic interdependence, I believe it is in the best long-term economic interests of the U.S. to expand our ties with Romania. I hark back to my days as Governor of Oregon, when we organized some of the first trade missions to Japan. Now our state supplies some 60% of Japan's wheat imports and we maintain a healthy local trade surplus. At that time, I stressed that trade builds two types of bridges—economic and personal. The personal ties between Romanian businessmen and women and government officials and their U.S. counterparts should provide a better understanding of another people's culture. In turn, this helps erase stereotypes existing on both sides. From a strictly economic perspective, interdependence lessens the potential for serious conflicts because of the increased economic stake each has in the other's well being. From all that I have heard and read, U.S.-Romanian bilateral trade will continue to grow, and MFN treatment is a critical factor in this projected growth.

EMIGRATION

As the author of a human rights amendment defeated on the Senate floor last week because some thought it was too strict, I naturally am interested in the emigration aspect of Romania's MFN treatment. From the material I have reviewed, it appears Romania is following a policy allowing greater emigration. Romanian emigration to the U.S. and West Germany (where the greatest single number of emigrants have moved) has risen significantly. This phase of the MFN issue should continue to be monitored closely to insure emigration is possible for those wanting to leave Romania.

I am concerned about the total Romanian emigration to Israel during this calendar year, for it now is lower than last year. From January through May 1977, some 458 emigrants moved to Israel, compared to 835 in 1976. I hope this reduction does not represent any shift in attitude by the Romanian government.

This issue will be a topic for continued discussions. I have been told by the Romanian government that some 300,000 to 400,000 Jews have left Romania for Israel since World War II, and that a Romanian census in January 1977 showed only 25,000 Jews remaining in Romania. On balance, it appears Romania is meeting the spirit of Section 402 of the 1974 Trade Act, and I hope the lower number of Jews emigrating to Israel recently represents only a temporary decline.

CONCLUSION

In my opinion, it is in the best interests of our country to extend MFN treatment for Romania. The political independence of the country merits our continued support, in hope that we can encourage it. The economic ties between our countries provide a growing exchange of goods and services, helping us both. Emigration, on balance, shows an overall increase that we all hope continues. In sum, it is a record which I believe demonstrates Congressional support for extension of MFN treatment.

STATEMENT BY SENATOR DANIEL P. MOYNIHAN

Mr. Chairman, though I am unable to be present at this morning's hearing, I want to emphasize my deep interest in the matter of ensuring greater respect for human rights in the context of East-West trade. In beginning a process of examination and inquiry—a process by which we must determine whether the Socialist Republic of Romania reciprocated our good faith with some of its own—this subcommittee has a major responsibility. It is in a sense, the guardian of a piece of historic legislation, the East-West trade and freedom of emigration provisions of the Trade Act of 1974. The Chairman of this subcommittee played a major role in those proceedings, and we are fortunate that he continues to be an important figure in implementing the purposes of that legislation.

In 1974, the Congress asserted an important point of principle, a principle since carried forward in the Helsinki accords, in other pieces of domestic legislation, in the worldwide concern for human rights that is now such a conspicuous part of public discussion of political issues. The Trade Act of 1974 remains a firm indication that we mean what we say when we talk about human rights. We must make sure that it remains a currency that is not devalued.

The performance of the Romanian government in the realm of its emigration policy deserves close scrutiny. There are discouraging signs that the human rights climate as a whole may be deteriorating in that totalitarian country and, accordingly, we must be alert to the danger this poses to freer emigration. What is more, the performance of the Romanian regime in the past year raises profound questions of another sort. Too often, there is a tendency to measure these matters by statistics alone, when it is equally necessary to sense the climate established by the Romanian authorities. We know that the harassment of those seeking to leave has become more intense; we know that the Romanian state has thrown up one or another obstacles to those who seek to exercise their right to leave; we know that these forms of intimidation are designed to discourage people from seeking exit visas.

I am not surprised, in all candor, that the Romanian regime will seek to do the bare minimum in satisfying the concerns of the West in general and the requirements of the Trade Act in particular. I should hope, however, that our own Department of State will not misunderstand the sense of the Congress on this question. We can no longer be satisfied with bland assurances of Romania's good intentions, nor will we necessarily accept those explanations of Romanian conduct which seek always to portray Romanian behavior in the most favorable light.

Accordingly, I for one will look closely at the record of the past year and at the worth of whatever assurances have been conveyed concerning the next year. The concerned Americans who will appear before this Subcommittee will speak for those in East Europe who rely on us to make their case. Let us be sure, it is the fate of those who seek only the basic rights that must be fundamental concern to us.

TESTIMONY OF CONGRESSMAN EDWARD I. KOCH OF NEW YORK

Mr. Chairman, I am pleased to be able to present a brief statement to your Subcommittee on the question of continuing nondiscriminatory or most-favored nation treatment for the products of the Socialist Republic of Romania. Under the terms of the Jackson-Vanik amendment of the Trade Act of 1974, Romania has been extended most-favored nation (MFN) treatment subject to a waiver, recommended by the President, of the free emigration requirement of that Act. On June 2, President Carter recommended that the Congress approve a waiver of the free emigration requirements for another 12 months.

I have been concerned about Romania's human rights record for some time with respect to not only emigration but also the treatment of national minorities in Romania and of intellectuals critical of the regime. I do not expect Romania to conform to our democratic ideals, but I do believe that we can demand a minimum respect for human rights in these three areas: the right of emigration, respect for the language and culture of Hungarians and other ethnic minorities in Romania, and the basic dignity of intellectuals, writers, and others.

I believe that implementation of the Jackson-Vanik amendment must pay attention to human rights generally and not just focus on emigration statistics. Since entering into this Trade Agreement, Romania and the United States have also signed the Helsinki Accords, and these Accords also require increased sensitivity to human rights. This Subcommittee should carefully consider all major aspects of the human rights situation in Romania before recommending the continued extension of MFN.

Recently, I sent a letter to President Carter, along with 54 other members of the House of Representatives, asking him to investigate Romania's record with respect to emigration, the cultural freedom of linguistic minorities, and the treatment of dissidents, before recommending the extension of MFN. At the end of my testimony I am appending a copy of this letter.

Regrettably, figures compiled by the staff of the Trade Subcommittee of the Ways and Means Committee, which has been monitoring Romanian emigration, show that there has been a substantial drop during the past year in the numbers of emigration visas allowed by the Romanian Government. Although Romania issued 1,228 visas for emigration to the United States during the first 11 months of fiscal 1976, only 1,040 visas to the United States were issued during the same period this year—July through May 1977. For emigration to Israel 2,354 were issued during the first 11 months of fiscal 1976, but in the most recent 11 months this figure dropped to 1,883.

In my opinion, this year's Romanian record in emigration has been disappointing and inadequate. I believe that this decline in emigration is not due to a lack of interest by those who wish to emigrate but reflects a lightening of Romanian government policies which discourage emigration. I have received reports that the government of Romania, through the actions of its local officials, has not allowed applications for exit visas to be made by individuals who requested them. Even where applications are made, the applicants are harassed: some lose their jobs upon making the application; all applicants are required to submit to examinations by official committees which attempt to persuade them not to emigrate. Besides endless and complex emigration procedures, the government also allegedly employs fear and intimidation to discourage applications.

I believe that it is within the power of Romania to do better in allowing additional emigration, and I hope that the report of this Subcommittee will note the disappointing performance in emigration this year.

I am also disturbed by reports of abuse and harassment of dissidents in Romania and serious charges that the Hungarian language minority is being systematically isolated and subjected to discrimination. The recent crackdown on a number of dissidents in Romania was well documented in the press, including the arrest and subsequent release of writer Paul Goma, allegedly for having circulated a petition criticizing Romania for not complying with the human rights requirements of the Helsinki agreement. As for the repression of the Hungarian language minority, serious allegations continue to be made that the Romanian government has attempted to frustrate the exercise of fundamental cultural, religious and language rights by the Hungarian population and by other minorities. The Hungarian minority complains that their schools have been closed, their theaters shut down, their literature suppressed, and contacts with Hungarian people or books forbidden. These allegations are significant, and I believe they should form part of the criteria upon which Romania's continued eligibility for MFN treatment is judged.

I urge the Subcommittee to carefully analyze Romania's compliance with the letter and spirit of the Jackson-Vanik amendment and their performance in human rights guaranteed in the Helsinki agreement, before making a recommendation on continued MFN treatment.

For the Subcommittee record, I am appending a copy of the letter that fifty-four members of the House and I sent to President Carter on May 18:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 18, 1977.

HON. JIMMY CARTER,
President of the United States, The White House,
Washington, D.C.

DEAR MR. PRESIDENT: One element of your announced policies which has met with almost unanimous approval in both Houses of Congress is your principled stand on the role of human rights in our foreign policy. We would like to call your attention to a particular situation where our foreign policy seems to conflict with our respect for fundamental human rights.

As you know, Romania is the only country which enjoys United States most-favored nation trade benefits subject to the human rights and free emigration conditions of Section 402 of the Trade Act of 1974. These trade benefits were granted in part because Romania, while remaining within the Communist bloc, allegedly was pursuing a foreign policy somewhat independent of the Soviet Union.

On June 3 of this year, the terms of Section 402 require your recommendation on whether the United States should continue to grant Romania a waiver from the free emigration requirements of the Trade Act. As you know, the law allows a waiver where it will substantially promote the human rights objectives of Section 402, and where you have received assurances that the emigration practices of Romania "will henceforth lead substantially to the achievement of the objectives of this section.

During the first two years of the United States-Romania Trade Agreement, the Romanian record on emigration has been highly unsatisfactory, according to evidence presented in the summer of 1975 and again last fall at Congressional hearings. During the most recent nine-month period (July, 1976 through March, 1977) the number of visas issued by Romania for emigration to both the U.S.

and Israel has dropped precipitously when compared to the previous year's period. The number of visas to the U.S. dropped from 1,034 to 715, and for Israel, from 1,157 to 1,148. Even those of us who supported the renewal of MFN last fall were disappointed in Romania's continued frustration and harassment of those seeking to emigrate. These latest figures are even more disappointing.

Moreover, last year very serious charges were raised about human rights violations against the several million minority inhabitants of Romania, including approximately 2.5 million Hungarians. Some of these allegations were substantiated by reference to official Romanian sources, and it appears that some of Romania's minority policies violate the Helsinki Agreement and other international covenants, all ratified by Romania. We feel that this question is also relevant to continuation of Romania's MFN status and request that you make representations to the Romanian Government accordingly.

Finally, the recent crackdown on dissidents as reported by the Associated Press, including the arrest of human rights leader Paul Goma, alleged beatings and "work assignments" in labor camps should also be taken into account when the extension of MFN is considered.

We do not want to prejudge this situation in advance of your recommendations, but before you make those recommendations, we hope that you will look into each of these human rights questions. We hope that the Romanian government can provide some evidence of its good faith by granting permission to emigrate to those who have been waiting long periods, by ceasing its harassment of those who apply to emigrate, and by simplifying emigration procedures. While we are concerned about those who seek to emigrate, we are also concerned about the even-larger number who will remain in Romania. We hope that in preparing your recommendation concerning a waiver of Section 402, you will be able to focus the attention of both the Romanian and our own government on the importance of human rights.

Thanking you for your kindness and cooperation, we are,
Sincerely,

Edward I. Koch, Christopher J. Dodd, Robert F. Drinan, Joseph P. Addabbo, Jerome A. Ambro, Herman Badillo, Jonathan B. Blingham, James J. Blanchard, Don Bonker, Silvio O. Conte, Phillip M. Crane, Thomas J. Downey, Mickey Edwards, Joshua Ellberg, Allen E. Ertel, Dante B. Fascell, James J. Florio, Donald M. Fraser, Charles E. Grassley, Marjorie S. Holt, Harold C. Hollenbeck, Frank Horton, James J. Howard, William J. Hughes, Jack F. Kemp, Peter H. Kostmayer, Norman F. Lent, Elliott H. Levitas, Clarence D. Long, Stanley N. Lundine.

Larry McDonald, Stewart B. McKinney, Ralph H. Metcalfe, Barbara Mikulski, Norman Y. Mineta, Joe Moakley, John M. Murphy, Mary Rose Oaker, Richard L. Ottinger, Donald J. Pease, Claude Pepper, Charles B. Rangel, Matthew J. Rinaldo, Robert E. Bauman, Fred B. Rooney, John H. Rousselot, Stephen J. Solarz, Newton I. Steers, Jr., Henry A. Waxman, Theodore S. Weiss, Lester L. Wolff, John W. Wydler, Gus Yatron, Henry J. Hyde, Ed Jenkins.

AFL-CIO STATEMENT

The AFL-CIO urges this Committee to reject the President's request to waive the human rights provision of Title IV of the Trade Act of 1974 and continue the special low-tariffs given to imports of products from Romania. Imports of these products continue to cost American jobs in shoes, glass, clothing, and other manufacturing industries.

This special encouragement for Romanian imports violates the purposes of the Trade Act of 1974—economic benefit for the United States and the promotion of human freedom. The request mocks the United States commitment to human rights at home and abroad.

The AFL-CIO has protested the extension of most-favored nation or low-tariff treatment in 1975 and 1976 before both houses of the Congress, when the Romanian treaty was put into effect and when the waiver was renewed. We believe our fears have been validated by the facts.

This year again the record shows that the economic results of the Romanian treaty cost U.S. jobs and production. In the first three months of 1977, imports of every general category of manufactures from Romania doubled over the same period last year. Exports of U.S. manufactured products fell. (See Table I.) This does not promote "mutual" benefits, as the President claims.

The attached letter to President Ford in April 1976 shows how American workers can be affected by such imports. In a work shoe plant in Waynesville, N.C., 500 workers' jobs were being affected by imports. In April 1977 only 300 workers were employed in the plant, according to the Rubber Workers Union records. Romanian shoe exports to the U.S. have expanded, helped by special low tariff privileges granted by the treaty.

In fact, the shoe imports for the whole year (1976) from Romania totaled 8.7 million pairs of shoes up from 2.8 million in 1974 according to the International Trade Commission. "Five of the top 20 imports from Romania in 1976 were footwear items."

Rapid growth in Romanian exports to the United States of men's and boys' suits, made Romania in 1976 the largest unrestrained supplier of low cost men's and boys' suits. Both Governments agreed to (an interim arrangement) limit Romanian imports of men's and boys' wool and man-made suits to 110,000 units for the period from January 1, 1977 to April 30, 1977.

Glass imports are also affected. The ITC reports, "The U.S. Treasury has found that Romanian sheet glass is being sold in U.S. markets at less-than-fair value." . . . The volume of imports is high. In 1976, 85.4 million pounds of unprocessed sheet glass valued at \$4.7 million entered the United States from Romania. Over 200 sheet glass workers in Mt. Vernon, Ohio have been denied adjustment assistance because their plant was shut-down from imports. Their union is suing in court to reverse this denial. More than 4,000 glass workers have already been found injured by imports and certified for this dole. But the imports of sheet glass from Romania are now encouraged by a reduction in the tariff. The AFL-CIO does not believe it makes sense to waive provisions of U.S. law to encourage imports from Romania, while U.S. workers have to go to court to prove their rights. Their jobs are gone. The plant is closed. And they have to pay lawyers' fees even to try to get adjustment assistance.

U.S. exports of manufactured goods to Romania went down in the year 1976, according to the ITC report. Machinery and transport equipment exports dropped 89 percent from 1975 levels and 69 percent from 1974 levels during the first year of the agreement.

Exports in 1976, the ITC found were up only in wheat and soybeans: . . . "The increased demand for grain imports was the result of flooding in Romania in 1975." Romania intends to stop all meal imports by 1980, according to its present plans, the report continues. While the U.S. Department of Agriculture thinks this plan is unrealistic, the Romania government obviously does not intend to continue to create export markets for U.S. farm products.

Exports of machinery subsidized by Eximbank loans and agricultural products have accounted for most of the U.S. trade surplus in the past. As Table II shows, however, that surplus has dwindled. If current trends continue, the U.S. will be importing more from Romania than it exports by the end of this year.

Meanwhile, the Romanian government plans to reduce imports from the U.S. whenever it needs to. The U.S. government, if the waiver is granted, will allow Romania to send the U.S. whatever it likes, with the exception of a reported agreement on men's and boys' suits. Furthermore, many imports from Romania will continue to be eligible for special zero tariffs under the generalized system of preferences, if the waiver is granted.

Romania now owes the West about \$3 billion, according to the ITC report. The Romanian government plans to get rid of this debt by 1980. Romania's plan is to reduce "the industrialized West's share of trade from 41 percent in 1976 to 25 percent in 1980, increasing the developing countries' share from 17 percent last year to 30 percent in 1980 and increasing the Communist countries' share slightly from 42 percent in 1976 to 45 percent in 1980," according to the International Trade Commission.

The AFL-CIO, therefore, does not agree that the President's message which encourages the extension of Export-Import Bank credits will promote "mutual" benefit. The ITC report shows clearly that Romania, not the U.S., is the beneficiary of this type of agreement.

Some new developments in 1977 raise additional questions—about the U.S. supply of exports of coal and imports of data processing machinery. The press has widely reported an agreement between Occidental Petroleum Corporation and the government of Romania to exchange technology and possibly enter into joint ventures on a wide range of energy-related projects. This agreement was announced concurrently with the signing of a final contract between Romania and Island Creek Coal Company, a subsidiary of Occidental, "providing for advance payment for 14 million tons of coal by Romania," according to the June 14, 1977 Journal of Commerce. The coal will come from a metallurgical mine now under construction in Southwestern Virginia.

Less widely reported is the concern of the U.S. steel industry that exports of metallurgical coal be more closely monitored by the U.S. Commerce Department, because other nations are regulating their exports of such coal. As other nations become more sufficient in steel production, the U.S. industry would like to make sure that the raw materials for producing steel and energy are available to U.S. producers.

Imports of data processing machinery from Romania in the first five months of 1977 totaled more than half a million dollars. This raises new questions about the types of imports that will be sent into the U.S. as time goes on.

The economic factors in the waiver, therefore, do not point to mutual benefit, but to a continued cost of U.S. production, jobs and resources.

The AFL-CIO has also called attention in the past to the oppression of labor and of human rights in Romania. We know of no change in this condition. A recent study of multinationals in two Western European countries shows that some of American labor's concerns have been echoed by free trade union spokesmen abroad. In the British Journal of Industrial Relations, Vol. XV, No. 1, a Dutch leader was quoted as follows:

M.N.C.s obtain the best of all possible worlds by moving East; first, in concert with the state, they exploit the local workers since the difference between the true economic costs and artificially set prices pocketed is largely borne by the local workers; secondly, they are assured of 100 per cent labour peace; and thirdly, they are effectively shielded from international union solidarity actions. In fact, strikes occurring in the West may be broken by temporarily rerouting production through their 'collectivist' production facilities.

Union respondents felt that the volume of such trans-ideological production arrangements was growing rapidly.

Our friends in the free labor movements in European countries cannot understand why the United States encourages imports from countries using communist labor while it opposes subsidized imports from their countries. We share their confusion.

The waiver of the Title IV requirement that a Communist country grant freedom of emigration before most-favored-nation or low-tariff treatment is granted naturally did not promote freedom of emigration. As the attached clippings from the New York Times and the Washington Star indicate, the labor camps this year in Romania include dissidents who have, for the first time, dared to say anything. The report indicates that conditions in Romania are so oppressive that dissidents are almost never heard from.

For these reasons, the AFL-CIO does not agree that the waiver of the freedom of emigration provisions of the Trade Act has helped promote anything but job losses at home and an encouragement to oppression abroad. We urge this Committee to reject the President's request to extend the waiver of Section 402 (a) and (b) of the Trade Act of 1974.

TABLE I.—U.S. TRADE WITH ROMANIA: 1975-77—ROMANIA

[In millions of U.S. dollars]

	Total 1975	Total 1976	January- March 1976	January- March 1977
Schedule B (exports) commodity:				
0—Food and live animals.....	75.60	91.99	8.17	6.33
1—Beverages and tobacco.....	0	0	0	0
2—Crude materials, inedible, except fuels.....	37.90	96.83	24.42	34.36
3—Mineral fuels, lubricants, and related products.....	17.56	10.75	.01	11.47
4—Animal and vegetable oils and fats.....	0	0	0	0
5—Chemicals.....	4.90	2.76	1.24	3.49
6—Manufactured goods by chief materials.....	6.58	16.85	1.06	1.01
7—Machinery and transport equipment.....	42.37	25.96	7.06	6.36
8—Miscellaneous manufactured articles n.e.c.....	3.76	3.72	1.05	1.08
9—Items and trans N/class.....	.60	.14	.03	.18
Total.....	189.28	249.03	43.04	64.28
Schedule A (general imports) commodity:				
0—Food and live animals.....	9.74	15.65	4.05	5.69
1—Beverages and tobacco.....	.31	.26	.02	.17
2—Crude materials, inedible, except fuels.....	3.60	5.46	1.94	1.00
3—Mineral fuels, lubricants, and related products.....	82.35	81.87	22.15	16.95
4—Animal and vegetable oils and fats.....	0	0	0	0
5—Chemicals.....	2.02	9.09	1.02	1.28
6—Manufactured goods by chief materials.....	7.64	19.45	3.83	6.21
7—Machinery and transport equipment.....	10.38	15.49	2.61	6.61
8—Miscellaneous manufactured articles n.e.c.....	15.40	51.17	9.37	18.92
9—Items and trans N/class.....	1.52	.31	.13	.02
Total.....	132.96	198.75	45.12	56.85
Trade balance.....	+56.32	+50.28	-2.08	7.43

Source: U.S. Trade Status with Communist Countries, U.S. Department of Commerce, May 16, 1977.

UNITED RUBBER, CORK, LINOLEUM AND
PLASTIC WORKERS OF AMERICA,
Akron, Ohio, April 10, 1976.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We represent approximately 500 shoemakers here in Waynesville, N.C. If something is not done to reduce the ever growing flood of shoe imports from low wage countries, our 500 workers are going to end up without jobs.

I am aware that the International Trade Commission has ruled favorably for the shoe industry and that the decision as to the exact method of restricting imports is now in your hands. Please help us to save our jobs.

Our company, Welco Enterprises, is a manufacturer of work shoes and I know that one of the commissioners felt that the U.S. work shoe industry had not been hurt. This may have been true for the period at which he was looking. I don't really know, but it is certainly not true today. Our own company has lost considerable business because of work shoe imports from Korea, Taiwan, and the East European countries. The enclosed statistics on recent work shoe imports show a frightening increase, actually up more than 100 percent from the prior years.

In addition, I understand that U.S. work shoe consumption is currently slow and we are fighting against these accelerating imports for a smaller market.

Please consider carefully the fate of our membership as you make your decision on this important matter.

Sincerely,

LOCAL UNION No. 345,
ALMARIE NORRIS, President.

Enclosure.

WORK SHOE IMPORTS

	October-December		Percent increase	January		Percent increase
	1974	1975		1975	1976	
Work shoe pairs imported.....	446,000	878,000	96.9	183,500	312,400	70.3
Total value work shoe imports.....	\$2,890,000	\$5,860,000	102.8	\$1,006,000	\$1,940,000	92.9
From Korea:						
Work shoe pairs.....	111,100	408,000	267.2			
Total value work shoes.....	\$583,900	\$2,442,500	318.3			
From Taiwan:						
Work shoe pairs.....	51,500	163,400	217.3			
Total value work shoes.....	\$285,900	\$792,500	177.2			

TABLE II.—U.S. exports and imports, Romania

	<i>Millions</i>
U. S. exports to Romania:	
1969.....	\$82
1970.....	66
1971.....	53
1972.....	69
1978.....	117
1974.....	278
1975.....	189
1976.....	249
U.S. imports from Romania:	
1969.....	8
1970.....	13
1971.....	14
1972.....	31
1973.....	56
1974.....	131
1975.....	133
1976.....	199
Balance:	
1969.....	24
1970.....	53
1971.....	39
1972.....	38
1973.....	61
1974.....	147
1975.....	59
1976.....	50

Source: U.S. Department of Commerce.

[From the New York Times, Feb. 13, 1977]

9 RUMANIANS APPEAL TO SIGNERS OF HELSINKI ACCORD OVER RIGHTS

(By Malcolm W. Browne)

BUCHAREST, Rumania, Feb. 14.—Nine Rumanians have made an open appeal to the signers of the Helsinki accord of 1975, asking their help in winning more respect for human rights in Rumania.

The appeal, drafted on Feb. 8, is the first on human rights to be disclosed here since the Communist takeover after World War II.

It was issued as preparations were being made for the 35 participants of the 1975 Conference on Security and Cooperation in Europe to reconvene in Belgrade, Yugoslavia, on June 15. The purpose of the meeting is to examine how the resolutions on East-West cooperation that were adopted in Helsinki by the countries of Western and Eastern Europe and the United States and Canada have been carried out.

RIGID CURBS ON FREE EXPRESSION

For the last decade, Rumania has insisted on following a relatively independent course in foreign affairs while remaining nominally within the Soviet bloc. However, it has imposed rigid curbs on free expression and has occasionally stressed the need for discipline.

With the new human rights appeal, some Rumanians publicly expressed the kind of open criticism and protest that had flared in several other Soviet bloc countries recently.

A prominent example is Czechoslovakia, where hundreds have signed a manifesto called Charter 77 demanding the observance of civil rights and freedoms. Another is East Germany, where following the adoption of the Helsinki accords with their pledges of respect for "fundamental freedoms, including the freedom of thought, conscience, religion or belief," thousands have applied for the right to emigrate to the West.

LONG-IGNORED RIGHTS

The signers of the Rumanian appeal include the 42-year-old novelist Paul Goma, whose works all have political themes. One, "Gherla," concerns a prison for political inmates in the northern Rumanian town of that name. His novels have been published in translation in France and West Germany.

The appeal he and the eight others endorsed asks conference participants to use their good offices to persuade the Rumanian Government to carry out what the signers described as long-ignored constitutional rights.

These, the document said, are right to work in one's own profession or calling as guaranteed by Article 19, the right of freedom of assembly (Article 21 and 27), freedom of the press (Article 28), freedom of conscience (Articles 30 and 31), inviolability of the home (Article 32) and secrecy of correspondence and telephone communications (Article 33).

"We may seem ridiculously few," one of the signers said, "but you must realize that for Rumania this is something completely new. We are hearing from many people who give us their sympathy but are still afraid to state their ideas openly."

Some of the signers have spent terms in prisons, and some have long sought to leave Rumania.

Two of the signers, Carmen Maria Manoliu and her 24-year-old son, Sergiu, both artists, were unexpectedly issued passports last Thursday enabling them to leave Rumania permanently.

The Manolius had been seeking to emigrate by persuading the Government to allow them to renounce their citizenship. The Government ruled in their favor, after they had waited for nearly 10 years, and they were issued documents describing them as stateless citizens.

BASES APPEAL ON LOTTERY

Another of the signers, who is also seeking to emigrate, is basing his appeal on a lottery he won.

The signer, Nicolae D. Bedivan, was educated as an economist, but was imprisoned from 1950 to 1953 on political charges and since then has had to work as an accountant in the Black Sea town of Constanta.

Mr. Bedivan, who is a frequent petitioner to the Government for various civil rights, recently won a lottery in which the prize was a trip to Turkey. He was routinely denied a passport by the Government, and then brought suit against the Government-owned enterprise that had awarded him the trip, on grounds of breach of contract.

On Saturday, Mr. Bedivan was summoned to the security service and told that he would be issued a passport tomorrow provided he agreed to certain conditions.

His police interrogator reportedly asked him whom he had been meeting in Bucharest and whether he was acquainted with the writer Paul Goma.

Replying that he saw no crime in that, he said he was told, "It is, if it is a political matter."

Mr. Bedivan said he was told that he would be given the passport provided he agreed to see no more of Mr. Goma or anyone else regarding political matters and retract all the statements he had made during questioning.

[From the Washington Star, Apr. 13, 1977]

ROMANIAN DISSIDENT ARRESTED

PARIS.—Romanian dissident Paul Goma has been arrested in Bucharest and eight other dissidents have been sent to Romanian work camps for a year, the French Committee for the Defense of Freedom in Romania said today.

The group said Goma, 42, a novelist and author of an open letter asking participants in the Belgrade conference this summer to investigate human rights violations in Romania, was seized April 3 or 4. The group said there has been no word on his whereabouts since the arrest.

The committee said the eight other signers of Goma's letter had to enlist for "voluntary work assignments" in labor camps. The committee said the location of the camps is not known.

STATEMENT OF THE AMERICAN HUNGARIAN FEDERATION

Mr. Chairman! In 1975 and 1976 we have submitted oral and written statements on the cultural-educational and human rights situation of the 2.5 million Hungarians living in Romania, mostly in Transylvania.

Since our last testimony, we cannot report any substantial changes. The cosmetic concessions of early 1976 have failed to solve the major grievances and no new movement may be observed by our sources of information.

Grievances include the school situation, the lack of regional and national organizations to coordinate Hungarian literary and cultural programs; the shameless falsification of Transylvanian history—which for a millennium has been intimately connected with Hungarians and was enriched by the contribution of the German minority—and continuing denationalization policies. These include the settlement of large number of Romanians under the guise of industrialization into the homogenous Hungarian Szekely region.

On the school situation, may we provide examples of continuing discrimination against Hungarian students. In Sovata (Szováta) in the Szekely region, the high school freshman of class of 1974 had 54 students of Hungarian and two of Romanian nationality. Since that date, they are divided into two sections. One consists of 36 students of Hungarian nationality and one, a Romanian section, consists of 18 Hungarian and 2 Romanian students. There are scores of other local examples explaining how more than one-third of Hungarian students are attending Romanian sections where they are not allowed to talk Hungarian even in the recess. In another western Transylvanian city of 10,000 people where the nationality distribution is about 50-50%, the 1976 situation was as follows. Primary schools: 6 Romanian and 2 Hungarian sections per grade. In high school there are 2 Romanian and 1 Hungarian sections and in the technical high schools 26 Romanian and no Hungarian sections.

Even more important than the adequate number of Hungarian school sections is the total absence of a Hungarian-administered school system for the Hungarian classes, a system which was previously in existence until 1959.

The absence of any central or regional Hungarian language organization represents the main grievance of the leaders of the Hungarian minority in Romania. The only existing agency, the National Council of Hungarian Workers, has only a few active branches on the county level and serves as a tool of the Romanian Communist Party in organizing Hungarians to fulfill economic and political goals laid down by the Party. Thus, it is not a group representing the interests of the Hungarian minority. Such group had existed until the mid-1950's in the form of the Hungarian People's Federation which was then dissolved.

Falsification of history occurs at a monumental scale, but more dangerous is the continued silence about Transylvania, Hungarian, and German history. In 1976, Volume I of the historical studies on the Hungarian and German minorities each have finally appeared in Bucharest. They include insignificant details, 16th and 18th century Romanian descriptions of Transylvanian events and a list of documents available on the history of a part of the Szekely region. The German volume has at least one good article on the settlement of the Saxons in Transylvania while the Hungarian volume omits any information on Transylvanian Hungarians during the Middle Ages during which they ruled Transylvania with a contribution from the Saxons.

We have not yet received any report that the falsified city histories for foreign tourists of the Hungarian cities of Oradea (Nagyvárad) and Cuij (Kolozsvár) were rectified, or that new bilingual signs would have been erected.

A new development occurred as a result of the earthquake. While in the Szekely region it was not particularly severe, many Hungarian Catholic and Protestant churches were damaged by it, the names of which we have in our possession. Our sources report that most of them would not be repaired but simply demolished erasing important historical landmark demonstrating the Hungarian past of the area. In view of the official policy of discouraging the bishops from accepting foreign charitable contributions, it remains to be seen whether American Hungarian churches will be permitted to help repair some of the damaged churches. Or would they go the way of overturned Hungarian gravestones in the cemeteries where Romanian dead are now buried in their place in the name of "progress?"

We cannot justify a continuation of the MFN status to Romania under the present circumstances. Human rights include nondiscrimination on the basis of language and national origin and the right to one's mother tongue and national culture. In recent years the United States Government spent more than a half billion dollars for bilingual education of Mexicans and Puerto Ricans in the states, a shining example of linguistic and cultural tolerance. Until the Romanian Government displays such interest in the language and culture of the Hungarian minority awarding them their own school and cultural organizational nian Government displays such interest in the language and culture of the Hungarian areas and ends the shameful silence on or falsification of Hungarian history in Transylvania, we cannot in good faith support economic advantages to a government failing to fulfill the requirements of its Constitution, the Helsinki Declaration and the International Covenants on Civic and Political Rights.

THE AMERICAN ROMANIAN COMMITTEE
FOR ASSISTANCE TO REFUGEES (ARCAR),
New York, N.Y., June 27, 1977.

The FINANCE SUBCOMMITTEE ON INTERNATIONAL TRADE,
Committee on Finance, U.S. Senate, 2227 Dirksen Senate Office Building, Washington, D.C.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: I deeply regret that I was not notified of your Committee hearing being held today in connection with the Waiver Authority of the Most Favored Nation Tariff Treaty clause accorded Romania in 1975.

As a native of Romania and a U.S. citizen as well as the chairman of The American Romanian Committee for Assistance to Refugees and the Rector of The St. Dumitru Romanian Orthodox Church of New York for the last 22 years, I would like briefly to touch on the most sensitive subjects connected with this Trade Agreement.

The problem of human rights, emigration of Romanian citizens, Reunion of Families and marriages between Romanian and U.S. citizens.

1. *Human rights.*—It is widely known that the Romanian Government still refuses to honor its signatures on the Declaration of Human Rights, the Paris Peace Treaty of 1947 and the Trade Agreement between U.S.A. and the Socialist Republic of Romania of 1974.

There is no need to give specifics about this very important aspect of U.S.-Romanian relationship as I am sure that everyone knows the Communist Government of Romania is still avoiding this issue and refusing to accord its citizens the rights to which they are entitled.

2. *Fundamental freedoms.*—I would like to mention briefly that there is no political freedom, no equality before the law, no religious freedom, civil or labor liberties, and no freedom of speech or assembly, these freedoms are granted by the Romanian constitution and laws, but not applied to individual citizens.

3. *Reunion of families.*—The "liberalized" emigration policy of the Romanian Government has to some extent ameliorated this situation, especially with temporary visits to the United States. However, the policy is still far from the liberal way the Romanian Government presents it.

During the past three years the Romanian Government has introduced a new system of harassment for those who wish to emigrate, especially after the Hel-

sinki Conference of 1975. This is completely contrary to the intent of the Helsinki Conference.

Regarding marriage between U.S. and Romanian citizens, it takes between two and three years for a couple to obtain permission to marry, even though they have complied with all the Romanian Government regulations. This also is another aspect of harassment, contrary to the stated intention of the Romanian Government of improving relations with the United States.

The enclosed list of 175 persons refused emigration for the last five to six years is proof of the above-stated violations.

Respectfully,

Very Rev. F. M. GALDAU, *Chairman.*

Enclosure.

NAMES OF PERSONS WHOSE RELEASE IS SOUGHT FROM THE SOCIALIST REPUBLIC OF ROMANIA

1. Sponsor: Gheorghe Astalus, C/O George Copăceanu, 338 West 49th Street, Apt. 2F, New York, N.Y. 10019.

Persons involved: Maria Astalus, wife; Corina Astalus, daughter, 6 years; Sorin Astalus, son, 3 years; Str. Mică No. 9, Cluj-Napoca, Romania.

2. Sponsor: Adam Alb, American citizen, 209 River Rd., Bogota, N.J. 07603.

Persons involved: Elisabeta Furca, mother; Str. Cristur, Deva, Jud. Hunedoara.

3. Sponsor: Marleta Badea, M.D., C/O Marta Bădescu, 28-38 31st Avenue, Apt. 3C, Astoria, Long Island City, N.Y. 11106.

Persons involved: Viorel Sorin Badea, husband; Marius Badea, son; Str. Andrei Mureșan Nr.1A, Sec.1, București, Romania.

4. Sponsor: Marta Bădescu, 28-38 31st Street, Apt. 3C, Astoria, Long Island City, New York, N.Y. 11106.

Persons involved: Viorel Bădescu, husband; Afrodita Bădescu, daughter; Roxana Bădescu, daughter; Bd. Dacia No. 46, Sector 2 București, Romania.

5. Sponsor: Gheorghe Bardac, 50 West 89th Street, N.Y.C., N.Y. 10024.

Persons involved: Marina Bardac, daughter, 17 years; Liviu Bardac, son, 13 years; Bd. Ghica Tel No. 116, Sector 2 București.

6. Sponsor: Eugenia Bogdan, 1625 N. Hobart Blvd., Apt. 3, Los Angeles, Calif. 90027.

Persons involved: Alexandru Bogdan, husband; Str. Ciosani No. 2, Et. 1, Apt. 2, Sector 3, București.

7. Sponsor: Elena Becker, U.S. Citizen, 200 East 58th Street, New York, N.Y. 10022.

Persons involved: Ortansa Spînu, mother; Eftimie Spînu, step-father; Str. Stirbel Vodă Nr. 2, Sc. 4, Apt. 133, București; Eufrosina Cramer, aunt; Albert Cramer, uncle; Albert Cramer, her husband; Josefina Cramer, their daughter; Str. Sf. Constantin nr. 14, București.

8. Sponsor: Avram Botan, 19-17 Palmeta Street, Ridgewood, Brooklyn, New York, N.Y. 11227.

Persons involved: Ana Botan, mother; Elisai Botan, brother and his family; Caita Mandrea Serafim, sister; Str. Traian Vuia No. 12, Petrița.

9. Sponsor: George P. Botosani, University Professor, 72 Seeley Street, Bridgeport, Conn.

Persons involved: Paul Roger Popescu Botosani, son, 37 years; Maria Cristina Popescu Botosani, daughter, 35 years; Str. Nufetilor No. 65, București, Romania.

10. Sponsor: Doru Brasoveanu, 88, Charles Street, New York, N.Y. 10014.

Persons involved: Alexandru Novic, cousin; Intrarea Plutonier Major Luicu Vasile No. 5, Sector 3, București.

11. Sponsor: Seren Bucur, 200 Park Avenue South, New York, N.Y. 10003.

Persons involved: Pavel Bucur, husband, 47 years; Viorel Bucur, son, 23 years; Adina Bucur, daughter-in-law, 23 years; Carmen Bucur, daughter, 18 years; Str. Zurich No. 2, Et. 2, Apt. 11, Timisoara, Romania.

12. Sponsor: Marius Bucurescu, U.S. citizen, 15 Vermilyea Avenue, New York, N.Y. 10034.

Persons involved: Alexandru Viorel Bucurescu, brother; Magdalena Bucurescu, sister-in-law; Bucurescu, two children, 15 and 6 years; Bd. Păcii No. 74-76, Apt. 24, București, Sect. 6, Romania.

13. Sponsor: Andrei Buna, 90-10-57 Avenue, Apt. 0B, Queens, New York, N.Y. 11368.

Persons involved: Andrei Buna, son, 21 years; Cornelia Dan, wife, 53 years; Ana Dan, mother-in-law, 65 years; Cal. Victoriei 48-50, Sector 1, București.

14. Sponsor: Fotini Caraiani, P.O. Box 1640, El Cajon, Calif. 90022.

Persons involved: Teodor Dumitru Caraiani, brother, 32 years; Georgeta Caraiani, sister-in-law, 25 years; Adrian Traian Caraiani, nephew, 5 years; Viorel Claudiu Caraiani, nephew, 2 years; Str. Caporal Ruică No. 14, Bl. B9, Sc.1, Et. 8, Apt. 38, Sector 4, București.

15. Sponsor: Victor Caramihal, 178-10 Wexford Terrace, Jamaica, N.Y. 11432.

Persons involved: Petre Caramihal, father, 65 years; Ecaterina Caramihal, mother, 62 years; Mihai Caramihal, brother, 45 years; Marin Caramihal, brother, 38 years; Arthor Caramihal, nephew, 10 years; Atena Caramihal, niece, 5 years; Str. Teodor Aman No. 9, Sect. 7, București.

16. Sponsor: Atena Chiu, 42-41 64th Street, Queens, N.Y. 11377.

Persons involved: Constantin Vladu, brother, Str. Mangalia No. 7, Timișoara.

17. Sponsor: Vasile Ciobanu, 43-12, 47th Street, Sunnyside, N.Y. 11104.

Persons involved: Vasile Ciobanu, 75 years; Tatiana Ciobanu, 65 years; Str. Nazareca No. 59, Sect. 7, București.

18. Sponsor: Constantin Ciurci, 6230 Cotton Wood Street, McLean, Va. 22101.

Persons involved: Elisabeta Ciurci, wife; Cristian Ciurci, son; Str. Aleia Viilor No. 8A, Circa 5a, Timișoara, Cod 1900.

19. Sponsor: Emil Trandafir Cocloaba, One Laurel Drive, New York, N.Y. 1173.

Persons involved: Serban Cocloaba, M.D., son; Viorel Cocloaba, daughter-in-law; Rareș Cocloaba, nephew; Str. Crinul de Pădure No. 2, Sector 7, București.

20. Sponsor: Sergiu Constantinescu.

Persons involved: Anica Constantinescu, mother; Dumitru Constantinescu, father; Gabriel Constantinescu, brother; Elena Constantinescu, sister-in-law; Monica Constantinescu, niece; Carla Constantinescu, niece; Str. Stemei, Galați; Maria Gheorghe, Str. Movilei, Galați.

21. Sponsor: Valerica Constantinescu Kruger, 51 Alexander Drive, Syosset, N.Y. 11791.

Persons involved: Floarea Georgeta Constantinescu, sister, 42 years; Gheorghe Constantin, father, 68 years; Saffa Constantin, mother, 65 years; Str. Păun Pinclo No. 4, Sect. 3, București.

22. Sponsor: Barbu Sorin Dumitrescu, 372 C.P.W. Apt. 5W, New York, N.Y. 10025.

Persons involved: Carmen Dumitrescu, wife, Str. Nickos Belolanis No. 5, Apt. 1, Sect. 1, București.

23. Sponsor: Nicolae Dumitrescu, 54-05 44th Street, Sunnyside, N.Y. 11104.

Persons involved: Maria Dumitrescu, mother; Constantin Dumitrescu, father; Str. Lănăriei No. 141, Sector 5, București.

24. Sponsor: Adriana Dumitrescu, 372 C.P.W. #5 W, New York, N.Y. 10025.

Persons involved: Barbu Ion Dumitrescu, husband; Carmen Dumitrescu, daughter-in-law; Str. Nickos Belolanis No. 5, Apt. 1, Sector 1, București; Paulina Heksch, mother; Bd. Ion Sulea No. 3, Bl. 13A, Apt. 97, București.

25. Sponsor: Eugenia Enachescu Nace, U.S. Citizen, 32-24 Jackson Heights, New York, N.Y. 11370.

Persons involved: Lilliana Enachescu, sister-in-law; Mihai Enachescu, brother, Str. Lăinii No. 17, Sector 8, București.

26. Sponsor: George Fara, 20 Harway Street, New Brunswick, N.J. 10801.

Persons involved: Ilie Tutulianu, cousin; Mircea Meleasa, cousin; Bd. Gheorghe Dimitrov No. 124, Bl. G5, Sect. 3, București; Arsavir Actarian, uncle; Piata Dorobanti No. 3, Sect. 1, București.

27. Sponsor: Ileana Fill, Tolstoy Foundation Farm, Valley Cottage, New York, N.Y. 10989.

Persons involved: Vasile Voiculescu, son, 27 years; Str. Dinică Stefan No. 14, Sect. 6, București.

28. Sponsor: Alexandra Ghita, 50 West 89th Street, New York, N.Y. 10024.

Persons involved: Ion Ghita, husband, 44 years; Roxana Miruna Ghita, daughter; Str. Tg. Neamt No. 6, Bl. Dio, Apt. 33, Sector 7, București; Viorel Mihaela Dragan, sister, Str. Bacaloglu No. 2, Sector 2, București.

29. Sponsor: Walter Graur, 140 West 69th Street, Bdway, Hotel Spencer, New York City, N.Y.

Persons involved: Mioara Graur, wife; Melania Graur, daughter; Str. Caporal Dumitru No. 68, Ploiești.

30. Sponsor: Jean Hristescu, 32-25 91th St. Apt. 609, Jackson Heights, New York, N.Y. 11369.

Persons involved: Elena Hristescu, wife, 51 years; Ana Petcu, daughter, 26 years; Teodor Hristescu, son, 28 years; Carmen Veronica Hristescu, niece, 6 years; Str. Alexandru Moghioros No. 20, Bl. OD1, Sc. 2, Et. 9, Apt. 80, Drumul Taberei, Sect. 8, Bucuresti.

31. Sponsor: George Iacobescu, wife, 3450 Drummond St. Apt. 327, Montreal, Canada.

Persons involved: Gabriela Iacobescu, wife, Soseaua Colentina No. 1, Bl. 34, Sc. 5, Apt. 166, Sector 2, Bucuresti.

32. Sponsor: George Ioan, 26-45, 9th St. Apt. 411, Astoria, N.Y. 11102.

Persons involved: Dumitru Ion, father, 53 years; Eugenia Ion, mother, 50 years; Str. Suceava No. 6, Bl. U3, Sc.A, Apt. 1, Tomis Nord, Constanta.

33. Sponsor: Cristina Ionescu, 257 Bennett Street, Fairfield, Conn. 06430.

Persons involved: Eugen Neagu, father, 56 years; Letitia Neagu, mother, 54 years; Str. Dimitrie Racovitã No. 25, Et. 3, Sector, 3, Bucuresti.

34. Sponsor: Teodor Ionescu, M.D., 1823 George Street, Ridgewood, N.Y. 11227.

Persons involved: Florentina Ionescu, daughter, 4 years; Bd. Magheru No. 20, Et. 9, Apt. 3, Sector 1, Bucuresti.

35. Sponsor: Ardashes Kaladjilian, U.S. citizen, 50 West 80th Street, New York, N.Y. 10024.

Persons involved: Elena Andrei, niece, 18 years, for a short visit; Bd. Dimitrie Cantemir, Bl. 18, Sc. 2, Et. 3, Apt., Sector 5, Bucuresti.

36. Sponsor: Felicia Lazarolu, 400 East, 73rd St., Apt. 50, N.Y.C., N.Y. 10021.

Persons involved: Paraschiva Stanculescu, mother, 70 years; Dan Bunaclu, brother, 43 years; Doris Bunaclu, sister-in-law, 33 years; Cristina Bunaclu, niece, 7 years; Radu Bunaclu, nephew, 1 year; Str. Stirbel Vodã No. 2, Bl. 1, Apt. 131, Bucuresti.

37. Sponsor: Zlita Marcol, 26-17, 9th Street, Long Island City, N.Y. 11102.

Persons involved: Rodica Clugudeanu, sister; Mihal Ungureanu, nephew; Str. Paris No. 7, Apt. 2, Cartierul Gheorghieni, Cluj-Napoca.

38. Elena Marinescu, 76-10, 34th Ave., Apt. 4L, Jackson Heights, N.Y. 11372.

Persons involved: Aurica Vlad, mother; Nicolae Vlad, her husband; Ion Munteanu, brother; Margareta Munteanu, sister-in-law; Marius Munteanu, nephew; Monica Munteanu, niece; Alela Slãtioara No. 1, Sc. 2, Et. 3, Apt. 34, Sector 5—Bucuresti.

39. Sponsor: Ioan A. Mateescu, 45-14, 42nd Street, Sunnyside, N.Y. 11104.

Persons involved: Daniela Stancu, sister; Constantin Stancu, son; Bogdan Stancu, son; Alin Sebastian Stancu, son; Str. Emil Racovitã No. 29-31, Bl. EM, Sector 5, Bucuresti.

40. Sponsor: Violette McNamara, U.S. citizen, C/O Felicia Moldovan, 250 West 102 Street, Apt. 3.

Persons involved: Dumitru Moldovan, husband; Str. Dullu Zamfirescu No. 10, Apt. 3, Et. 1, Oradea; Monica Selaru, daughter; Anca Selaru, niece; Str. Mihal Bravu No. 294, Bl. 6, Apt. 7, Sc. B. Et. 9, Sector 4, Bucuresti.

41. Sponsor: Ion Munteanu, U.S. Army, Washington, D.C.

Persons involved: Eloreã Berbecaru, brother; Florica Berbecaru, sister-in-law; Aurelia Berbecaru, niece; Ion Berbecaru, nephew; Satul Serboleni, Comuna Buzolesti, Judetul Arges.

42. Sponsor: Vasile Osan, 15, Vermilyea Ave., N.Y.C., N.Y. 10034.

Persons involved: Luiza Osan, wife, 84 years; Angela Osan, daughter, 12 years; Str. Aviatorilor Bl. 3, Apt. 4, Bala Mare, Jud. Maramures.

43. Sponsor: Maria Papadumitru, 41-11, 40th Street, Apt. 4B, Long Island City, N.Y. 11104.

Persons involved: Margareta Papadumitru, sister, 40 years; Str. Leontin Sãlãjan, Bl. D1, Sc.A, Apt. 149, St.7, Sector 4, Bucuresti; Aurelia Girtu, sister, 44 years; Dionisie Girtu, brother-in-law 55 years; Str. Burdujeni No. 16, Bl. N14, Apt. 21, Sector 4, Bucuresti; Elena Iliescu, sister, 46 years; Mihal Iliescu, brother-in-law, 47 years; Daniel Iliescu, nephew, 17 years; Str. Vatra Luminoasã No. 2-24, Sc.A, Et.1, Apt. 9, Sector 3, Bucuresti.

44. Sponsor: Didina Popa, 15, Broad Street, Apt. 119, Pompton Lakes, N.J. 07042.

Persons involved: Gheorghe Popa, husband, 34 years; Christian Popa, son, 4 years; Str. Codrii Neamtului No. 3, Bl. NB1 Sc. 2, Et. 8, Apt. 117, Sector 4, Bucuresti.

45. Sponsor: Emillana Pirvu, 175 West 87th Street, Apt. 5H, New York City, N.Y. 10024.

Persons involved: Eugen Georgescu, brother.

46. Sponsor: Ilie Pitu; 44 Cabot Street, Beverly, Mass. 01915.

Persons involved: Marin Pitu, son, 27 years; Mihai Pitu, son, 24 years; Bd. Ana Ipătescu No. 2, Section 1, Bucuresti.

47. Sponsor: Constantin Rauta, P.O. Box 5563, Washington, D.C. 20016.

Persons involved: Ecaterina Gabriela Rauta, wife, 27 years; Mihai Cătălin Rauta, son, 2 years; Str. Alexandru Moghioros No. 32, Bl. A 11, Sc. F, Apt. 90, Sector 7, Bucuresti.

48. Sponsor: Stefan Reznic, 195 Nassau Ave., Brooklyn, N.Y. 11222.

Persons involved: Anton Reznic, father, 54 years; Ana Reznic, stepmother, 40 years; Paris Emanuel Reznic, stepbrother, 7 years; Carmen Luminita Reznic, stepsister, 5 years; Str. Sălciiilor No. 17, Tulcea, Romania.

49. Sponsor: Florin Robescu, 601 West 160th Street, Apt. 5B, New York, N.Y. 10032.

Persons involved: Maria Robescu, wife, 24 years; Str. Răul Dorna No. 8, Bl. Z 30, Apt. 2, Sector 7, Bucuresti.

50. Ioan Stroia, 2018, Santanan 9, Cutahy, Los Angeles, Calif. 90201.

Persons involved: Constantin Stroia, father, 51 years; Maria Stroia, mother, 50 years; Dumitru Stroia, brother, 25 years; Elena Stroia, sister, 20 years; Maria Stroia, sister, 17 years; Str. 9 Martie No. 17, Moldova Nouă, Cod 1788, Jud. Caras Severin; Adriana Molsin, fiancee, 23 years; Str. Zona Gării, Bl. 19C, Apt. 19 Oravita, Jud. Caras Severin.

51. Sponsor: Ion Stanciu, 21-67 27th Street, Ditmars Boulevard, Astoria, Long Island City, N.Y. 11103.

Persons involved: Elena Moise, fiancee, Str. Spătarului No. 1, Sc. 2, Et. 1, Apt. 18, Sector 2, Bucuresti.

52. Sponsor: Viorica Stanolev, 70-25, 66th Street, Glendale, N.Y. 11227.

Persons involved: Gheorghe Sita, father, 50 years; Mara Sita, mother, 51 years; Gheorghe Sita, brother, 28 years; Lenuta Sita, sister-in-law, 26 years; Viorica Simona Sita, niece, 2 years; Ioan Sita, brother, 23 years; Str. Benefalău No. 1, Tg-Mures.

53. Sponsor: Lucian Steclaci, U.S. citizen, 195, Tarrington Heights Road, Tarrington, Conn. 06700.

Persons involved: Orlan Steclaci—brother, 57 years; Livia Steclaci—sister-in-law, 51 years; Str. Stirbei Vodă No. 2, Apt. 153, St. 3, Sc. 8, Sect. 7, Bucuresti.

54. Sponsor: Nicolae Stepici, 412 Elm Ave. River Edge, N.J. 07661.

Persons involved: Areta Stepici, wife, 29 years; Nicolae Stepici, son, 13 years; Str. Zefr No. 13, Arad.

55. Sponsor: Oriana Stocla, 45-19, 42nd Street, Apt. 2C, Sunnyside, New York, N.Y. 11104.

Persons involved: Nicolae Verăsteanu, cousin; Str. Patriotilor No. 1, Bl. PM 16, Sc. B, Apt. 38, Sector 4, Bucuresti.

56. Sponsor: Ion Victor Stocla.

Persons involved: Nicolae Verăsteanu, cousin; Str. Patriotilor No. 1, Bl. PM 16, Sc. B, Apt. 38, Sector 4, Bucuresti.

57. Sponsor: Raluca Stefanescu, 133-24 Stanford Ave., Apt. 3G, Flushing, N.Y. 11355.

Persons involved: Cornellu George Stefanescu, father, 59 years; Str. Viting No. 6, Sect. 7, Bucuresti.

58. Sponsor: Iosif Teodorescu, 324 East 34th Street, Apt. E4, New York City, N.Y. 10016.

Persons involved: Dana Maria Sufana, wife; Str. I.L. Caragiale No. 18, Sector 2, Bucuresti.

59. Sponsor: Dinu Teodorescu, 143-57, 137 Avenue, Flushing, N.Y.

Persons involved: Mihai Teodorescu, brother; Ellena Teodorescu, sister-in-law; Dolina Teodorescu, niece; Str. Săpunari No. 4, Ploesti.

60. Sponsor: Adriana Timus, 444 East, 82d Street, Apt. 58, New York City, N.Y. Persons involved: Roxana Deleanu, daughter, 16 years; Str. Barbu Văcărescu No. 119, Bucuresti.

61. Sponsor: Christian Tolea, 467 Central Park West, Apt. 1C, New York, N.Y. 10025.

Persons involved: Christian Tolea, father; 75122 Bd. Dimitrie Cantemir No. 21, Apt. 82, Sector 5, București.

62. Sponsor: Gabriela Tuculescu, 70-25 Yellowstone Blvd. Apt No. L, Forest Hills, N.Y. 11375.

Persons involved: Englantina Ionescu, mother, 62 years; Geraldina Pandelescu, sister, 35 years; Str. Maxim Gorki No. 4A, Et.3, Apt. 7, București.

63. Sponsor: Eugen Vasilescu; 33 Black Lantern, Oswego, N.Y. 13126.

Persons involved: Constantin Budisteanu, 44 years, Silvia Budisteanu, 48 years; Marta Budisteanu, 15 years; Miruna Budisteanu, 10 years.

64. Sponsor: Narcis Vladescu, U.S. citizen, 111 Van Nostrand Ave., Englewood, New Jersey 07631.

Persons involved: Anton Maza, brother; IrinaNicolle Maza, sister-in-law; Vlad Maza, nephew; Bogdan Maza, nephew; Str. Baba Novac No. 2, București.

65. Sponsor: Vasile Ungureanu, 31-06, 42nd Street, Astoria, N. Y. 11104.

Persons involved: Zola Bullga—sister and her son; Cartierup Kiselef Blo A8, Sector 4, Turnu Severin, Drobeta.

66. Sponsor: Harry Waker, 160-43, 16th Avenue, Whitestone, N.Y. 11357.

Persons involved: Nastafo Pop, Comuna Callmanesti No. 4, Judetul Maramures.

67. Sponsor: Viorel Vrancea, C/O Marlan Ossiac, 47-41, 37th Street, Queens, Long Island City, N.Y. 11101.

Persons involved: Elena Anca Vrancea, Bd. Marasesti No. 104, Bucuresti.

68. Sponsor: Maria Kaushik, nascuta Grigorescu, 43-17, 48th Street, Sunnyside, N.Y. 11104.

Persons involved: Doru Levarda, son; Dan Levarda, son; St. Valea Oltului No. 1, Bl. P2, Sc. 7, Et. 2, Apt. 130, Bucuresti.

Recapitulation:

Husbands	9
Wives	15
Total	24
Children:	
Daughters	18
Sons	22
Nieces	13
Nephews	10
Total	63
Parents:	
Mothers	20
Fathers	15
Total	35
Other relatives:	
Sisters	25
Brothers	23
Cousins	3
Aunts	1
Uncles	1
Total	53
Grand total	175
Males	83
Females	92
Total	175

The Very Rev FLOBIAN M. GALDAU,

Rector.

AMERICAN-ROMANIAN CULTURAL FOUNDATION, INC.,
New York, N.Y.

Re June 27, 1977 Subcommittee Hearings On Continuation Of Most-Favored-Nation Trade Status For Romania.

Senator ABRAHAM RIBICOFF,
Chairman, Subcommittee On International Trade, Committee On Finance,
U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

Mr. Chairman and committee members: I am Dr. George E. Palade and wish to add my personal recommendation to that of President Carter and many others who favor extension of Most-Favored-Nation trade status for Romania.

To identify myself as the committee requires, I wish to state that I am Dr. George E. Palade, an American citizen of Romanian background and presently Professor and Chairman of the Department of Cell Biology at Yale University Medical School in New Haven, Connecticut. I am a member of the National Academy of Sciences (USA) and various other scientific organizations. I have been fortunate to have received a number of awards and recognitions for my work, among which is the Nobel Prize (1974).

My recommendation for approval of Most Favored-Nation trade status is based upon my personal observations and evaluations made over the years—especially those in recent years when MFN was in effect.

In my assessment, (reinforced by what I have seen during a recent visit), Romania is making continuous progress in the state of its economy and in the improvement of the standards of living of its population. The Romanian Government also appears to be responsive to reactions from outside in problems related to human rights. The internal progress added to the expansion of Romania's role in international trade and affairs are greatly increasing the chances of Romania in maintaining and enlarging its independent policy, a matter of considerable interest for the U.S. Government. America can take great pride in the realization that it has made a significant contribution to this overall progress by a nation that is relatively poor, is in process of being developed and is surrounded by nations having views that conflict with those of both the United States and Romania.

I am convinced that Most-Favored-Nation trade status and encouragement by the United States have made a significant contribution to this recorded progress. I am also more convinced that continued economic aid such as Most-Favored-Nation trade status and further encouragement will result in even greater progress both internally and externally. Not granting this MFN extension will serve to reverse this progress and create economic conditions that may force Romania to submit completely to those it is trying so hard to stay independent of in all ways. It is imperative that a favorable recommendation be submitted by your most important committee.

I endorse the recommendation and conclusions made by the American-Romanian Cultural Foundation and since they have clearly presented all true facts related to this subject, I will not repeat them in this letter but refer the Committee to their testimony.

Respectfully,

GEORGE E. PALADE.

STATEMENT OF MR. DIMITRIE G. APOSTILIU (COSTIN JUREA) MEMBER OF THE ACADEMIA INTERNAZIONALE DI PROPAGANDA CULTURALE, LETTERE, SCIENZE, ARTI, ROMA, ITALY AND SECRETARY OF THE UNDERGROUND ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS, SINCE 1965 SPOKESMAN OF THE HUNGERSTRIKERS

Honorable Chairman, Honorable Senators, As spokesman and organizer of four Romanian hungerstrikes for family reunion in the United States of America, is my duty to begin my today's testimony with thanking to you for giving to me the honor and for giving to me the opportunity to explain our fight for human rights on the floor of the highest forum of democratical and profound humanitarian laws maker, of the world: The Senate of the United States of America. My voice is pointing out now, the desperate appeal of 80 people: men, women and children, participants to the fourth Romanian hungerstrike for family reunion in the U.S.A. started on May 24, 1977 in New York, Chicago and Washington, D.C.

We started this hunger strike against the Romanian Communist President Nicolae Ceausescu's refusal to let our wives, children, husbands and close relatives come to the USA in order to reunify our forced separated family.

We are doing this, because all efforts of ours, and those of the US. Senate, House of Representatives and Government to obtain exit visas for hostage families have failed.

We the hunger strikers, are unite here today because after one month of hungerstrike none of our hostage relatives was release.

Honorable Senators, by listening to me, you are listening the children who right now, in front of this senatorial building are asking that the Romanian Communist President Nicolae Ceausescu release their hostage mothers. Think, honorable Senators that this hostage mothers can be yours! My voice and their voices are weakened today, because of 80 days of hungerstrike.

But, with 80 united weakened voices of hunger strikers and with my "little" experience of 13 years served as political prisoner in Romanian communist jails and forced labor camps, I assure you that there is not power on the world which can stop the wish of freedom of the people!

There is not power on the world which can stop the wish of the hunger strikers to be reunite with their hostage families here in the USA; I remind you, honorable Senators, that since May 17, 1975 until June 27, 1977 there were four Romanian hungerstrikes for family reunion in the USA. The first one: May 17, 1975—July 17, 1975, involved 25 people, the second one: November 11, 1975—January 11, 1976, involved 85 people, the third one: May 24, 1976—September 11, 1976, involved 60 people, the fourth one: Started May 24, 1977, involved 80 people.

After Nicolae Ceausescu was granted by the USA the most favored nation's status in 1975 and in 1976, he stopped the emigration from communist Romania. In doing so, he violated the expressed condition of easing the emigration from communist Romania. In doing so, he violated also: the Paris treaty of peace (1947) the universal declaration of human rights (1948) and the Helsinki Agreement (1975 too).

I point out that this is Nicolae Ceausescu's communist strategy to obtain the MFN status from the USA and then to defy it and to violate the human rights. Again and again. In 1975 and in 1976 . . . in doing so, he managed to convince the USA president and the U.S. Congress that emigration from communist Romania increased. In fact the so called "increase" is a mechanism of diabolic communist strategy: before the hearings by the U.S. Senate concerning MFN, Nicolae Ceausescu released some of our hostage relatives. After he obtained the MFN status, he again stopped the emigration.

On June 3, 1977 the President of the USA, Jimmy Carter, notified Congress of his decision to recommend extension of the waiver granting MFN status to Communist Romania.

1. About the so called "Romania's independent foreign policies" in general from President's Congressional address, now is well known that the Romanian Communist President Nicolae Ceausescu is Brezhnev's spy in the free world as the foreign press reported and that "Romania is not quite the maverick it appears to be" as reported in a recent issue of the New York Times the famous American journalist Paul Hoffman, 2. About the President's address that "the emigration from Communist Romania to the United States has kept up in the past year at about the same pace as during the previous year." If you take an analytical look at the figures you will conclude that there is an increase of emigration from Communist Romania, but this increase happened step by step only since 1975 as a result of our hunger strikes for family reunion. This means that in one year and two months, since May 17, 1975 until June 27, 1977 140 people included 7 children were in 270 days of hungerstrike for obtaining one of the fundamental human rights: The reunion of their forced separated families. This action of Nicolae Ceausescu is more than a violation of an bilateral agreement with the United States of America.

This is an offense to the US Senate, House of Representatives and US people. Some centuries ago, a famous voice, defected firmly the democracy and asked on the Roman Empire Senate floor:—Quosque tandem, catalina, abutere patientia nostra?

Now in the name of hunger strikers I ask that not only the famous voice of the Honorable Senator Henry M. Jackson and of Congressmen Charles Vanic,

but one hundred of US Senators voices and 435 voices of US House of Representatives ask: Quosque tandem Nicolae Ceausescu, abutere patientia nostra?

The US Senate put again on the rules the Henry M. Jackson and Charles Vance amendment and stop the MFN status to Communist Romania until our hostages families were released and the Universal Declaration of Human Rights will be respect by the Romanian Communist President Nicolae Ceausescu and his communist government.

Down communism, the world wide enemy of religion and may long live to freedom! God bless America!

DIMITRIE G. APOSTOLIU.

STATEMENT OF MRS. MARTA BADESCU

HONORABLE SIR: I am Marta Badescu, Romanian born and a political refugee in the United States of America since November 13, 1976. I am a simple stress, any my husband a technician. We have two daughters. We have worked hard in Communist Romania, but we can not supported our daughter, because the Romanian Communist government exploit without shame the people who suffered and is terrorized by Nicolae Ceausescu's Stalinist terror.

We attempted to obtain an exit vist for live in freedom in the U.S.A. where my husband has a brother, but all our applications for with our daughters Communist Romania were rejected by the Security. Finally, I obtained a tourist passport and I came in visit to my husband's brother (my brother in law) Mr. Gheorghe Badescu of the same address where I live now.

I reached the U.S.A. on June 10, 1976. In August 10, 1976 I left the U.S.A. and I reached Wien (Austria) where I was granted with political asylum by the High Commissioner for refugees from U.N.O. of Geneva. I arrived a political refugee in the U.S.A. on November 16, 1976. Painful, I was forced to left behind in Communist Romania as hostages: 1. Viorel Badescu, my husband, born on September 21, 1930, technician; 2. Afrodita Badescu, my daughter, 19 years old, student; 3. Roxana Badescu, my daughter, 17 years old, student; all of du Levariul Dacia Nr 46, Sectoru L 2, Bucuresti. All their applications for exist visas in order to reunify our family here in the U.S.A. were rejected by the communist security.

Our mail was cut, the telephone suspended. They want to lay off my husband from his job and to expelle my daughters from high school. The Stalinist dictator of Romania, Nicolae Ceausescu, does not respect the Paris Treaty of Peace (1946) the Universal Declaration of Human Rights of the U.N.C. (1947) the condition of easing the emigration from communist Romania as agreed close with the U.S. in 1975 upon the trade agreement the most favored nations' clause, nor the Helsinki Agreement (1975) signed by Nicolae Ceausescu himself. I appeal to you, Honorable Sir, to use your influence in persuaded the Romanian communist president Nicolae Ceausescu to respect his international commitments on human rights and family reunion and to grant the exist visas to my husband and to my daughters. Since May 24, 1977 I joined the Fourth Romanian Hungerstrike for family reunion.

MARTA BADESCU.

BERRY, EPSTEIN & SANDSTROM,
Washington, D.C. June 27, 1977.

Hon. ABRAHAM RIBICOFF,
Chairman, Subcommittee on International Trade, Committee on Finance, U.S.
Senate, Washington, D.C.

Mr. Chairman and Members of the International Trade Subcommittee: On behalf of the Atalanta Corporation, headquartered at 17 Varick Street, New York City, New York, I am pleased to submit for the Hearing Record this written testimony in support of the continuation of most-favored-nation tariff treatment by the United States to imports from the Socialist Republic of Romania. On June 3, 1977, President Carter requested that Congress renew for 12 months, pursuant to authority granted him under Section 402 of the Trade Act of 1974, MFN tariff treatment for Romania. As stated, the Atlanta Corporation supports this recommendation and feels that it is in the best interest of the United States for the Congress to grant our President's request.

The Atalanta Corporation is a marketing organization for a large variety of high quality food items which are distributed throughout the United States by its 70-man sales force located in New York City and eleven sales offices in various states. Atalanta imports food products from over 40 countries throughout the world, including canned hams from Romania. During 1976, Atalanta imported approximately \$16 million of high quality Romania canned hams. In addition, Atalanta is a member of the Romanian-United States Economic Council which operates under the administrative scope of the Chamber of Commerce of the United States but is autonomous in matters of policy.

During the past decade, U.S.-Romanian trade has shown significant gain. In 1965 bilateral trade was \$8 million. In 1970 bilateral trade was \$80 million. In 1976 such bilateral trade had grown impressively to over \$450 million with the United States enjoying a favorable balance of trade. This favorable trend is expected to continue throughout this decade.

During the extensive hearings before this Committee in July of 1975 which were held to determine whether or not MFN tariff treatment should be granted Romania, the Atalanta Corporation placed into the Hearing Record lengthy testimony supporting MFN and the ratification by the United States of the trade agreement with Romania which we enjoy today. In addition, we submitted testimony for the record in support of last year's annual extension of MFN tariff treatment for Romania. The favorable predictions for the U.S. which we made in these earlier submissions of testimony have come true. We once again take this opportunity to recommend that the Congress continue this mutually beneficial relationship between the United States and Romania. The following Department of Commerce chart indicates, in millions of dollars, that U.S.-Romania trade, while small in comparison with U.S. trade with other countries, is nevertheless growing. It is important for the foreign relation interests of our country in that part of the world.

U.S. TRADE WITH ROMANIA
(In millions of dollars)

Year:	U.S. exports	U.S. imports
1968.....	18	6
1970.....	66	13
1972.....	69	31
1973.....	117	56
1974.....	277	126
1975.....	189	135
1976.....	249	200

Source: U.S. Department of Commerce.

We would hope that the granting of MFN to Romania will be eventually followed by similar trade agreements throughout the rest of Eastern Europe. Atalanta not only markets Romanian products in the United States but is also engaged in a large sales operation in the U.S. of canned hams and other pork products from Poland, a country also enjoying MFN status. Atalanta also serves as a major importer of food products from Hungary. Atalanta therefore looks forward to the day that MFN tariff treatment is also granted to Hungary and believes that the United States-Romanian trade agreement will serve as an incentive for this to occur in the future. Atalanta feels that through normal trade relations with such countries, the U.S. foreign and economic policy will be enhanced leading to better overall relations between the East and the West. This will not only enable U.S. corporations to enjoy more profits, but will be a step toward securing world peace.

The Atalanta Corporation will continue to be an important factor of trade between our country and Romania. Atalanta's large purchases of Romanian canned hams will afford Romania foreign exchange for her purchases of U.S. products. This assists our own job market and gives the U.S. consumer quality food products from a country striving for her own independent policies.

On behalf of the Atalanta Corporation, I want to inform the Subcommittee that Atalanta appreciates the Committee's consideration of its views and the placing of such within the Hearing Record.

Sincerely yours,

MAX N. BERRY,
Counsel for Atalanta Corp.

STATEMENT OF FOTINI CARAIANI

HONORABLE SIR: I dare solicit your attention over a humanitarian problem, knowing how helpful you have been in the past for people in situations similar to mine.

I am born in Romania in 1939 from a family of Greek origin, I am by profession hairdresser.

After many years of frustrations suffered in Romania because of the dictatorial communist regime established there after World War II, I decided to leave Romania and settle in a free and democratic country. I received a tourist passport and reach West Germany in Sept. 1974. On Feb. 18, 1976 I was admitted as a refugee to the United States and presently I am employed and attend English courses in El Cajon, California.

However, my brother, Teodor Dumitru Caraiani, born on Feb. 28, 1945 in Bucharest, Romania, his wife, Georgeta Caraiani, born on Apr. 10, 1952 in Bucharest, Romania, their children, Adri a Traian Caraiani, born March 23, 1972 in Bucharest and Vlorel Claudiu Caraiani, born on March 31, 1975 in Bucharest, all residing in Str. Caporal Ruica Nr. 14, Bl. B9, Sc. I, Et. 8, Ap. 36, Bucharest (Sector 4), Romania, and having the same feelings like me about the present political regime in Romania, want to leave the country and have made several attempts to file applications for leaving the country during the last 10 years, but they have been constantly turned down.

Having no practical possibility to apply to somebody else from Romania, my brother asked me for help and therefore I kindly ask you to use your influence to persuade the proper Romanian authorities to permit my brother and his family to leave Romania, in compliance with the international agreements and treaties on Human Rights signed by Romania.

Thanking you for your anticipated support on this most important problem for my family, I remain,

Faithfully yours,

FOTINI CARAIANI.

CHILEWICH CORP.,
New York, N.Y., June 22, 1977.

HON. ABRAHAM RIBICOFF,
Senator of Connecticut, U.S. Senate,
Washington, D.C.

DEAR SENATOR RIBICOFF: We are writing you today on the occasion of the meeting of the subcommittee, which we understand is scheduled for June 27th, concerning the extension of Most Favored Nation Treatment to Romania.

Our firm has been involved in the worldwide export of cattle hides and calf skins, and has been operating from its principal office in New York City since 1939. Our firm maintains various warehouses in this country and Canada, with a staff in excess of 150 employees.

Romania has become a very important market factor for cattle hides, which are being used for production of footwear. The United States has been a principal supplier of this raw material to Romania, and the following table will demonstrate the importance of Romania to the U.S. export trade:

EXPORT OF HIDES (IN PIECES)

Year:	Export to Romania	Total export
1969.....	378,000	14,778,000
1970.....	449,000	15,222,000
1971.....	571,000	15,963,000
1972.....	1,201,000	17,378,000
1973.....	1,006,000	16,858,000
1974.....	1,777,000	18,428,000
1975.....	1,226,000	21,268,000
1976.....	1,631,000	25,270,000

We believe that our firm, as well as other U.S. exporters having transactions with Romania, play an important role in the healthy development of mutual U.S./Romania commercial interests.

Under these circumstances, many auxiliary benefits develop for American businessmen. As Romanian/American trade relations build, there will be other markets for U.S. products. It would seem apparent that the presence of U.S. businessmen in Romania stimulates the interest of Romanian businessmen in State enterprises, in the development of commercial contacts with American businessmen.

The point we want to make is that Romania provides a significant dollar income for a specialized, but more important segment of American agriculture. It provides an access door to Eastern Europe for mutually beneficial commercial relations. In this way, it has an accelerator impact on international trade in general, with definite, if not measurable, effects upon American industry and American jobs.

Reapplication of early high tariffs would be a major deterrent to these commercial relations, and our buyers would be under pressure to look for other sources of raw material, such as Australian or New Zealand productions, and we feel justified to support and recommend the extension of the Most Favored Nation Treatment for Romania.

We thank you for considering the above in your decision making.

Respectfully yours,

HERMAN Z. ELBIN,
Vice President.

STATEMENT OF MR. CONSTANTIN CIURCI

HONORABLE SIR: I am Constantin Ciurci, Romanian born and a political refugee in the USA since February 2, 1977.

Because my anticommunist feelings, the Communist Government discriminate me: I was forbidden to attempt the university and I was forced to become a maintenance mechanic.

I tried to obtain an exit visa for live in a free country but all my applications for an exit visa were rejected by the security.

Then I tried to cross illegally the Romanian border but I was arrested and I served 2 years and four months in communist jail as a political prisoner in 1973-1976. After I was released from jail I tried again to cross the border, illegally. I crossed the Romanian-Yugoslavian and then the Yugoslavian-Austrian border. In Austria I was granted with political asylum by the high commissioner for refugees of United Nations Organization from Geneva. With God's help I arrived in the USA as a political refugee on Feb. 2, 1977. But painfully I left behind in communist Romania as hostages:

1. Elisabeta Ciurci, born on September 15, 1950, my wife.

2. Christian Ciurci, born on March 15, 1975, my son, of Strada Aleia Villor Nr 8, A, Circa 5a Timisoara, Cod 1900.

All their applications for exit visa were rejected by the communist security. The Romanian Communist President Nicolae Ceausescu does not respect the Paris Treaty of Peace (1947) the Universal Declaration of Human Rights of the UNO (1948) nor the condition of easing the emigration from Communist Romania as close agreed with the U.S.A. upon the trade agreement and the most favored Nation's clause in 1975 and 1976 and the Helsinki Agreement (1975 too). Since May 25, 1977 I joined the fourth Romanian hunger strike for family reunion in front of the United Nations Organization, in New York City.

I do not leave the hunger strike place until my hostage family will be here. I appeal to you, Honorable Sir to use your influence in persuading the Romanian Communist President Nicolae Ceausescu to respect his international commitments about the family reunion and to grant to my hostage wife and son the exit visa in order to join me for opportunity our family here in the USA. The country of real freedom and democracy.

Thank you, for your humanitarian support.

CONSTANTIN CIURCI.

STATEMENT OF STEFAN COTORACI

HONORABLE SIR: I am Stefan Cotoraci, Romanian born and a political refugee in the United States of America since May 18, 1976.

My father, Stefan Cotoraci, was a simple welder. He wanted to give to me a high education but he did not because of Communist terror. He is a Democrat.

Because of his anticommunist feelings he was arrested in 1947 by the Romanian Communist Security (KGB) and he was sentenced to serve 7 years, 8 months and 13 days as political prisoner in Communist's jails and forced labor camps.

Because my father's anti-Communist and democratic feelings I was discriminated and the Communist dictatorial regime does not allow me to attend the university as I wanted and I want, too. I was forced to become a simple worker. I was working hard and my father, too, twelve hours a day, but we were not able to support our family of four. Is mean Communism?

For the above reasons I tried to obtain a passport for beginning a new life in the free world. But all my applications for exit visas were rejected by security (KGB).

Then I crossed illegally the Romanian-Yugoslavian and the Yugoslavian-Austrian borders. In Austria I was granted with political asylum by the High Commissioner for Refugees of the United Nations Organization of Geneva.

On May 18, 1976 I arrived in the U.S.A. as a political refugee. But painfully I was forced to left behind in Communist Romania as hostages: 1. Irina Cotoraci born on January 8, 1955; housewife, my wife. 2. Corina Cotoraci, born on August 30, 1976, my daughter, 10 months old. 3. Stefan Cotoraci, welder, former political prisoner, my father. 4. Cornelia Cotoraci, housewife, my mother, all of them residing at Strada 7 Noiembrie Nr 19-21, Apt. 2, Arad, Romania. All their applications for exit visas in order to join me here in the U.S.A. for our forced separated family reunion, were rejected by the security (KGB). They are all time investigated under terror by the security. Our mail was cut. The Romanian Communist President Nicolae Ceausescu is a Stalinist Tyrant of Romanian people. He ordered to his security to terrorise the workers and especially the relatives of American citizens and residents. He violates the Paris Treaty of Peace (1947). The Universal Declaration of Human Rights (1948). The Trade Agreement and the condition of easing the emigration from Communist Romania as he close agreed with the U.S.A. upon the Trade Agreement and the most favored Nation's clause in 1975 and 1976. In doing so he offended the American political leaders who granted him with he violated too the Helsinki agreement.

Since July 23, 1977, I joined the fourth Romanian hunger strike for family reunion in front of the United Nations Organization in New York City and I do not leave the hunger strike place until my hostage family join me here in the U.S.A. I appeal to you Honorable sir to use your influence in persuade the Romania Stalinist Dictator Nicolae Ceausescu to respect his internationale commitments about human rights and family reunion and to grant the exit visas to my hostage family!

Thank you, Honorable Sir, for your humanitarian support.

STATEMENT OF MRS ANA MARIA DRAGANESCU, DDS

HONORABLE SIR: I am Ana Maria Draganescu, DDS Romanian born and a permanent resident of the United States of America since August 26, 1975.

In my native country Communist Romania I was discriminated because my family anti-Communist feelings. My uncles, Romeo Lupascu of Ploiesti and Mitica Italianu of Buzau (my mother's relatives) were long time political prisoners in Communist jails and forced labor camps.

For this reasons I was allowed to attend the university later than my classmates of high school did. I managed to be graduated as DDS by the Graduate Dental Faculty of Medical and Pharmaceutic Institute of Bucharest University on 1965.

My husband, Gheorghe Peru, managed to escape from Communist Romania on 1973. He was granted with political asylum by the high commissioner for refugees of UNO from Geneva in Roma, Italy. Then he reached the U.S.A. As a result of the first Romanian hunger strike for family reunion (May 17, 1975-July 17, 1975) and the condition of easing the emigration from Communist Romania of the most favored Nation's clause, I managed to reach the U.S.A. for our forced separated family reunion on August 26, 1975. But painfully I was forced to left behind in Communist Romania as hostages: 1. Maria Grecescu, born on May 19, 1919, my mother of Strade Grigore Alexandrescu Nr 96, Sect 1, Bucuresti. 2. Alexandru Draganescu, born on December 1, 1940, engineer, my brother.

Since I left the country all time they are investigated by the security (KGB). Our mail was cut. The Security refused to give to them the application forms for exit visas in order to reunify our forced separated family, here in the U.S.A. the country of real freedom and democracy. The Romanian Communist President Nicolae Ceausescu violates the human rights. He violates too the condition of easing the emigration from Communist Romania as he close agreed with the U.S.A. upon the trade agreement and the most favored nation's clause in 1975 and 1976.

Nicolae Ceausescu violates too the Paris Treaty of Peace (1947), the Universal Declaration of Human Rights of UNO (1948) and the Helsinki Agreement (1975).

Since July 20, 1977 I joined the forth Romanian hunger strike for family reunion in United Nations Plaza in New York City and I do not leave the hunger strike place until my hostage family will be here. I appeal to you, Honorable Sir to use your influence in persuade the Romanian Communist President Nicolae Ceausescu to respect the human rights and his commitments with the U.S.A. upon the most favored nation clause and to grant immediately the exit visas to my hostage family in order to be reunite here in the U.S.A.

Thank you, Honorable Sir, for your humanitarian support.

STATEMENT OF ADRIANA DUMITRESCU

HONORABLE SIR: I am a Romanian choreographer, Adriana Dumitrescu, living at that moment in New York, 372 C.P.W. #5w N.Y. 10025, together with my son 21 years old.

I first came in the United States, October 28/1976 as a choreographer, with a fellow ship offered by the State Department, Cultural Exchange Office.

Our family had dreamed for a long time ago to leave Romania Communist country, and seek a better way of life as free people in a free country.

The first of December my son left Romania as a musician to perform in West Germany. Being in connection, the next day both of us we applied for political asylum. I did it to the Emigration and Naturalization Service in New-York and he went to the German Police, same time asking for emigration to the United States. One month later in January 17/1977 I was granted political asylum, received, work permitted, visa and got a social security number. My son waited for four month and then he arrived as an emigrant in New-York, so we could be happy that half of our family started the new life in our new country.

I started my work in the United States as a choreographer for the Basset Ballet Company in New-Jersey and my son is working as piano player for the American International Ballet Studios New-York.

But painfully we had to leave in Romania as hostages:

1. Barbu Ion Dumitrescu, husband, address: Str. Nickos Belolanis nr.5, apt. 1, Sector 1-Bucharest.
2. Paulina Hekch, mother, address: Bul. Ion Sulean 3 Bloc 18A ap. 97, Bucharest.
3. Carmen Dumitrescu, daughter-in-law, address: Str. Nickos Belolanis nr. apt. 1, Sector 1-Bucharest.

Both of us my son and I we applied to the Romanian Embassy in Washington, D.C. for Renunciation of the citizenship.

The Romanian Communist President does not respect the Paris Treaty of Peace, 1947, the Universal Declaration of Human Rights of the U.N.O. for the condition of easing emigration from Communist Romania as close agreed with U.S.A. upon the Trade Agreement and the Most Favourite Nation's clause, 1975 and 1976, and the Helsinki Agreement.

Respectfully I appeal to you Honorable Sir, use your influence in persuade the Romanian Communist President Ceausescu to grant the exist visas to my hostages husband and mother, and also for my son's wife in order to join me and my son here in the United States, for our family reunion.

On May 24/77 I joined together with my son the fourth Romanian Hunger Strike for family reunion in front of the U.N.O. in New-York.

We are not going to leave the hunger strike until our family is reunited.

Very respectfully yours

ADRIANA DUMITRESCU.

STATEMENT OF BARBU SOBIN DUMITRESCU

HONORABLE SIR: My name is Barbu Sorin Dumitrescu. I am 21 years old and I always wished to become an American citizen, to live as a free man in a free country. Now the dream became reality, I left Romania the first of December/1976 as a musician in a light music orchestra to perform in West-Germany. The next day I went to the German police and applied for political asylum and same time I applied for emmigration in the United States, to join my mother who was already political asylum granted in New-York.

I applied for renouatiation of the citizenship to the Romanian Embassy in Washington. I am working as a piano player in a Ballet School in New-York.

But painfully I had to leave in Romania as hostage my wife:

Carmen Dumitrescu—address: Str. Nickos Belolanis nr. 5 ap. #1 Sector 1 Bucharest.

The Romanian Communist President does not respect the Paris Treaty of Peace 1947, the Universal Declaration of Human Rights of the U.N.O. for the condition of easing emmigration from Communist Romania as close agreed with U.S.A. upon the Trade Agreement and the Most favourite Nation's clause, 1975, 1976, and the Helsinki Agreement.

Respectfully I appeal to you Honorable Sir, use your influence in persuade the Romanian Communist President Ceausescu to grant the exit visa for my wife and the rest of my family in order to join me and my mother here in the United States, for our family reunion.

On May 24/77 I joined together with my mother the fourth Romanian Hunger Strike for family reunion in front of the U.N.O., in New-York.

We are not going to leave the hunger strike until our family is reunited.

Very respectfully your,

BARBU SOBIN DUMITRESCU.

STATEMENT OF GHEORGHE FARA

I am in hunger strike since June 16, 1977, and I ask from Romanian communist authority to issue, the Passport and exit visa to the following Romanian people:

Meleasa Nicolae, 26 (emigration in U.S.A.). Tool and Die maker, leaving at: Str. Siret Nr. 15, Sector 8, Bucuresti.

Tutulianu Ilie, 36, cousin (short visit) living at: Bdul. Gh. Dimitrov Nr. 121, Bl. G5, apt. 24, Sector 3, Bucuresti.

Meleasa Mircea, 23, cousin, (short visit) residing at: Str. Bujoreni Nr. 48, Bl. P18, sc. 2, apt. 88, Sector 7, Bucuresti.

Deleanu Floarea, (short visit) residing at: Str. Siret, Nr. 15, Sector 8, Bucuresti.

Pereteanu Elena, (short visit) residing at Bdul. 1 Mai, Nr. 339, Bl. 15, sc. D, apt. 186, Sector 8, Bucuresti.

Cloingel Mihai, (short visit) residing at: Str. Codri Neamtului, 2, Bl. 2, sc. 3, apt. 186, Sector 4, Bucuresti.

Popovici Dumitru (short visit) residing at: Str. Ctin. Naccu, Nr. 2, Etaj 4, apt. 10, Sector 2, Bucuresti.

Grosu Aurel, (short visit) residing at Str. Major Campeanu, 23, Bl. A, sc. B, etaj 2, Sector 8, Bucuresti.

Arsavir Actarian, (short visit) residing at: Piata Dorobantilor Nr. 3, Sector 1, Bucuresti.

Please, Please, Please, help them, I know that, they can NOT get the passport, without your support.

STATEMENT OF MRS. ALEXANDRINA IOANA FILIMON

HONORABLE SIR: I am Alexandrina-Ioana Filimon, Romanian born and a political refugee in the United States of America since April 27, 1977.

I left Communist Romania with a tourist passport for a collective trip in Greece, on September 20, 1970.

There I asked and I was granted with political asylum by the high commissioner for refugees of the United Nations organisation of Geneva.

On April 27, 1977 I arrived in the U.S.A. as a political refugee. But painfully I was forced to left behind in Communist Romania as hostages:

1. Constantin Fillmon, born on February 15, 1935, economist, graduate in economical sciences of High Institute for Economical Sciences of Bucharest, Romania, my husband of Strada Mierlei, Bloc 44, Apt. 39, Tirgroviste, 0200, Romania 2. Caius Cedric Fillmon, born on February 10, 1968, student, my son 9 years old. 3. Patricia Estela Fillmon, born on March 22, 1960, student, my daughter, both residing with their grandfathers at Strada Karl Marx Nr 8, Hunedoara, 2750, Romania.

Since I asked political asylum in the free world, all my family members living in Communist Romania were investigated under pressure by the security (KGB). All their applications for exit visas in order to reunify our forced separated family were rejected by the security. The Romanian Communist President Nicolae Ceausescu does not respect: The Paris treaty of Peace (1947). The Universal Declaration of Human Rights (1948) nor the condition of easing the emigration from Communist Romania as he close agreed with the U.S.A. upon the trade agreement and the most favored nation's clause in 1975 and in 1976. In doing so Nicolae Ceausescu offended the American political leaders who granted him with. Nicolae Ceausescu violated the Helsinki agreement, too (1975).

On July 20, 1971 I joined the fourth Romanian hunger strike for family reunion in the U.S.A., in front of the United Nations building in New York City and I do not leave the hunger strike place until my hostage family will be released and join me here in New York City for our forced separated family reunion.

Desperately, I appeal to you, Honorable Sir, to use your influence in persuade the Romanian Communist President Nicolae Ceausescu to respect his international commitments about human rights and the family reunion and his commitments with the United States and to grant immediately the exist visas to my hostage family in order to be reunited here in New York City.

Thank you, Honorable Sir, for your humanitarian support.

HISTORY DEPARTMENT, BOSTON COLLEGE,
Chestnut Hill, Mass., June 6, 1977.

Senator RUSSELL LONG,
Senate Finance Committee,
Senate Office Building,
Washington, D.C.

DEAR SENATOR LONG: I understand that hearings for the extension of the most favored nation clause, which has been approved for Romania will shortly be held in both Houses of Congress.

As a student of Romanian affairs, a faculty member at Boston College for some twenty years and President of the Society for Romanian Studies in the US and as an American citizen in conscience committed to detente, let me invoke the following arguments supporting the renewal of the commercial agreement.

1. Romania has consistently pursued a foreign policy totally independent of the Soviet Union and the other Socialist States—I am thinking of Israel in particular—and it would defy logic to extend most favored nation treatment to other socialist countries such as Poland, which in this respect has followed a far less independent course. Romania's non aligned policy needs both U.S. recognition and encouragement.

2. As a scholar who has benefited from the cultural exchange agreement with Romania, and has seen others benefit by it, I am keenly aware of the multiple benefits of exchanging ideas and eroding the "iron curtain" mentality of the post war years and understanding each other's point of view. I consider economic exchange as an integral ingredient of this improved reciprocal understanding and the absence of it a significant obstacle.

3. To take up the issue of "human rights" and to select one aspect of it namely the restrictive passport policies of the Romanian government. Their principal objective is to prevent skilled personnel from leaving the country after the government has invested heavily in their specialised training. It is my firm conviction that most of the people who desire to leave the country do so to improve their economic and material condition. Most favored nation treatment and the resultant accelerated economic contacts with the US would tend to facilitate Romania's catching up on Western standards of living and discourage emigration and thus bring about a more harmonious relationship with the US

and ultimately perhaps lead to their government's accepting the idea of free movement across their borders.

4. Since our government is presently committed to détente, it makes a great deal of sense to extend that word in a commercial sense to a nation which has traditionally been spiritually and culturally linked to the West and where the people have always shown an immense reservoir of goodwill to the US in particular. Contacts with the West in all fields is also their chief hope of maintaining their independence from the Soviet Union.

For all these reasons I would very much hope that most favored nation treatment for Romania will be renewed by Congress.

Yours sincerely,

RADU FLORESCU,
President Society for Romanian Studies.

FRIENDSHIP AMBASSADORS FOUNDATION,
New York, N.Y., June 22, 1977.

Mr. MICHAEL STERN,
*Staff Director, Committee on Finance, 2227 Dirksen Senate Office Building,
Washington, D.C.*

DEAR MR. STERN: I am pleased to take this opportunity to once again write in support of Romania and its MFN status with the United States.

As you know from previous correspondence, our foundation has been actively involved in sponsoring cultural and educational exchanges between the two countries for several years. Since 1972, more than eight thousand young Americans have traveled and performed extensively throughout Romania as Friendship Ambassadors. These same young Americans, and the communities they represent across this country, have hosted numerous Romanian Friendship Ambassadors on a reciprocal basis.

Based on reports from our American participants, including our own first hand experiences and observations, I can truthfully state that our cooperation with Romanian government officials and the Romanian people has been enormously positive and successful. On their part, our Romanian partners have fulfilled all obligations and commitments, including financial transactions, as agreed upon by our foundation and the cooperating Romanian organizations.

Both Mrs. Morgan and I, who were married in Romania, have traveled extensively all over the world. During recent years, our professional activities have been centered in the socialist countries of Eastern Europe. At present we have formal cultural exchange agreements with Romania, Poland, Bulgaria, Hungary and the Soviet Union.

We have been particularly pleased with the unique position and attitude of Romania among all these countries. We have been enormously encouraged with the incredible progress and economic development that Romania has been making these past years, and in their continuing efforts to provide a better way of life for her people.

Personally, I would hope that our own government would continue its support of Romania's economic aims and goals by approving its MFN status with the United States.

I would be pleased to assist you and your committee in any way.

Sincerely,

HARRY W. MORGAN, *President.*

STATEMENT OF JEAN HRISTESCU

HONORABLE SIR: I am Jean Hristescu, Romanian born and a refugee in the United States of America since March 9, 1977.

I am a simple carpenter and painter and I worked more than 35 years in construction.

When the Communist government managed to bring the power with the U.R.S.S. help in 1944 the security started to investigate and interviewed me all the time, because of my anti-communist feelings.

Now, as a retired worker I was payed with 375,00 lei monthly and they gave me 7,00 lei monthly for meat. When I left the country, in 1975 one kilogram of meat was 44,00 lei! And I received for, only 7,00 lei! The rent was 270,00 lei.

You can imagine how was my family life with 375,00 lei monthly plus . . . 7,00 for meat! . . .

After 35 years of hard work I was not able to support my family, then I left Romania with a tourist passport in order to visit my son Hariton Hristescu, who left the country in 1968 and then managed to reach the U.S.A. as a political refugee in 1969. Now he is an American citizen. I reached my son on July 30, 1976, as a result of the first Romanian hunger strike for family reunion in the U.S.A.

On September 5, 1976 I left the U.S.A. for Italy where I was granted with refugee status by the high commissioner for refugees of the UNO from Geneva.

I arrived in the United States of America as a refugee on March 9, 1977. But painfully, I was forced to leave behind in Communist Romania as hostages:

1. Elena Hristescu, born on March 25, 1926, my wife.
2. Ana Petcu (maiden name Hristescu) born on November 4, 1951, my daughter.
3. Teodor Hristescu, born on March 11, 1949, my son.
4. Carmen Veronica Hristescu, born on November 5, 1971, my son's daughter.
6. All of them residing at: Strade Alexandru Moghioros Nr 20 Bloc OD 1, Scara 2, Etaj 9, Apt. 80, Drumul Taberei, Sect. 7, Bucuresti. All their applications for exist visas in order to reunify our family here in the U.S.A. were rejected by the Romanian communist security. They are investigated and threatened all the time by the security. Our mail and phone were cut.

The Romanian Communist President Nicolae Ceausescu, who is Brznev's spy in the free world and the Stalinist terrorist of the Romanian people, does not respect: The Paris Treaty of Peace (1947) The Universal Declaration of Human Rights (1948) nor the condition of easing the emigration from Communist Romania. He closely agreed with the U.S.A. upon the trade agreement and the most favored nation's clause in 1973 and 1976 and the Helsinki Agreement (1975 too). Since 6/10/1977 I joined the fourth Romanian hunger strike for family reunion in front of the United Nations organization in New York. I do not leave the hunger strike place until my hostage family will join me here. In order to reunify our family, I appeal to you Honorable sir, to use your influence in persuading the Romanian Communist President Nicolae Ceausescu to respect his international commitments about the family reunion and to grant the exist visas to my hostage family in order to be reunited with me here in the United States of America.

Thank you, Honorable Sir, for your humanitarian help.

Yours sincerely,

JEAN HRISTESCU.

STATEMENT BY DENIS A. COOPER, PUBLISHER, INTERNATIONAL LIBRARY, BOOK PUBLISHERS

Mr. Chairman, Members of the Committee, I appreciate your invitation to submit this statement for inclusion in the printed record of your hearings on the above subject.

My interest in Romania is due to the fact that a great part of my life and work has been closely intertwined with that country. I grew up and was educated in Romania, of which I was a citizen until 1939, when I came to the United States as an immigrant. I served in the pre-World War II Romanian Army, I hold academic degrees from Romanian universities, I was a member of the Romanian Bar and practiced law in Romania.

While serving in the United States Army during World War II, I again became involved with Romania, broadcasting from London, England, allied news in Romanian, beamed at that country, which then fought on Germany's side. After the Armistice, I served as official U.S. Observer at the War Crimes trial of Romania's wartime Head of State, Marshal Antonescu, and his cabinet.

Romania was at that time under Soviet military occupation, and the United States maintained a small Military Mission of which I was the only Romanian-speaking officer. My then sojourn in Romania enabled me widely to travel throughout the country, and to acquaint myself with the changing conditions being brought about by Romania's first communist regime. Being of the Jewish faith, I naturally gave close attention to the battered remnants of the Romanian Jewish community, which had suffered enormous losses in lives and property under the Antonescu regime. The Antonescu-Hitler slaughter of Romanian Jews had reduced Romania's pre-World War II population of approximately 800,000

Jews to a mere 200,000 sick, disabled and dispirited souls, and without future prospects, except emigration.

My subsequent return to the United States, and demobilization from the military service did not end my involvement with and in Romania. The communist regime's suppression of freedom of religion, of the press and of human rights, in general, caused the United States to appeal to the International Tribunal at the Hague. My first hand knowledge of conditions in Romania, my familiarity with the new legislative enactments, and Romanian language proficiency brought me an invitation to join the legal staff of the Department of State, which was preparing the United States case against Romania.

Although that case never came to trial, economic considerations compelled the communist regime to look to the United States and, in the process relented its oppression. The new trend resulted in President Lyndon Johnson's program of "building bridges" to the East and in the first U.S. Trade Mission to Romania, which I joined as its Deputy Director and only Romanian-speaking member. It was then that the Romanian Government voiced, for the first time, its aspiration to most favored nation status. I was apprised at that time, too, of the urgent need of the Romanian Jewish community for outside financial assistance to meet the most elementary requirements for its survival. By that time, old age, sickness, hunger and a trickle of clandestine emigration had further reduced the Jewish community to less than 100,000 souls. Legalized emigration, I was told, and reunion with more fortunate family members abroad, was the only hope. It is important to note, however, in this connection, that the Romanian Government was not then persecuting its Jewish population, nor does it so today. The present day Jewish population of approximately 60,000 is allowed to pursue an active religious and cultural life, to publish a nationally and internationally distributed trilingual (Romanian, Hebrew and Yiddish) newspaper and to maintain unhampered contacts with Jewish communities in the West. Without private financial aid, supplied by Jewish charitable organizations in the United States, however, much, if not all, of this life would come to an abrupt end.

It should further be kept in mind that even prior to the Helsinki Final Act Romania has allowed, and does allow now some emigration of Jews whose sole reason therefor is a strong desire to be reunited with members of their families living abroad, especially in Israel and in the United States. Romania's present emigration policy was enunciated as recently as three months ago by its President Ceausescu as follows:

“ * * * the problem of emigration is far from being a humanitarian question; it is an important political question * * * ”

Romania makes a clear distinction between the problem of integrating families—toward which it shows understanding in justified cases—and the problem of emigration which it flatly disapproves.” (Exposé by President Nicolae Ceausescu on the Activity of the Romanian Communist Party, published in Romania, Documents-Events, Vol. 7, No. 17, March 1977).

It is this “in justified cases” limitation upon the emigration policy, which Romanian lower echelon officialdom uses as an oppressive tool to bar free emigration. At the present slow speed of the “justification” process, no significant increase in the emigration rate can be expected. In fact, the process has resulted in a decline of Jewish emigration figures as compared with those which were presented last year to this Committee.

While the low Jewish emigrant body count is rightfully a matter of great concern to America's Jewish community, the slowdown is not and should not be viewed as purely a Jewish problem. It is, I firmly believe, primarily an American problem, and I am confident that it is viewed as such by this Committee, and by the American people as well.

The reason is simple.

The American people have a right to expect, and do expect that nations, entering into agreements with the United States and receiving United States benefits pursuant to such agreements, scrupulously fulfill their own obligations undertaken by such agreements. Thus, the Jewish emigrant body count is tangible evidence of whether or not Romania is, in good faith, fulfilling its promises given the United States upon attaining most favored nation status. America has an interest that treaties be honored, and undertakings solemnly assumed faithfully fulfilled and, thus, justify further treaties and agreements with the promisor.

When foreign governments finally come to realize that their own faithful per-

formance in carrying out assumed obligations constitutes a material factor in the grant of new or continuation of in the past bestowed benefits, the international climate of respect for human rights is certain vastly to improve. Hence, the continued interest of this Committee in the Romanian emigration process is certain to contribute greatly to the betterment of her present emigration record.

Romanian President Ceausescu has the reputation of being both a realist and a man of principle. Thus, I am confident that as a realist he will not allow Romanian officialdom to jeopardize his country's MFN status; as a man of principle he will honor his country's promises solemnly given to this Committee and his pledges to the Congress and the people of the United States.

In the meantime, as an expression of trust in Romania's good faith, the MFN status should be extended. As an American citizen, I thus respectfully suggest, as being in the best interests of both nations.

Thank you for accepting this statement, and for its inclusion in the printed record of these hearings.

STATEMENT OF TEODOR IONESCU, M.D.

HONORABLE SIR: I am an immigrant who entered the U.S.A. in Dec. 20, 1978 with a refugee visa. I am writing to you now to help me to bring my little daughter here from Romania, where she is seized by force, as an hostage. Her name is: FLORENTINA IONESCU, 4 years old.

On March 17, 1976, my wife, Claudia Ionescu and my daughter, Florentina, had to leave New York urgently for Bucharest in a visit to her father who was dying and very soon after, on July 30, passed away. The Romanian Government took advantage from this misfortune and forbidden them to leave the country any more. They forced my wife to sign a statement that she wanted to settle in Romania. Because my daughter is suffering from a grave congenital disease, I request to the Romanian Health Department to be consulted my child. On June 23, 1976, Professor Mihail N. David, Chairman of Ophthalmology at Coltzea Hospital, in Bucharest, and Professor Clement Baciu, M.D., Chairman, Department of Orthopedics at Brancovenesc Hospital, in Bucharest, visited my daughter and made the diagnosis of OSTEOGENESIS IMPERFECTA TARDA. They stated this is an evolutive disease which can be ensued by pathological fractures, deafness and grave cardio-respiratory complications endangering her life and resulting in death. The Romanian doctors stated also can not be provided a medical management in the Romanian hospitals because of lack of suitable medication and medical equipment. They said Romania decline any competence to cure my child and she does not assume the responsibility for any further aggravation of her medical condition or fatal aftermath. They recommended the child to be sent to the father in the U.S.A. for treatment.

Again, the Romanian Government proved cruelty and lack of humanitarianism rejecting the recommendations made by its own official doctors. I contacted the officials of Romanian Embassy in Washington, D.C., and surprisingly, Mr. Lon Edu, Consul, told me that my wife would be a criminal mother preferring the crippledness, deafness or even death of her child than to leave Romania.

Due to this criminal and inhuman attitude of the Romanian Communist Government, the life of my daughter is threatened in Romania. For this reason, I ask you, dear Sir, to help me to bring back my daughter in the U.S.A. for the treatment recommended by the Romanian doctors as well by the American doctors.

On May 24, 1977 I joined the 4th Romanian Hunger Strike in front of the U.N. building in N.Y. City. I am determined not to leave the hunger strike place until the Romanian government release my child and allows her to come here in the U.S.A.

I now appeal to you, Honorable Sir, to use your influence in persuading the Romanian Communist President Nicolae Ceausescu to instruct the passport authorities to issue the passport and the exit visa on my daughter's Reentry Permit.

Thank you for your Humanitarian Support.

Truly yours,

TEODOR IONESCU, M.D.

STATEMENT OF MRS. ELISABETA KOCSIS

HONORABLE SIR: I am Elisabeta Kocsis, Romanian born and a political refugee in the United States of America since December 13, 1976. I am a dressmaker and my husband is a welder and mechanic. We are working hard in our native country but we were not able to support our family of four . . . Many years, because our anti-communist feelings, we were investigated by the Romania's Communist Security (KGB). Many years I tried to obtain a passport for the free world, but a lot of my applications for, were rejected by the security (KGB).

Finally I obtained a tourist passport for medicale reason for . . . seven days in Austria together with my son, on September 30, 1976. Seven days . . . In Austria we were granted with political asylum by the high commissioner for refugees of the United Nations organization in Geneva.

Together with my son I arrived in the U.S.A. as a political refugee on 12/13/'76. But painfully I was forced to left behind in Communist Romania as Hostages: 1. Gheorghe Kocsis, born on 3/28/1928, welder and mechanic, my husband 2. Otilia Kocsis, born on 5/2/1962 student, my daughter 15, residing at Strada Azuga Nr 3, Apt 28, Cluj Romania.

All their applications for exit visas in order to join me here for our forced separed family reunion were rejected by the Security (KGB). Our mail was cut. Our phone calls were cut too . . . All time they are investigated under pressure and terror by the Security . . .

The Romanian Communist president Nicolae Ceausescu is a stalinist tyrant who terrorise the Romanian people. He does not respect any international commitment about human rights and the family reunion. He violates: the Paris Treaty of Peace (1947) the Universal Declaration of Human Rights (1948) nor the condition of easing the emigration from Communist Romania as he close agreed with the U.S.A. upon the trade agreement and the most favored Nation's clause in 1975 and in 1976. In doing so he offended the American political leaders who granted him with. He violates too the Helsinki Agreement (1975).

Since July 20, 1977, I joined the fourth Romanian hunger strike for family reunion in front of the United Nations organization in New York City and I do not leave the hungerstrike place until my hostage family join me here in New York City, in order to reunify our forced separed family!

Desperately, I appeal to you, Honorable Sir to use your influence in persuade the Romanian Communist Dictator Nicolae Ceausescu to respect the human rights and his commitment about with the U.S.A., and to grant urgently the exit visas to my hostage family.

Thank you, Honorable Sir, for your humanitarian support.

STATEMENT OF ZITA MARCOI

I am Zita Marcol, Romanian born and a American citizen since April 29, 1975. I left Romania with a tourist passport as a visitor in Austria on July 26, 1969. I was granted political asylum by the High Commissioner for Refugees by the United Nations from Geneva.

I arrived in the U.S.A. on January 21, 1970. I gave up my Romanian citizenship painfully: I left behind in Communist Romania as hostages: (1)—Rodica Ciugudean, born July 29, 1941—Sister. (2)—Mihai Ungureanu, born October 31, 1967—Nephew.

All of their applications for exit visas were rejected by the Romanian Communist Security.

The Romanian Communist President, Nicolae Ceausescu, does not respect the Paris Treaty of Peace (1947) the Universal Declaration of Human Rights of the United Nations (1948) nor the condition of easing of emigration for Communist Romania clause agreement with the U.S.A. in the Trade Agreement and The Most Favored Nation's Clause in the 1975 and 1976 Helsinki agreements.

Since May 24, 1977 I joined the Fourth Romanian Hunger Strike for Family Reunion and I will continue my Hunger Strike until my Hostage Family and I are reunited here in the U.S.A.

I appeal to you, Honorable, Sir, to use your influence to persuade the Romanian Communist President Nicolae Ceausescu to grant Exit Visas to my Hostage Family.

Thank You.

Yours Sincerely

ZITA MARCOI

STATEMENT OF ELENA MARINESCU

HONORABLE SIR: My name is Elena Marinescu. I was born in Romania.

My husband Cristian Marinescu and I left Romania in September 1969, with a tourist visa for Yugoslavia and then, a month later we arrived in Italy where we were granted political asylum by the High Commissioner for Refugees of U.N. in Geneva.

We entered the U.S.A. in May 12th, 1970, as emigrants with the refugees visa. I became a permanent resident in Jan. 12th 1973 and I shall file application for American citizenship in Jan. 1978, when I become eligible.

Painfully, I left behind, in Communist Romania, my family members as hostages:

Aurica Vlad—mother with Nicolae Vlad husband; Ion Munteanu, brother with Margareta Munteanu, wife; Marius Munteanu, son; Monica Munteanu, daughter; all living in Bucharest, Aleea Slatioara Nr. 1, Apt. 34, Sector 5.

I consider the Romanian Communist President Nicolae Ceausescu does not respect neither the terms of the Paris Treaty of Peace (1947), the Universal Declaration of Human Rights of the U.N. (1948) nor the condition of easing the immigration from Communist Romania as the clause agreed with U.S.A. upon The Trade Agreement and the most favorite nation's clause in 1975 and 1976, and the Helsinki Agreement (1975).

Because of this permanent violations of the human right by the Romanian Government, all the applications for exit visa of my mother and brother were rejected.

I contacted the Romanian Embassy in Washington, D.C. in order to inquire about the status of the applications for passports my mother and brother had submitted in Bucharest. I was told that nothing could be done before I accepted the status of so called "Romanian citizen residing abroad", which I did in Nov. 1975, after consultations with F.B.I. and Immigration and Naturalization Service. This move on my part didn't help either. After other postponements or rejection of the applications in Bucharest, I contacted the official of Romanian Embassy in Washington, D.C., Mr. Iedu for explanations, and surprisingly, he told me, my family would never be granted an exit visa. I explained to him that was in contradiction with the Romanian laws about FAMILY REUNION and all the International Agreements regarding this—He didn't mind giving me any further explanations. On May 24th, 1977 I joined the 4th Romanian Hunger Strike in front of U.N. building in N.Y. City. I am determined not to leave the hunger strike place, until the Romanian government issues the passports and lets my family out of Romania for a so long waited reunion here in U.S.A.

I now appeal to you, Honorable Sir, to use your influence in persuading the Romanian Communist President Nicolae Ceausescu to instruct the passport authorities to issue the passports and the exit visas to my family members as I identified them herein above.

Thank you for your Humanitarian Support.

Yours truly,

ELENA MARINESCU.

STATEMENT OF ELENA MARINESCU

Re Family reunion: Aurica and Nicolae Vlad, mother and father; Ion Margareta, Marius and Monica Munteanu, brother, his wife and children.

HONORABLE SIR: I would like to bring you up-to-date on my efforts to assist my family now living in Romania, to join me here in the United States. As I indicated in my letter of May 30th 1977, I joined the Romanian hunger strike in New York on May 24, 1977, for family reunion. It has been more than two months and my families request to leave Romania has been constantly turned down by Romanian Authorities.

All promises and commitments of the Romanian government to respect human rights seem to be just words on paper. We are almost exhausted and wonder whether other than pursuing this strike there is any other means to force Romanian government to set our families free.

In the meantime, I went to the Romanian Embassy in Washington to renounce my Romanian Citizenship. I spoke with Consuls Edu and Badalicescu and I made them understand that after all, they misled me when they stated accepting the Status of "Romanian citizen residing abroad" would be enough for my family reunion. They denied me the applications forms and said that they had already recommended that the Romanian Authorities withdraw my Romanian citizenship,

on the grounds of my participation in the hunger strike. They also said that passports for my family had been approved but because of the hunger strike they were cancelled.

Ms. Tipton, Consul of the American Embassy from Bucharest, required more information about my stepfather Nicolae Vlad. He married by mother in 1961. He worked in a shoe factory and retired in 1967. After the Communist took over the country, he was forced to join the Communist Party or lose his job. He had no other choice. He neither adhered to the Communist Ideology nor did he ever help or promote the Communist Party Structure. He hated Communism as most Romanians do. He is a religious person.

He married my mother after my father was murdered by Communists and my mother became a widow. He has been good to me and my brother, and we will never forget that. My mother was forced to accept the Communist Party membership for fear of losing the job and not to be able to support the family.

My father couldn't have a steady job after the Communists took over the country. There was terror throughout the country, there was terror on our block like everywhere else. Many of my father's friends were arrested and sent to forced labor camps. There was no way one could think too much about the party membership—and, no choice. What we feared did happen in 1950. My father was taken away by two plainclothesmen, a little after midnight and sent to labor camp without any trial. We had not had news from him for three years and we thought he had been killed. He returned after five years, but he was no longer a human being after being tortured, beaten almost to death or let to starve in the labor camp. On top of all this tragedy little after he returned home, he was murdered by a security (Romanian KGB) man and we were let again alone and in despair.

This is why we can never be at peace with the Communists in Romania, and this is why we have to be reunited. In the letter from Ms. Tipton, she indicated that an employment offer in U.S.A. for my brother will help him get the entry visa. Attached is a copy of the letter to my brother from an American Engineering Firm and the cover letter to Ms. Tipton. I strongly appeal to you, Honorable Sir, to do whatever is in your power to persuade Romanian Authorities, the president of the Communist Party, Nicolae Ceausescu, to let my family go, to give them passports and exits visas without delay.

Thank you for your humanitarian support. All your letters have always been an encouragement and a comforting moral support.

Sincerely,

ELENA MARINESCU.

Ms. MARION TIPTON,
Consul, American Embassy, Bucharest.

DEAR Ms. TIPTON: An American engineering firm is willing to offer employment to my brother, Ion Munteanu, as a structural draftsman. As stated in the letter to him, he could start the work anytime after Sept. 1, 1977.

A copy of this letter is enclosed for your perusal and consideration.

I hope this job perspective for my brother will mean a great deal of help for him and his family, in obtaining the immigration visa to U.S.A.

I'm looking forward to hearing good news from you soon.

Cordially,

ELENA MARINESCU.

UNITED ENGINEERS, INC.
Hawley, Pa., July 6, 1977.

Mr. ION MUNTEANU,
Aleea Slattoara 1,
Bucharest, Romania.

DEAR MR. MUNTEANU: Please be advised that upon your request to work as a structural draftsman and on the basis of your experience and background you are herewith awarded this position. You can commence working at any time after Sept. 1, 1977. Your starting salary shall be \$7,300.00 per year.

Please contact us upon your arrival in New York or write to us at any time you may need further information or assistance.

We are looking forward to seeing you started on your new job.

Truly yours,

CRISTIAN MARINESCU,
President.

MONSIEUR HENRI WINES, LTD.,
DIVISION OF PEPSICO, INC.,
Purchase, N.Y., June 20, 1977.

Mr. MICHAEL STERN,
Staff Director, Committee on Finance, Room 2227, Dirksen Office Building,
Washington, D.C.

DEAR Mr. STERN: This letter is submitted as a statement in support of continued "Most-Favored-Nation" status for imports from Romania.

Monsieur Henri Wines, Ltd. a subsidiary of PepsiCo, Inc. imports Romanian wines for distribution to consumers in the United States. Specifically, Monsieur Henri entered an importing agency agreement on March 31, 1976 with Foreign Trade Enterprise Vinexport of Romania for the purchase and sale of Romanian wines in the United States over a three-year period.

Romania is the leading wine producer of the Balkan countries, one of the more important wine-producing countries of Europe. In recent years wine has become an important export for Romania, chiefly to Eastern and Western European national markets. Recently Romanian wines were well received at an international competition in Montpellier, France. By its contract with Monsieur Henri, Romania is offering its good wines to the American public.

Under our Romanian contract, three different wines—Pinot Noir, Cabernet Sauvignon and Tarnave Castle—have been selected for marketing under the "Premiat" brand name. The marketing objective provides the U.S. consumer with an imported wine of outstanding quality for a most reasonable price (approximately \$2.00 per 23 oz. bottle). Monsieur Henri is investing substantial amounts in marketing and sales support behind the Premiat line in this first year of the contract. Vinexport is also assisting our efforts by significant investment.

We introduced Romanian wine in the United States in October 1976. Our original target was to sell 12,000 cases in the first year. Their success has been phenomenal and we expect that we will be selling 50,000 cases the first year.

Our overall negotiations and business connections with the Romanians have been most positive and constructive. Our experience is part of creating a healthy and productive relationship through international trade between this Latin cultured Eastern country and our nation.

It is our considered opinion that the extension of "Most-Favored-Nation" status for imports from Romania will enable a strong and positive long-term relationship between the two countries to develop; this encouragement of international trade will lead to better understanding and cooperation. It is our serious concern that a termination of "Most-Favored-Nation" status for imports from Romania will importantly inhibit and curtail such a beneficial economic trade and potential understanding. Certainly it will limit and be detrimental to our sales of Romanian wines in the United States.

The direct impact of "Most-Favored-Nation" status versus non "Most-Favored-Nation" status on our pricing of our Premiat line is as follows:

Current duty and tax, 56.5 cents per gallon, \$1.23 per case.

Without M.F.N., \$1.62 per gallon, \$3.20 per case.

Difference, \$1.97 per case.

The increase tax and duty of \$1.97 per case will cause at least a twenty-five cents (25¢) or twelve and one-half percent (12½ percent) increase in the consumer price per bottle to the U.S. consumer. Such a substantial increase will remove the product from the \$1.99 category, place it at a less competitive higher price, and reduce the volume of sales likely to be achieved. The loss of the present good pricing is expected to be a serious disadvantage in the marketplace for our Romanian wines.

For the above reasons, we respectfully submit our support for the continuation of "Most-Favored-Nation" status for imports from the Socialist Republic of Romania under the Trade Act of 1974.

Respectfully,

G. LAWRENCE SOLL,
Vice President.

STATEMENT OF NATIONAL ASSOCIATION OF AMERICANS OF ROMANIAN DESCENT IN
THE UNITED STATES, GEORGE F. A. BOIAN, CHAIRMAN

This July 1, 1977, a general meeting of the delegates of the annual convention of our organization was held in Detroit, Mich.

The delegates voted unanimously against any further trade with communist Romania until the human rights of all 20 million Romanians now suffering persecution under the present Romanian Government are honored and respected.

At the same time, delegates agreed to attend the Annual Congress of the Romanian Orthodox Episcopate in America, under the leadership of Archbishop Valerian D. Trifa, at Jackson, Mich., to demonstrate their support of his anti-communist stance and his stand on human rights.

We respectfully request your intervention by stopping the Romanian Communist Embassy in Washington, D.C., from further intimidation and harassment of our citizens here in this country.

NATIONAL FOREIGN TRADE COUNCIL, INC.,
New York, N.Y., June 23, 1977.

HON. ABRAHAM RIBICOFF,

Chairman, Subcommittee on International Trade, Committee on Finance, U.S. Senate, Room 2227, Dirksen Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The National Foreign Trade Council whose membership, as you know, comprises a broad cross section of diversified international business interests supports the continuation of most-favored-nation tariff treatment of imports from Romania and extending the President's authority to waive the application of subsections (a) and (b) of Section 402, The Freedom of Emigration Provision, of the Trade Act of 1974 (Public Law 93-618). From information which we have received, emigration improved since most-favored-nation treatment was granted to Romania.

In our view, this meets the condition requiring compliance with The Freedom of Emigration Provision of the law and provides a basis for extending the President's authority to waive the aforementioned subsections (a) and (b) of Section 402 of the Trade Act of 1974.

It seems to us also that two-way trade between the United States and Romania is an element which should be carefully considered in extending the President's authority to waive application to the above referenced subsections of the Trade Act of 1974, particularly since such trade has increased considerably since the granting of most-favored-nation treatment to Romania.

This statement is being submitted in lieu of personal appearance before your Subcommittee and it is respectfully requested that it be incorporated in the record of your hearings and made a part thereof.

Sincerely,

ROBERT M. NORRIS, *President.*

PEER BEARING Co.,
Chicago, Ill., June 24, 1977.

Attention: Mr. Michael Stern, staff director.

COMMITTEE ON FINANCE,
Subcommittee on International Trade, U.S. Senate, 2227 Dirksen Senate Office Building, Washington, D.C.

DEAR MR. STERN: I would appreciate if you would bring my opinions before the Subcommittee on International Trade hearing the issue of extending waiver authority to the President on extending MFN to Romania.

It would be a disastrous step to weigh the continuation of MFN solely on the "right to emigrate" clause. President Carter so aptly pointed out the commercial and political necessities of continuing trade with Romania that I feel these self-evident truths would benefit little from any redundancy. So let us go directly to the issue of emigration and divided families.

I will not minimize the need to pursue human rights and dignity. With over 300,000 Romanian Jews now residing in Israel, I would be hard pressed to find many families in Romania that are not in some way affected by this division of space. It seems impractical to me to simply allow all 90,000 Jews now living in Romania the right to freely leave the country. What do we then do with the 90,000 or more Germans seeking similar treatment in their desire to return to Germany? What do we then do with the millions of people of various extractions

who seek a less burdensome existence, for is it not human nature to desire a life of comfort and luxury?

Now let us look at the situation in Romania. There is an acute shortage of labor in that country as evidenced by the fact that the official government goal, established in 1975, is to increase the labor supply by one million workers by 1983. To attain an expanding work force the government has set forth the following programs:

1. Allows extra compensation for larger families;
2. Reduces taxes based upon numbers of children in the family;
3. Outlaws the use of any contraceptive device; and,
4. Makes abortions illegal.

A viable labor force is urgently required to continue with their industrial revolution. During the years of 1966-70, 375,000 workers were trained in technical skills. This figure will rise to 1,600,000 during the years of 1975-80. The government of Romania subsidizes all education and technical training and pays a heavy burden in their efforts to attain 100% literacy for its citizens. Think of this population mass in terms of a natural resource, because in effect is this not what it is? Would it seem unreasonable for Romania to try to hold on to this precious resource?

I think it now becomes imperative that MFN for Romania should not be based solely upon the "right to emigrate".

Very truly yours,

LAURENCE W. SPUNGEN.

STATEMENT OF CONSTANTIN RAUTA

Dear Mr. Chairman: I respectfully request that my letter be included in the record of the Subcommittee hearings on continuation of the most-favored-nation treatment of imports for the Romanian communist regime.

This is the third time when I must report to such hearings a gross violation of 1974 Trade Act provisions on human rights and emigration by the Bucharest authorities which enjoy the benefits of MFN and credits from U.S.

As you know Mr. Chairman, from 1978 my family have been held hostages in Bucharest and my wife's repeated request for an exit visa as well as the intervention of several members of the Congress, including yours, were ignored.

Because the details of the harassments of my family following the request to emigrate in U.S. are mentioned in the 1975 and 1976 Subcommittee hearings records as well as in the Congressional Record, I will not repeat on this occasion but I will mention that I did all the papers required by the S.R. Romania Embassy in Washington in order to obtain the release of my family (including a new passport—attachment I) but my wife and son are still held in Romania.

I wish to mention that my wife's health and morale continue to aggravate and the harassment of my family continue with more intensity and hostility.

Mr. Chairman, I am confident in your personal concern and the Subcommittee interest for the respect for human rights, including the right to emigrate, in the country which receive MFN status and I hope that the Congress will find that two Presidential waivers of the 1974 Trade Act provision are enough.

In the first place the Romanian people do not benefit from the MFN: only the communist regime does. Such aid to Mr. Ceausescu's regime serves as a reward for the gross violation of the human rights in Romania and unwittingly encourage more injustices.

In this sense I wish to direct your attention to the figures released by the administration on emigration situation in the "Second Semiannual Report to the Commission on Security and Cooperation in Europe." According to this figure (page 40 on report) as May 1, 1977, the communist regime in Bucharest is responsible for more family divided against their will than Bulgaria, Czechoslovakia, GDR, Hungary and Poland put together, although the population of Romania is four times smaller than of these countries combined. The figure indicate a situation worse than in USSR which have ten times more population.

In connection with this indication (attachment II), please allow me to point out that the immediate members of the family included in the first column are spouse and minor children and these cases are not a result of an increase of exit visa issued but a more restricted emigration policy. These are new cases of family hostages policy of the Bucharest regime. The number of children, spouse

as well as parents and other relatives is an important indicator of the brutality with which the emigration is discouraged or the tentatives punished.

The figures on attachment II gave the indication that condoning the violation of human rights in Romania serve only for that regime to increase the repression.

In the second place after a protest in front of the White House in December 1976-January 1977 when I discussed and distributed an open letter to President Ford (attachment III) to about 9,500 people which were waiting on line to visit the White House; and after the extremely warm and sympathetic response of people of this country to my appeal in The Washington Post, January 4, 1977 (attachment IV), I must report to you Mr. Chairman that almost without exception the citizens of this country do not approve the aid given (with MFN) to a communist regime which use the members of family as hostages in order to repress or punish the desire or the tentatives to emigrate.

With occasion Mr. Chairman, together with the appeal for help in my family reunification please allow me to convey to you a special appeal of a group of dissidents in Romania (attachment V) and which are to focus the attention on the grave violation of the basic human rights in Romania.

AN OPEN LETTER TO PRESIDENT GERALD FORD, NOVEMBER 25, 1976

MR. PRESIDENT: Today is a family holiday, but I sit alone in my room. I have sat thus, here in the United States, during three Thanksgiving, Christmas, Fourth of July and New Years. I am unable to enjoy that simple, natural happiness that is without equal—the happiness to be with my family. It is now three years since Mr. Nicolae Ceausescu, Chairman of the Romanian Communist Party, ordered that my son be denied the right to see his father, that my wife be denied the right to see her husband. Three years since my family, including my old and beloved parents, have suffered continued harassment and persecution contrary to all human decency, contrary to the "Universal Declaration of Human Rights", a United Nations document which the Romanian Communist regime has signed.

A few moments ago, Mr. President, I heard on the radio that you were with your family at Camp David enjoying a much-earned respite in the presence of your loved ones and thought I would write to you.

I want, first of all, to wish you many happy and healthy years and many happy moments with your family.

And I want to write you about my family.

I have a delightful wife, Ecaterina, who is the most beautiful and wonderful woman in the world. I love her and she loves me. I felt tears in her eyes a few days ago when she told me on the phone how much she wanted us to be just one day together again.

We are very proud of our son Mihai you can see in the picture. I remember how happy I always was when I had a chance to carry him in my arms, but now my son knows me only from pictures and as a voice on the phone.

I am Romanian, Mr. President, I love my country and I respect my people, but I reject the tyranny in which Romanian people are forced to live and the communist society in which the individual is considered and treated as a slave who must be exploited in his work and denied his rights. Although the Human Rights Declaration stated that "everyone has the right to leave any country including his own" and that "everyone has the right to seek and to enjoy in other countries asylum from persecution", Mr. Ceausescu considers it a crime to refuse to live in the society he created.

Because I refused to live in that society and left with the occasion of official travel in the United States, Mr. Ceausescu ordered that my family be destroyed as an example to other Romanians who are seeking human rights and freedom.

What is, Mr. President, the difference between the terrorists who seek political or financial gain by holding individuals against their will, and Mr. Ceausescu who is holding families of thousands of Romanians living abroad? It is ironic that in this century of space flights and computers, the embassies of the Romanian communist regime, including the Washington embassy, traffics in human beings by setting prices (up to \$10,000 as has been documented in hearings before the Committee on Finance, U.S. Senate, June 8, 1975, page 190), for head of children, spouse, parents, brothers and sisters of Romanians living abroad.

I respectfully submit, Mr. President, that it is regrettable that such a man responsible for such inhuman acts was received at White House to the strains of the National Anthem. And that you have decided to aid the Bucharest com-

munist regime economically and financially by granting the "most-favored nation" treatment. The Romanian people do not benefit from this aid; the communist regime does.

Such support only serves to reward and unwittingly encourage Mr. Ceausescu to continue his practice of violating human rights. I cannot help but believe that it was this encouragement that caused the Bucharest regime to violate the rights of U.S. embassy there to have free access to the Romanian citizens, to ignore, at the point of rudeness, the letters and inquiries of many senators and congressmen concerned with injustice such as those against my family.

Mr. President, I feel that it is a misguided view that economic and financial aid to Mr. Ceausescu's communist regime will change its dictatorial nature or can help Romania to get out from under Soviet Trusteeship.

This policy has not achieved freedom and the realization of human rights in Romania—an ideal to which the people of the United States I think are committed.

Before this coming January 20, you have the power under the law to terminate economic aid and financial credits to the Romanian communist regime. I urge you to consider taking such action most seriously.

I also urge you as a husband and father to similarly consider the plight of my family and the others suffering separation and to express your concern to the Romanian authorities.

With deep appreciation for your time and consideration, I remain.

Respectfully yours,

CONSTANTIN RAUTA.

Translated in English, December 15, 1976, Washington, D.C.

AN APPEAL TO THE PEOPLE OF THE UNITED STATES

DEAR CITIZEN: Please help me save my wife and child you can see in the picture. For the past three years they have been held hostages in Romania because I refused to live in a communist society and I cannot return.

Mr. Ceausescu, Chairman Of The Romanian Communist Party, ordered that my family be destroyed as an example to other Romanians who are seeking human rights and freedom. If you believe that no one has the right to interfere with your family, to hold your wife and child hostages for political or any other reasons, to harass or punish your parents, brother, or sister for your beliefs, ideas or decisions, and if you believe that Mr. Ceausescu has no right to destroy my family or any other family.

Please stand up for human decency!

At the present, with the exception of the ruling class, no Romanian can travel abroad without leaving behind a family member, usually a spouse or children, to serve as hostages and to "Guarantee" that he (she) returns to the communist regime which is detrimental to the development of human beings.

You can help to reunite my family by writing or calling the Socialist Republic of Romania Embassy here in Washington, D.C. (Tel. AD2-4747; AD2-4748; 232-4749; or 232-6534) to express your concern about such inhuman acts and asking for the immediate release of my wife Ecaterina Rauta and my son Mihai Rauta from Bucharest, Romania. You can stand up for human decency by writing to the President of The United States and asking him to terminate financial and economic aid to the communist regime of Mr. Ceausescu, or by writing to your Senator or Congressman, asking them to terminate the "Most-Favored Nation" treatment for a regime which denies the basic human rights.

Gratefully,

CONSTANTIN RAUTA.

P.O. Box 634, Washington, D.C. 20044.

HUMAN RIGHTS MEETINGS TO TAKE PLACE IN BUCHAREST

TEXT OF A TELEPHONE MESSAGE (JUNE 19, 1977) FROM A ROMANIAN DISSIDENT

On the basis of articles 28 and 29 of the Constitution of the Socialist Republic of Romania, setting forth the human rights all Romanians are to enjoy and of Decree #212 of 1974, confirming and reinforcing the above constitutional provisions, the signers of the open letter addressed by Paul Goma to the Belgrade Conference have agreed as follows:

On the last Sunday of every month of the year 1977, between 10 A.M. and 1 P.M., the signers of the open letter will meet at the main entrance of the National Theatre in Bucharest. This will lend us an opportunity to air publicly our aims and inform our fellow-citizens of the extent to which our past grievances have been resolved. It will also permit us to find out our respective whereabouts and thus help put a limit to such abuses as occurred on April 3 and 5 when one of the signers, Gabriel I. Cristoiu, was beaten up by the Security Police.

In peacefully demonstrating in front of the National Theatre, we shall provide an opportunity to all concerned to prove that democracy is not an empty word in Romania; that if fundamental freedoms and human rights were infringed in the past, particularly during investigations carried out by the Security organs, these will from now on be considered as enormous human errors.

Should, on the contrary, such meetings be unjustifiably prohibited or forcibly broken up by the State organs, the proof would have been made that laws, including the Constitution, are not respected in Romania.

We feel enjoined to point out that we repudiate any and all attempts to misinterpret the aims of our meetings. These are not designed against anyone but for something called human rights, human dignity and truth—that is for a purpose perfectly compatible with the provisions of the S.R.R. Constitution.

STATEMENT OF EUGEN STANCIU

HONORABLE SIR: I am Eugen Stanciu, Romanian, born and political refugee in the United States of America, since February 22, 1977.

I was in my native country a simple worker, auto-mechanic. As a youth, because my family's and myself anticommunist feelings, I was discriminate and I can not attend the University. I was forced to become a worker. Then I was all time interviewed by the Security (Romanian KGB). AS a bird which like THE SAINT FREEDOM I tried to escape from COMMUNIST ROMANIA. I was arrested twice while I tried to cross illegally the Romanian-Yugoslavian border, and I served three years as Political Prisoner in the Communist's jails-Timisoara and Gherla: 1972-1973 and 1973-1975.

My third attempt to cross illegally the Romanian-Yugoslavian border was successful and then I crossed the Yugoslavian-Austrian border. In Austria I was granted with POLITICAL ASYLUM by the High Commissioner for refugees of the UNITED NATIONS ORGANIZATION of GENEVA. On February 22, 1977 I arrived in the USA as a Political Refugee. But painfully I was forced to leave behind in Communist Romania as HOSTAGES:

1. Gherghina Stanciu, born March 1924, mother.
2. Marian Stanciu, born 1952, brother.
3. Viorel Stanciu, born 1960, brother.

All residing at: Str. Manuscrisului No. 54, Sector 8, Bucuresti.

They are all time interviewed by the Communist Authorities since I managed to reach the USA as a Political Refugee, after I crossed the Romanian-Yugoslavian and the Yugoslavian-Austrian border with the risk of my freedom and maybe my life.

All applications for Exit Visas of my HOSTAGE FAMILY in order to join me here in the USA for the REUNIFICATION of our forced separated family were rejected by the Communist Authorities.

I consider the Romanian Communist President Nicolae Ceausescu does not respect neither the terms of the Paris Treaty Of Peace (1947), the Universal Declaration of Human Rights of the U.N. (1948) nor the condition of easing the immigration from Communist Romania as the clause agreed with U.S.A. upon the Trade Agreement and the most Favorite Nations's Clause in 1975 and 1976, and The Helsinki Agreement (1975).

On July 4, 1977, I joined the fourth Romanian Hunger Strike for family reunion, in front of the U.N. building, and I am determined not to leave the hunger strike place until the Romanian government lets my family out of Romania for joining me here in the U.S.A.

I now appeal to you, Honorable Sir, to use your influence in persuading the Romanian Communist president Nicolae Ceausescu to instruct the passport authorities to issue the passports and the exit visas to my family members.

Thank you for your Humanitarian Support.

STATEMENT OF ION STANCIU

Honorable sir, I am Ion Stanciu, Romanian born and a political refugee in the USA since December 16, 1976.

In my country I was maitre d'hotel. My father was a political prisoner and I was discriminated and persecuted by the security.

I tried to obtain an exit visa for live in a free country; together with my fiancée Elena Moise of Strada Spatarului Nr L Scara 11 Etaj 1 Apt 18, Sectorul L 11, Bucuresti, Romania.

We are waiting five years for this passport. We do not get married in this time, because the security does not grant the exit visa to wife and husband. One of them must be retained as hostage in the country. But, despite the fact that we are doing separately applications for exit visas, all our applications were rejected by Communist Security. Finally, I bribed some one and I was appointed as witness on the roma Romanian Ship Oltenita which cruised on Danube river until Wienn. I left Communist Romania with a sailor passport as witness, with the Romanian ship Oltenita, on July 3, 1975. I reached Wienn on July 9, 1975. I defected in Wienn. Then I reached Paris (France) where I was granted political asylum by the high commissioner for refugees of UNO from Geneva. I reached the USA as a political refugee on February 2, 1976. Here I am working as witness with the New York Hilton at Rockefeller. Painfully I left behind in Communist Romania an hostage.

1. Elena Moise, my fiancée, of Strada Spatarului Nr 1. Scara 11, Etaj Apt 18, Sectorul 2, Bucuresti.

She was interviewed all time by the security. She was laid off her. She was threatened with jail if will try again to obtain an Exit visa order to join and marry me, here, in the USA.

The Roman Communist President Nicolae Ceausescu, who is Breznev's spy in the free world and the Stalinist terrorist of Romanian people, does not respect the universal declaration of human rights, the Paris Treaty of Peace (1947), nor the condition of free emigration from Communist Romania as he is close with the USA upon the trade agreement and the most favored nation's clause, in 1975 and in 1976.

He does not respect the Helsinki agreement and any international agree about family reunion, which he and his Communist government signed.

Through his terrible security he terrorise especially the relatives of American citizens or residents.

Honorable sir, I appeal to you, to use your influence in order to persuade the Romanian Communist President Nicolae Ceausescu to grant the exit visas to my hostage fiancée Elena Moise.

Please to intercede the US Embassy in Bucharest and ask the honorable US Ambassador and the US Consul Ms Marian Tipton to bring my fiancée their protection and help her to obtain the legal exit visas from Communist Romania.

She is a human being, a woman, terrorised by the security, and without any possibility to live in that country. She need your protection and your humanitarian support. Please, help this human being, terrorised by the Communist security!

I am joined the fourth Romanian hunger strike for family reunion which is preparing now in New York City, in front of the United Nations organization and then in Washington, D.C. in front of the US Congress, Romanian Communist Embassy and White House.

Thank you, Honorable sir, for your humanitarian support.

Your Sincerely,

ION STANCIU.

STATEMENT OF VIORICA STANCOIEV

Honorable sir, I am Viorica Stancioev, Romanian born (madlen name Viorica Sita) and a resident of the USA since August 6, 1973.

I came in the USA with a Tourist Passport for a visit at my aunt Maria Gorosh. I rejected the Communist Romania's citizenship on February 4, 1974. I am get married Mr. Zlatibor Stancioev, a Yugoslavian who applied for US naturalisation and will become an American citizenship on June 1977. Now I am living in a free country, and I have a child 1 years old.

But, painfully I was forced to left behind in Communist Romania as hostages :

1. Gheorghe Sita, born on January 17, 1921, my father.
2. Maria Sita, born on June 24, 1926, my mother.
3. Gheorghe Sita, born on Dec. 10, 1949, my brother.
4. Lenuta Sita, born on 1951, his wife.
5. Viorica Simona Sita, born on July 27, 1975, their daughter.
6. Ioan Sita, born on March 15, 1954, my brother.

I appeal to you, honorable sir, in use your influence in persuaded the Romanian Communist President Nicolae Ceausescu to grant the exit visa to my hostage family in order to be reunify here in the U.S.A.

The Romanian Communist President Nicolae Ceausescu does not respect: The Universal Declaration of Human Rights (1943), the Paris Treaty of Peace (1947) nor the condition of easing the emigration from Communist Romania as close agreed with the USA upon the Trade Agreement and The Most Favored Nation's clause in 1975 and 1976 and the Helsinki Agreement (1975 too). Since May 27, 1977, I joined the Fourth Romanian Hunger Strike for Family Reunion in front of United Nations Organisation in New York City and I do not leave the hunger strike place until my hostage family join me here in the U.S.A. for our family reunion.

Thank you, honorable sir, for your humanitarian support.

Sincerely yours,

VIORICA STANOIEV.

STATEMENT OF IOSIF A. TEODORESCU

Honorable sir, I am Iosif A. Teodorescu, Romanian born and a political refugee in the U.S.A. since September 9, 1976.

I am an artist. Because of my anticommunist feelings I was discriminate and the Romanian Communist Security does not approve my exit visa to participate at the exhibitions in the foreign countries where my etchings were presented: Bienala of Venetia, Italy (1972); Bienala Blanco E. Nero, Lugano, Switzerland (1974); Bruxelles, Anvers (Belge, 1973); Kiel, West Germany (1974); and in Great Britain, Maroc, Finland, . . .

But finally on November 1975, I obtained a Tourist Passport for Italy as the winner of the first prize at Bienale Internazionale dell' Humor Tolentino. In Italy I was grant with political asylum by the High Commissioner for Refugees of United Nations Organisation from Geneva (Switzerland). I arrived in the USA as a political refugee on September 9, 1976. But painfully I left behind in Communist Romania as hostage :

1. Dana Maria Sufana, born on February 20, 1943, my wife of Strada I L Caragiale Nr 18, Sector 2, Bucuresti, Romania.

Despite the fact that I rejected the Communist Romania's citizenship, the Communist Romanian Security does not grant her exit visa in order to join me here in the USA for our family reunion.

The Romanian Communist President Nicolae Ceausescu does not respect: The Paris Treaty of Peace (1947) the Universal Declaration of Human Rights of U.N.O. nor the express condition of easing the emigration from Communist Romania as close agreed with the USA upon the Trade Agreement and the Most Favored Nation's Clause in 1975 and 1976 and the Helsinki Agreement (1975 too). I appeal to you, honorable sir, to use your influence to persuade the Romanian Communist President Nicolae Ceausescu to respect his international commitments and to grant the exit visa to my hostage wife in order to reunify our family here in the USA where I am working as an artist with the New York Times.

Since May 24, 1977 I joined the Fourth Romanian Hunger Strike for Family Reunion in front of the U.N.O. in New York City.

Thank you, honorable sir, for your humanitarian support.

IOSIF A. TEODORESCU.

TRANS-GULF CORP.,
Washington, D.C., June 23, 1977.

Mr. MICHAEL STERN,
Staff Director,
Senate Finance Committee,
2227 Dirksen Senate Office Building,
Washington, D.C.

DEAR MR. STERN: We would like to take this opportunity to put forth our views concerning the issue of Most Favored Nation status for Romania which we understand Senator Abraham Ribicoff's International Trade Subcommittee will take up the week of June 27th.

Our company has been in continuing negotiations and actively dealing with several Romanian foreign trading agencies for approximately the last 18 months. We have seen a warmer attitude toward the U.S. and a greater willingness to trade since your Committee first initiated MFN status for Romania in 1975.

In conversations with Romanian officials of the above trading agencies, including VITROCIM, we have been assured that the provisions of the Jackson-Vanik amendment concerning free emigration have been completely complied with, and that there is no current obstacle for a timely renewal of Romania's MFN status.

In addition, we feel that it would be in the best interest of U.S. business if rather than considering on an annual basis Romania's renewal for MFN status, your Committee consider approving MFN status in 1978 for Romania for 3-year increments. We have seen Romanian trading agencies with which we have negotiated sales or purchases being restricted in making long range commitments or plans since Romania's MFN status for the following year could conceivably be reversed. We, of course, favor complete compliance with the provisions required by the Jackson-Vanik amendment. However, we simply feel that the original 1975 decision, followed by a review in 1976 and a subsequent renewal, have provided ample background for Congress today to consider awarding Romania MFN status on 3-year increments.

We would appreciate it if you would insert our remarks into the record for Senator Ribicoff's International Trade Subcommittee hearings next week into the question of Romania's MFN renewal.

If we can be of any assistance to you or your Committee during these deliberations, please feel free to call on us.

Sincerely,

DAVID H. DEWHURST III.

STATEMENT OF ILDIKO TRIEN

I am in favor of this extension.

The doubling in territory and population of Romania after the first World War created a very sizeable non-Romanian minority within Romania's enlarged borders. Romania guaranteed full and complete rights to all its inhabitants, and in my opinion, has lived up to these obligations.

I was born and raised in Romania and lived there 29 years.

I have been in the U.S. now for six years. I attended schools, including high school and college, in Romania, and participated in the cultural life as a writer and actress in the cinema and theatre. In 1970, I participated in a cultural exchange program between Romania and the U.S. I have immediate family still living in Romania, and I visit them in Bucharest at least once a year. On these occasions, I talk with many Romanians about the political and economic aspects of the country, and also receive information from Romanian friends and family visiting here.

I would like to make two points in reference to the President's decision to extend the Most Favored Nation Status to Romania.

1. In my visits to Romania, I have found a great enthusiasm for America, and a desire for continued exchange of cultural and economic information and programs. The American Library is open to all Romanians and is an important resource for information about the U.S. All American newspapers and magazines are available, as well as books and exhibits. I would like to say again that there are no restrictions of any kind on access to the library for Romanians.

Many American TV programs are now being shown on Romanian television, and are among the most popular programs. I myself have seen "Bewitched," "Kojak," "Colombo," and many well known American film documentaries and movies on television. Children of friends of mine regularly see "The Flintstones." American art shoes and musical concerts tour the country and are very popular.

All this allows Romanians to acquire a much broader outlook on the world and to make independent judgements about cultural, political and economic matters. In my judgment, extension of the Most Favored Nation status—which is so closely related to these cultural activities—will help to broaden and enlarge these beneficial exchanges between the two countries.

2. Of all the countries in Eastern Europe, I feel it is fair to say that Romania has the greatest cultural and economic freedom.

It is, by the way, the only Eastern country to recognize and have diplomatic and formal economic relations with Israel.

There is complete freedom of religion. I can say that churches of all denominations flourish.

There are many minorities, as you may know, in Romania. I, myself, am of Hungarian origin. There are also Serbs, Slovaks, Jews, Germans, Svabi, Bulgarians and others. I want to tell you that there is no discrimination in housing, schooling, jobs, or in any other activity. Every minority carries on ethnic programs of many types. The Hungarian minority, for example, has opera, theatres, daily papers and periodicals and even primary, secondary and university education in the Hungarian language. Minorities serve in every section of the government and economy.

Opponents of Favored Nation status for Romania maintain that Hungarians are an oppressed minority. I can only say that this is ridiculous. My family and friends who are of Hungarian origin—and actually live in the country—find this laughable. People of Hungarian origin, whether a factory worker or in government, are able to advance to the highest levels on the basis of their abilities.

There are reports occasionally in newspapers that Hungarians are oppressed. These reports, I must believe, are circulated by persons or groups with selfish and malicious motives, who wish to disrupt and discredit good relations between Romania and the United States.

The final point I wish to make is that extension of Most Favored Nation Status will promote greater understanding and benefits cultural relations between the two countries. This will help Romania develop a more independent status in the world community.

STATEMENT BY THE HONORABLE WILLIAM A. CRAWFORD, DIRECTOR OF FOREIGN RELATIONS OF WJS, INC. (FORMER U.S. AMBASSADOR TO ROMANIA)

I. INTRODUCTION

Mr. Chairman, as a former U.S. Ambassador to Romania now serving as Director of Foreign Relations of WJS, Incorporated, a Washington-based firm of East-West marketing consultants, I have welcomed the opportunities in the past 2 years to testify on Romanian matters before your committee. I am happy to enclose for your information a statement of particulars concerning our company, which is privileged to represent certain American corporations in their business dealings with Eastern Europe. Although circumstances unfortunately will not permit me to be present on this occasion, I should not want it to pass without submitting for your attention a brief expression of my views on the matter currently before you.

II. ROMANIA'S CONTINUED POSITIVE PERFORMANCE

In my testimony on June 6, 1975, and September 8, 1976, I set forth in some detail my reasons for recommending the establishment, and continued application, of Most Favored Nation treatment toward Romania. Nothing since then has occurred to alter my conviction that such action remains firmly in our national interest.

Romania today continues to pursue an independent foreign policy stressing good relations with the West and the third world, and within this context, U.S.-Romanian relations during the past year have continued to improve on

a broad front, as they have steadily done since the mid-sixties. We can only congratulate ourselves on this state of affairs, while noting with special satisfaction the marked upsurge last year in our joint volume of trade and the still more promising figures attained so far this year.

III. RECENT RECORD ON EMIGRATION

In addressing the matter at hand, of course, Romania's recent record on emigration must command our special interest. Everything considered, that record seems to me to be quite satisfactory. I note from figures given me by the State Department that in 1976 Romanian emigration to the United States increased by some 13 percent over 1975, and that the number of immigrant visas already issued this year by our Embassy in Bucharest exceeds the number for the same period last year. Apparently there has been some decline lately in the rate of emigration of Romanian Jews to Israel, but I find this hardly surprising, nor have I seen any complaint on the subject arising from Israeli authorities. As I have previously observed, Romania has performed most commendably in allowing some 400,000 Jews to emigrate since World War II. We must remember that the relatively few who remain now include many older people who are normally less inclined to move, and that the atmosphere in the Middle East, moreover, remains volatile and not especially inviting.

IV. MFN SHOULD BE EXTENDED

In brief, I see no diminution in the positive international posture which Romania has assumed for some years, or in the favorable state of U.S.-Romanian relations. Furthermore, I find no problem with its recent performance on emigration.

In light of all the foregoing, I fully support the President's recommendation of June 2, 1977, and urge the Congress to approve for another year the President's waiver under Trade Act section 402.

Thank you, Mr. Chairman.

STATEMENT CONCERNING WJS, INC.

(Submitted as an attachment to the Statement by Hon. William A. Crawford)

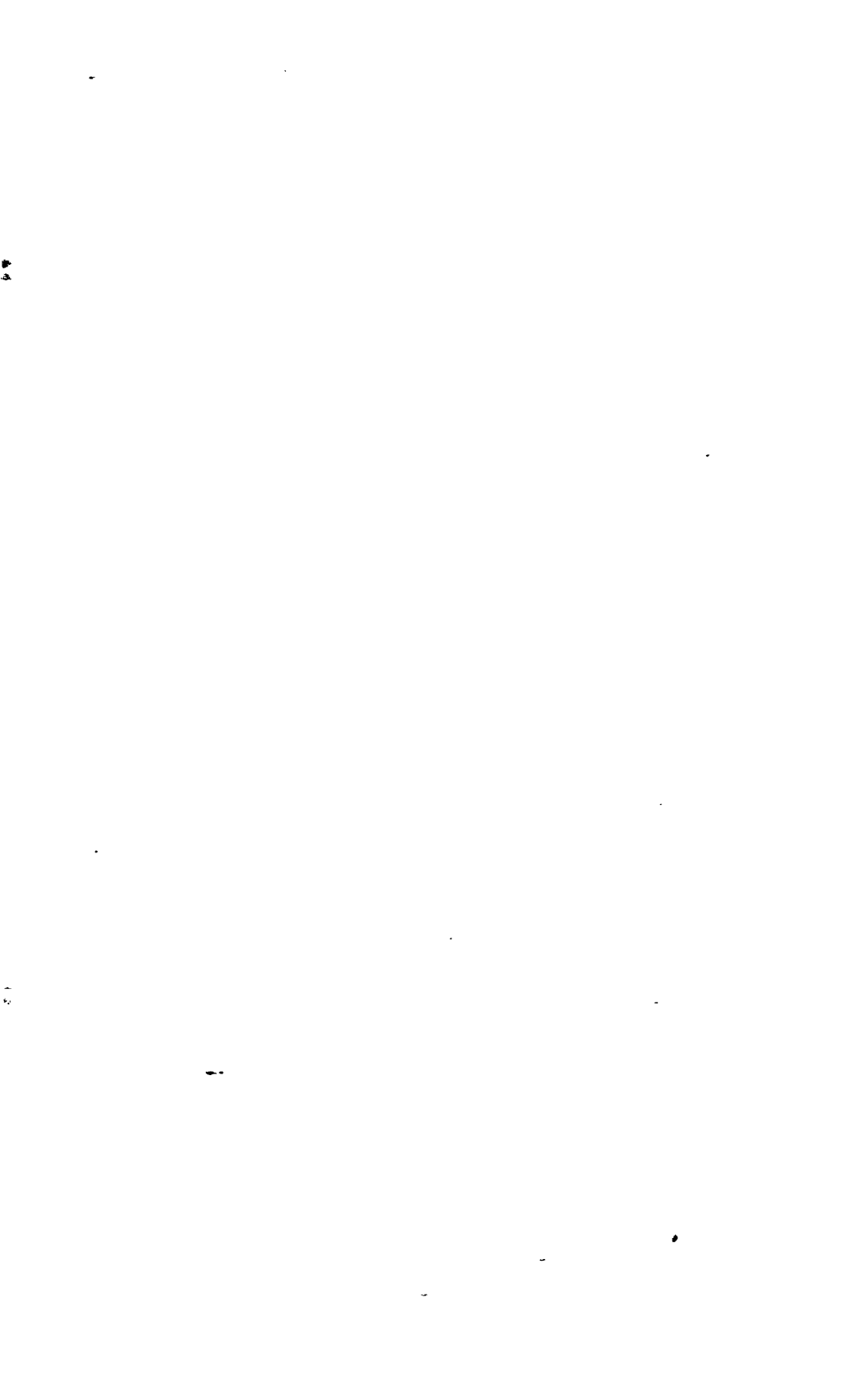
WJS, Inc., was established in 1971 to develop and manage U.S. clients' business in non-marketing economies. The company's founders were Michael J. Johnson, previously Executive Secretary of the Council on International Economic Policy, Executive Office of the President; Christopher E. Stowell, formerly of the Office of the Assistant Secretary, U.S. Department of Commerce; and Donald A. Webster, former Deputy Assistant Secretary of Treasury.

The firm's headquarters are located at 1150 Connecticut Avenue, N.W., Washington, D.C., with offices in Moscow and client consultants in Houston, Texas, Tulsa, Oklahoma, and Tokyo, Japan.

WJS, Inc. offers a comprehensive range of marketing services, including market studies, export representation, turn-key plant assistance, contract negotiations, and barter.

The firm's officers are Christopher E. Stowell, President and Paul Spelts, Vice President, Asia Operations. Ilya LeKuch is Account Manager-U.S.S.R. Lewis B. Shanks, Account Manager-Eastern Europe; and William A. Crawford, Director of Foreign Relations.

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APPENDIX B

**Background Materials Relating to United States-Romanian Trade
and the Extension of the President's Authority To Waive Sec-
tion 402 of the Trade Act of 1974**

95th Congress }
1st Session }

COMMITTEE PRINT

Background Materials Relating to
United States-Romanian Trade
and the Extension of the
President's Authority To
Waive Section 402 of the
Trade Act of 1974

COMMITTEE ON FINANCE
UNITED STATES SENATE

RUSSELL B. LONG, *Chairman*

Prepared by the staff for the use of the
Committee on Finance



JUNE 22, 1977

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Preface

On July 28, 1975, Congress approved a bilateral commercial agreement with the Socialist Republic of Romania. The agreement, which granted Romania most favored nation tariff treatment, had been negotiated by the President under the authority of Title IV of the Trade Act of 1974 (Public Law 93-618). The question whether Congress should extend for 12 months the President's authority to waive the freedom of emigration provisions of the Trade Act has come up for review under the procedures contained in Section 402 of that law. This pamphlet has been prepared by the staff of the Committee on Finance to assist the committee and the Senate in that review.

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Summary

On June 2, 1977, the President asked Congress to renew for twelve months his authority to waive the freedom of emigration requirements of the Trade Act of 1974. Section 402 of the Trade Act of 1974 prohibits the granting of most favored nation (MFN) treatment, government credits or investment guarantees, or the negotiation of a commercial agreement with any communist country if that country does not allow its citizens the freedom to emigrate. Section 402 also permits the President to waive this prohibition for limited periods of time if he determines that doing so will promote freedom of emigration. Specifically at issue is whether MFN treatment should be continued in the case of the Socialist Republic of Romania, the only Communist country to have been designated for such treatment under the Trade Act.

The President's request set in motion a timetable of procedures by which Congress may terminate or permit by inaction the extension of the authority under which the President may waive the requirement of freedom of emigration. The deadline for congressional action is August 31, 1977. After that date, if Congress takes no action, the waiver authority is automatically extended until July 3, 1978. Tables presenting available information on Romanian emigration appear on pages 3, 4, and 5 of this pamphlet.

U.S. trade with Romania has grown markedly in recent years. (See table, page 6.) The U.S. has traditionally enjoyed a substantial trade surplus with Romania, though there are signs the U.S. advantage may be narrowing. Romania has been designated a beneficiary developing country under the Generalized System of Preferences, entitling certain of its exports to the United States to duty free treatment.

Freedom of Emigration and the Trade Act

Subsections 402 (a) and (b) of the Trade Act of 1974 prohibit the granting of MFN treatment, the extension of government credits, or the negotiation of a commercial agreement with any nonmarket economy country not now receiving MFN, if such country:

- (1) denies its citizens the right or opportunity to emigrate;
- (2) imposes more than a nominal tax on emigration; or
- (3) imposes more than a nominal charge on any citizen who wants to emigrate to the country of his choice.

Section 402(c) permits the President to waive the prohibitions in subsection (a) and (b) under certain conditions. The President exercised this waiver authority with respect to Romania in 1975. The waiver was extended under section 402(d)(4) by congressional inaction for the 12-month period beginning July 3, 1976. The President's June 2, 1977, message recommended another 12-month extension of the waiver under the procedures in section 402(d)(5).

Section 402(d)(5) authorizes the President to extend an existing waiver of section 402 (a) and (b) for an additional 12 months, until July 3, 1978, in the case of Romania, if—

- (1) he determines that further extension will "substantially promote" the objective of freedom of emigration; and
- (2) he recommends the 12-month extension to the Congress.

Congress may disapprove extension of the waiver authority generally, or with respect to Romania only, during the period from July 3, 1977, to September 1, 1977, by adopting a simple resolution of disapproval in either the Senate or House under the procedures of section 153 of the Trade Act of 1974 (19 U.S.C. 2193). If neither House acts before September 1, 1977, the waiver authority under section 402(c) is automatically extended to July 2, 1978.

Procedures for Review of the Waiver Provisions of Section 402 of the Trade Act

Beginning with the date of enactment of the Trade Act, January 3, 1975, the President was given authority to waive the requirements of section 402 for 18 months. In 1975, the President negotiated an agreement granting imports from Romania most-favored-nation tariff treatment. He submitted to Congress the trade agreement, an implementing proclamation, and a recommendation that the requirements of section 402 be waived. On July 28, 1975, Congress approved the bilateral commercial agreement with Romania.

The Trade Act provides for the extension of the waiver authority beyond the initial 18 months from the date of enactment of the act. The President requested such an extension of his waiver authority both in general and specifically with respect to Romania for 12 months on June 2, 1976. During the 1976 statutory review period, the Congress did not adopt a concurrent resolution of approval nor a simple resolution of disapproval of the continuation of the waiver authority, and the authority was automatically extended until July 3, 1977.

The Trade Act provides that the waiver authority may be further extended by Executive order at 1-year intervals upon a Presidential determination and recommendation to Congress that such an extension will substantially promote the objectives of section 402. The President must request extension of the waiver authority at least 30 days before its expiration. He did so on June 2, 1977. After the recommendation, the waiver authority continues for 1 year unless either House of Congress, within 60 days after the end of the previous extension, July 3, 1977, adopts a simple resolution of disapproval.

Key Dates Under the Waiver Provisions of Title IV

(Enactment of Trade Act on January 3, 1975)

July 28, 1975—Congress approved bilateral commercial agreement with Socialist Republic of Romania.

August 3, 1975—President proclaimed most-favored-nation (MFN) tariff treatment for Romania.

June 2, 1976—President requested one-year extension of waiver authority.

July 3–October 15, 1976—Period of first congressional review. Congress neither approved nor disapproved continuation of waiver authority; authority extended to July 3, 1977.

June 2, 1977—President requested one-year extension of waiver authority.

July 3–September 1, 1977—Period for second annual congressional review. Congress may disapprove of extension of MFN and waiver authority by one-House veto.

Thereafter, by June 3 of each year—President may request 1-year extension of waiver authority.

July 3–September 1 of each year—President may extend waiver for 1 year by Executive order, provided he submits a report on the progress of free emigration. Congress may rescind waiver by majority vote of either House (resolution of disapproval). If Congress does not vote resolution of disapproval in July or August, waiver extends through the following June.

Emigration from Romania

The tables below present available information on emigration from Romania:

TABLE I.—*Romanian immigration to the United States—Monthly totals*

	<i>Immigrant visas issued by Embassy Bucharest</i>
1975:	
January.....	27
February.....	13
March.....	14
April.....	24
May.....	20
June.....	29
July*.....	110
August.....	182
September.....	181
October.....	131
November.....	62
December.....	97
Total 1975.....	890
1976:	
January.....	74
February.....	87
March.....	130
April.....	97
May.....	77
June.....	111
July.....	96
August.....	104
September.....	74
October.....	40
November.....	66
December.....	65
Total 1976.....	1,021
1977:	
January.....	69
February.....	59
March.....	139
April.....	101
May.....	129
Total for first 5 months.....	497

*The Congress approved most-favored-nation treatment for Romania on July 28, 1975.

NOTE.—Starting with December 1975, figures include immigrants handled under "Third Country Processing" arrangements, which were initiated during that month. These are persons not eligible to receive U.S. immigration visas from Embassy Bucharest (due to lack of immediate relatives in the United States) who travel to Rome for processing of their applications for admission to the United States as conditional entrants. For this reason monthly statistics in this table do not correspond exactly with those in table II. The figures exclude dual nationals.

Source: Department of State.

TABLE II.—*Statistics on Romanian emigration to the United States since 1965—Immigration visas issued by Embassy Bucharest by fiscal year*

IV's issued fiscal year 1965.....	274
IV's issued fiscal year 1966.....	104
IV's issued fiscal year 1967.....	19
IV's issued fiscal year 1968.....	23
IV's issued fiscal year 1969.....	154
IV's issued fiscal year 1970.....	372
IV's issued fiscal year 1971.....	629
IV's issued fiscal year 1972.....	269
IV's issued fiscal year 1973.....	357
IV's issued fiscal year 1974.....	511
IV's issued fiscal year 1975.....	328
IV's issued fiscal year 1976 ¹	1,339
IV's issued calendar year 1976.....	1,021

¹ July 1, 1975-June 30, 1976.

Source: Department of State.

TABLE III.—*Romanian Jewish immigration to Israel—Monthly totals*

	<i>Number of immigrants</i>
1975:	
January.....	62
February.....	41
March.....	102
April.....	60
May.....	46
June.....	199
July ^a	403
August.....	238
September.....	262
October.....	350
November.....	130
December.....	115
Total.....	<u>2,008</u>
1976:	
January.....	328
February.....	232
March.....	99
April.....	51
May.....	143
June.....	211
July.....	237
August.....	238
September.....	117
October.....	118
November.....	79
December.....	136
Total.....	<u>1,989</u>
1977:	
January.....	46
February.....	62
March.....	113
April.....	132
May.....	105
Total first 5 months of 1977.....	<u>458</u>

Annual totals for Romanian Jewish immigration to Israel

	<i>Number of immigrants</i>
1971-----	1, 900
1972-----	3, 000
1973-----	4, 000
1974-----	3, 700
1975 ^a -----	2, 008
1976-----	1, 989
1977 (first 5 months)-----	458

^aThe Congress approved most-favored-nation treatment for Romania on July 28, 1975.

NOTE.—Total first 5 months of 1976 equals 883.

Source: Department of State.

United States Trade With Romania

Trade between the United States and Romania has increased substantially during the past decade. Total trade between the countries was valued at \$8 million in 1965. Trade between the United States and Romania reached \$449 million in 1976. The United States has had a surplus in its trade with Romania for the last 10 years. Romania has been eligible for most-favored-nation (MFN) tariff treatment since August 3, 1975. Between 1975 and 1976, imports from Romania increased 48.2 percent, \$135 million to \$200 million, while exports increased 31.6 percent, \$180 million to \$249 million. Total trade in 1977 is expected to exceed \$500 million and may be as high as \$550 million. Total trade may reach \$1 billion by 1980. On January 1, 1976, the President designated Romania as a country whose exports to the United States are eligible for duty free treatment under the Generalized System of Preferences (GSP).

1976 was the first full year of operation of GSP for Romania. The value of GSP eligible imports from Romania increased 133 percent between 1975 and 1976. The relative importance of GSP imports is minor, however, \$9 million in 1975 and \$20 million in 1976. GSP items constituted 10 percent of total 1976 U.S. imports from Romania, the largest among them being PVC resins, wooden furniture, and machine tools.

There was rapid growth in 1976 of Romanian exports to the United States of men's and boys' suits, making Romania the largest supplier of low-cost men's and boys' suits not subject to quantitative import restraints. Under the Multifiber Arrangement (MFA) the United States is permitted to limit unilaterally imports from Romania to maintain the market shares of other suppliers who have negotiated quantitative restraint agreements with the United States and to prevent disruption of the U.S. market. The United States and Romania have recently concluded negotiation of a 3-year bilateral agreement under the MFA governing trade in textiles, including suits.

A Long-Term Agreement on Economic, Industrial, and Technical Cooperation was signed at the third session of the Joint American-Romanian Economic Commission, which took place on November 22-23, 1976. This 10-year agreement provides a framework for cooperation through contractual arrangements between firms, companies, and economic organizations in the two countries. The Romanians are interested in expanding cooperation in various industrial fields, such as

electronics, aviation, calculators and computers, compressors, rolling mills, foundry equipment, equipment for the chemical and petrochemical industry, and mining and geological exploration equipment, and in agriculture and banking. For Romania, the objective of the agreement appears to be to gain access to American technology in order to export more finished industrial products.

In March 1977, Romania suffered a severe earthquake which did significant damage to certain industrial facilities. Damaged facilities included oil refineries, sheet glass works, chemical and petrochemical works, heavy machinery and machine tool works, an automobile factory, and ball bearing works. Most of the damage has been repaired.

The following tables illustrate the level and content of United States-Romanian trade in recent years.

TABLE IV.—United States-Romanian trade, 1970-76

[In millions of dollars]

	1970	1971	1972	1973	1974	1975	1976
U.S. imports for consumption.....	13.2	13.0	29.2	55.7	125.8	135.1	200.1
U.S. exports.....	66.3	62.4	69.1	116.5	277.1	189.3	249.0
2-way trade.....	79.5	65.4	98.3	172.2	402.9	324.4	449.1
U.S. surplus.....	53.1	39.4	39.9	60.8	151.3	54.2	48.9

¹ The unusual rise in U.S. exports in 1974 is attributable to grain and one-time-only aircraft sales.

TABLE V.—U.S. trade with Romania in 1968, 1974-76

[In millions of U.S. dollars]

U.S. EXPORTS

Commodity	1968	1974	1975	1976
Food and live animals.....	.48	93.35	75.40	91.99
Beverages and tobacco.....	.01	.13	0	0
Crude materials—inedible, except fuel.....	2.58	69.16	38.59	96.83
Mineral fuels, lubricants, etc.....	.97	5.54	17.56	10.79
Oil and fats—animal and vegetable.....	0	0	0	0
Chemicals.....	1.20	7.94	4.90	2.76
Manufactured goods classified by chief material.....	2.61	10.72	5.90	16.85
Machinery and transport equipment.....	7.83	83.24	42.37	25.96
Miscellaneous manufactured articles.....	2.48	1.65	3.76	3.72
Commodities and transactions not elsewhere classified.....	.02	.38	.60	.14
Total ¹	18.19	277.12	189.28	249.03

TABLE V.—U.S. trade with Romania in 1968, 1974-76—Continued

U.S. IMPORTS

Commodity	1968 ^a	1974 ^b	1975 ^c	1976 ^c
Food and live animals.....	.88	11.15	9.64	15.70
Beverages and tobacco.....	.01	.20	.02	.18
Crude materials—inedible, except fuel.....	.58	1.02	3.58	5.44
Mineral fuels, lubricants, etc.....	.85	76.41	85.65	81.87
Oil and fats—animal and vegetable.....	0	0	0	0
Chemicals.....	.03	3.64	2.00	8.42
Manufactured goods classified by chief material.....	.68	5.82	7.65	21.20
Machinery and transport equipment.....	.09	8.55	9.62	15.92
Miscellaneous manufactured articles.....	2.63	18.69	15.34	51.06
Commodities and transactions not elsewhere classified.....	.07	.35	1.55	.33
Total ¹	5.52	125.82	135.06	200.12

¹ Because of rounding the sum of the column may not equal the total.

^a U.S. general imports.

^b U.S. imports for consumption.

Source: U.S. Department of Commerce publications and U.S. Department of Commerce, Bureau of East-West Trade.

APPENDIX

To the Congress of the United States:

In accordance with section 402(d)(5) of the Trade Act of 1974, I transmit herewith my recommendation that the authority to waive subsections (a) and (b) of section 402 be extended for a further period of 12 months.

This recommendation sets forth the reasons for extending waiver authority and for my determination relating to continuation of the waiver applicable to the Socialist Republic of Romania, as called for by subsections (d)(5)(b) and (d)(5)(c) of section 402.

I include, as part of this recommendation, my determinations that further extension of the waiver authority, and continuation of the waiver applicable to the Socialist Republic of Romania, will substantially promote the objectives of this section.

JIMMY CARTER.

THE WHITE HOUSE, June 2, 1977.

RECOMMENDATION FOR EXTENSION OF WAIVER AUTHORITY

Pursuant to section 402(d)(5) of the Trade Act of 1974 (hereinafter referred to as "the act"), I have today determined that further extension of the waiver authority granted by section 402(c) of the act, and continuation of the waiver extended by Executive Order 11854 of April 24, 1975, currently applicable to the Socialist Republic of Romania pursuant to section 402(c)(1) of the act, will substantially promote the objectives of section 402 of the act.

Further extension of the waiver authority conferred by section 402(c) of the act will enable us to continue to expand and improve bilateral relations with countries subject to subsection 402(b) of the act, which I believe to be in the national interest. In the case of Romania, the extension would permit continuation of the United States-Romanian Trade Agreement of 1975.

I am convinced that continuation of the United States-Romanian Trade Agreement will serve to further promote mutually beneficial growth in two-way trade between the United States and Romania and will buttress the favorable political relations between our countries.

The reasons for retaining good commercial and political relations with Romania remain as valid as in the past. Such relations have contributed to a continuation and strengthening of Romania's independent policies, many of which have proven beneficial to U.S. foreign policy interests. Romania has continued to pursue friendly relations with countries of differing political and economic systems—with the United States, the People's Republic of China, the developing world, and with Israel as well as Arab countries. Romania's participation in international organizations, including the IMF and World Bank, shows a high degree of independence in economic matters that parallels its relative political independence. More than half

of Romania's trade is with noncommunist countries, and it is taking part in the multilateral trade negotiations as a GATT Contracting Party.

I believe that a further expansion of United States-Romanian-economic relations can help to promote a continuation of such independent policies and that the Trade Agreement, nondiscriminatory tariff treatment, and authority to extend Commodity Credit Corporation and Export-Import Bank credits are essential to maintain and expand our present overall bilateral relationship with Romania.

Such an expanded bilateral relationship will also improve the prospects for continued American access to Romanian leaders and will enhance our ability to discuss frankly and, judging from past contacts, fruitfully, such important and sensitive subjects as emigration, divided families, and marriage cases.

Emigration from Romania to the United States has kept up this past year at about the same pace as during the preceding year on which the previous favorable Presidential recommendation was based. Romanian performance with regard to emigration to Israel has been somewhat inconsistent and uneven, but overall emigration has risen markedly since implementation of the United States-Romanian trade agreement. Extending the waiver authority for Romania should provide an incentive to bring about a more consistent and forthcoming performance on emigration by Romania. For my administration's part, we intend to monitor closely compliance with the objectives of section 402, and should performance not accord with the intent of this provision, I would want to reconsider my recommendation; moreover, we will bring to the attention of the Romanian Government any actions or emigration trends which do not seem to conform to the assurances which they have provided in the past to treat emigration matters in a humanitarian manner.

Taking account of all factors, however, I recommend to the Congress, pursuant to subsection 402(d)(5) of the act, that the waiver authority granted by subsection (c) of section 402 of the act be further extended for a period of 12 months.

THE WHITE HOUSE,
Washington, June 8, 1977.

[Presidential Determination No. 77-14]

Memorandum for the Secretary of State.

Subject: Determination under section 402(d)(1) of the Trade Act of 1974.

Pursuant to the authority vested in me by the Trade Act of 1974 (Public Law 93-618, January 3, 1975; 88 Stat. 1978; hereinafter called the act), I hereby determine, pursuant to section 402(d)(5) of the act, that the further extension of the waiver authority granted by subsection (c) will substantially promote the objectives of section 402 of the act. I further determine, pursuant to subsection (d)(5)(c) of section 402 of the act, that continuation of the waiver applicable to the Socialist Republic of Romania will substantially promote the objectives of section 402.

This determination shall be published in the Federal Register.

JIMMY CARTER.

Department of State Responses to Questions of Senator Curtis

APPENDIX C

THE COUNSELOR,
DEPARTMENT OF STATE,
Washington, D.C., November 2, 1977.

Hon. ABRAHAM RIBICOFF,
Chairman, Subcommittee on International Trade, Committee on Finance, U.S. Senate.

DEAR MR. CHAIRMAN: During my testimony on June 27 before your Subcommittee, you asked me to expand on my views regarding S. 1713, a bill introduced by Senator Curtis on June 17, 1977.

S. 1713 would amend Section 409 of the Trade Act, also known as the Helms Amendment, which was designed to promote the reunification of divided families. The bill, if adopted, would:

Expand the scope of Section 409 to cover visits by citizens of nonmarket economy countries to close relatives in the U.S.;

Prohibit the conclusion or renewal of a commercial agreement with and deny or withdraw eligibility for U.S. government-supported credits, credit guarantees, and investment guarantees from countries which the President determines restrict emigration of members of divided families already provided for in Section 409, or impose other specified restrictions on the emigration or travel of their citizens, or on United States citizens wishing to visit persons within such countries;

Require that the President report to Congress that the country concerned "is not in violation" of the Act through imposition of the enumerated restrictions on travel or emigration, that the country "was never in violation" of these provisions, or "has not been in violation" during the preceding year, prior to conclusion or renewal of a trade agreement or prior to extension of credits or credit or investment guarantees;

Require the President to treat as being in violation of the Section any nonmarket economy country which either the House or the Senate by resolution finds in violation of any of the requirements of Section 409;

Repeal paragraphs (c) and (d) of present Section 409 and thus make the amended Section 409 fully applicable to countries eligible for MFN tariff treatment at the time of the passage of the Trade Act, or countries for which a waiver under Section 402(c) is in effect.

The Department of State supports the principles of human rights and individual liberty which this bill is intended to further. The Department believes, however, that adoption of S. 1713 would have such an unfavorable impact on U.S. economic and political relations with nonmarket-economy countries that it would not serve the purpose intended. It would directly challenge the domestic laws and regulations of the Soviet Union and Eastern European countries. It would also erect an additional obstacle to any dialogue on travel and emigration we might undertake with nonmarket-economy countries outside Europe.

U.S. diplomatic efforts have achieved significant progress, particularly in Communist Eastern Europe, in the reunification of families. Our discussions with regard to the Helsinki Final Act had some positive results in recent months. We believe that this bill would damage, rather than enhance, the prospects of continued progress in the humanitarian areas of emigration, reunification of divided families, and free travel.

As a practical matter, neither nondiscriminatory trade nor government-backed credits from the United States would likely be a sufficient incentive for these countries to comply with the provisions of this bill—which in most cases would require the repeal of their own laws and regulations. Nonmarket-economy countries can find sources of supply and markets outside the United States for the

vast majority of the goods they trade. Rather than make these countries more responsive to our humanitarian interests, we believe this bill would encourage these countries to turn away from the United States in their economic relations, denying us mutually beneficial commerce and the opportunity for commercial relations to make a positive contribution to political relations.

Although the bill requires the President to determine those countries to which it applies, the President is left with no flexibility in making such determinations or in bargaining or negotiating with the foreign countries affected by it. If he should determine that a nonmarket-economy country complied with Section 409, the bill would still require withdrawal of nondiscriminatory (MFN) tariff treatment (where extended under a commercial agreement) and access to government-supported export credits following passage of a Resolution by either House. We believe that the net effect would be to make it most difficult for nonmarket-economy countries to enter into or to maintain normal trading relations with the U.S. It would severely restrict the President's ability to conduct an effective foreign policy toward these countries.

By repealing subsections (c) and (d) of the Section 409, S. 1713 would bring Poland and Romania under Section 409, requiring what would be seen as additional concessions without offering in return anything other than the continuation of existing relations. Similarly, nonmarket-economy countries which do not now have nondiscriminatory (MFN) tariff status and access to U.S. Government credits would not be offered any additional incentives to improve their relations with the United States. In fact, the bill would provide additional disincentives to their following Romania's course in negotiating a trade agreement with us under the terms of Title IV of the Trade Act.

Paragraphs (a) (4) and (6) of the bill seek to alter not only foreign countries' policies regarding travel and emigration, but their laws and regulations regarding their national currencies as well. While it is undeniable that exchange requirements and other limitations on exporting or importing currency can affect travel, they usually have economic objectives as well. We do not believe the United States should seek to legislate specific, unilateral standards for other countries' currency regulations, particularly in the context of generalized trade legislation.

I also wish to make particular reference to the proposed subsection (c) which S. 1713 would add to Section 409. Under this provision, either House of Congress by resolution might find a particular country to be in violation of any of the requirements of subsection (a). This resolution is apparently intended to have the force of law, since subsection (c) requires the President to treat the country involved as being in violation of subsection (a).

We believe that this procedure would clearly contravene the constitutional requirement that legislation intended to have the effect of law be concurred in by both Houses of Congress and be presented to the President for his approval or other action before it shall become law (United States Constitution, Article 1, Section 7). The Congress may enact laws denying particular countries or classes of countries most-favored-nation treatment or otherwise denying them particular privileges or benefits, in accordance with these procedures required by the Constitution. However, we do not believe that these Constitutional requirements may be circumvented by an enactment which permits either House to legislate alone, without the participation of the President and the other House.

For these reasons, we urge that the Committee not report favorably on S. 1713. The Office of Management and Budget advises that, from the Standpoint of the Administration's program, there is no objection to the submission of this report.

Sincerely,

MATTHEW NIMETS.