

By Mr. RODINO:

H.R. 15557. A bill to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUPPE:

H.R. 15558. A bill to amend the Truth in Lending Act to protect consumers against careless and unfair billing practices, and for other purposes; to the Committee on Banking and Currency.

By Mr. SHOUP:

H.R. 15559. A bill to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. TIERNAN:

H.R. 15560. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 15561. A bill to amend title II of the Social Security Act to provide in certain cases for the payment of minimum wife's (or husband's) insurance benefits to an otherwise qualified individual before the insured spouse attains retirement age and becomes entitled to benefits himself; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 15562. A bill to amend the Federal Property and Administrative Services Act of 1949 to prohibit the making available of

Government procurement sources to Federal grantees and contractors; to the Committee on Government Operations.

By Mr. DUNCAN:

H.R. 15563. A bill to designate Joyce Kilmer Memorial Forest and Slickrock Creek watershed as wilderness areas; to the Committee on Interior and Insular Affairs.

By Mr. HOGAN:

H.R. 15564. A bill to amend title 5, United States Code, to extend survivor annuity eligibility to a surviving spouse who is the parent of an adopted child; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 15565. A bill to amend the Food Stamp Act of 1964, to provide that income received by individuals who are at least 60 years of age under the Social Security Act or the Railroad Retirement Act shall not be counted by the Secretary of Agriculture in determining national standards of eligibility for participation by households (of which such individuals are a member) in the food stamp program; to the Committee on Agriculture.

By Mr. DELLENBACK:

H. Con. Res. 633. Concurrent resolution calling upon all signatories to the Geneva Convention to insure respect for that convention by persuading North Vietnam to fulfill its obligations under the convention; to the Committee on Foreign Affairs.

By Mr. FINDLEY (for himself, Mr. ARCHER, Mr. BENNETT, Mr. BRAY, Mr. COLLIER, Mr. COLLINS of Texas, Mr. DENNIS, Mr. DEVINE, Mr. DU PONT, Mr. ERLÉNBOHN, Mr. FASCELL, Mr. FORSTHE, Mr. GIBBONS, Mr. HENDERSON, Mr. HUTCHINSON, Mr. LENNON, Mr. LUJAN, Mr. MANN, Mr. MICHEL, Mr. QUITE, Mr. REUSS, Mr. RHODES, Mr. ROUSSELOT, Mr. SCHNEEBEL, and Mr. THONE):

H. Res. 1020. Resolution amending the Rules of the House by adding rule XLV on House-authorized Federal budget; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MEEDS:

H.R. 15566. A bill for the relief of Mildred Christine Ford; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 15567. A bill for the relief of Nepty Masauo Jones; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 15568. A bill for the relief of Moizal Ahmed; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### LAW DAY U.S.A.—NEW YORK CIVIL COURT OBSERVANCE

#### HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, June 15, 1972

Mr. JAVITS. Mr. President, I would like to call attention to the record of the New York Civil Court's Law Day U.S.A. observance on May 1, 1972, which had as its theme "Equal Access to Equal Justice," and featured the unveiling of the worldwide recognized symbol of access for the handicapped on the facade of the courthouse at 111 Centre Street, New York City, before an estimated 1,000 Americans representing the bench and bar, government agencies, architects, and the handicapped.

I ask unanimous consent that speeches delivered on that occasion be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD as follows:

#### LAW DAY U.S.A.

COURT OFFICER. Hear ye, hear ye! The Law Day U.S.A. Ceremonies will come to order. Judge Nathaniel Sorkin, presiding.

Judge SORKIN. Judge Thompson, Presiding Justice Stevens, Presiding Justice Rabin, my colleagues, distinguished guests, ladies and gentlemen:

As Chairman of the Law Day Observance, I welcome you to the ceremony being held on the legendary steps of the courthouse at 111 Centre Street, in the northern end of the Civic Center in New York County. The fact that the steps are legendary, rather than real, thereby affording "equal access to equal justice," is the theme of this Law Day program.

Before presenting our Master of Ceremonies, I want to express my appreciation to the organizations and groups that helped make this event successful. Rehabilitation

International and Rehabilitation International U.S.A., Metropolitan Chapter of the National Rehabilitation Association, Architectural Barriers Association, and the Mayor's Advisory Committee on the Handicapped, of which I am a member and whose Chairman, Judge Joel J. Tyler, requested me to report that this unveiling will serve as the kick-off for a campaign by his Committee to encourage the display of the Symbol of Access on all barrier-free public buildings, and last—last because it is written that the last shall be first, and, indeed, he is first and a man of firsts. I speak of the first fireman to become a Judge, then a Fire Commissioner, again a Judge and then a Justice of the Supreme Court, and an Administrative Judge. The first Administrative Judge of a Court that has effected current calendars and has a courthouse that can display the Symbol of Access. I refer to the Administrative Judge of the Civil Court of the City of New York, our Master of Ceremonies, Justice Edward Thompson.

Justice THOMPSON. Judge Sorkin, Presiding Justice Stevens, Presiding Justice Rabin, Commissioner Maevis, distinguished guests, my colleagues, ladies and gentlemen.

All over the land there will be Law Day ceremonies today. The President, the Chief Justice of the United States, and the Chief Justices of every State have proclaimed this. However, here we have today something which not only will provide equal justice, but equal access to justice. I wonder how many of you realize that 12% of our population is handicapped. We are so fortunate, indeed, to have a structure such as this which could bear the symbol that it is a place which is accessible to those, whether they be litigants or lawyers, witnesses or Judges, those who travel in a chair propelled by a wheel and self locomotion can enter the building, go anywhere within the confines thereof and use all of its physical facilities. Yes, and even ascend the Bench or the witness box. As it was said by Judge Sorkin, a member of this Bench for more than 15 years, who himself uses a wheelchair as a result of childhood polio, this building is the only public building which offers such facilities.

This ceremony is held today, among other things, for the reason that you and I may show the way to the architects and the builders and the planners and the administrators of tomorrow that they should, when they erect buildings, take cognizance of the fact that so many of our brethren are handicapped and they, too, need equal access, barrier-free buildings, under the law.

I would now like to introduce to you some very distinguished guests who are with us today. The Chief Justice of the Supreme Court of the Philippine Islands, Honorable Robert R. Concepcion; Associate Justice of the Appellate Division, First Department, Honorable Louis J. Capozzoli; the Director of Training of the State and a Professor of the National College of the State Judiciary located in Reno, Nevada, Dr. Ronald Fremlin; a great community leader, scout, and Past President of the Council of Churches of New York, Reverend Dr. Mannie L. Wilson; Deputy Borough President of Manhattan, Hon. Leonard Cohen; Chairman of the Civil Court Committee of the Association of the Bar of the City of New York, Mr. Robinson Markel; Chairman of the Civil Court Committee of the New York State Trial Lawyers Association, Mr. Samuel F. Gold.

And now to kick off these brief ceremonies, I am pleased to call upon a Law Professor about to assume that title at Fordham University School of Law, and a Vice-President of the New York Women's Bar Association, Professor Shiela Birnbaum.

Professor BIRNBAUM. Thank you Judge Thompson, honored guests and ladies and gentlemen:

The Constitution guarantees to every person access to the judicial system and a day in court. This guarantee must be assured to all persons regardless of their status, regardless of whether their cause is popular or unpopular. But, there is one group that has been overlooked often by our courts and by our society, and those are the handicapped and the disabled. In order for them to have equal justice, they must have equal access to our courts. They must be able to enter our courts with dignity, with pride, and with self-respect. There are hundreds of thousands of physically handicapped persons in

this State that do not have the opportunity to enter the courthouses on the same basis as those who are not handicapped. Surely, victims of accidents who come to the courts to seek legal redress ought to be able to enter these courts on their own basis. We must provide access and we must provide access with dignity. A person who is in a wheelchair should not have to be carried into our courthouses, but should be able to enter our courthouses with self-respect and dignity. The handicapped do not want pity, but they do want an opportunity to live their lives the same as others and to use our legal facilities as others can.

Today we are making a first step forward and it is a good step. We are unveiling a Symbol of Access to this building that is constructed in such a way that handicapped people can take full advantage of it. And we must do more in this area. We must take this into consideration in the construction of all our public buildings, especially our courthouses so that the handicapped may have equal access in order to have equal justice.

Justice THOMPSON. All of these things come to pass only because we have a builder. We are fortunate enough to have the biggest builder in New York here today. He is the Commissioner of the Department of Public Works. It is because of the things he does and the things he stands for that the Symbol of Access is to be affixed to this building and unveiled today.

I would now like to introduce the Commissioner of the Department of Public Works, Honorable Alfred Maevis.

Commissioner MAEVIS. Thank you Judge Thompson, Mr. Mayor, Judge Sorkin, Judge Rabin, Judge Stevens, our honored guest from the Philippines, Chief Justice Concepcion. Here I will stop introducing Judges because then I get in trouble and my name is "Mud" if I miss one. It is now ladies and gentlemen.

As an engineer and as a Commissioner of Public Works, I am honored to be here today. I have been invited to participate not only in the Law Day USA celebration, but also in the unveiling of the Symbol of Access for the handicapped on this Courthouse. That was an excellent phrase that Judge Sorkin used, "equal access". For many of us it means very little because we have no problems. For others, though, it is a major problem and I am very pleased that my predecessors had enough foresight on this building to provide this "equal access".

I can also assure you that the new Family Court, which is going up across the street will have this "equal access", also the new Family and Criminal Court in the Bronx and every one of our new libraries will, and I shall see that there will be a very definite effort to make sure that every institution provides "equal access".

I think this day is a step ahead for our city and for all those who participated with me, Judge Thompson and with Judge Sorkin to make this possible.

Justice THOMPSON. I would now like to introduce the President of the New York County Trial Lawyers Association, which is the largest association of lawyers within the entire City of New York,

Mr. Thomas Kiernan.

Mr. KIERNAN. Thank you Judge Thompson, Mr. Mayor, Presiding Justice Stevens and Presiding Justice Rabin, Your Honors, Guests, Ladies and Gentlemen:

It is a great privilege for me to be here today and participate in this ceremony on behalf of the New York County Lawyers Association.

We all know that the rule of law is the way of life which we live in this country. And without the rule of law, we would be in a chaotic condition. We all know what has happened in places where the rule of law has been disregarded. Places such as Nazi Germany, places such as Italy under the Mus-

solini regime, places of that kind where freedom is unknown.

It is perfectly clear that where you have a rule of law, the law has to be applied equally to all persons, without regard to their status, their influence, their wealth, their social position, or other things of that kind. And it is because we have a system of courts in this country in which the vast majority of our people have great confidence, that we have the peace and order that we have today in this country.

One of the things that brings about equal access to the law is the kind of thing that we are enjoying here and witnessing here today. I mean, free access to the courts and this ceremony which will honor the handicapped in their efforts to have access to the courts. It is something that I think is significant.

Now we know in the Legislature there is pending a series of bills which would provide for the central administration of the courts throughout this State. I do not know whether those bills will be enacted, but if there is central administration, it probably will hold well for a more meaningful access to the courts and there will be, I think, community improvements and administrative improvements. We all know how badly things are needed and I hope with your cooperation and the cooperation of the Bar Associations, we will be able to accomplish something along these lines.

Justice THOMPSON. All of you know that this is commonly known as the Civil Court of New York. It is known as the Peoples Court. Day by day, week by week, month by month, more and more people come to this Court to seek redress for their civil wrongs. Many of them come without counsel. The opportunity to come in here free and easy, without barriers, has particularly grown during this time of consumer protection. And no bodies in the field of law have shown more attention and given more preference to you and the opportunity to people of all kinds to come in and to press their claims than our two great Presiding Justices who preside over the operations of this Court. As you know, the Civil Court is comprised of the five boroughs and counties in the City of New York. And two of these counties, namely Manhattan and the Bronx, are presided over by Presiding Justice Harold A. Stevens. The other three counties, namely Kings, Queens and Richmond, together with the six or seven others, are presided over by Presiding Justice Samuel Rabin. And, together, these two departments as they are called, comprise approximately 75% of all of the people of the great State of New York.

These two Presiding Justices have worked so that it be true that access opportunities for the resolution or civil claims be made popular, be made easy, be made facile within the Civil Court of the City of New York.

I give to you, and I give to them, as I introduce them for a few brief remarks, my personal tribute and the tribute of my colleagues of the Civil Court Bench who are seated in the rows before you, for the wonderful cooperation and assistance and guidance they have given us.

Now, may I call upon first for a few remarks, The Honorable Harold A. Stevens, Presiding Justice of the Appellate Division, First Department.

Justice STEVENS. Administrative Judge Thompson, Mayor Lindsay, Judge Sorkin, Judge Concepcion, Commissioner Maevis, My Partner in Crime—as we refer to each other—Justice Rabin, Distinguished Guests on the platform and equally Distinguished Guests in the audience:

It is a happy occasion to join with others in the placing of a symbol on this building which indicates that all persons who suffer physical disability will not encounter that problem as they seek to enter this Temple

of Justice. I was delighted to hear Commissioner Maevis say that in the new structures which are now rising and will house the courts, that that same care and attention which have been evident here, will be carried out in those buildings. I would, however, add one word while we are concerned today with the care of those who are physically disabled, I would point out to you that on Law Day we should be equally concerned that in the years ahead we assure the future generations that they should not suffer disabilities by reason of denials of equal opportunities and privileges which might prepare them for the future. And, along that line, I would say issues which appeal to the emotion, which have no sound basis and leaves no logic, which would throw us back for perhaps 70 to 75 years, should not be indulged in merely for the purpose of seeking and obtaining re-election.

Justice THOMPSON. Thank you Presiding Justice Stevens.

Now I am honored and privileged to introduce you to the Presiding Justice of the Appellate Division, Second Department, The Honorable Samuel Rabin.

Justice RABIN. Judge Thompson, Mr. Mayor, Judge Sorkin, Commissioner Maevis, Our Guests, and particularly My Partner in Crime. Judge Stevens referred to me as His Partner in Crime because as you probably know, the greatest amount of our time as Administrative Judges during this last year has been devoted to attempting to alleviate the conditions in our courts, our judicial systems and our correctional system, which hopefully will reduce crime and the number of criminals that we have to take care of, and see that the system of justice is properly administered, so today we don't come here as Partners in Crime. We come to pay our tribute to a group of Judges who sit in a court that takes care of the problems of the people of our community and a group of Judges that has done a magnificent job in administering justice well and equally to the people of this city.

I want to take this opportunity if I may, Judge Thompson, to compliment you on what you have done and how you have done it. Today is an example of your inventiveness and an example of the thinking which has led to the improvements of your Court.

Today is not just Law Day for you in the abstract. Today is Law Day not only in the abstract, but Law Day to know something specifically has been done for people, and for people in need of consideration. That is what our court system stands for. I am very happy today to join in this little way in my tribute for what you have been doing and in my tribute also to what all of the Judges in the First and Second Departments have been doing to make justice a living and a real thing.

Justice THOMPSON. Thank you for the deep-rooted compliment, Justice Rabin. We certainly appreciate those kind remarks. The Chief Executive of the City of New York has taken the time out of his extremely busy schedule to come here this afternoon. All of these things become possible because he has the foresight to have in his Cabinet people such as Commissioner Maevis and possibly others who have been associated either before or will hereafter be associated with him in the building program in the City to make such an opportunity available to people such as we see sitting before us—the handicapped. There are literally scores of representatives here today of associations of the handicapped from all over the world. Judge Sorkin will unveil the Symbol with Mayor Lindsay after the Mayor speaks with you. I wonder how many of you realize that the Symbol is one which is international in scope which is displayed in every country in the world in recognition of the rights—the rights mind you—of handicapped people



who come to gain access to various things. We are doing something which is worldwide here, and we are recognizing the fact that our Mayor has made many of these things possible.

It is with deep honor and privilege that I introduce to you, The Mayor of the City of New York, The Honorable John V. Lindsay.

Mayor LINDSAY. Judge Thompson, thank you very much for your introduction.

Justice Stevens, Justice Rabin, Judge Sorokin, Judges of the Civil Court, ladies and gentlemen:

I feel very inadequate in the presence of all of these Honorable Judges on this platform and those who are stretched out here in the audience before me.

We are a little bit comforted by the knowledge that a Judge is only a law student who corrects his own examination papers.

I want to express my thanks to Judge Thompson and the Presiding Justices of the Appellate Division, First and Second Departments and the distinguished Judges of the Civil Court that are here today on behalf of the entire City of New York for the superlative work that you have been doing in keeping the Civil Court calendar current.

The Civil and Criminal Courts of the City, thanks to the leadership of Justices Stevens, Rabin, Thompson and Ross; and thanks to the cooperation of the Justices of the Civil and Criminal Courts who can take pride in the fact that the calendars of those two courts are current.

I, personally, take pride in the fact that there are professionals in the business of the administration of justice from around the United States who are now coming to New York City to take a look at what is happening in those two courts to see whether or not a similar attack on the problem of court delay can be made in the jurisdictions from which they come. This has been a very important development. It can only have occurred in the case of the Civil Court with the energy, the toughness and the leadership of Justice Thompson. The leadership that he has provided has been significant, meaningful and important to the whole City and has set the landmark and the pace for other aspects of the administration of justice to emulate.

We all know that we have considerable distance to travel in respect of the New York State Supreme Court itself, and particularly its Criminal Part.

On this Law Day, the 1st of May, it is appropriate I think that we recommit ourselves to the process of curing the delays that occur in the Criminal Part of the Supreme Court. Part of those delays I think, myself, can be and should be accomplished ultimately by New York State taking on the long and difficult task of reforming the method of selection of the elective State Supreme Court. Long the subject of concern of constitutional conventions and of persons like myself, the Bar Associations who have taken up the lances on this subject and mounted the white horses, only to have them shattered in the battle. It must be understood that the problems of the Supreme Court's Criminal Parts are vastly more complicated than the problems of the Criminal Court of the City. Nonetheless, the same kind of results might be achieved if only the system itself will respond more vigorously to the leadership that is being provided by the gentlemen who are sitting here, namely, the distinguished Presiding Justice of the First Department, Justice Stevens and the Presiding Justice of the Second Department, Justice Rabin.

What Justices Ross and Thompson have brought about, at a lesser level from them, can be a strong goal for all of us to try to pursue.

It is also appropriate that on Law Day we salute what has been accomplished here in respect to a portion of the public.

To Judge Sorkin goes my thanks and the

thanks of all the jurists and all of the people for his pressure, cooperation, constructive advice in the accomplishment of a single thing, just to make life easier for a segment of our population which has a burden upon its shoulders, long beyond and long overdue. Handicapped persons in our City live with problems that are beyond the comprehension of most of us. Handicapped persons of our City have made a contribution to the well-being of this town far beyond the knowledge of the average citizen. Handicapped persons that I have worked with myself have taught me something about the meaning of care, courage, compassion, toughness and bravery. And the unveiling of this plaque which symbolizes the importance we attach toward the well-being of handicapped persons is something that will inure to the benefit of all New Yorkers everywhere, not just those who are suffering from the burdens of being handicapped.

Finally, before we have this unveiling, I want to express my appreciation to the two jurists who have been most responsible for this, by presenting to each of them a Certificate of Appreciation of the City that simply spells out in very official terms with the seal and the colors of the City attached, and the thanks of eight million New Yorkers. The first plaque is to The Honorable Nathaniel Sorkin:

"In Recognition Of The Great Service He Has Rendered Our City Despite Almost Insurmountable Personal Barriers. His Distinguished Career Has Inspired All The Handicapped With The Knowledge That Personal Affliction Is Surmountable. It Is My Privilege To Commend Him On Behalf Of All Of Our Citizens."

Judge SORKIN. Thank you, Mr. Mayor.

Mayor LINDSAY. The second plaque is to The Honorable Edward Thompson:

"In Recognition Of His Keen Interest In The Social Problems And Civil Rights Of The Handicapped Which Is Surpassed Only By His Judicial Demeanor And Fairness To All People. It Is My Privilege To Commend Him On Behalf Of Our Citizens."

Justice THOMPSON. Mayor Lindsay, I thank you very much.

Mr. Mayor, Judge Sorkin, Commissioner Maevlis, will you all kindly proceed to the back of the platform for the unveiling.

Judge SORKIN. By the Symbol that I now unveil, know all persons that this Courthouse is barrier-free, all handicapped persons, welcome!

Justice THOMPSON. Thank you, Mr. Mayor; thank you Judge Sorkin. Thank all for attending today's ceremony.

## FINANCING LOCAL GOVERNMENT

### HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FOUNTAIN. Mr. Speaker, Mr. William G. Colman, the highly regarded former executive director of the Advisory Commission on Intergovernmental Relations, recently addressed the annual conference of the Municipal Officers Association. I want to share his very thoughtful talk on "Some Future Issues in Local Government Financing" with my colleagues, since the financial problems of our local and State governments is a matter of deep concern to all of us at this time.

I found the following observations in Mr. Colman's address especially thought-provoking:

If we are to maintain—or regain—fiscal and moral solvency in this country, we have got to stop the reckless habit of promising public benefits beyond our physical and financial capacity to provide, and we have got to stop launching programs on a limited basis, if we doubt our ability to extend them to all the people who on a basis of equity would be entitled to the benefits.

No wonder our citizens are losing confidence in government! No wonder our middle income taxpayers are up in arms!

### The complete address follows:

#### SOME FUTURE ISSUES IN LOCAL GOVERNMENT FINANCING

(By William G. Colman)

Any one of you if asked to write down the six or eight major issues in local government financing over the next decade would come up with a list different from the person sitting next to you, but it is a safe bet that half of them would pretty much coincide, and some chance that you would be together on two-thirds or more of them. This is indicative both of similarity of problems being faced by state and local financial officers over the country and of the overriding nature of some of these problems.

So I will deal today with my own list, secure in knowing that it's in the same ball park as yours, but much less certain as to any ideal solutions. Some ideas and alternatives will be suggested for your consideration.

At the outset, I'll just reel off what seem to me to be the crucial decisions that must be confronted soon if we are to avoid fiscal chaos on the one hand or abdication of local self-determination in financial affairs on the other. Then we will try to examine each one in as much depth as time permits. Here they are:

How to assure equality of educational opportunity in fiscal terms while preserving local policy control over public education.

How to reform the property tax so that it may continue to be a substantial source of local revenue.

How to assure equity among neighborhoods in the delivery of municipal services while avoiding a strait jacket of one-man one-dollar egalitarianism portended by some current judicial decisions.

How to cope with growing employee union clout and associated factors of rising unfunded pension system liability and a shocking decline in local public employee productivity—a decline that is playing havoc with local budgeting and revenue raising.

How to avoid escalating public expectations for services far beyond the ability of taxpayers to provide.

How to evolve a local revenue structure that is equitable, administrable, and provides an optimal mix among taxes, user charges, and other revenue sources.

How to fashion a fiscal and functional framework within metropolitan areas for the provision of area-wide services under financing arrangements that appropriately relate degree of functional spillover to the geographic breadth of the tax base.

How to assure an adequate market for local bond issues.

And of course the list could go on. I have purposely omitted three fiscal issues of a high order because they are so pervasive and have been discussed so exhaustively over the recent past: Federal revenue sharing with state and local governments; welfare reform; and the economic, fiscal, and social survival of the great central cities of America. Suffice it to say here that there is growing agreement across the political spectrum that indeed Federal revenues must and will be shared and that welfare should and must be federalized. The survival of the inner cities poses the basic question whether to undertake massive reconstruction at a cost of untold scores of billions of dollars or conversely adopt a people-oriented approach of assisted

depopulation and resettlement coupled with planned economic disinvestment in these core city areas—also at a cost of untold scores of billions.

Any of these three issues would require all the time available to us and more. Instead we will now try to focus on the questions posed earlier and which confront every municipal finance officer regardless of the size of his city.

#### SCHOOL FINANCE AND PROPERTY TAX REFORM

I will deal collectively and very briefly with these two hot potatoes because they are being discussed in depth by Messrs. Harris and McGrew. Let me just say that I agreed completely with the proposals of the President's Commission on School Finance and of the ACIR that state governments assume the responsibility for funding practically all of the non-Federal share of school costs with limited local supplementation.

With regard to the property tax I have never agreed with and do not now share in the condemnation heaped upon this tax by economists and politicians alike. It will be difficult to replace, and if displaced entirely, state-local finance and the practice of local self-government in this country will both suffer. The economic stability of the tax and its braking effect upon public spending are virtues not found in any other major tax. Finding for it a reduced but secure place in the state-local fiscal sun is a major financial and political challenge of this decade.

#### EQUITY IN NEIGHBORHOOD SERVICE DELIVERY

It is well known—

That in many cities low income neighborhoods are discriminated against in the provision of public facilities and services;

That present policies often result in local areas which need the most service receiving the least;

That fiscal guidelines for measuring differentials of service need are woefully lacking; and

That these policies and practices contribute greatly to urban blight and social unrest.

What is not so apparent, however, is that unless city finance officers, city managers, and city political leaders shape up and shape up fairly rapidly in this area, they will see an increasing number of what should be legislative or administrative decisions being made by the courts.

In Shaw, Mississippi, the court held that to provide particular municipal services to one part of town and not to another was a denial of equal protection. When courts find such discrimination, it is a logical part of the judicial process for a remedy of some kind to be ordered. But it is in the development of a remedy that the judge must begin to play a policy and administrative role.

So it behooves finance officers to work with managers and mayors in collecting the facts about equity of service levels among neighborhoods and in developing criteria for the differentiation of service intensity in relation to need. These are tough issues but fiscal and policy managers are in a better position than judges to work out the answers.

#### PUBLIC EMPLOYEE ORGANIZATION, PRODUCTIVITY, AND PAY

It is noteworthy that an objection most often expressed to Federal revenue sharing by the urban poor and minority groups is the fear that most of the unearmarked funds will be eaten up by public employee unions in salary and fringe benefit raises. Yet as budgetary constraints tighten at the municipal bargaining table, mayors and councilmen with disturbing frequency are buying labor peace by agreeing to large increases in fringe benefits especially earlier and more generous retirement pay, but with devastating fiscal consequences for the future. For some services in some cities we are approaching a situation where we will have two retired em-

ployees for each active worker—in other words, paying three generations of workers at the same time.

However, it is pointless to think that public employee unions will halt their demands of their own accord. In quite a number of states and in many localities particularly smaller ones, it is still considered illegal or immoral or both to belong to, consort with, or direct sympathetic attention toward an employee organization or any of its leaders or officers. Until we remove the burr of outdated and repressive labor practices from beneath the saddle of public employee organizations we can expect them to continue bucking and bolting. The other essential ingredient is a greater measure of political guts for mayors and managers at the bargaining table.

Along with rapid increases in pay over recent years we have also been facing a shocking decline in employee productivity. Instances abound on every hand in your city and mine. Here again, though, we must do some careful differentiating. Some of the decrease in productivity really represents an increase in output quality, more public health personnel per thousand population, for example.

Secondly, most local governmental functions are labor intensive rather than capital intensive. Since all sectors of the economy compete for talent, wages and salaries in the service-dominated sectors must generally keep up with those in the capital-dominated sectors. This tends to place a squeeze on the cost of those activities for which individual productivity is hard to increase.<sup>1</sup>

Finally, some of the basic problems in productivity lie in its measurement. It is here that city finance officers and managers must work collectively to formulate and perfect data bases and techniques for appraising objectively the quality of urban services. We must strive toward a rating system on the functional side as adequate as what we have long had in the rating of municipal debt offerings.

#### ESCALATION OF PUBLIC EXPECTATIONS

In a recent speech HEW Secretary Elliot Richardson commented upon the great and growing shortfall between legislated promises and the actual allocation of resources. He pointed out that to provide adequate mental retardation services for all those meeting present legal criteria would require an additional \$10 billion and 750,000 more professional, paraprofessional and volunteer workers in that field; for community mental health services the dollar requirements are \$11.5 billion and 400,000 personnel; for day care services for all low income families \$30 billion dollars and ten million, yes ten million more workers. For all HEW programs combined the need was \$100 billion and 20 million more employees at all levels of government. Government today employs a total of fourteen million, and the nation's total labor force is around 85 million.

This illustrates the shape we are in and the absolute necessity of curbing our promises and increasing what Richardson calls our "social efficiency"—the development of more economical ways of delivering public services; prominent among such possibilities is the substitution of paraprofessional time for professional time, reserving the latter for tasks that must be, repeat *must* be performed by a professional.

If I may use a personal example, the Montgomery County, Maryland Board of Education on which I serve, this year began a pilot project at the elementary school level to use teachers' aides instead of substitute teachers to fill in when the teacher is absent. This type of possibility occurs at countless points

in the spectrum of public administration today.

If we are to maintain—or regain—fiscal and moral solvency in this country, we have got to stop the reckless habit of promising public benefits beyond our physical and financial capacity to provide, and we have got to stop launching programs on a limited basis, if we doubt our ability to extend them to all the people who on a basis of equity would be entitled to the benefits.

No wonder our citizens are losing confidence in government! No wonder our middle income taxpayers are up in arms!

#### AN EFFECTIVE AND EQUITABLE LOCAL REVENUE MIX

One good effect of current school finance litigation is the removal of sole dependency upon the property tax for local revenue. I would predict an increase in the spread of local revenue sources among various non-property taxes and user charges. The piggy-back income tax likely will find increasing favor as the few holdout states against an income tax quickly succumb within the next couple of years.

To say all this, however, is to give little clue as to what a desirable mix of local revenue sources might be. Obviously, there cannot be an optimal local mix, because we must always look at the state-local total in order to assess the burden for any one tax and the burden of the state-local taxes collectively.

In connection with tax burden—you may wish to call it "effort" for political and psychological purposes—we need to move further and faster in perfecting measures for fiscal capacity and the impact of taxation upon that capacity. Whether we use personal income or the yield of a representative tax system as a base, we need to exclude the so-called exported taxes (severance, sales and gambling taxes paid by tourists, and so forth) in assessing relative tax effort or burden.

Finally, with regard to local revenue mix, it is rather clear that most cities can and should make more vigorous use of user charges than they have in the past. Now that the level of most municipal services is nearer a point of adequacy than formerly, there is a stronger ease for user charges to finance all or part of special improvements to service. Also it has been pointed out that whether or not user charges bring in a lot more revenue, some of them serve a good purpose by letting the price mechanism show what municipal services the public is willing to pay for and whether the public is ready to pay for them in locations where their cost is high.

#### FINANCING AREA-WIDE SERVICES IN METROPOLITAN AMERICA

Undoubtedly the next few years are going to see a rapid increase in the extent to which various governmental services are "metropolitanized"—in financing, or in administration, or both. Court decisions relating service costs to service benefits and curbing the extent of interlocal fiscal disparities will augment this trend, but its basic push will be economic and technological. As pollution abatement facilities become more complicated and more expensive, regional use becomes more imperative. As mass transit becomes more necessary, its local financing will depend increasingly upon metropolitan fiscal arrangements. And the list can go on.

As we develop area-wide entities for handling one or more of these functions that can no longer be carved upon a local unit by unit basis, it is likely that we will depend heavily at the outset upon revenue bonds and user charges to finance the metropolitan operations. Local residents will be reluctant initially to entrust the new agencies with property—or other general taxing authority and the principle of *pro rata* contributions from member local governments now used

<sup>1</sup> See Downs, *Urban Problems and Prospects*, Markham, 1970, pp. 32-34 for a further discussion of this point.



to finance many COGs will soon join the Lakewood plan in proven inadequacy for interlocal fiscal cooperation in metropolitan areas.

In addition to the formation of area-wide financing districts of one kind or another, let me mention a little discussed possibility for revenue raising in our large urban areas—the establishment by the Congress of Federal Metropolitan Taxing Districts, preceded by a constitutional amendment if necessary, whereby the residents of the district could vote a particular level or rate of income taxation to be piggybacked onto the Federal personal income tax and the collections remanded by the IRS to the governing board of the district. This kind of mechanism would allow the raising of revenue on an area-wide basis in an equitable and effective manner through use of the Federal tax machinery. Why don't you think that one over!

#### ASSURING AN ADEQUATE MARKET FOR LOCAL BOND ISSUES

Many of you are more familiar than I with the latest projections of needed local borrowing over the next decade, but a squeeze in the municipal bond market is widely predicted. It is more than likely that you are going to find some of your revenue borrowing extremely costly in the years ahead. You are also going to be under unrelenting public pressure on the tax exemption front as tax reform gathers a new head of steam. It seems evident that some supplements to the existing pattern of debt financing are going to be required.

Some suggestions made by various study groups and by individual state and local executives over the past few years bear repeating here. I list them in no particular order of priority.

Enactment of a general government-wide statute by the Congress authorizing Federal departments and agencies to enter into pre-financing contracts with state and local governments whereby Federal reimbursement is pledged for state or local payments made in advance to cover the Federal share of project construction.

Some substitution of Federal lump sum payments for debt service grants, thereby transferring some of the borrowing burden from municipal to Federal bonds.

Initiation on a pilot basis of Federal subsidized lending operations for localities having to pay unusually high rates in the tax exempt market.

Establishment of state programs to assist small local governments in their access to the tax exempt market and where appropriate the use of the state government as a prime borrower and re-lender.

Each of the foregoing have problems and are not without controversy. But who ever said that municipal finance was non-controversial?

So we have here, it seems, a challenging agenda for the Seventies. Some will call it back-breaking. But three things are inescapable.

Local government must continue to function in these United States. That takes money.

Taxpayers as never before are demanding efficiency, accountability, and prudence in government operations and more resistance to employee demands at the bargaining table. That takes integrity and guts.

And the urban poor, supported by the courts are demanding real, honest to God equity in the financing and delivery of public services.

How do all of these yet retain the flexibility that is essential to effective public administration and the quality of diversity that is the hallmark of the American federal system, merely requires the wisdom of Solomon.

Good luck!

## MERCURY LEVEL CEILINGS IN ALASKA FISH HARVESTING

### HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Thursday, June 15, 1972

Mr. GRAVEL. Mr. President, in addition to competing with the Russians and the Japanese for their living the hard working fishermen of Alaska must comply with rigid FDA regulations which appear to be arbitrarily set and more stringent than rules imposed by other nations who have conducted more research in the areas regulated. I am talking about the 0.5 parts per million ceiling for mercury that is allowed in the fish harvested for sale in the U.S. market. I am informed that, due to this regulation, fishermen in Alaska—through an agreement with the Halibut Association of North America—are cutting lose all halibut that they catch which weigh over 100 pounds, while Canadian fishermen are able to harvest these fish. In some areas of Alaska the fish over 100 pounds constitute half of the catch. I ask unanimous consent that an article from the July issue of Environmental Quality Magazine, illuminating the possibility of overreaction by the FDA in setting its mercury level ceilings, be printed in the RECORD.

There being no objection, the article is ordered to be printed in the RECORD, as follows:

#### MERCURY MADNESS

(By Henry A. Schroeder, M.D.)

Once the only effective cure for syphilis, and valued throughout the medical profession as a disinfectant, mercury has recently fallen into disrepute, and is considered by many to be contaminating seafood. Henry A. Schroeder, a medical doctor, Professor of Physiology Emeritus at Dartmouth Medical School, and Director of Research at the Brattleboro Memorial Hospital in Brattleboro, Vermont, explains the toxic nature of mercury and exposes the fallacy of mercury hysteria which has swept the country . . . Tuna is safe—enjoy, enjoy.

Mercury, atomic number 80, molecular weight 200.59, is one of the 84 stable elements in the universe. Therefore, the earth's crust and sea water contain, and have always contained, mercury. It is not very abundant, although it is more common than platinum or gold, and about equal to silver or cadmium in terrestrial distribution. Because mercury is a strangely heavy liquid at ordinary temperatures and evaporates slightly, the upper layers of soil contain less of it than the deeper ones, and its concentrations vary from .03 to .8 parts per million (ppm) of soil. Most rocks contain the smaller value, but shales have on the average .4 ppm.

In view of these natural concentrations, long known to geologists, it is not surprising that there is mercury in river water, which constantly adds mercury to the sea where it has been continually concentrating since the beginning of time. Although the concentration is still small (.08 to 1.0 parts per billion), over centuries a sizeable accumulation of mercury would be expected in the ocean, were it not for the fact that, like most other elements, mercury is not soluble in sea water, and it sinks to the ocean floor. Rivers pour 37 trillion tons of water into the ocean annually; contained within this flood are 2,000 tons of mercury, yet only one ton (0.03 percent) is actually suspended in water—the rest is in the form of sediment.

Life began in the seas, and the seas have always contained mercury. Considering the wide dispersal of mercury throughout the environment, it should come as no surprise that mercury is found in every living thing. In fact, brown algae (sea weed), which form the beginning of the food chain for some fish, concentrate mercury in their tissues to some 250 times the level of seawater. The continuous exposure to mercury in soil insures that plant tissues take up mercury. Because plants are the basic food source for land animals and insects, it is therefore impossible for an earthbound organism to be free from mercury.

#### HUMAN ELEMENT

We can reconstruct the mercury status of the average man, or Reference Man, as he is called. He is an adult male weighing 70 kilograms (154 pounds), middle aged, a little fat about the middle. He was killed in an accident, so he can be studied. And his body contains 51 elements, of which 12 are present in large amounts and 39 are "trace" substances.

Twelve of these trace elements in his body are essential for life and health. The others are either inert or toxic, but toxic only in larger amounts. As for mercury, our Reference Man's entire body contains 13 milligrams. The concentration is .2 ppm. In his lungs there are .58 ppm, brain 1.0 ppm, kidneys 2.8 ppm and hair (at least of Englishmen and Welshmen) 6.0 ppm.

The Food and Drug Administration has arbitrarily set a limit of .5 ppm mercury in fish and other food. The lack of wisdom behind such regulation and its association with popular hysteria shall be the focus of the remaining discussion.

#### FALSE POLLUTION

What has man done to set the stage for a mercury scare? According to H.J.M. Bowen, who collected most of the data used in this article, there are 10,000 tons of mercury mined annually around the world. River waters carry 3,000 tons to the ocean, most of it from natural sources, but ocean water only retains one ton. If all of the mercury mined annually were dumped into the sea, which is far from the truth, the ocean water would gain 3 tons. In a volume of 142 quintillion tons of sea water, even a thousand years of total dumping could not be detected by the most sensitive instruments. Therefore we can say with certainty that the oceans have not been "polluted" by mercury, or even contaminated, from man's activities. Two tenths of a part per quadrillion is not measurable and is meaningless in biological terms.

Because the oceans are neither polluted nor contaminated, it follows logically that ocean fish are not polluted, regardless of the mercury level in their flesh. Therefore, tuna and swordfish, and the bottom feeders such as flounder, cod, haddock, and halibut are as safe to eat as they were before we discovered mercury in them.

One explanation of the relatively high levels of 1.12 ppm mercury in 139 of 30,000 batches of tuna involves the biological fact that mercury is an accumulative element. Like cadmium, to which it is chemically similar, mercury accumulates with age. Larger and older fish have collected more mercury in their lives than younger, smaller fish new to the environment. This has been proven in coho salmon.

#### THE "OTHER" MERCURY

If the seas and their contents are not contaminated, what about local bodies of water? That is another situation entirely, and it concerns methyl-mercury almost exclusively.

When mercury is methylated by the addition of a carbon and 3 hydrogen atoms, it becomes much more toxic than simple salts or organic compounds of mercury. Methylmercury is a special case, for it does not behave as does common inorganic mercury—it is a deadly persistent poison.

Mercury poisoning articles invariably point to the "Mad Hatter" of Alice in Won-

derland as a prime example of the dangers of quicksilver. Mercury compounds are used in the manufacture of felt and hatters showed pathogenic side effects of mercury poisoning as an occupational hazard.

But they did not have methyl-mercury poisoning. Take away the source for exposure and the mercury is soon lost from the body (although it may collect in the kidneys for some time) and the symptoms clear.

Mercury is an excellent catalyst for making acetaldehyde and vinyl chloride out of acetylene gas. In the process, methyl mercury is formed. If it is dumped into relatively confined waters, it can enter the food chain and be accumulated by fish. People eating a lot of those fish can thus be poisoned.

#### ILLUSTRATIVE ACCIDENT

In Minimata, Japan, an acetaldehyde plant making 1,500 tons a year, and a vinyl chloride plant with a capacity close to 7,000 tons a year, dumped their used mercury catalysts into the small Minimata Bay. The plants began operations in 1946 and 1948 respectively. In 1953 the first case of methyl mercury poisoning occurred, and by 1961, 88 cases were recorded, with 33 additional ones later found. Of these, 46 died. The disease occurred in local fishermen and their families, and in the people who fished for food and ate much fish and shellfish.

Cats in the affected families, dogs, pigs, crows and sea birds in the area died. Crabs, fish and shellfish in the contaminated areas also died. Rabbits, horses and cows did not. Large amounts of mercury, 133 to 2,010 ppm, were found in mud near the drainage channels of the plants, falling to 12-22 ppm at the mouth of the small bay, and .25-30 ppm just outside the bay. The sea bottom outside the bay contained .06-.55 ppm, which is near normal. Fish had about 20 ppm and shellfish 11-39 ppm mercury, presumably methyl mercury. Amounts of methyl mercury calculated to produce the disease range from 700 mg. per month to 120 mg. per month or 23 to 4 mg. per day. If all of the mercury in an average tuna were in the special state of methyl mercury, which it certainly is not, one would have to eat nine pounds of tuna daily at 1.0 ppm to achieve the minimum requirement for methyl mercury poisoning.

Methyl mercury has not been found to cause birth defects, although infants were born with the disease contracted from their mothers (this is not a genetic abnormality). They resembled cerebral palsy victims in some respects, having small brains.

Large amounts of mercury were found in the organs of the patients who died, up to 70 times normal in liver, 48 times normal in kidney, and 25 times normal in brain tissue. The longer a person lived after treatment was initiated, the less mercury was found in these organs at death, indicating that the body can lose much methyl mercury in three months and most of it in ten years, although the damage to the brain is permanent. Unlike inorganic mercury, which in large doses can poison the kidney, no signs of kidney or liver damage were detected. Mercury in hair ranged from 50 to 570 ppm.

Insofar as is known, no individual in Japan outside these heavily polluted areas was harmed by this strictly local pollution from methyl mercury. Panic anyone?

Methyl mercury has been shown in laboratory experiments to be made from inorganic mercury by the action of certain bacteria which live in the absence of oxygen. It is feared that mercury deposited in mud at the bottoms of quiet lakes and rivers will be attacked by microorganisms, and produce methyl mercury. This compound, unlike inorganic mercury, is soluble in water, and is easily taken up into the food chain where it eventually becomes concentrated in fish.

How much methyl mercury is formed, and how rapidly, is unknown. Many other simple compounds of mercury, however, are soluble,

and these could get into the food chain (witness the concentration by brown algae from sea water). Fish slime can also methylate and accumulate mercury.

The "dangerous level" of .5 ppm mercury, so called by the newspapers and fixed by the FDA, tacitly assumes but does not explicitly say that all of the mercury in fish and seafood is methyl mercury. In Sweden, the "dangerous level" is 1.0 ppm, which if applied here would still exclude only a very few tuna, swordfish and clams, and no lobster.

Publicizing the discovery of "high" concentrations of mercury in the flesh of game fish in Lake St. Clair, Michigan led to what one U.S. Senator called "a national catastrophe." Partially informed scientists and the uninformed press reacted emotionally to the finding of mercury in fish, and the FDA rapidly set a level of half that considered safe by Swedish scientists, who have studied the problem for years.

Perhaps Swedes are less susceptible to mercury than Americans—perhaps not.

Although it was apparent to informed scientists that mercury was in soil, water and air—indeed, in every living thing on land and in water, awareness of this fact went unrecognized, and the scare spread.

Everything was tested for mercury. Scientists from government agencies went so far as to analyze the hair of Aleut Indians; they found ten times as much mercury as the FDA allows for fish, and traced the source to seal blubber. Seals live on fish, fish are polluted (so they thought), seals accumulate mercury, and the Aleuts eat seals.

But where in the Aleutian Islands was anyone dumping mercury?

Nowhere.

Therefore the oceans are polluted! Mystery solved.

The facts are clear. The oceans are "polluted" with mercury and have been "polluted" ever since the seas were formed and became salt, or if one prefers, since the Third Day of Creation. Seals have always accumulated mercury, in spite of FDA regulations. Aleutian hair levels of mercury are typical of European and Canadian hair levels, and a little lower than those of our Reference Man.

Mystery solved again. What the Aleuts are eating is "background" or natural mercury.

Fish accumulate mercury throughout their bodies, while mammals tend to localize it in their kidneys. People who eat a lot of fish and seafood take in more mercury than people who eat meat (the same is true for iodine). Their hair contains more, there is more in their blood, and there is probably more in their own kidneys. Likewise, all fish eaters, from barracuda, northern pike and porpoises to sea birds, polar bears, cats, and Aleuts inevitably accumulate mercury in their tissues as a natural process—and always have.

Is this process harmful?

If a person ate fish containing .6 ppm, now prohibited, he would have to consume 7 kilograms or 15 pounds of fish a day to maintain a toxic level in his body. In the case of lobsters in Boston Harbor, with .8 ppm, it would take 5 kg. or 11 pounds a day to poison you, that is if all of the mercury were highly toxic methyl mercury. If it were all inorganic mercury, it would do you no harm whatsoever, even at 4 mg. per day. The absurdity of the FDA limits are thus easily demonstrated, except in the case of methyl mercury.

#### TO CATCH A POISON

There is only one method for measuring methyl mercury in biological material. By that method, one has to believe that about 90 percent of the mercury in fish, meat, eggs, organs—in fact, nearly everything—is methyl mercury.

There are two explanations for why animals can yield 90% methyl mercury in laboratory analysis. One is that the mercury in fish and other foods is metholated during the analytical procedure. In that case, false

values would appear since much of the methyl mercury is formed after the animal is removed from the environment.

The other is that methyl mercury in flesh and other foods is so tightly bound to other chemicals that it is no longer toxic. If it were toxic, sea mammals would suffer from methyl mercury poisoning, as would all fish-eaters. They don't.

Therefore, we can continue to eat ocean fish and sea food, unless it comes from an area where methyl mercury is dumped. Fresh water fish are also safe, unless they are shown to contain toxic levels of methyl mercury or to come from a lake known to be contaminated.

We can continue to eat fish, as we always have, without fear.

Mercury is easily methylated in the test tube by methylated vitamin B12, and by rotten fish, among other substances. To analyze methyl mercury contents, the fish are digested by hydrochloric acid. The FDA is right to ban fish with sizable amounts of methyl mercury. What is needed is a fool-proof method for measuring methyl mercury in foods, so that actions of the FDA are based on scientific logic—not hysteria. In this way, the almost ruined swordfish industry can revive, and sportsmen can again enjoy their hobby.

Much money and effort have been wasted hunting mercurial witches—and more will continue to be lost for some time. But as the scare eventually dies down, people will inherit a better understanding of the ecological concepts portrayed in this article: food chains, persistent and accumulated poisons, forms of industrial contamination, and a touch of organic chemistry. With such popular intelligence, other false crises should be controlled, and real ones avoided.

[This article was abstracted from *Pollution, Profits and Progress*, by Henry A. Schroeder, M.D., Stephen Green Press, 1971.]

#### VALUE-ADDED TAX

#### HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. HANSEN of Idaho. Mr. Speaker, despite the initially negative response in most quarters to the proposed value-added tax idea, many thinkers and writers are, upon closer examination, finding that this might not be such a bad alternative after all. The New Republic, this week, printed an article by Melville J. Ulmer, "How Bad is VAT?" which balances VAT against other tax alternatives and finds that VAT is not without a certain appeal. The article follows:

IFS, ANDS, AND BUTS OF THE VALUE-ADDED TAX—HOW BAD IS VAT?  
(By Melville J. Ulmer)

Ever since Mr. Nixon dropped the hint that he was "considering" a novel levy that would replace the property tax as the principal means of financing education, various commentators (including this journal) have been swatting at what they assume he has in mind—a value-added tax. VAT, they contend, is nothing but old granny sales tax under a heavy coat of rouge—another contrivance to gouge the poor. That judgment leaves them wide open to counterattack. For VAT, as it is shaping up, is not nearly that bad.

In its initial effect, a federal value-added tax would have the same impact on consumers, through higher prices, as a national sales tax. But there are as many as five important offsetting factors:



1) As tentatively proposed by the administration, VAT will be coupled with a system of tax rebates for low-income families to combat potential regressiveness.

2) VAT is designed to replace the local residential property tax, which contrary to popular repute, is about as regressive as the sales tax.

3) Improvements in education are now stymied by stubborn resistance to increases in the property tax, which is the chief source of local revenue. Levied on a federal basis, VAT can provide the funds more effectively and also help equalize the resources available to rich and poor counties around the nation.

4) VAT is more easily administered than a sales tax and is less easily circumvented by unscrupulous merchants.

5) The income tax is currently avoided in large part by a considerable portion of middle- and upper-income classes; no consumer can possibly avoid VAT.

The value-added tax is called that because it is levied on a product at each stage of its production on the basis of the value added at that stage. If Firm A buys flour, sugar and other ingredients from various producers for \$1000, and sells its own finished bakery product for \$1500, the amount of "value added" for the bakery is construed to be \$500—which in essence is the net output of its labor and capital. The method of tax collection contains its own built-in, self-enforcement procedure. If the tax were four percent, in the above example, Firm A would be initially liable for a gross tax bill of \$60, or four percent of \$1500. But if this baking company were able to show, in its invoices, that its suppliers had already fulfilled their legal obligations by paying a four percent tax on the \$1000 worth of supplies, its own net bill would come to only \$20 (four percent of \$500, or the value added).

Each stage of production, in this way, would pay only a relatively small portion of the total tax, and hence would have only a small incentive to seek avoidance. More important, the producers at each stage have a powerful motivation to make sure that their suppliers have met their legal obligations.

Another advantage of VAT is that it is a tremendously efficient money raiser, which perhaps accounts for its nearly universal use in Western Europe. It is this characteristic, also, that explains opposition to the tax from many conservatives. For instance, James M. Buchanan writes: "If the objective is to ensure that the federal government budget grows even larger through time, not only absolutely but also in proportion to the GNP, there is no better means of ensuring this than to adopt the federal value-added tax now. The so-called middle-class majority, and their congressional representatives, should think twice about long-run terms of trade between temporary property-tax relief now and massive new federal taxation for the future." Given such opposition, and in the light of so many desperate calls on federal funds from anti-pollution to anti-poverty, one may suspect that VAT may have something to be said for it. The gross yield from a three percent value-added tax, which is the rate under consideration by the administration, would be about \$18 billion a year. After allowance for a system of rebates for lower-income families, the net yield would be \$13 billion, or a billion or two more than is collected through the residential property tax for use in public education.

The most important question is, how would the new tax fit into a fiscal system that is already top-heavy with regressive measures? The answer comes in two parts.

First, note that VAT is supposed to substitute, dollar for dollar, for the property tax on residential structures now imposed by local governments. In their eagerness to demonstrate what a fabulous social gain this would be, President Nixon's fiscal experts released data to show that the property tax is the most regressive of all levies. There was

just one catch. The figures had been repudiated as erroneous nearly a year ago by the government's own Census Bureau. New and presumably better estimates, the work of the bureau's Herman Miller, show that there is little to choose between the property tax and VAT in their treatment of the various income groups. Both are equally regressive.

Secondly, however, the administration has announced it intends to temper VAT's regressiveness by providing cash rebates to poorer families and graduated tax credits for middle-income groups. Such rebates and credits, a kind of negative income tax, could be established independently, even if VAT were not adopted. Nevertheless, VAT provides the occasion and the opportunity for this welcome innovation. Much will depend on the magnitude of the proposed rebates, a detail not yet settled. At worst, they could prove to be a mere token, to sedate opposition, but that could be remedied by an alert Congress.

VAT, then, is neither the financial ogre some liberals feared nor the sparkling benefaction the administration touted. Provided generous allowances are made for the poor, it could be a tolerable addition to the federal government's arsenal of money raisers. Furthermore, the residential property tax it would replace is widely considered a nuisance that has on occasion inhibited urban planning and renewal (a land tax would be something else again). More broadly, VAT may set a precedent for adopting a more pragmatic approach to the whole tax system and help rid us of the encrusted conventional thinking that obstructs most attempts at innovation.

Since Adam Smith (1723-1790), all advanced western nations and nearly all economists have paid dutiful obeisance to the proposition that taxes ought to be levied on the individuals according to their ability to pay; dutiful in sentiment, not in deeds, for it requires no statistical micrometer to see that the "ability to pay" standard is blatantly ignored. The evidence appears in the accompanying table, which shows the latest estimate available of the impact of taxes on various income groups. It is a conservative estimate, in that it accepts as literal truth the incomes of respondents as reported to the Internal Revenue Service and hence exaggerates the progressivity of the income tax—the only progressive levy now on the books. Even so, as the first column of the table shows, families with less than \$4000 annually pay as much as 25 percent of their incomes in taxes of all kinds, barely under the 31 percent paid by those in the \$15,000 to \$18,000 bracket, and not a great deal below the 38 percent paid out by all the families with income over \$25,000.

TAXES PAID AS A PERCENT OF INCOME IN 1968

Income class,	Federal income tax			All other Federal, State and local taxes
	All taxes	Personal	Corporate	
Under \$2,000.....	25.6	0.6	3.1	21.9
\$2,000 to \$4,000.....	24.7	2.5	3.1	19.1
\$4,000 to \$6,000.....	27.9	4.7	3.2	20.0
\$6,000 to \$8,000.....	30.1	6.5	3.2	20.4
\$8,000 to \$10,000.....	29.9	7.6	2.9	19.4
\$10,000 to \$15,000.....	30.9	9.1	3.0	18.8
\$15,000 to \$25,000.....	31.1	10.3	4.1	16.7
\$25,000 and over.....	38.5	16.0	10.8	11.7
All classes.....	31.6	9.5	4.7	17.4

Note: This table shows both the direct as well as the indirect impact of taxes on families in the various income groups. The effect of a sales tax or of VAT is entirely indirect, because it is incorporated in the higher prices of goods that people buy and hence indirectly eats into their incomes. The effect of a personal income tax is direct since it directly absorbs part of family incomes. The effect of a corporate income tax is mixed. In part it is passed on to consumers in higher prices, like a sales tax or VAT, and hence affects family incomes indirectly. Part, however, is paid out of corporate profits and affects stockholders' incomes directly.

Source: Roger A. Harriot and Herman P. Miller, U.S. Bureau of the Census.

Moreover, the situation is worse than appears on the surface. There are illegal as well as legal ways of understating incomes as reported to the Internal Revenue Service. If understatements are taken into account, both on the personal and the corporate level, the 38 percent of income ostensibly paid out for all taxes by families in the \$25,000-and-over bracket might well be reduced to something closer to 31 percent. In short, barely any progressivity would be left in any range, and virtually none at all over the range of incomes from \$6000 to infinity. Illegal evasions aside, loopholes in the income tax law now cost the federal government some \$20 billion to \$30 billion a year, according to estimates prepared for Rep. Henry Reuss (D, Wis.).

With Herculean effort, some of the gaps in the income tax law may be closed in the future, but neither the cumulative induration of vested interests nor the lessons of history promise that fundamental reforms will be swift or sweeping. As for illegal evasions, there would appear to be no way of catching most of these short of planting an IRS agent in the office of every one of the millions of independent business firms and self-employed professionals. We've got to keep trying. But in the meantime a break is long overdue with the doctrinaire and fallacious view that all hope for progress resides in improving that "best of all taxes"—the income tax. Other routes for reforming our financial system may, as a practical matter, be more promising.

The value-added tax, coupled with ample subsidies for the poor, would be one such opportunity. Graduated sales and excise taxes offer additional examples, as yet untried, of levies that would reach everyone, inescapably, including those who today go free; and yet they would fall more heavily on the rich than on the poor—a claim we cannot make with complete confidence of any other tax. What I am proposing here are taxes on the sales of certain goods, such as autos, at low rates for the cheaper, smaller, lower-powered models and moving gradually upward to the highest rates on the expensive, souped-up, ostentatious grades. The objective would be not to penalize those who can and do live well, but to require larger public contributions from those who make greater demands on the nation's resources. Coincidentally, the objective would be to tax people according to their ability to pay. We have not been very successful in doing this by trying to attach incomes. Taxing expenditures on a graduated scale should be more effective, which may be one reason so many legislators bridle at the thought.

## COMPLAINT IN SUIT FOR INJUNCTIVE RELIEF

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Thursday, June 15, 1972

Mr. GRAVEL. Mr. President, I ask unanimous consent to have printed in the RECORD the complaint for injunctive relief in a suit in the U.S. District Court for the Northern District of Virginia.

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

[U.S. District Court for the Northern District of Virginia]

CIVIL ACTION No. — SUIT FOR INJUNCTIVE RELIEF

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Steven C. Robert, 10718 Scott Drive, Fairfax, Virginia, 22030; Ted Eckert, 2932 Lobelle Drive, Falls Church, Virginia, 22042; Debbie Perrin, 7055 Skyles Way, Apt. 203, Springfield, Virginia; Richard Hudson, 6708 Gauthier Road, Falls Church, Virginia; Jack Thome, 6304 Lachine, #103, Alexandria, Virginia; Joyce Chupka, 8559 Richmond Hwy., Apt. 301, Alexandria, Virginia; Pete Chaves, 4906 Yorktown Blvd., Arlington, Virginia; Jonathan W. Brooks, 2202 Kimrich Dr., Falls Church, Virginia; Douglas Schoke, 1791 Lanier, Washington, D.C.; Lewis J. Bellamy, 6615 May Fair Drive, #202, Fairfax, Virginia; Janet Pielke, 11110 Cavalier Ct., 6-G, Fairfax, Virginia; Eddie Gorman, 2420 N. Ottawa Street, Arlington, Virginia; John M. Pla, III, 200 Lockhart Street, Vienna, Virginia; Mike McCaffrey, 6202 Old Oaks Ct., Springfield, Virginia; Joni Schaum, 6615 May Fair Drive, #202, Fairfax, Virginia; Jim Atwell, 5113 Mt. Vernon Memorial Highway, Alexandria, Virginia; and Jerri Brown, 7212 Timber Lane, Falls Church, Virginia, Plaintiffs versus Richard M. Nixon Individually and as President of the United States, The White House, 1600 Pennsylvania Ave., N.W., Washington, D.C.; Henry Kissinger, Individually and as National Security Advisor to the President, The White House, Washington, D.C.; Melvin R. Laird, Individually and as Secretary of Defense, Department of Defense, Washington, D.C.; and John B. Connally, Individually, as former Secretary of the Treasury, and as Private Advisor to the President, Defendants.

## COMPLAINT

1. This is a civil action arising under the Constitution and laws of the United States. The amount in controversy exceeds \$10,000 exclusive of interests and costs. The Court has jurisdiction over this case under 28 U.S.C. Sections 1331, 1346, and 1361; 18 U.S.C. Section 2331; and 42 U.S.C. Section 1988.

2. Plaintiffs are citizens of the United States.

3. Defendants Richard Nixon, Henry Kissinger and Melvin Laird are officials and employees of the United States. Defendant Richard Nixon is President, Defendant Henry Kissinger is National Security Advisor to the President, and Defendant Melvin Laird is Secretary of Defense. This suit is brought against them in their individual and official capacities. Defendant John Connally was until recently Secretary of the Treasury and now is a private advisor to the President. This suit is brought against him in his individual capacity, his former official capacity, and his present semiofficial capacity.

4. Defendants have engaged and are continuing to engage in a conspiracy to violate the Constitution and statutes of the United States. In part this conspiracy is a criminal conspiracy, and in part it is a civil conspiracy. Also, defendants have engaged and are continuing to engage in acts which violate the Constitution and criminal and civil statutes of the United States.

5. Article I, Section 8, Clause 11 of the United States Constitution provides that Congress shall have the power to declare war. Under this provision, each citizen has a right not to be subject to the hazards of war, or to running the risk of encountering those hazards, unless Congress specifically and intentionally authorizes hostilities.

6. P.L. 92-156, Section 601, popularly known as the Mansfield Amendment, makes it the policy of the United States to terminate all American military operations in Indo-China at the earliest practicable date, to secure the release of American prisoners, and to withdraw all American military forces from Indo-China.

7. 18 U.S.C. 956 makes it a crime to conspire to injure specific property located within a foreign country and belonging to a foreign government with which the United States is at peace.

8. P.L. 91-441, Section 501(a)(1) makes it unlawful to use appropriations to finance Viet Name, Thai or other second nation troops in actions designed to give military support and assistance to the government of Cambodia or Laos.

9. 18 U.S.C. Section 241 makes it a crime to conspire to injure or oppress any citizen in the enjoyment of any right or privilege secured by the Constitution or laws of the United States.

10. 42 U.S.C. Section 1985 makes it a civil offense if two or more people conspire to deprive any person, directly or indirectly, of equal protection of the laws or of equal privileges and immunities, under the laws.

11. 18 U.S.C. Section 242 makes it a crime for any person, under color of law, to deprive any inhabitant of any rights, privileges, or immunities guaranteed by the Constitution or laws of the United States.

12. By the activities to be described in this paragraph, defendants have conspired to engage in, are continuing to conspire to engage in, and are actually engaging in, acts which violate the constitutional provision, criminal statutes, and civil statutes set forth in paragraphs 5-11 of this complaint. (A) In signing the Mansfield Amendment on November 17, 1971, defendant Nixon announced that he would ignore the amendment, saying that the amendment "does not reflect my judgment about the way in which the war should be brought to a conclusion. My signing of the bill which contains this section, therefore, will not change the policies I have pursued and that I shall continue to pursue toward this end." (B) Subsequently, defendants Nixon, Kissinger and Laird conspired to bring about, and did in fact bring about, an increased air bombardment in Indo-China. This air bombardment constitutes one of the largest sustained aerial warfare campaigns in this history of war. The bombardment is continuing at the present time. (C) In May 1972, defendants Nixon, Kissinger and Connally conspired to bring about, and with the help of defendant Laird did bring about, the laying of mines in the harbors of North Viet Nam. These mines will destroy, within the territorial waters of North Viet Nam, the ships of any nation whose vessels seek to enter and leave said harbors. Such ships will include the vessels of nations with which the United States is at peace, such as the U.S.S.R. and the People's Republic of China. (D) Defendants have conspired and threatened to militarily interdict any attempt by ships of any nation to enter the territorial waters of North Viet Nam or to deliver supplies there. Defendants have also conspired and threatened to militarily prevent the successful landing of supplies in North Viet Nam by air. The potential military interdiction of ships and planes could involve the United States in unauthorized acts of war against third parties with whom the United States is at peace. (E) Defendants have conspired to bring about, and in part have brought about, the military interdiction of rail and truck traffic from China to North Viet Nam. This military interdiction may result in the destruction, by American forces, of the property of nations with which the United States is not at war. (F) Defendants are conspiring to cause, and are in fact causing, appropriations to be spent to finance Thai troops in actions designed to provide military support for the government of Laos.

13. The conspiratorial activities and overt actions described in paragraph 12 above have not been authorized by Congress.

14. The conspiratorial activities and the overt actions described in paragraph 12 have had the following effects. First, they have increased the scope of the war in violation of the Mansfield amendment. Second, by increasing the risk of military confrontation with the U.S.S.R. and China, they have deprived the plaintiffs and all other citizens of one of the most important rights, privileges and immunities guaranteed by the Constitution and statutes of the United

States—the right, privilege and immunity of not having to run the risk of harm caused by war unless war has been authorized by Congress. Third, they have caused a threat that specific property of foreign governments with which the United States is at peace will be destroyed, and already have caused injury to such property. Fourth, they are violating a Congressional law against using American money to pay second-nation troops fighting in Laos.

15. Plaintiffs have no adequate remedy at law. Money damages cannot compensate them for the harm which may result from the criminally conspiratorial activities, the civilly conspiratorial activities, and the overtly illegal acts of defendants. And a criminal prosecution against defendants is not feasible, since the Attorney General and the Department of Justice, which bring criminal prosecutions, are subject to the direction of defendant Nixon, the chief criminal and civil conspirator and actor herein.

16. Plaintiffs have already suffered, and are further threatened with, grave and irreparable injury by the conspiracy and actions of the defendants.

Wherefore, plaintiffs respectfully pray:

(1) That this Court issue a preliminary and permanent injunction against the criminally and civilly unlawful conspiracy described above;

(2) That this Court issue a preliminary and permanent injunction against the illegal overt actions taken or threatened by defendants.

(3) That this Court issue such other and further relief as may be appropriate.

Lawrence R. Velvel, Catholic University Law School, Washington, D.C. 20017; John M. Wilkins, 10560 Main, Fairfax, Virginia; Robert Surovell, Surovell, Smith & Parks, 10560 Main, Fairfax, Virginia, Attorneys for Plaintiffs.

JOHN PAUL VANN

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. TEAGUE of Texas. Mr. Speaker, the Washington Daily News for June 12, 1972 carried a fine editorial on John Paul Vann which I would like to call to the attention of this body. My oldest son James who served two tours of duty in Vietnam as an employee of AID knew John Paul Vann personally and worked closely with him in the small villages of South Vietnam. He both admired and respected John Paul Vann as a leader and as a man and considers his loss as a tremendous loss to what this country is trying to do in South Vietnam.

The editorial follows:

JOHN PAUL VANN

John Paul Vann was a hero and a patriot. He first saw Vietnam in 1961 as a lieutenant colonel sent to advise a South Vietnamese division in the Mekong Delta. He quickly proved two things: he was utterly fearless, and he would never become a general in the U.S. Army.

A tough little man from the Virginia Piedmont, Col. Vann spoke his mind in blunt, rude terms to the press and his military and civilian superiors alike. The press loved it. The higherups did not.

He was not the careful team player who gets ahead in the military or in business. In 1963, he was forced to retire as a colonel. But Col. Vann, who learned the psychology of the Vietnamese better than most, was fascinated by their struggle with the Viet Cong and in 1965 returned as a civilian adviser.



Col. Vann became head of the pacification program in the delta. He flew his own helicopter over the battlefields. He deserved and got much credit for Saigon's success in the country's richest rice growing region.

As a "reward" they made Col. Vann senior advisor in Military Region II, the indefensible Central Highlands that the Communists could attack from the jungled mountains of Laos and Cambodia. Ironically, the post had always before been filled by a major general.

The little Virginian literally took over the war in the highlands. He called for the B52 strikes that decimated the enemy. He repeatedly exposed his helicopter to ground fire, so he would know where to send the bombers.

Col. Vann always went to see for himself. Last Friday night he went once too often. Near an obscure South Vietnamese fire base that needed help, his helicopter was shot down or crashed, killing him and two U.S. Army officers.

To North Vietnam's ambition to take Kontum and Pleiku, Col. Vann's death is worth an extra division. To the South Vietnamese people he sought to help, it is a cruel loss. They are not likely to get another John Paul Vann.

### "ABILITY COUNTS" CONTEST WINNER CITED

**HON. WALTER E. FAUNTROY**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FAUNTROY. Mr. Speaker, it is a pleasure to call the attention of my colleagues to the achievements of 17-year-old Jeanette St. Onge, a student of St. Patrick's Academy.

Jeanette was recently named first place winner of the 24th annual "Ability Counts" survey contest, a contest held among 11th and 12th grade high school students, sponsored nationally by the President's Committee on Employment of the Handicapped and in the District of Columbia by the Mayor's Committee on Employment of the Handicapped.

Miss St. Onge was awarded \$100 by the Greater Washington Central Labor Council, AFL-CIO; an engraved plaque by the Disabled American Veterans; and a certificate of merit from the President's Committee on Employment of the Handicapped.

In conjunction with the "Ability Counts" survey contest, this year a national poster contest communicating the idea of "Hire the Handicapped" was held. The first place winner was Melvin Trotter of the Sharpe Health School, who was presented a \$450 savings bond by the Mayor's Committee on Employment of the Handicapped, and a U.S. flag on behalf of the District of Columbia delegate.

My congratulations to Jeanette St. Onge and Melvin Trotter, both residents of the District of Columbia.

The "Ability Counts" contest is aimed at making us aware of the problems faced by the handicapped in obtaining employment, and the many high achievements of severely disabled persons. It is a pleasure for me to share with my colleagues Miss St. Onge's report:

### "EMPLOYMENT OF THE HANDICAPPED: HOW WELL IS MY COMMUNITY INFORMED?"

(By Jeanette St. Onge)

The word "handicapped" covers a broad range of ideas in today's fast moving world. When thinking about its meaning carefully, you might ask yourself the question, "Who is not handicapped?" Can you fly a plane, or water ski, or climb the highest mountain in the world? If not, then you are, in a sense, handicapped.

Yet there is a different connotation to this word today, and that is the one we are most concerned with. It classifies over 25 million men, women, and children as unable to carry on their daily lives at full capacity. This includes the blind woman down the street, the deaf worker at the office, and the little mentally retarded boy next door. These people can, and must live normal lives just as you and I.

But what about the employment of the handicapped? How do many employers learn about the needs of these people? News media: T.V. and radio provide news spots advertising "Hire the Handicapped." My investigation revealed that there are many sources available to the concerned citizens. Among them is Gallaudet College in Washington, D.C., which sends brochures to thousands of business organizations all over the community. These inform the employer of the potential which their deaf students possess.

In my interview with the Director of Equal Employment Opportunity for the Association of American Railroads in Washington, D.C., I learned that they keep in contact with the National Alliance of Businessmen, an organization that provides job opportunities for the disadvantaged and for the Vietnam-era veteran. The Association once had an individual who was an alcoholic who performed his job well. They now have someone with a speech defect working in the Public Relations Department. The director stated that they are now working on a job training course where they could recruit several handicapped and put them through training for particular jobs.

The Temple Secretarial School in Washington, D.C., also trains the handicapped as good typists and stenographers. These people are referred to them by the District of Columbia Department of Rehabilitation.

The major offices of many of the nationally known organizations which strive to help the handicapped are located in Washington, D.C., which makes this community a well informed one. Among these organizations are: The Columbia Lighthouse for the Blind, Veterans' Administration, Veterans of Foreign Wars, The Department of Health, Education, and Welfare; the Social Security Administration, the National Rehabilitation Association, the Good Will Industry, and the President's Committee on Employment of the Handicapped. All these associations were formed with one firm goal in mind—to help the handicapped person seek a more meaningful life for himself, especially in the business world. These social groups, however, can do only so much; the rest is up to us.

Being well informed is one thing, and our community, I should say, is one of the best informed in the nation. Using the information, however, is quite another matter. This involves opening our thoughts to the hiring of the handicapped. We must show the world that they are worthy of the chance to prove themselves. In doing this, we will not only be informed but we shall act on the knowledge received.

Attention, Mr. Employer: Don't YOU become handicapped in your ideas!

### NAVAL AIR ANTISUBMARINE STRENGTH

**HON. FLOYD SPENCE**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. SPENCE. Mr. Speaker, on May 24, 1972 the gentleman from California (Mr. LEGGETT), addressed the House on the subject of the Navy's proposed new aircraft carrier, the CVN-70. My colleague inserted with his remarks, two letters written by Mr. Stuart Barber of Arlington, Va. In these letters, Mr. Barber deplores the critical shortage of antisubmarine aircraft carriers in the Navy and of antisubmarine helicopters operating from other ships. In brief, he disagrees with the present construction and development priorities of the Navy and proposes the construction of antisubmarine aircraft carriers rather than the nuclear powered CVN-70 in the fiscal year 1973 budget.

In past years the Navy has operated a number of aircraft carriers specifically dedicated to the task of development of air antisubmarine techniques. This has been possible by using for this task World War II *Essex* class veterans as they were replaced as attack aircraft carriers by the modern new carriers. In 1965, there were nine antisubmarine aircraft carriers in active service—and 15 attack carriers. Budgetary restraints, together with the advancing age of the remaining *Essex* class ships, have progressively reduced the number of dedicated antisubmarine aircraft carriers to the two in service today. To counter this trend toward a lessened antisubmarine strength the Navy has experimented with "multipurpose" carriers which carry both antisubmarine and attack aircraft in the same ship—there are 13 attack carriers and one multimission carrier in service today.

The Navy's plan for the future of its aircraft carrier forces is to convert as many as possible to the multimission capability. This objective is based on three considerations:

First. Operational exercises with the first aircraft carrier outfitted for both antisubmarine and attack aircraft have shown that modern carriers can perform both tasks;

Second. Operating funds for naval forces will continue to be limited, and roles and missions will have to be combined as much as possible; and

Third. The nature of the challenge at sea is broadening as the Soviets add modern surface ships to their submarine and air forces; this requires that our aircraft carriers at sea have fighters, attack aircraft and antisubmarine aircraft embarked for effective operations against all three opposing forces.

The Navy is deeply concerned about its antisubmarine capability. The patrol frigate, the sea control ship, the SSN-688 class submarines, the new *Spruance* class destroyers and the Lamps program to add ASW helicopters to ships have

all been prompted by its effort to keep pace. But new surface ships, just like the old antisubmarine carriers, can only hunt submarines where air superiority is assured to counter hostile air and surface ship threats. That air superiority must be provided on the scene from sea-based fighter and attack aircraft operating from a modern carrier.

The multimission aircraft carrier concept provides an attack carrier with the varied air strength required to permit it to operate against hostile air, surface and subsurface weapons. In addition to having the fighter, attack, and support aircraft of an attack carrier air wing, the ship has the sophisticated analysis, control and support equipment developed by antisubmarine forces. The carrier air wing can be adjusted from one strong in antisubmarine aircraft, through intermediate stages of combined antisubmarine and attack strength, to one optimized for support of an adjacent land campaign.

Mr. Barber is concerned over the reduction in dedicated air antisubmarine strength. So should we all be concerned. But in analyzing the challenges and the possible courses of action, the Navy has determined that the use of modern aircraft carriers, such as the requested CVN-70, in both antisubmarine and attack roles offers the greatest naval strength within reasonable fiscal limitations.

In introducing the letters, Congressman LEGGETT remarked that the functioning of a carrier task force can be destroyed with one antiship missile against the carrier's superstructure, thereby preventing the launch and recovery of aircraft. The probability that a missile, after penetrating the myriad of defenses, would pick out the superstructure as a target, is quite obviously low. However, even if the superstructure were damaged, flight operations could continue. An aircraft carrier is designed and constructed with redundancy of command and control stations. Damage to primary stations in the "island" would cause the shift of these functions to secondary stations, and operations would continue. Congressman LEGGETT further stated that after major fires in two carriers off Vietnam, resumption of combat operations required several months for repairs. That these ships returned to port was incident to priorities at the time. In a full combat situation, a damaged carrier would make repairs at sea and continue to fight as necessary.

MR. JIM MALOOF

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. MICHEL. Mr. Speaker, there is a line from a favorite song of mine which goes, "Where oh where but in America, can we sing true freedom's song?" That sentiment is expressed perfectly in a story and an editorial appearing in the

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Peoria Journal Star concerning a good friend and constituent of mine, Dr. Jim Maloof, who is Lebanese, and who was selected to receive the B'nai B'rith citizen of the year award from the Jewish community in my home town of Peoria.

There could be no more eloquent portrayal of what the United States of America really stands for and this award emphasizes again that our country, in spite of her difficulties in recent years and in spite of the constant carping and criticism from those who can see no good in her, remains as a beacon of hope to those millions of less fortunate individuals living in parts of the world where the fruits of freedom are not so readily available.

I know personally of Jim's efforts and the success he has achieved in the many volunteer tasks he has taken upon himself but thank goodness there are thousands of "Jim Maloofs" all over the country—dedicated men and women who provide immeasurable aid to their home communities by recognizing a job that must be done or a need that must be filled and then pitch in enthusiastically to get the job done. I salute Jim and all his counterparts around the country and certainly it is not an exaggeration to say that the results of their efforts contribute as much to the strength, vitality and security of our country as does our strong military establishment which is so important during these trying days in an uncertain world.

I insert the article and editorial referred to earlier in the RECORD at this point:

JEWISH MEN HONOR MALOOF, A LEBANESE,  
FOR VOLUNTEER WORK  
(By Theo Jean Kenyon)

Last night in a warm blend of ethnic emotion that would have delighted Danny Thomas, a man he frequently brings to Peoria to aid sick children, Peorian James Maloof received the B'nai B'rith Citizen of the Year Award.

Maloof, local realtor whose initial 1961 Teenagers' March for St. Jude Research Hospital mushroomed into a national idea that now enlists 400 communities annually, told the 300 guests in Hotel Pere Marquette's grand ballroom he didn't do it alone.

"Maybe I've been able to motivate people into joining good causes," he acknowledged, but he also thanked those who helped him on the way.

One, the Rev. John Whelan, prayed with him; the members of his Kiwanis Club gave him "fellowship that carried me through bad times;" and Dr. Morris Adland and Dr. Robert Hart helped to bring true the dream of having an affiliate of St. Jude's Hospital in Peoria.

"I get a lot of accolades, but without these two men it couldn't have happened," he said of Adland and Hart in connection with the Peoria Midwest Affiliate at Methodist Hospital. Maloof is chairman of the executive board of that affiliate.

The Lebanese boy, who went to Sacred Heart School and Spalding Institute, enlisted in the Army Air Corps in World War II and came back to his family's cleaning business, said the greatest thrill in receiving the award was its implication of ethnic harmony, "people of the Jewish faith honoring someone of the Lebanese faith."

M. L. Bork of Ben M. Frankel Lodge of B'nai B'rith, and a past winner of the Citizen of the Year award, presented the plaque to Maloof.

Bishop Edward W. O'Rourke of the Peoria

Catholic diocese praised the kind of "good volunteer" represented by Maloof.

"We leave huge areas untouched by our government but assume by our compassion and love we will voluntarily fill those gaps. Either there has to be a great outpouring of love and service then or our kind of a free society is in danger," the bishop said.

Irwin Zeisel, president of Ben Frankel Lodge, presented an honorary B'nai B'rith award to Mrs. Ruth Season, in honor of the service given by her husband, Bernard Season, who died Feb. 16, 1971. He was a past president of the organization.

#### JIM MALOOF: INDIVIDUAL

Thursday night Jim Maloof will be given what is popularly called the "man of the year" award for distinguished community service, and that action this year represents one of the oldest and best of American traditions—and one we seem to be drifting away from far too much.

The presentation is unique, and uniquely American, because Maloof is a member of the Lebanese community of Peoria, and the award is presented by the B'nai B'rith, the old, pioneering Jewish charitable organization.

It comes at a time, following the bizarre massacre at Lod airport by three "Kamikaze" terrorists, when there is exceptional tension between Israel and Lebanon (because an announcement taking "credit" for the murderous action was issued by an Arab guerrilla and propaganda headquarters in Beirut.)

One can look at the award as one representing simply unprejudiced justice without regard to such identities, fairly given on the basis of performance.

It is doubtless that, but it is also more than that.

Such action in itself adheres to an American tradition that we cannot afford to lose—a tradition that while national origins, race, religious identity, or community identification are important matters none of them achieves the level of importance of individuality.

The first identity of every one of us is as a person in his own right, and the first and fairest measurement is how each of us performs as an individual.

This priority of consideration and respect, regarding each person as a "sovereign" human being is an all important frame of reference.

It measures a man not by "where he came in", for better or worse, nor even by where he ends up in the journey of life—but by how and where he travelled from whatever that starting place was.

This concept does not require anyone to discard racial or religious or community identity, or the recognition of those "differences," but it puts each in its proper perspective and measures as first priority the quality of that individual as a person.

We have not always lived up to that tradition, but there has never been a time when it did not exist and was not a powerful and important part of the American scene.

It would be tragic if today's "polarizations," the frequent pre-occupation with "national" and "societal" identification, with broad assignments of "guilt" or disadvantage results in a form of dialogue that destroys this tradition.

It is infinitely superior to mass assignment of virtue, sin, guilt, debt or entitlement—as much as such lend themselves to grander and broader conclusions.

It is doubtful if there are real solutions to the problems arising from racist attitudes, economic prejudices, and sectional differences without a return to the right of every individual to be regarded and judged, first of all, as one person, on his own individual merits.

Obviously, B'nai B'rith remained true to that principle when they chose Jim Maloof



for special honors this year. They thought of him as "Jim Maloof," a fellow they KNOW and admire—not as a representative of any special group.

Obviously, Jim Maloof remained true to that principle when he accepted. He thought of those who sought to honor him as a group of individuals that he knows and respects—not as representatives of the Jewish community, per se.

This is an action in which all are "neighbors" in the real physical sense, and the Biblical sense, as well, and in which all concerned recognize that their human brotherhood is the primary frame of reference.

It is a central principle we need to strengthen rather than lose in the welter of ethnic propositions that now confront us.

C. L. DANCEY.

## FOREIGN FISHING ACTIVITIES OFF ALASKA

### HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BEGICH. Mr. Speaker, from time to time I have called the attention of my colleagues to the foreign fishing activity that is taking place off the coast of Alaska and off the coast of many of our fishing States. I insert in today's RECORD a copy of the monthly summary of such activities for April 1972, which was received recently in my office. I am hopeful that the insertion of this summary and of others which I will insert in the future will serve to remind the Members of the continuing nature of this problem, not only in Alaska but in all coastal areas which depend heavily on fishing activities as a part of their economy.

As this particular report indicates, the level of foreign fishing activity off the coast of Alaska declined slightly during this month, but I believe that none of us should be misled by that trend. The simple fact is that overall the foreign fishing activity off our coast is increasing drastically, and month-to-month decreases are functions only of the location of the fish which is being sought at the time.

These fleets of foreign fishermen fully recognize the dangers of coming into our territorial waters and do not appear reluctant to sacrifice the occasional fine and forfeiture which is presently structured in the law. I continue to believe that inadequate enforcement and surveillance capability, half-hearted prosecution, and inadequate penalties allow this activity to continue as a calculated risk on the part of foreign fishermen. It is a situation to which we must address ourselves continually in order to protect a valuable American resource.

The monthly summary follows:

#### NATIONAL MARINE FISHERIES SERVICE— MONTHLY SUMMARY OF FOREIGN FISHING ACTIVITIES OFF ALASKA, MAY 5, 1972

APRIL 1972

**Soviet:** The number of Soviet vessels engaged in fisheries off Alaska decreased steadily in April dropping to about 114 at the month's end. That was a decline of about 45 vessels from the previous month and from April 1971. The decline resulted from fewer trawlers fishing in the Bering Sea and the ending of the Gulf of Alaska shrimp fishery.

#### Groundfish trawl fishery

The trawl fishery for groundfish along the Continental Shelf edge north of the Fox Islands in eastern Aleutians was resumed in early April by two medium trawlers and increased to four such vessels by month's end.

The Soviet fleets which had been fishing for flounder in the eastern Bering Sea and for herring in the central Bering Sea during the winter months merged in April and shifted to the Continental Shelf edge from southeast of to northwest of the Pribilof Islands. The major effort shifted to fishing for Alaska pollock. A few of the trawlers fishing near the Pribilof Islands continued catching small quantities of flounder and some of the trawlers fishing northwest of the Pribilofs in the central Bering Sea continued catching herring. The fleet included nearly 90 trawlers and over 20 support vessels the first half of April and then dropped to just over 80 vessels by the month's end.

#### Shrimp fishery

The Soviet Gulf of Alaska shrimp fishery which has been centered east of the Shumagin Islands in the western Gulf since mid-January ended the first week of April. That was nearly a month earlier than the Soviet shrimp fishery ended in 1971.

#### Ocean perch fishery

The Soviet ocean perch fishery in the Gulf of Alaska increased sharply and the first ocean perch fishery along the Aleutian Islands in 1972 occurred in April.

The Soviet perch fleet in the Gulf of Alaska increased from 2 stern trawlers in early April to 16 stern trawlers and 5 medium trawlers by the month's end. The increase resulted from a shift of vessels from the Bering Sea and from the Gulf shrimp fishery. The five medium trawlers fished southeast of Cape St. Elias in the eastern Gulf and in addition to perch were taking large quantities of sablefish. Observations indicated the sablefish catches may have exceeded the ocean perch catches. The 16 stern trawlers fished along the Continental Shelf edge from off Kodiak Island westward to the Shumagin Islands.

Soviet fishing for ocean perch along the Aleutian Islands began in early April by about three stern trawlers south of the central Aleutians. By the month's end an additional three stern trawlers were fishing off the Near Islands in the western Aleutians.

**Japanese:** Approximately 160 Japanese vessels engaged in fisheries off Alaska in April. That was about 15 vessels less than the previous month and also about 15 vessels less than in April 1971. The lower number resulted from less effort in the Japanese trawl fisheries in the Bering Sea.

#### Pacific Ocean perch fishery

About 5 independent stern trawlers continued fishing for ocean perch in the Gulf of Alaska. The vessels remained scattered in the eastern and central Gulf, ranging from off Kodiak Island eastward to off southeastern Alaska.

#### Fish meal, fish meal, and oil fishery

Continuing the fishery for Alaska pollock for the production of minced fish meal and fish meal and oil were four factory ship fleets in the eastern Bering Sea. The four fleets, involving a total of 77 trawlers, moved northward along the Continental Shelf edge from just north of Unimak Pass toward the Pribilof Islands.

#### Groundfish trawl fishery

The number of independent stern trawlers fishing for groundfish along the Continental Shelf edge in the Bering Sea remained at about 25. The trawlers, supported by at least two refrigerated transports, fished between Unimak Pass and the Pribilof Islands, catching primarily Alaska pollock.

#### Crab fishery

The Japanese crab fishery was continued by two factory ship fleets in the eastern Bering Sea. The two fleets, accompanied by a total of 30 catcher vessels, remained centered in the pot sanctuary north of Unimak Island in the eastern Bering Sea. Emphasis remained on fishing pots for tanner crab.

#### Longline fishery

The number of longline vessels fishing for sablefish in the Gulf of Alaska dropped from 9 to 5. The vessels were scattered in the eastern and central Gulf ranging from Kodiak Island to off the coast of southeastern Alaska. Two Japanese longline vessels were sighted in the Bering Sea. One was near the Pribilof Islands and the other was north of the Alaska Peninsula. At least one of the two vessels was rigged for gillnetting as well as long-lining. Both vessels may have been waiting for the traditional herring fishing grounds northeast of the Pribilofs and off Totiak in Bristol Bay to become clear of ice to start the annual spring Japanese gill net fishery for herring.

#### Japanese fined \$180,000

The captains of the Japanese cargo ship and stern trawler seized on April 3, 1972, for allegedly conducting fishery support activities in the U.S. contiguous fishery zone off Kodiak Island plead *nolo contendere* in U.S. District Court in Anchorage, Alaska on April 7. The U.S. District Court Judge found the two captains guilty and fined each of them \$15,000. The civil suit against the vessels was settled by payment of \$150,000. The criminal and civil fines totaled \$180,000.

**South Korean:** Early in April a small stern trawler which had been fishing south of the Fox Islands in the eastern Aleutians transited Unimak Pass into the Bering Sea. It is believed the vessel shifted areas to fish for Alaska pollock. Late in April another South Korean stern trawler was sighted on the Continental Shelf north of Alaska Peninsula. This vessel also presumably fished for Alaska pollock in eastern Bering Sea.

## THE 750TH ANNIVERSARY OF HUNGARIAN GOLDEN BULL

### HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mr. GUDE. Mr. Speaker, I am most pleased to participate today in recognition of the 750th anniversary of the Hungarian Golden Bull, the Magna Carta-like doctrine which is the cornerstone of the Hungarian constitution.

This constitutional document, issued in 1222, extended human rights of the period to all landowners in Hungary—today's middle and lower middle classes. This is particularly important in that the Golden Bull established equal rights among the nobility and free men of Hungary, those who constituted the political nation at that time. Unlike other European countries, there was no stratification between these groups. It limited not only the King's power, but that of the "petty monarchs" of the realm as well. Constitutional protection was therein granted to a very large portion of the population.

In its various provisions, including safeguards to all nobles against arbitrary arrest, its decree that the title and estates of the lord-lieutenants of counties were not hereditary, the Golden

Bull played a vital role in preventing feudalism from becoming firmly entrenched in Hungary.

Indeed, the denial of basic human rights, the persecution of minority groups which goes on in Eastern Europe today, moves in the opposite direction of that established by the Golden Bull. In light of our changing relationship with these countries, and efforts to bring about a new freedom for their peoples, it is especially meaningful to commemorate at this time the tradition of freedom that has existed there for hundreds of years.

#### NATIONAL DAY OF MOURNING AND PRAYER FOR LITHUANIA

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. EILBERG. Mr. Speaker, today we observe the National Day of Mourning and Prayer for the people of Lithuania fighting against Soviet domination. We, in the United States, dedicated to the ideals of freedom and self-determination, sympathize with the Lithuanians who have fought valiantly through the centuries to throw off the Russian yoke of oppression.

After a long period of Soviet domination lasting 120 years—1795–1915—followed by German occupation during the First World War, Lithuania declared its independence on February 16, 1918. Yet, by the beginning of the next year, the Russians had again invaded the country. The Lithuanians repulsed the aggressors, however, and in the peace treaty of 1920 Russia recognized Lithuania as an independent nation and pledged to renounce forever all rights of sovereignty to that country. For 22 years, until 1940, Lithuania enjoyed an independent status and proved its ability to govern itself effectively. It entered upon a period of unparalleled economic, social, and political progress. Its leaders instituted a long-needed land reform program, the first of its kind in modern Europe; industry was expanded, liberal labor laws were passed, and an enlightened educational program reduced the illiteracy rate among Lithuanians to 15 percent—following generations of foreign rule which had left two-thirds of the population unable to read or write.

These years of independence and accomplishment were to be short-lived, however, for the country again was occupied by the Red Army in the Second World War and was proclaimed a constituent republic of the U.S.S.R. on August 3, 1940. Following the German attack against the Soviet Union 10 months later, Lithuania fell into Nazi hands, until reoccupied by the Soviet Army in 1944 and incorporated into the Soviet system.

Throughout these successive occupations, the Lithuanian people waged a valiant fight for their freedom. Between the years 1940–52 alone, some 30,000 Lithuanian freedom fighters died for

their country, in an organized resistance movement against their oppressors. Furthermore, Lithuania has lost more than one fourth of her population as a result of a continued Soviet program of deportation and resettlement.

Over a million people of Lithuanian heritage reside in the United States. A large number of them came to the United States after the Soviet Union seized their lands. Other thousands fled to other nations or were sent to such places as Siberia by the leaders in the Kremlin.

Successive governments of the United States under Presidents Roosevelt, Truman, Eisenhower, Kennedy, Johnson, and Nixon have refused to recognize the Soviet Union's incorporation of Lithuania and continue to maintain relations with the representatives of the former independent Lithuanian Government. However, our country could do more to support the Lithuanian people in their struggle against Soviet domination.

The United States Congress—89th Congress—made a step in the right direction by adopting a resolution calling for freedom for Lithuania as well as for the other Baltic States of Latvia and Estonia. All Americans should urge the President of the United States to implement the resolution by bringing the issue to the attention of the United Nations and by requesting the Soviets to withdraw from Lithuania, as well as from Latvia and Estonia.

On this day, I urge the Soviet Union to consider the millions of people held captive within its empire. I urge them to release all these freedom-loving people, including the 3 million Lithuanians who have fought so hard and valiantly for their nationhood and independence.

#### OUR FLAG—SYMBOL OF HOPE FOR THE FUTURE

#### HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mrs. GRASSO. Mr. Speaker, today we honor our flag, a flag which stands for the greatness of America.

To me, the American flag is a symbol of hope for the future as well as a reflection of achievement in the past. The principles of our democracy, the strength of our people, the legacy of our growth as a nation are unfurled in the Stars and Stripes.

The flag symbolizes our hopes and dreams, solicits our dedication and commitment, and beckons our love and respect in behalf of this great Nation.

Mr. Speaker, since becoming a Member of the House of Representatives, it has been my pleasure and privilege to give nearly 100 American flags to various civic organizations in my district. These are very special flags, since each has flown over the U.S. Capitol. I know that for the many people who will see these flags fly majestically in the wind, new inspiration must come as it always has to me.

#### ENVIRONMENTAL QUALITY CORPS ACT OF 1972

#### HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BROTZMAN. Mr. Speaker, I am today introducing in this body a bill entitled the "Environmental Quality Corps Act of 1972" which, I feel, would marshal this Nation's surplus human resources to help solve some of our greatest domestic problems.

My bill would put as many as 100,000 of our young adults—particularly our returning Vietnam veterans—to work upgrading the quality of our physical environment and helping to heal the sores which the hand of man has inflicted upon our earth.

There is ample precedent for this kind of program, Mr. Speaker. The Nation experimented with several somewhat similar concepts during the great depression of the 1930's, with varying degrees of success. Currently, we have the Youth Conservation Corps, among many other scattered programs, to provide manpower for some of our conservation works. However, none of the present programs to date represent a concerted effort on the part of the Federal Government to meet the degradation of our environment head on.

As I have envisaged it, the Environmental Quality Corps would be an independent agency headed by an administrator who would report directly to the President. He would work with a Board of Advisers which would include the Administrator of the Environmental Protection Agency, the Chairman of the President's Council on Environmental Quality, the Administrator of the Veterans' Administration, and the Secretaries of the Departments of Labor, Agriculture, Interior, Transportation, and Housing and Urban Development.

The stated duty of the Corps would be "to provide the manpower needed in projects designed to better the environmental quality for all Americans." These projects could include reforestation, park and campground construction and maintenance, recreational facilities construction in both urban and rural areas, and highway beautification.

But the corps is especially designed to provide at least a partial solution to another problem which has plagued our country for the past few years. This problem, the high rate of unemployment, is particularly evident among the young in America. Those under the age of 26, including those brave men who have served their country in Vietnam, presently suffer an unemployment rate nearly twice as high as the current nationwide average. These young, mostly unskilled or lacking the opportunity to further their education, are often left with little choice but to go on the government dole. The Corps would not only provide them with a place to earn their living, but an opportunity to take part in a most meaningful and exciting program designed to benefit their fellow Americans.

The Corps would be open to all non-



married American citizens, ages 18 through 26, without regard to any consideration of race, social class, economic status, or sex. The only exception to this general rule is that the Administrator would be directed to give some special consideration to veterans who have served honorably in the Armed Forces of the United States. In my opinion, this Nation owes these young men and women an extra helping hand during their transition to civilian life. This is particularly so in view of the present period of relatively high unemployment.

Each volunteer would enlist in the Corps for 1 year, with the option of re-enlisting for up to 1 additional year if he chooses. Corpsmen would be provided with room and board, a modest allowance, and the training needed to help them better themselves once on the outside world.

Although the initial lifetime of the Corps as specified in my bill is 2 years, the structure is flexible enough, I feel, that it could provide an ongoing means of absorbing our surplus manpower—wherever it might occur—and give the Nation something tangible in return. Too many of our welfare and unemployment compensation programs simply do not accomplish this.

Furthermore, I believe that the training received in the Corps could qualify many of these young people for careers in the field of environmental quality. If we are really serious about cleaning up our environment and keeping it clean, then vast new human resources—trained and highly motivated—are going to be required. I see in the Environmental Quality Corps a substantial supplier of these resources.

Finally, I would just like to remind the Members present here today of the words of President Nixon this last February, in his third annual environmental message to the Congress:

The starting point of environmental quality is in the hearts and minds of the people. Unless the people have a deep commitment to the new values and a clear understanding of the new problems, all our laws and programs and spending will avail little. The young, quick to commit and used to learning, are gaining the changed outlook fastest of all. Their enthusiasm about the environment spreads with a healthy contagion; their energy in its behalf can be an impressive force for good.

Mr. Speaker, I firmly believe that as set forth in this bill which I am introducing today, the Environmental Quality Corps could be an ideal vehicle for helping to promote this "healthy contagion." I urge passage of this bill yet in the 92d Congress.

#### SEARS CONGRESSIONAL INTERNSHIP PROGRAM

**HON. JAMES M. HANLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. HANLEY. Mr. Speaker, I would like to add to the remarks yesterday of my distinguished colleague from Penn-

sylvania (Mr. ROONEY) concerning the Sears congressional internship program.

As another participant in this program, I know that it is unique among the internship programs on the Hill. For not only does the intern gain the experience of working in a congressional office, but he or she also receives invaluable training for their vocation.

Our Nation's lifeblood is diversity. Our system of government needs free and open debate on the issues of the day so the voters can make intelligent decisions at the ballot box. Without the media, this would be impossible. Whatever our private opinions of the press, we must all acknowledge that fact. The press is not only the fourth estate, a check upon Government, but it is also a vital tie between elected officials and their constituencies.

The Sears program teaches the intern about Government and legislation so that the intern as a reporter can cover these activities in a more objective manner.

Putting aside any contribution an intern can make to a congressional office, the Sears program helps all of us, and all of the media-dependent people of the Nation by improving tomorrow's coverage of the events that shape the world.

#### BUYER BEWARE—OF THE FDA

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. ROSENTHAL. Mr. Speaker, the Food and Drug Administration was designed to be an impartial regulatory agency. At times, it seems far from it. A group of five George Washington University Law School students organized under the acronym, LABEL, Inc.—Law Students Association for Buyers' Education and Labeling—petitioned the Food and Drug Administration on February 25, 1971, to issue a new regulation stating:

For the purposes of promoting honesty and fair dealing in the interest of consumers, all food manufacturers and distributors must list on the label, in the order of their predominance, all ingredients which are contained in their products.

This proposed regulation was printed in the Federal Register on May 12, 1971, and opened for public comment. Support for it was evident. More than 5,000 angry and concerned consumers from all over the country expressed their approval of the LABEL proposal. The only letters of objection came from about 200 various food industries.

Despite the fact that 95 percent of the comments were favorable, the Food and Drug Administration told LABEL that "after reviewing all the comments" it had decided in favor of the industry views and against the proposal.

LABEL objected to this denial and requested a public hearing. The Food and Drug Administration on June 6, 1972, denied this request as well. The FDA contends that it does not have the authority to promulgate such a regulation,

but under the 1938 Food, Drug and Cosmetics Act and the 1966 Fair Packaging and Labeling Act, it does. This is a case of simply passing the buck and avoiding taking action unfavorable to industry.

It is inconceivable to me that a regulatory agency such as FDA can remain so removed from the facts of the situation. What will it take to convince the agency of the dire need for complete disclosure of ingredients on food labels? Is it not aware of the potentially tragic consequences of people unknowingly eating what they are allergic to? It seems that the agency's interests lie in another direction namely, with the small but vocal group of food manufacturers who oppose this or any type of regulation in the public interest.

LABEL has continued its fight for this proposal. A petition for review has just been submitted to the U.S. Court of Appeals of the District of Columbia. Hopefully, the failure of the Food and Drug Administration to act will be rectified by adequate court action. It is highly unfortunate that a Federal agency of this nature is so unresponsive to the public.

#### KURT WALDHEIM MAKES IMPORTANT SPEECH AT STOCKHOLM CONFERENCE

**HON. MORRIS K. UDALL**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. UDALL. Mr. Speaker, I direct the Members' attention to an important address delivered by U.N. Secretary-General Kurt Waldheim at the historic Conference on the Human Environment now in progress in Stockholm. The Secretary-General's address set a visionary and productive tone which must be maintained by the conferees if major accords are to be reached.

Reminding us that no number of ABM's or nuclear submarines can secure the borders of any nation from deadly industrial fumes produced in another, Mr. Waldheim calls for new principles of human behavior and responsibility based upon the realization that in a world of limited and shared natural resources the survival of all peoples is interdependent.

The full text follows:

ADDRESS BY SECRETARY-GENERAL KURT WALDHEIM TO UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT, STOCKHOLM, JUNE 5

Following is the text of an address by Secretary-General Kurt Waldheim, prepared for delivery on 5 June to the United Nations Conference on the Human Environment, Stockholm:

Just four years ago the Swedish Delegation to the United Nations called the urgent attention of the international community to the growing crisis of the human environment. The results of this pioneering initiative have been manifold since then and they can be seen today. It is my great privilege and honour to express the sincere gratitude of the United Nations to the Government and people of Sweden for the central role they have played in bringing about this historic United Nations Conference on the Human Environment.

This tribute, however, would be incomplete if I did not also express my sincere appreciation for the warm welcome we have received, and for all that Sweden has done to make our stay a productive and a memorable event.

As we are gathered here today, it is difficult not to think of the satisfaction and pride this Conference would have stirred in the heart of that great, selfless international civil servant, Dag Hammarskjöld. All of us who knew him and knew of his hopes for the United Nations and for the world remember him today together with all the other courageous men of peace who have come from Sweden to serve the cause of the United Nations—the cause of peace, of justice, of harmony—the cause of this Conference.

It is indeed, a historic Conference. Possibly future generations will call it a turning point, a moment in history when a major correction was introduced in the process of the industrial revolution which started, less than two hundred years ago, to transform so profoundly conditions of life on our planet.

No event, indeed, has ever had such far-reaching effects as the industrial revolution. We must be immensely grateful to it for all the good it has done for mankind. Many of us would not be here today without it. Thanks to it we live longer, we are healthier, we are better educated, we have good homes, we are well-nourished and clothed, we can take means of transportation which allow us to be gathered here today from all parts of the globe. No human being in the past has ever had so many blessings and goods as the average citizen has today in the developed world.

This process is far from being completed. It encompasses only one-third of humanity and even within that third there are many, many poor people who share insufficiently in its benefits. We must think especially of the two billion men, women and children who are still hungry, uneducated, subject to disease and who have so little hope and happiness at the very moment when we are assembled here.

Therefore, while the environment is an emerging new and very serious problem, we must not forget that development is still the highest priority and an unreach objective. Indeed humanity is challenged by the development and by the environment issues and we must learn to tackle them both with proper historical perspective and with a sense of justice for all.

The United Nations Conference on Trade and Development which has just concluded its third session has once again reminded the world of these fundamental issues. It has underlined the importance to keep in mind, in deliberations and decisions, the relationship between the environment and the trade and development of all countries, particularly the trade and development problems of the developing countries. If we do nothing to cope with these essential questions, saving the biosphere may well be an empty victory.

Everything is of concern to everybody in our deeply interdependent world today.

This is the basic human story, of immense historic weight, with which this Conference is seized. It is a problem which no nation, no continent, no hemisphere, no race, no system can handle alone. It is a world-wide issue which concerns us all.

I believe that we just woke up in time to deal with that problem and a lot has already been done since the Government of Sweden asked for this Conference to be convened. As it was the case for so many problems of our society, be it independence, economic development, racial equality, human rights, nuclear proliferation, population, etc., the United Nations acted immediately as a world-wide communications and warning system on this new collective problem. Through governmental concern, the news media, educators and non-governmental or-

ganizations, the consciousness of the environmental problem soon reached the masses. It was as if the scales had fallen from the eyes of the people. This is an enormous result, for it is the action and behaviour of each individual multiplied by millions which nowadays can most effectively change conditions for better or for worse. Industrialists, workers, consumers, public servants, rich and poor suddenly discovered that they were all sitting in the same boat and that something was in the making from which sooner or later no one would be able to escape.

We have seen within a very short time rivers cleaned, cities restored to health and beauty, many new clean industrial processes invented, and much nature saved. This is testimony that the job can be done. But the total deterioration of our common environment, the atmosphere and the seas and oceans continues. We must stop the trend. We must take the necessary international decisions to protect these common properties. This is one of the fundamental responsibilities of this Conference to lay the groundwork to this end. No less than we did in outer space, if we are to make headway in protecting and enhancing the environment, we need to agree on new principles of human behavior and responsibility. I further hope that man's view and vision of the environment in the 1970s will lead him to a consensus on a Declaration on the Human Environment and I am convinced that there is a wide base of support for the Action Plan and for the Human Environment that has been put before you.

You, the delegates to the Conference, you are here not only in a natural capacity, but also representing the world as a whole. The quality of the atmosphere and of our oceans can be nothing else but the product of the behaviour of nations. The United Nations has no intrinsic value, no power of its own, it cannot clean a single river for you. But it can bring Governments together, as it does today, to agree and to pledge that they will do certain things, refrain from doing others and create the necessary institutional arrangements in the United Nations to collect world-wide data, to measure, to warn, to exchange experience and to review proper implementation by all.

No crisis ever before in history than the environmental crisis has underlined to such an extent the interdependence of nations.

All nations have a common concern, a common stake and interest in the future of our only one earth. We are here because our joint need to unite in protecting the human environment is greater than any of the divisions and conflicts that still so unnecessarily keep us apart. The iron rule remains: our world is one, inseparable and interdependent. It is this world that is threatened by the impact of man's unplanned, selfish and ever growing activities.

No political system makes us immune to this threat; no level of economic development permits us to escape; we all face the challenge as equals—equally threatened, equally vulnerable. There is no splendid isolation in matters of the environment. Pollution of the atmosphere, of the seas, of the rivers, and of the earth concerns all of us.

The crisis of the human environment is a global crisis. It requires, therefore, global solutions. It requires that the nations of the world unite in an unprecedented effort of international co-operation and that our Organization becomes at long last in practice what its name meant it to be: an organization of united nations. To do this means primarily that we must put our political will to work for the preservation and survival of our living world, the natural world on which all life depends.

We are living in an epoch when vast new responsibilities are falling one after the other upon our shoulders. But when we look at the priorities reflected in the world's gov-

ernmental spending, we see the first place occupied not by development, the environment, education or health, we see it occupied by armaments.

The continued sophistication and accumulation of weapons of mass destruction poses a direct threat not only to the human environment but also to human survival. Nuclear weapons have multiplied to such an extent that a mere fraction of them would be enough to eliminate life on earth. Continued nuclear tests above ground poison the atmosphere, and underground nuclear tests are a potential threat to both the atmosphere and the earth, through venting and seepage and possibly triggering earthquakes. Chemical weapons, such as herbicides and defoliants, lay waste and may do irreversible damage to precious resources of productive land.

There must be a drastic reordering of priorities if the nations of the world are to deal successfully with the tremendous problems they face. It seems clear that we shall not be able to overcome the staggering problems of poverty, population pollution, the widening development gap, and the host of other problems that confront the nations and peoples of the world, unless a very substantial part of the massive sums now devoted to military purposes is available for solving the problems of life and society. The environmental problems are part and parcel of all these contemporary problems.

We must now actively reduce and ultimately suppress the ugliest of all pollutions, the armaments pollution. Several steps have already been taken in this direction in the United Nations and a new significant step has been taken the other week in Moscow. Let us hope that your efforts here will go hand in hand with disarmament and will be assisted by it. The United Nations Development Decade, together with the Disarmament Decade and now the efforts on the environment which would warrant an Environment Decade, should be the first steps to assure the establishment of better world priorities for the peoples.

I would not like to finish, Ladies and Gentlemen, without paying a warm tribute to all those who have worked so hard to prepare this Conference: biologists and other scientists, government officials, our colleagues from the specialized agencies, the many non-governmental organizations, the news media, and several youth groups. My thanks go especially to the Preparatory Committee which did outstanding work during these past two years under the chairmanship of Ambassador Keith Johnson. Its work had been facilitated and stimulated in the most efficient way by the Conference secretariat and its highly devoted, inspired and far-sighted Head, Mr. Maurice Strong, the Secretary-General of the Conference, to whom I would like to pay here a special tribute.

It has been a pioneering venture with no precedents to guide it, and it has produced one of the most significant by-products of the entire preparatory process remarkable demonstration of the effective and productive teamwork which can result from the mobilization by the United Nations of the important resources available throughout the United Nations system itself, in its member Governments, and in other intergovernmental and non-governmental organizations all co-operating together to achieve a common goal.

It should be evident that I am no pessimist about the United Nations. No pessimist could be Secretary-General. That is why I believe that, with all its difficulties, with all its challenges, with all the crises in the world, the United Nations has a major role to play in the environmental area.

Some among us here may have differing views of the United Nations' abilities; others, of its capacities. In considering these, we must consider too that, like any human in-



stitution, the United Nations reflects human frailties. It also reflects, however, human hope.

Our problems are serious and our challenges are many, but environmental concerns are causing men to look beyond the walls of what they hitherto considered to be impregnable national castles. The realization that the earth and its resources are not infinite is inevitably bringing about a reshuffling of objectives and priorities. Growth is slowly being reoriented—towards less material goals in the affluent countries, towards more rational development in the less industrialized world. Exploration of the environmental issues is opening new opportunities to the developing countries. Much will change in the years ahead. Much will be done and undone. There will be movement, and therein lies our hope.

As we now consider the choices before us, we must realize we are not faced with many separate problems, but with different aspects of a single over-all problem: the survival and prosperity of all men and women and their harmonious development, physical as well as spiritual, in peace with each other and with nature. This is the solution we must seek. It is within our power to find it.

And if that is our goal, then surely there is only one road that will lead us there. In taking it at this Conference, the United Nations may well mark the beginning of a new era for international co-operation and for all humanity.

#### PROTECTING THE BILL OF RIGHTS IN MIDDLE-CLASS HOUSING

**HON. BERTRAM L. PODELL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. PODELL. Mr. Speaker, the Bill of Rights and our system of justice is supposed to protect everyone from the arbitrary actions of government. Among the most important foundations of our democracy are the right to privacy, the constitutional prohibition against self-incrimination and the presumption that a person is innocent before proven guilty.

But in New York today, all of these foundations are being challenged. Middle-class citizens are being forced to abandon their fundamental rights in order to live in decent housing at a fair cost.

Mr. Speaker, this outrageous situation began with a very noble experiment. A number of years ago, New York State established the visionary Mitchell-Lama program to encourage the Development of reasonably priced middle-class apartments. This law has not only enabled many New Yorkers to find decent housing, but has also provided a buffer against some of the worst excesses of inflation that other apartment dwellers have had to face.

In years past, the residents of this housing have had to sign an affidavit attesting to their middle-income status. A tenant's signature was taken as his solemn oath—in the same way that his signature is used on a driver's license, a check, or a Federal income tax return.

This year, however, the managers of these apartment buildings were forced by the State division of housing to have gone beyond the normal affidavit. These

State officials are demanding that each tenant sign a statement authorizing the New York City finance administrator to show his income tax returns to the State division of housing.

This procedure assumes that the tenant is guilty of defrauding the State—even though no tenant has been brought before a court of law on such charges. This procedure requires self-incrimination. This procedure opens up income tax returns to numerous curiosity seekers in the bureaucracy of New York—when instead the right of privacy should be protected. Indeed, we know that Federal income tax returns, which are available to the States, have been misused by some State officials.

So far as I know, only these middle-class tenants are forced to forfeit their fundamental rights in this way.

Many organizations and people are subsidized. The officers of the Lockheed Corp. are subsidized. Certain builders in New York are subsidized. The officers of certain day care centers are subsidized. Yet none of these people are required to divulge their income tax returns.

Why are only middle-class persons' rights so easily violated?

Mr. Speaker, today I have introduced legislation to protect the rights of these middle-class citizens—the backbone of America. My legislation amends the fair housing laws which we enacted in order to end practices of discrimination and intimidation in housing. When we passed those laws we could not have anticipated this latest form of intimidation.

These tenants should not be forced to choose between skyrocketing rents or the forfeiture of their rights. My bill would specifically protect them by providing that:

No person shall be required by any officer of the Federal Government or any officer of any State or municipal government or any manager of housing or any other person to divulge his income tax return as a condition for residence in any housing, provided that such person is not under criminal indictment or authorized criminal investigation.

This legislation should not be necessary—but it is unfortunately now necessary. As we all know, "eternal vigilance is the price of liberty."

#### SOUTH VIETNAM'S STRUGGLE TO BE LEFT ALONE

**HON. LOUIS C. WYMAN**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. WYMAN. Mr. Speaker, in the course of its courageous struggle to defeat and expel the Communist invaders from the north, South Vietnam is not falling apart internally. While there may be splits in the political infrastructure of the South Vietnamese Government the people of that beleaguered nation hate the enemy worse than particular Government leaders, including President Thieu.

As John Roche points out in his column in today's Washington Post, Thieu

is arming the population through the local militia, which would be inconceivable were there any real threat of a so-called general uprising against the Government.

President Nixon's position that settlement of political differences should be negotiated among and between Vietnamese after a cease-fire, the return of Americans held prisoner, and withdrawal of all U.S. forces within 120 days, is an exceedingly reasonable proposition. I suspect it will be eventually accepted.

The article follows:

#### SOUTH VIETNAM STRUGGLES ON

(By John P. Roche)

Now that the North Vietnamese have been at it for two months, perhaps we can begin to assess intelligently the status of Vietnamization. What exactly has happened to the Republic of Vietnam, that allegedly "corrupt, incompetent, dictatorship"? The answer: It is still there, its army is fighting bravely, its president is hopping around from one theater of operations to another. To date, Hanoi has taken one provincial capital, Quang Tri City, which is within spitting distance of the DMZ on a windy day. "Dictator" Thieu persists in his odd habit of arming the masses—50,000 rifles were passed out to the militia in Hue—while the Senate in Saigon rejects his request for decree powers, strange behavior for a legislative body in a "police state."

The most significant aspect of this picture is what has not happened: there have been absolutely no indications that the people of South Vietnam are eagerly planning a "general uprising." The role assigned to them in General Giap's script. On the contrary, the opposition groups in Saigon have made it clear that, while Thieu is not their favorite, the Communists are the enemy.

American commentators, some I suspect deliberately, have misinterpreted the views of the militant Buddhists and their allies, that is, Thieu Tri Quang and what might be called the "Big Minh" ambience. They have never been pro-Hanoi (indeed, Tri Quang is a refugee from the North).

Their goal has been to install themselves, not the Communists, in power in Saigon. Antiwar Americans have used their attacks on the Thieu government (and its predecessors) as evidence of pro-Communist sentiment. They don't know their customers. Tri Quang is hard as nails: he knows he wouldn't be in business in the authentic dictatorship up North. And Big Minh, just the other day, dismissed "coalition government" as a Communist trap.

It is also interesting to note that the "civil war" dimension of the struggle has practically vanished except in Binh Dinh. The basic reason for this is that Giap sacrificed the Vietcong Main Force units in the 1968 Tet offensive. Their mission was to touch off the "general uprising" in the cities while the North Vietnamese regulars remained in reserve to move in and clean up.

But there was no uprising and the VC was virtually eliminated as a fighting force. Hanoi made no effort to rescue them, leading the suspicious to recall how Stalin's armies sat on the outskirts of Warsaw in 1944 until the Nazis had suppressed the Polish Nationalist insurrection in the city. The Soviets had their own set of tame Poles ready to assume power, and it was convenient for the Nazis to dispose of a potential anti-Communist opposition. From 1969 on, Hanoi could have no problem with indigenous Southern Communists: potential Titos were sent into the abattoir.

On the other side of the hill, things don't seem to be going too well. Moscow and Peking have both sent comradely regards to Hanoi and have issued ritual denunciations of our escalation of the air war against the North.

And Giap's troops have been taking a fearful bashing, with very little to show for it. Which leads one to expect a new peace offensive. Hanoi's Foreign Minister Nguyen Duy Trinh in conversation with Anthony Lewis already indicated the first move (in a scenario set forth here in March, 1970): a tripartite coalition of Provisional Revolutionary Government Communists, members of the Saigon regime (Thieu excluded), and "neutral" exiles now in Paris. The fall-back position from that would be a coalition including Thieu and the PRG, with a President drawn from the "neutrals."

Let us hope our negotiators are on their toes. This would be a tricky one to handle, particularly in the middle of an American presidential campaign. Like the other scenarios it has as its centerpiece the Americans busting Thieu, but it would have a surface plausibility that other Hanoi peace offensives have lacked—and great innate appeal to war-weary Americans.

#### MIKVA INTRODUCES NATIONAL CRIME VICTIMS COMPENSATION ACT

**HON. ABNER J. MIKVA**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. MIKVA. Mr. Speaker, yesterday, June 14, I introduced the National Crime Victims Compensation Act, along with 35 cosponsors.

The war on crime is a long way from being won. In the meantime, we are doing all too little to bring emergency help to the people who suffer the most direct impact from the crime rate statistics. The people of America are entitled to be compensated for the losses they sustain

at the hands of criminals, and that is what this bill would do.

Crime is endemic in our society, and nothing we do in this bill is likely to reduce substantially the incidence of crime. The National Crime Victims Compensation Act is no substitute for a strong anticrime program. But it will redistribute more evenly the burden which today falls capriciously on those who are so unfortunate as to be in the wrong place at the wrong time.

There has developed a rather substantial body of experience on which to draw for guidance in framing a crime victim compensation system.

In 1964, New Zealand began compensating victims of violent crime in accordance with legislation passed in 1963. Great Britain followed later in 1964 with a compensation system of its own. Canada followed suit in 1967, and New South Wales—in Australia—did the same in 1968. Each of these foreign jurisdictions has had several years of experience, each with a somewhat different compensation system.

In this country, seven States offer compensation to victims of violent crime. They are California, Hawaii, Maryland, Massachusetts, New York, Nevada, and New Jersey. Attached to my statement, for inclusion in the Record, is a table outlining the major provisions of each of those State laws.

The bill introduced today contains three titles:

Part A of title I establishes a compensation system to reimburse victims of violent crime for medical expenses and lost wages. A three-man Federal board would make awards to applicants injured

by criminal acts on Federal territory, including the District of Columbia.

Part B of title I authorizes LEAA to fund 75 percent of the costs of similar State compensation systems.

Title II authorizes LEAA to establish direct Federal group insurance plans for public safety officers in States where such insurance is not available at inexpensive group rates.

Title III authorizes a lump sum Federal benefit of up to \$50,000 to be paid on behalf of any policeman, fireman, prison guard, or other public safety officer—State or Federal—who is disabled or killed by a criminal act in the line of duty.

The bill closely parallels titles I-III of Senator McCLELLAN's bill (S. 2994) which is expected to be before the Senate Judiciary Committee in the near future. With prompt action by both Houses of Congress, we should be able to provide relief soon to the innocent victims of violent crime.

I am pleased to list the following Members as cosponsors of the National Crime Victims Compensation Act:

#### COSPONSORS

JONATHAN BINGHAM, KEN HECHLER, JAMES SCHEUER, HERMAN BADILLO, WILLIAM GREEN, PARREN MITCHELL, JAMES SYMINGTON, TOM REES, PATSY MINK, HENRY HELSTOSKI, NICK BEGICH, ROMANO MAZZOLI, JAMES CLEVELAND, FLOYD HICKS, MICHAEL HARRINGTON, EDWIN FORSYTHE, JOHN MOSS, GEORGE COLLINS, BENJAMIN ROSENTHAL, BELLA ABZUG, JOHN SEIBERLING, PHILLIP BURTON, LOUIS STOKES, ROBERT MCCLORY, JOSHUA EILBERG, CLAUDE PEPPER, RALPH METCALFE, CHARLES RANGEL, LES ASPIN, DONALD FRASER, ELLA GRASSO, WILLIAM FORD, JOHN CONYERS, FERNAND ST GERMAIN, and RONALD DELLUMS.

State	Jurisdiction	Eligibility	Restrictions	Amount	Subrogation	Attorney fees	Loss of property	Determination
California: Cal. Gov't Code, §§ 13960-13966 (1967); §§ 13970-13974 (1969).	State Board of Control (hearing).	1. Victim. 2. Dependents—in case of pecuniary loss from his injury or death.	Need basis.....	Not in excess of \$5,000.	State subrogated to rights of claimant against offender to the extent of payment of the claim. May intervene in claimant's action against offender or bring own.	Not in excess of 10%..	To private citizen preventing crime or apprehending criminal, or rescuing a person.	May refuse to compensate for lack of cooperation with police in apprehension of offender.
Hawaii: Hawaii Rev. Law §§ 35-1, 351-70 (1967).	Criminal Injuries Compensation Commission (hearing).	1. Victim. 2. Dependents—in case of his death. 3. Other—person responsible for victim's maintenance, where pecuniary loss results from victim's injury.	General.....	Not in excess of \$10,000.	State may bring derivative action against the convicted offender in the name of the victim or dependents awarded compensation. Excess recovery given to claimant.	Commission's part of order may award reasonable attorney fees, not in excess of 15% of an award over \$1,000—out of the award.	To private citizen preventing crime or apprehending a criminal.	Reduce compensation to extent victim was responsible for the crime that caused his injury.
Maryland: Md. Ann. Stat. art 26A, §§ 1-17 (1968).	Criminal Injuries Compensation Board (single member with right to appeal to whole).	1. Victim. 2. Dependents—in case of his death. 3. Other—dependent on victim for their principal support. 4. Anyone injured or killed in attempting to prevent a crime, and his dependents.	Out-of-pocket loss of \$100 or two weeks' earnings plus "serious financial hardship."	Art. 101, § 36 schedule used.	-----	Subrogated to the extent of the award to recover payments resulting from the crime.	-----	Reduce compensation to extent victim contributed to his injury. May be disregarded if victim attempted to aid a victim or prevent crime or apprehend a person after he committed a crime.
Massachusetts: Mass. Gen. Laws ch. 258A, §§ 1-7 (1968).	District Court....	1. Victim. 2. Dependents—in case of his death.	Out-of-pocket loss of \$100 or two weeks' earnings.	Equal to loss up to \$10,000.	-----	"To the extent of compensation," any amount received by claimant from any source exceeding the actual loss to the victim may be recovered.	Court as part of order may award reasonable attorney fees, not in excess of 15% of an award over \$1,000—out of the award.	Same.



State	Jurisdiction	Eligibility	Restrictions	Amount	Subrogation	Attorney fees	Loss of property	Determination
New York: N.Y. Exec. Law §§ 620-635 (1966).	Crime Victims Compensation Board (single member with right to appeal to whole).	1. Victim. 2. Dependent—in case of his death. 3. Other—dependent on victim for their principal support. 4. Anyone injured or killed in attempting to prevent a crime, and his dependents.	Out-of-pocket loss of \$100 or two weeks' earnings plus "serious financial hardship."	Not in excess of \$100 per week earnings or support, nor an aggregate award of more than \$15,000.	-----	To the extent of the award to recover payments resulting from the crime.	-----	Reduce compensation to extent victim contributed to his injury. May be disregarded if victim attempted to aid a victim or apprehend a person after he committed a crime.
Nevada: Nev. Rev. Stat. §§ 217.180-217.260 (1969).	State Board of Examiners (hearing).	1. Victim. 2. Dependent—in case of his death. 3. Other—person responsible for victim's maintenance where pecuniary loss results from victim's injury.	General-----	Not in excess of \$5,000.	Subrogated to the cause of action of the applicant against the offender and may bring an action for the amount of damages sustained by the applicant. Excess recovery paid to claimant.	Board as a part of order may allow reasonable attorney fees, not to exceed 10%—out of the award.	-----	In determining whether to make an order for compensation, the board shall consider provocation, consent, or any other behavior of the victim.
New Jersey: N.J. Session Law Oct. 1971.	Violent Crimes Compensation Board (hearing).	1. Victim. 2. Dependent—in case of death. 3. Other—person responsible for victim's maintenance where pecuniary loss results from victim's injury.	Out of pocket loss of \$100 or two weeks earnings.	Not in excess of \$10,000.	Subrogated to the cause of action of the applicant against the offender and may bring an action for the amount of damages sustained by applicant. Excess recovery paid to claimant.	Board as part of order may allow reasonable attorney fees, not to exceed 15% of the award—not out of award.	-----	Reduce compensation to extent victim contributed to his injury. May be disregarded if victim attempted to aid a victim or prevent a crime or apprehend a person after he committed a crime.
Victims of crime act of 1972 [Title I].	Violent Crimes Compensation Board (hearing).	1. Victim. 2. Dependent—in case of his death. 3. Other—person where pecuniary loss results from victim's injury. 4. Anyone suffering pecuniary loss.	\$100 minimum plus undue financial hardship.	Not in excess of \$50,000.	Attorney General may maintain action against offender for recovery of the whole or specified amounts of the compensation.	Attorney fees allowable as under 18 U.S.C. 3006A.	-----	In determining whether to make an order, the behavior of the victim is considered.

Note: Adapted from 47 Notre Dame Law 88 (1971).

## MR. ROONEY ON NEWS MEDIA FREEDOMS

### HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. VAN DEERLIN. Mr. Speaker, fundamental constitutional rights are an issue of primary concern to all Americans. Governmental regulation of the news media is fundamentally improper, under our system.

Our colleague, FRED ROONEY, has touched on some critical points in an address delivered May 23 to the Pennsylvania Broadcasters Association. Mr. ROONEY's thoughtful remarks provide considerable background and guidance in this sensitive area.

The text of his speech follows:

OPENING REMARKS ON NEED TO EDUCATE MEMBERS OF CONGRESS "IN THE clearest and simplest way possible on the major matters which concern you as broadcasters"

There's an interesting cover story in this month's issue of "Nation's Business," which I am sure you have all seen.

The opening sentence of the story poses a perplexing question:

"How would you like to own a business where you are required every three years to justify your performance to seven political appointees and perhaps lose that business if they don't think you measure up?"

I'd say that's a unique kind of business.

I'm sure it occurs to you when you fill out your license renewal applications.

You've always been beholden to govern-

ment for your broadcast franchise, and subject to Federal controls and laws.

But lately, you're being made more aware than ever before.

For many years the license renewal policy of the FCC was consistent.

The Commission, in reviewing renewal applications gave great weight to the past performance of a licensee on the reasonable assumption that proven record of good performance was better evidence of future quality performance than any other measurable factor.

Now, because of recent court decisions, any individual or group can challenge a station's right to continue operating.

The station is compelled to respond, no matter how unrealistic the complaint.

And a recent decision by the U.S. Court of Appeals in Washington has raised concern that a broadcaster might be required to pay for all expenses incurred by the challenger, even after meeting his demands.

Such license challenges have put more than 100 stations under attack, and two owners out of business.

The final solution to the license renewal matter, in my view, is to be found in the Congress.

We will have a permanent national renewal policy, binding on both the FCC and the courts, only when specific criteria are written into law.

Nearly 200 Members of Congress in both Houses and in both parties have lent their names to renewal legislation.

Nearly 100 bills are pending.

My bill, H.R. 13193, would extend the license period to 5 years for radio stations and retain the 3-year statutory limitation for television stations.

At the same time it would assure both that their licenses would be renewed if the station could show the FCC a good-faith effort to serve the needs and interests of its community during the preceding license period.

The public interest requires that the broadcast industry be a stable one in which licensees whose past record of performance meets or exceeds broadcast criteria established by the FCC have a reasonable degree of assurance that their applications for license renewals will be determined upon such criteria, and not some extraneous issues not directly related to the quality of service extended to their broadcast area.

My bill does this, without in any way eliminating any existing rights enjoyed by those who desire to contest a license application or otherwise bring to the attention of the FCC any alleged failures of a licensee.

Unfortunately, you are not going to get license renewal legislation in this, the 92nd Congress, but the issue is still very much alive.

I urge all broadcasters to use the next 8 or 9 months to educate their Congressmen as to the need for this legislation.

Permit me also to call your attention to legislation which I have introduced in the House with some 25 cosponsors to remove existing Federal legal barriers to the broadcasting of information about the Pennsylvania lottery.

All news media in Pennsylvania and other States which have implemented state-operated lotteries have encountered the restrictions imposed by Federal anti-lottery laws.

These Federal laws involve interstate commerce, use of the mails and broadcasting.

A number of related bills are pending in several House committees. Only mine, however, has tied all the necessary revisions of Federal law into a single legislative package which now is before the House Judiciary Subcommittee No. 2.

That subcommittee seems almost equally divided on the question of removing Federal obstacles to the State-operated lotteries.

I have been advised, for example, that the

subcommittee's two members from the State of California, Congressman Waldie and Danielson have indicated they oppose these measures.

On the other hand, there have been recent reports that California is looking at the east coast State lotteries with considerable interest.

Obviously, if California establishes its own lottery, then that State's broadcasters will be in the same shoes in which Pennsylvania broadcasters find themselves now.

Here, then, is an opportunity for your group to contact your affiliates in California and seek their help to win the support of the two California Congressmen on the Judiciary Subcommittee No. 2 for favorable action on the lottery legislation.

In addition to license renewal problems, the broadcast industry now has to face the Federal Trade Commission's recent counter-advertising proposal which, if enacted, has the potential of undermining and destroying the entire financial base of commercial broadcasting.

The concept of counter-advertising is so broad in scope as to cover most products and services now advertised over your stations.

I know from experience that no more consumer-oriented groups exist than my constituency.

And I also know that no company is going to pay to advertise its product on radio and television if by doing so it will automatically give a right to someone else to attack it on the same station.

The broadcasters' plight is of concern of all American business, because if counter-advertising comes, it's only a short step to the point at which any form of advertising would be affected.

If your industry can be undermined by Government policy, so can other industries.

Counter-advertising and license challenges may head your current inventory of headaches.

But you've been attacked in the name of public interest in a lot of other ways.

There's been a ban on broadcast advertising of lawful products whose advertising is permitted in all other media.

That only cost you \$200 million a year in cigarette revenue—and now there's a lot of Government interest in your proprietary drug advertising.

There's been the prime-time access rule. That's only depriving you of about 600 hours of network programming a year and a drop-off in audience between 7:30 and 8 p.m.

I understand there was a well-intentioned reason for the rule, but like so many of the well-intentioned regulations you're working with today, it hasn't worked.

It has, however, given rise to other ideas for controlling program content by times of day and segments of the audience, and encouraging parents agitating for all kinds of innovations in children's programs—like totally eliminating commercials.

There is for this election year, a new political-spending bill.

I don't know how you're going to fare on that.

I do not know that the equal time provision—section 315 of the communications act—is still in force, making fun situations for comedian Pat Paulsen, but depriving the American voter of television encounters between the major presidential candidates, in the words of Frank Stanton, "crippling the most constructive use of broadcasting in the electoral process."

There's more, of course.

Any number of tortured applications of the fairness doctrine.

Compulsory access to the air stripping you of the responsibility for what you broadcast

even though you're still held accountable for it.

The constant threat of investigation that hangs over your head and yours alone among the media.

The pressures on broadcast news which are a part of this.

The uncertainty as you approach license renewal time that regardless of how conscientiously you've tried to serve your community, you still may find yourself in a contest with special interest groups who want to take your license for any of a growing number of reasons.

And now some icing on the cake—the Justice Department antitrust suits against the networks contesting their program production, acquisition and sales practices.

I think the suits are way off base.

I think they are against the public interest.

I think they will fail.

And I think they are just another indication—as many of your new problems are—of an administration trying desperately to keep broadcasting off balance and bend it to its own end.

The public interest can be served best if we put the roles of government and the press in proper perspective.

Government is an institution, and so is the press.

Our founding fathers wisely foresaw that these two institutions would, in most cases, be adversaries and seldom, if ever, allies.

It is the responsibility of government to govern.

It is the responsibility of the press to report how government is functioning.

Both must ultimately account to the public.

When your industry is encroached upon by government, the public suffers.

The attack began in Des Moines in November, 1969, with a lecture from Spiro Agnew on network news bias and how the networks must be made more responsive to the views of the people.

Some of his rhetoric may have seemed amusing—even appropriate—to you at the time, but it just might have been the first step toward dividing and conquering your industry by intimidating your news people and by dampening your enthusiasm to speak out on matters of national and local importance.

Senator Bob Dole then took up the fight and flew around the countryside assailing the "liberal media."

And the President's closest staff assistants are lately growing more vocal.

H. R. Haldeman was a guest on the "Today" program several months ago.

He took that opportunity to deliver a salvo at the credibility of the news media and at what he believes to be television's continuing anti-administration bias.

James Keogh, chief of research and writing for Richard Nixon during the 1968 election campaign, and later a special assistant to the President, is out with a new book titled "President Nixon and the Press."

It details the President's poor treatment by the media.

Mr. Keogh also spoke about it in a recent "Today" program interview.

And earlier this month, on a public broadcast service program, White House speechwriter Patrick Buchanan bluntly suggested that because CBS and NBC are biased in their news coverage, along with some publications, the administration might be obliged to sponsor antitrust action to break up their "monopoly" on ideas.

He also said that the current Justice Department suits against network programming are "just testing out the theory."

The Justice Department quickly denied this, and Senator Dole promptly and off-

cially added his disagreement with Buchanan.

Of course, Mr. Buchanan said that he was expressing his personal opinion.

All the administration people do that, including Mr. Agnew.

Then try to be careful not to give the impression of a massive frontal assault.

For instance, Mr. Buchanan pointedly excluded ABC from his news antitrust wishes.

White House communications chief Herb Klein salutes your freedom of broadcasting rights every chance he gets after someone else in the administration has scolded you.

And you will get messages from the President at your big conventions about the great job you station people are going.

Just to keep you a little more off balance, and possibly undecided about what's going on, Clay Whitehead, the administration's spokesman on communications policy, tells you the things you really like to hear—about the deregulation of radio, and after that, gee, maybe television.

About his opposition to the FCC's banning newspaper-CATV crossownership in the same market, and the present rule prohibiting crossownership of TV stations and cable systems.

He also tells you about the administration's great disturbance at the way the trend is going in connection with FCC and court rulings on access and the fairness doctrine.

A few weeks ago he even went on new ground and asked the Nation's newspaper publishers to oppose, with him, a trend in Government to stifle freedom of the press.

And he called the fairness doctrine "a runaway theory" that may trample newspapers next.

Mr. Whitehead is a regular Paul Revere. I agree with his warnings and nearly everything he says.

But I don't think he voices the true feelings of the present administration.

The name of the administration game is quiet intimidation and the encouragement of splits in your industry between stations and their networks.

There's a fast thrust at an annoyance of the movement and then a denial of restrictive intent; an occasional subpoena and investigation and then a pat on the head.

When caught with a hot potato, like the ITT mess or a war going badly for all to see on the evening news, there's always an antitrust action, or the threat of one to take the heat off.

There is supposed to be liberal bias in television news.

The Nixon administration has told us this right along.

The networks are said to freeze out opposing points of view and opposing information.

Let's look at the freeze.

President Nixon on 29 occasions since his inaugural has taken over the networks for a "major" pronouncement, or one so advertised.

It could be every month if he wanted.

He has held a number, a dwindling number, of televised news conferences and several "conversations" with network interviewers.

He has appeared in fragments of innumerable news broadcasts—this above and beyond all the coverage granted Vice President Agnew, various cabinet members and other Republican dignitaries.

Even the President's staff men are promoting their books and their views on the tube.

And since the present administration does make our nation's policy, does keep the records, does appoint, hire and fire people, it does supply a vast amount of news and views, all duly reported on a daily basis.



I hope a Democratic administration is so lucky next year.

The question to be asked, of course, is what does the public think?

What bias does it see on television?

Earlier this year TV Guide took the trouble to find out.

It commissioned Opinion Research Corporation to sample viewer attitudes on TV news credibility around the country.

The findings were highly interesting.

A majority of Americans think television offers the most complete political coverage of any news medium.

Most consider television fairest and most objective of the media and see little difference in fairness between each of the networks.

Perhaps most significant, where it is believed television news bias exists, opinions divided almost 50-50 on alleged favoritism:

A quarter of those interviewed see a pro-Nixon bias; another quarter see an anti-Nixon bias; 12 percent think the Republicans are treated more kindly; 13 percent think the Democrats are; 16 percent maintain that liberals get better treatment; 14 percent are sure conservatives do.

Those are pretty good marks, pretty balanced opinion, and most of those interviewed didn't detect bias on any kind.

What turned up in the study in fact confirms the findings of other continuing surveys of public attitudes toward TV news over the last decade.

I can understand why many broadcasters—faced with the spectrum of counter-advertising, meeting license renewal challenges and trying to interpret the conflicting decisions made under the umbrella of the fairness doctrine—feel like the "shuttlecock in a badminton game."

Don't take these blows at your freedoms or at your economic base.

Fight back.

Tell your story to the public—the story of a great free and competitive industry, unexcelled anywhere in the world—an industry which brings all Americans everything from wholesome entertainment and up-to-the-minute news in their homes and their cars to live pictures from China and the moon.

Tell your story in terms of the new products and services developed by American business which, through broadcast advertising, can be sold all over the Nation, providing for the American people the goods and services they want at prices kept as low as possible because they can be mass produced and sold.

You have an honest and honorable story to tell—a story that needs to be told to the public and to the Congress.

Only you can tell it.

The time to begin is now.

#### MAN'S INHUMANITY TO MAN— HOW LONG?

### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

#### DISTRICT OF COLUMBIA TEACHERS DESERVE RAISE—LAST RAISE CAME 3 YEARS AGO

### HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FAUNTROY. Mr. Speaker, today I am introducing the District of Columbia teacher pay bill. The measure, recently approved by the District of Columbia Board of Education, would increase teacher salaries an average of 17 percent over a 2-year period. Mr. Speaker, this is urgent legislation. The education of the children of the District of Columbia has a place second to none in the list of priorities facing this city. Central to the education of children is a dedicated and well-trained force of educational personnel, and particularly classroom teachers. We cannot hope to attract and retain the quality of teachers that the District of Columbia needs to adequately educate its children unless we provide a fair and equitable salary increase.

District of Columbia teachers have not received a salary increase since September 1969, almost 3 years ago. In a sense, the bill I introduce today is simply a cost-of-living increase which barely allows our teachers to keep pace with the inflationary spiral. Since 1969, the cost of living in the District of Columbia has gone up 11.04 percent and will no doubt increase even more over the next 2 years, the period covered by my proposed legislation. Employees covered by the Teacher's Salary Act have fallen behind other employees of the Board of Education. Classified employees have received increases totaling 17.7 percent since 1970. Wage board employees have received an increase of 19.2 percent over the same period.

Mr. Speaker, these increases for teachers are long overdue. With time rapidly running out this session of Congress, the District government, the President, the House District Committee, and the House itself must commit itself to the children of the city by rapidly considering this legislation so that our teachers can receive fair pay when they return to school in September. I recognize that a method must be found to pay for the increase. But time is short, and I urge all the agencies with responsibility over this matter to move quickly to devise a financing proposal so that Congress can move quickly on this important legislation.

The bill in substance does the following:

First. Provides that the Board of Education be given authorization to establish the salary and fringe benefits of the Superintendent.

Second. Provides for the establishment of the position of Vice Superintendent.

Third. In the case of school officers in TSA classes 3 through 6, provides for placement of a new appointee at higher level—up to step 3 of his salary class. Present law requires placement at step 1 of his salary class. Teachers may be placed up to step 9 of their salary class.

Fourth. Provides for elimination of the present four levels of principals in salary class; the 1,000 point factoring system, and the requirement for three consecutive annual evaluations of levels in order for a principal to move to the next higher salary level. This procedure creates inequities in compensation of principals. Our proposal would require that the principal's job be defined and allocated to a proper salary class. Many school systems allocate principals to salary classes or grades based upon a student enrollment range or a range of teaching staff assigned to a school. Our proposal provides for flexibility in determining salary classification or principal positions.

Fifth. Provides for payment of extra duty pay at the end of the activity rather than in prorated amounts at each pay period. The present system is administratively inefficient, costly, and results in many delayed payments.

Sixth. Eliminates the option on the part of teachers for 20 or 24 pay periods and places all employees on a uniform 24 pay period. With a uniform pay period, many payroll problems could be eliminated, the system simplified, and employee morale improved.

Seventh. Provides for authorization by the Board to correct retroactively administrative errors in promotion placement for compensation purposes. At present time, many employees have suffered a loss in compensation because District of Columbia Finance has ruled that the Board does not have this authority—only the District of Columbia Finance has the authority to make the determination. District of Columbia Finance is far removed from the internal administration of the District of Columbia school system and is not knowledgeable about the complexities of the teacher certification process.

Eighth. Provides for payment of one-half pay to school officers granted sabbatical leave. The present law states that they can only receive one-half the maximum salary provided class 15 teachers. This is not equity of treatment. Assuming that we limited the number of school officers receiving educational leave with pay in any one year to five, our increased cost, which should be budgeted, would approximate \$10,000.

Ninth. Provides that effective July 1, 1974, full authority for establishing salary and classification of all employees be transferred to the Board of Education. This authority presently is vested in the District of Columbia City Council and the Congress.

#### NIX BILL TO ELIMINATE CONFLICT BETWEEN STATE AND FEDERAL STATUTES ON STATE GOVERNMENT LOTTERIES

### HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. NIX. Mr. Speaker, I have today introduced a bill that will bring Federal

legislation into conformity with State statutes in those States which permit State-run lotteries. Such States include my own State of Pennsylvania and, among others, the States of New York and New Hampshire.

This legislation is necessary to prevent a conflict between Federal statutes, including the postal statutes which forbid the mailing of lottery information. We have a situation where a weekly newspaper editor could be in the position of violating the Postal and Criminal Code.

The Federal statutes were originally intended to prosecute and prevent gambling by commercial enterprises. They were enacted long before State governments adopted lottery statutes as a fundraising device.

I believe that where States are entitled to enact statutes which cannot be questioned as to their constitutionality under the 14th amendment, that the Federal Government should not make the operation of such statutes difficult or impossible. That is the situation we have here.

My bill will erase a possible conflict between State and Federal Governments. I ask the House to support its passage.

#### FREEDOM IN SOVIET RUSSIA— PETER C. ANDREWS' REPORT ON PLIGHT OF SOVIET JEWS

**HON. JACK F. KEMP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. KEMP. Mr. Speaker, today, on the second anniversary of the mass arrests of the brave Soviet Jews who stood trial in Leningrad, it is appropriate that we assess the current status of the cause of freedom from Soviet oppression, which these people risked their lives for.

The forced separations of families and friends, the loss of jobs of those seeking to emigrate, the confinements in prisons and communication blackouts imposed by the Soviet Government often have been recounted in this Chamber.

But, until Soviet leaders honor their government's signing of international agreements to allow the Jews to practice their religion and to emigrate to their homeland in Israel, we in Congress and millions of Americans and others concerned with this humanitarian cause cannot abate our efforts in behalf of this oppressed people.

One of the concerned Americans who has contributed substantially to these efforts is Mr. Peter C. Andrews, the Washington Bureau Chief of the Buffalo Courier-Express.

Following Mr. Andrews' return from Moscow in connection with our President's recent trip, this veteran newsman chronicled conditions faced by the suffering Jews and aspects of the Soviet Government's reactions to world concern.

At this point, Mr. Speaker, I request permission to bring Mr. Andrews' story to the attention of my colleagues and following that, a statement I made today in connection with a National Conference on Soviet Jewry observance and exhibit at the Capitol:

#### SEMI-FREEDOM CONSTRICTS SOVIET LIFE

(By Peter C. Andrews)

A police state is not a happy one, and despite the trimmings of a free society, Russia is still a police state.

There are certain advantages to this, of course, such as safety from muggings in the streets at night and virtually no unemployment, but these advantages are obtained at a price that is unacceptable to most Americans.

In the Moscow District alone, by official admission, there are half a million unpaid "volunteers" to help the Moscow Militia maintain order. These young people are sometimes identified by the red arm bands they wear on their sleeves, but at other times they become evident only when they emerge from crowds to lead party demonstrations or recite the party line at gatherings.

They are part of a vast body of informers that operate on all levels of Russian society, spying on friends, neighbors, relatives, or strangers—anybody who might be thinking less than charitable thoughts about the government.

#### MOVEMENTS ARE MONITORED

The Russians tried very hard during President Nixon's visit to give the appearance of a free society. However, it is rather obvious that when one is required to turn in the hotel room key to the madame in charge of the corridor with each going and coming, that one's movements are being monitored. It cannot be proved, but most of the reporters with the President assumed their telephone calls from the hotel were monitored and their luggage was searched.

Prior to President Nixon's visit, scores of potential "troublemakers" were rounded up by the police to prevent them from getting in contact with the presidential party or with the press.

Among these were some of the more active of the 82,000 Jews who have applied for exit visas from Russia to emigrate to Israel. I personally made more than 70 phone calls to seven of these activists and not one call was answered. My contacts were all being held in preventive detention, charged only with intent to commit a crime—talking to me and other members of the press.

#### JEWS WAIT TO LEAVE

This question of Soviet Jewry is a dangerous one for Russia, because the Jews are only one of many minority groups in Russia. About 3,000 per month are emigrating from Russia to Israel, but the waiting list of applicants remains at a fairly constant level of more than 80,000.

The Russians try to downplay this mass migration because of the disturbing effect it might have on her Lithuanians, Latvians, and other groups who might get similar ideas of getting out from under the Russian yoke.

President Nixon brought up the question of Soviet Jews during his summit meeting. It is not quite clear just how the matter was broached, but presidential adviser Martin J. Hillebrand had a three-hour briefing at the State Department on the matter before he left for the trip.

#### PRESENT DECLARATION

One of the factors that might have been discussed was that prior to the trip, 135 congressmen, or almost one-third of the entire membership of the House of Representatives, presented a declaration of concern to the President about the issue.

Since congressional approval will be needed for the implementation of some of the agreements signed at the summit, the President or his staff could properly make a connection between getting congressional approval and solution of the Jewish issue.

The extreme Russian sensitivity toward the subject is shown by the fact that several hours of briefings in Moscow were devoted to the subject. During the briefings the atten-

tion of the press was repeatedly directed toward the Jewish Autonomous Region of Birobidzhan, near the Japanese border.

The settlement hardly represents all of Soviet Jewry, however, since it has a population of only 15,000, is physically isolated by thousands of miles from the mainstream of Russian life and culture and has an inhospitable climate. Most Jews prefer to live in the large cities. There are an estimated 240,000 living in Moscow, 170,000 in Leningrad and 150,000 in Kiev.

#### PROBLEM IS DENIED

The Russian attitude toward the Jews is one of assimilation, and that no problem exists on the Jewish issue. The large number of emigrés or those wishing to emigrate is an embarrassment to her. One of the factors keeping down the emigration lists is that as soon as someone applies for an exit visa, he or she usually loses whatever job he is holding and is forced to live on the charity of friends or relatives until the visa is granted.

The Russian people appear to be living in a state of semi-freedom. Everything is regulated—who can move where and who is allowed to do what. There has been definite progress made toward greater freedoms in the last few years, but by American standards, the degree of control over the population is intolerable.

#### STATEMENT ISSUED AT CAPITOL EXHIBIT ON SOVIET JEWRY

I should like to begin with an expression of gratitude to my distinguished colleague and friend from New York, Congressman Bert Podell, and to the New York Conference on Soviet Jewry for affording me the opportunity to participate in today's program.

We are all familiar with today's abhorrent conditions under which Soviet Jews must live and with the cultural deprivation they are suffering. So there is no need to recount that here. So as we focus on this issue, it might be wise for us to ask the following questions:

What has brought about the dramatic show of concern now being displayed by people the world over, people of differing nationalities and religions? What has resulted from this concern and the protests? Are protests succeeding? And most importantly, what does the future hold for the Soviet Jewish Movement for redemption in Israel?

The massive, international support for Soviet Jewry has no doubt been coalesced by the brave actions of individual Russian Jews themselves.

It is inspiring to me that the first ones to speak out risked not only losing their jobs and friends, but their lives as well when they publicly challenged Soviet Totalitarianism.

Thanks to their courage, it is not uncommon today to read of Jewish citizens in the USSR staging a hunger strike in Red Square or signing letters to Soviet officials asking of them, and often demanding of them, the basic human right to repatriate. Interestingly enough, Jews in the Soviet Union seem to prefer that word to the word emigrate, inasmuch as they see Israel as their native country and desire their right to return to their homeland.

The utter failure of Marxist Leninism in Russia to assimilate the Jewish minority into the Soviet Conglomerate is thus illustrated and it is no wonder that the rulers in Moscow are doing everything possible to cover up these fifty years of failure.

Soviet leadership has been determined, since the Revolution of 1917, to destroy the Jews as a culture, people, and entity, and to equate the Jewish religion with some sort of bankrupt mysticism. Karl Marx referred to the Jews as being "enlisted on the side of tyranny" and every Soviet leader from Lenin to Brezhnev has done his best to destroy them, their methods varying only in degree.



Yet, the entirety of a half century of propaganda, distortion, persecution and social manipulation was no match for the six-day war which quickly gave Soviet Jews a new sense of pride and honor that developed into the protest spirit that permeates Russian Judaism today.

The migration of Soviet Jews to Israel reached a new high in 1971 and may continue to climb in 1972. Regardless of what the exact figures of 1972 will be, I believe that the increased emigration rate for last year is indicative of the success of our protest movement and should encourage us all to continue raising our voices. The increased numbers of emigrants reflect a concerted effort by the USSR to defuse the protests as much as possible and to put on a facade of accommodating the Jews to some extent. However, increasing pressure is being brought to bear on agitators within the Soviet Union in order that their hopes of leaving will be kept minimal regardless of the seemingly high emigration rate.

What we must demand from the Soviet Union is a re-affirmation of the international treaty commitments that nation has signed declaring the right to leave and/or return to one's country as a basic human right and to live up to those commitments. It is significant to note that there is a growing movement among the non-Jewish intelligentsia (writers, scientists, etc.) on behalf of the right to leave and this conceivably could pose a greater threat to internal Soviet stability than the protests from the Soviet Jews themselves.

It is difficult to say at this point how the issue will eventually be resolved. Some say the USSR will allow tens of thousands to emigrate shortly in order to impose a severe economic handicap on Israel, which must bear the cost of absorption. Personally, I doubt that this would influence a Soviet policy change. Rather, any change in Soviet policy will result from an unacceptable loss of Russia's prestige due to the continuing protests or from a realization that it is better to allow the dissident faction to leave the country so it can no longer foment difficulties for Soviet leaders.

I want to read you a letter I received from someone who has given me a great deal of inspiration for our cause. It is from a young woman who has waged a courageous battle against Soviet tyranny. Her words show that, working together, we can move mountains of prejudice and repression.

I met Rita Gluzman during my visit to Israel in the summer of 1971. While the Soviet Union had permitted her to go to Israel, where her first child was born several months later, her husband was forced to remain in Russia. Rita pleaded desperately to the United States for help, and following weeks of strenuous efforts, her husband was finally given permission to join his family in Israel.

I also received a letter from Leonid Machils, whom I was able to offer some similar small help. But, in the interest of time, I will quote only from Mrs. Gluzman's letter.

Her letter is not just for me but also for all who have helped in any manner, whether signing a petition, being here today or for any action in behalf of Soviet Jewry.

The following are Mrs. Gluzman's words: "... I am writing to you as I would like to share my happiness with you. I remember that when I was miserable, I turned to you who were ready to listen to me, and asked you to help me in getting my husband back. You, and your compatriots have helped me. And I know I am not the only one whom you helped. The Jews in the Soviet Union, feeling the support of the public opinion in Europe and especially in the U.S.A., can fight for their rights to live in Israel, and can even be successful in this fight of theirs.

The first fruits of this fight can already be seen. However, I cannot forget that many thousands of my brothers and sisters are still awaiting the happy day when they will

be able to go to Israel. They feel the moral and effective support of such people as you. They know that the pressure of the West on the Soviet authorities brings positive results. I know this from my personal experience when I went to the U.S.A. to ask for your help.

I wish much happiness to you personally and to all those in America who had helped me, as well as to all those who are still helping my numerous friends in the U.S.S.R.

God bless you all.

Sincerely yours,

RITA GLUZMAN.

The words of Rita Gluzman and the tens of thousands of Soviet Jews who cry out for our help speak eloquently for the cause we must sustain.

## WORKERS SEEK TO END ILLEGAL POLITICAL SPENDING BY UNIONS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. CRANE. Mr. Speaker, at this time more than a dozen employees of McDonnell Douglas Corp., members of the International Association of Machinists and Aerospace Workers, AFL-CIO, claim that part of the union dues which they must pay to hold their jobs is spent on behalf of political candidates, organizations, and ideas they oppose.

With the support of the National Right To Work Legal Defense Foundation, these workers charge that such a practice violates their civil rights under both Federal statutes and the U.S. Constitution.

Although organized labor claims the right to look at the books of management, writes Shirley Scheibla in Barron's, the response of union leaders to a demand that their own books be opened is quite different.

She notes that:

In a striking turnabout for organized labor—the IAM filed a motion to prohibit public disclosure of the information obtained by court order. Since the U.S. District Court at Los Angeles has just turned down this motion, the major discoveries of the examination of the IAM documents may now be revealed.

It seems that IAM allocates parts of its membership dues to the AFL-CIO Committee on Political Education, COPE, and the Machinists Non-Partisan Political League, both of which are restricted by law to voluntary contributions. Mrs. Scheibla points out that:

The League, in turn, regularly contributes to the Democratic National Committee (but not to the Republican National Committee) as well as to the Democratic (but not the Republican) fund-raising dinners. With few exceptions, it spends money only for Democratic candidates.

The court case involving the machinists union is only one example of the growing revolt of workers against a union leadership which uses their compulsory dues for partisan political purposes. Last March, W. A. "Tony" Boyle was convicted for making illegal political donations with funds of the United Mine Workers, including \$30,000 to HUBERT HUMPHREY's 1968 Democratic presidential campaign.

Union leaders often use the dues of

their members to advance causes with which the members disagree. Mrs. Scheibla writes that:

Union leaders have felt under no compulsion to seek either the views or consent of their members in making political expenditures.

George Meany himself declared that:

You know, we have these laws on the books—honored, so far as I am concerned ... in the breach.

Now with the legal action sponsored by the National Right To Work Legal Defense Foundation there is reason to hope that these illegal activities will be brought to a halt.

Mrs. Scheibla states that the long-range goal of the National Right To Work Committee—

Is enactment of legislation abolishing compulsory payment of union dues. That, of course, would eliminate the problem of spending such money for political purposes opposed by the payers.

I wish to share Mrs. Scheibla's article, which appears in the May 29, 1972, issue of Barron's, with my colleagues, and insert it into the RECORD at this time. The article follows:

## RANK-AND-FILE REVOLT: IT SEEKS TO END ILLEGAL POLITICAL SPENDING BY UNIONS (By Shirley Scheibla)

"To compel a man to furnish contribution of money for the propagation of opinions which he disbelieves is sinful and tyrannical."

—THOMAS JEFFERSON.

WASHINGTON.—During the past few months, under a court order, accountants and lawyers for the National Right to Work Legal Defense Foundation have been poring over the books and correspondence of the International Association of Machinists and Aerospace Workers (AFL-CIO) to determine the full extent of union political expenditures. The Foundation is acting as counsel for over a dozen employees of McDonnell-Douglas Corp., who say that part of the union dues which they must pay to hold their jobs is spent on behalf of political candidates, organizations and ideas they oppose. Plaintiffs charge that such a practice violates their civil rights under both federal statutes and the U.S. Constitution.

## STRIKING TURNABOUT

In a striking turnabout for organized labor, which has long argued that it should be able to look at management's books, the IAM filed a motion to prohibit public disclosure of the information obtained by court order. Since the U.S. District Court at Los Angeles has just turned down this motion, the major discoveries of the examination of IAM documents may now be revealed.

According to Contentions of Fact filed with the court by the plaintiffs on April 26, IAM allocates parts of its membership dues to the AFL-CIO Committee on Political Education (COPE) and the Machinists Non-Partisan Political League, both of which are restricted by law to voluntary contributions. The League, in turn, regularly contributes to the Democratic National Committee (but not to the Republican National Committee) as well as to Democratic (but not Republican) fund-raising dinners. With few exceptions, it spends money only for Democratic candidates.

In states where the law allows, IAM arranges to have its staff employees named as voter registrars. Moreover, "The IAM frequently lends its membership lists to members of Congress for dissemination of campaign propaganda, and, using its computerized voter classification equipment, prepares for candidates, on a precinct-by-precinct basis, so-called 'walking lists' of favorable voters in the candidates' districts."

Many IAM staff members work full-time on political action. The union gives dues money to such organizations as the League of Women Voters, National Council of Senior Citizens, Group Research, Frontlash, SCOPE and the AFL-CIO Voter Registration Fund. (The Machinists, published by IAM, has described Frontlash as an organization which recruits and trains "young people who have trade union orientation and then deploys them in get-out-the-vote drives." The publication also says Frontlash, the League of Women Voters and the National Council for Senior Citizens are liberal organizations which "can work with and support labor's causes." (SCOPE—the Southern Committee on Political Ethics—"played a significant part in the unions' anti-Wallace campaign," according to the book *Financing the 1968 Election*, by Herbert E. Alexander of the Citizens' Research Foundation.)

#### MADE UNDER DURESS

The so-called Seay case cited at the outset is part of a growing revolt against the spending of compulsory dues money and "voluntary" contributions made under duress for political purposes repugnant to many workers. Last March, W. A. (Tony) Boyle was convicted in Federal District Court here for making illegal political donations with funds of the United Mine Workers, including \$30,000 to Senator Herbert H. Humphrey's 1968 Democratic Presidential campaign. On May Day, a U.S. District Court judge, after finding that he illegally used union funds and facilities to promote his own candidacy, set aside Mr. Boyle's re-election to the UMW presidency.

In 1968, Lawrence L. Callanan, business manager of St. Louis Pipefitter Local 562, and two of his associates received maximum sentences of one year in jail and fines of \$1,000 for making political contributions to candidates for federal office. (The case has been appealed to the U.S. Supreme Court.) Other cases involving allegations of illegal political expenditures by unions are still pending. In addition to the IAM, they involve the United Auto Workers and the American Federation of State, County and Municipal Employees (AFL-CIO).

The outcome of the growing revolt of the rank and file could have a profound effect on the nation's political future. According to Sylvester Petro, law professor at New York University and widely-acknowledged authority on organized labor, unions command the most influential single voice in national policy-making, since more than half the members of both House and Senate owe their offices in large measure to such support. By conservative estimates, unions are expected to spend between \$70 million and \$100 million this year alone on politics.

#### HOLDING THEIR JOBS

However, the record suggests that union leaders do not speak for the majority of American workers. Out of a labor force of 80 million, only 20 million belong to unions. Moreover, the Bureau of National Affairs estimates that nearly 83% belong by compulsion as a requirement for holding their jobs. (Dr. Petro estimates that between 30% and 40% of union members are either Republican or Independent.)

Despite their lavish contribution and clout on Capitol Hill, union chieftains cannot always deliver the vote. According to Rep. Philip Crane (R., Ill.), unions spent an estimated \$60 million on behalf of Senator Humphrey in 1968, while public opinion surveys showed that 44% of union members and their families opposed him. In 1970, Democrats Albert Gore and Ralph Yarborough were defeated in bids for the Senate, although, according to reports to Congress, they each received contributions of over \$100,000 from organized labor. This year, despite the support of UAW leaders, Senator Edmund S. Muskie fared disastrously in the Democratic Presidential primaries. After not-

ing George Wallace's recent victory in the Democratic primary in heavily-unionized Michigan, TV commentator David Brinkley declared, "We have discovered in Michigan that the unions may be able to deliver money, but they are not able to deliver votes."

#### NO COMPULSION

To judge by the record, union leaders have felt under no compulsion to seek either the views or consent of their members in making political expenditures. According to AFL-CIO President George Meany: "You know, we have these laws on the books—and they have been there for many, many years—the Corrupt Practices Act and so forth—honored, so far as I am concerned, they have been honored by everybody in the breach. I don't know of any candidate for office anywhere that gives a damn where he gets the money so long as he gets it when he gets into a campaign."

But now a new force, the National Right to Work Legal Defense Foundation, has come on the scene. It was created three years ago as an adjunct to the National Right to Work Committee, which led the fight resulting in bans on compulsory unionism in 19 states. In its short life, the Foundation has made remarkable strikes in supporting cases involving allegations of illegal political expenditures with compulsory dues money, and in opening to public scrutiny the ways in which union chieftains exert their political clout.

Such practices, the Foundation charges, not only flout federal statutes but also deprive a person of liberty and property without due process of law, as provided by the Constitution, and violate the Constitutional guarantees of freedom of association, conscience and political thought and action. As remedies, the Foundation is seeking withdrawal of tax exemption for unions which engage in such illegal and unconstitutional activities, refunds of dues money spent in such fashion, damages and exemption of damaged workers from future payments of union dues.

While federal statutes have prohibited political activity by corporations since 1907, a similar restriction was not imposed on unions until 1947, with passage of the Taft-Hartley Act. Until recently, unions have been able to get around the ban by insisting that their political activities are conducted entirely with voluntary contributions through such organizations as the AFL-CIO's COPE.

Unions have been extremely reluctant to open their books to show how they finance political activities. In the Street case, when employees charged that union shop dues rather than voluntary contributions were funding political activities, a superior court gave 15 railroad unions the choice of opening their books or exempting the protesting workers from all union shop agreements and refunding all dues they had paid under them. The unions chose the latter alternative in 1965, thus settling years of haggling.

In the aforementioned Seafarers case, the indictment accused the union of threatening seamen that they would lose their jobs if they refused to make "voluntary" contributions for political activities.

In the Seay case, Foundation attorney Raymond J. LaJeunesse Jr. told the court on April 18 that his examination of thousands of items in IAM's records makes it clear that the union engages in substantial political activity; however, it is impossible to determine the exact expenditures because some records have been discarded, while others have misleading classifications which do not accurately show political expenses. Plaintiffs are seeking a court order requiring the union to account properly for its expenditures with compulsory dues money, and to grant a permanent injunction against the compulsory payment of union dues by the plaintiffs.

#### COURT OF APPEALS

When the U.S. District Court in Los Angeles dismissed the complaint, Foundation

attorneys went to the Appeals Court, which remanded the case for trial, stating: "The diversion of the employees' money from use for the purposes for which it was exacted damages them doubly. Its utilization to support candidates and cause the plaintiffs oppose renders them captive to the ideas, associations and causes espoused by others. At the same time it depletes their own funds and resources to the extent of the expropriation and renders them unable by these amounts to express their own conviction, their own ideas and support their own causes." A pre-trial hearing is scheduled for June 5.

In the Marker case, workers who pay compulsory dues to IAM and the United Auto Workers have asked IRS to withdraw tax exemption for the two unions because they illegally spend dues money for political activities. The Foundation says the case "was carefully designed along the same lines as that in which all-white private schools in Mississippi lost their tax exemption. The theory is that by allowing tax exemption to an organization denying individuals their Constitutional rights, the government is in support of that unconstitutional activity. Litigation on this theory successfully eliminated the tax exemption for the all-white private schools."

Offered as an exhibit in the case was a report by Americans for Constitutional Action on organized labor's contributions to candidates in the 1970 election. It showed that Democratic candidates for Senator, representative and governor received \$4,153,746; while Republican candidates received \$143,550.

#### REMOVE TAX-EXEMPTION

Last November, Senator Paul Fannin (R. Ariz.) introduced an amendment to the Campaign Spending Reform Bill requiring that the IRS withdraw tax-exempt status for any organization collecting involuntary dues if any part was used for political purposes. Although he noted that the practice already was supposed to be illegal, the measure was defeated by a vote of 61 to 31. The Senator noted: "Of the 31 Senators who voted for the amendment, only two received union contributions in their previous election amounting to a total of \$1,200."

"Of the 61 Senators who voted with labor on the matter, only nine had no reported union funds in their previous election. And of these nine, three had no opposition, and one was appointed. The 61 Senators . . . received a total of more than \$2 million in their most recent election campaigns, and probably many times that amount in other funds, materials and services."

Senator Fannin says that by continuing tax exemption for all unions, IRS is forcing taxpayers to subsidize the election campaigns of union-endorsed candidates. "Right now industry is being out-gunned by the union bosses, and this fire-power is aimed right down the throats of the U.S. Congress. . . . We will never have a fair break for business or the public as long as unions are allowed to exact money from members to finance the campaigns of their chosen candidates."

The Marker case was started a few days after the defeat of the Fannin amendment. A letter filed as an exhibit shows how far union help to politicians may go. Dated November 3, 1970, it is from Guy Stubblefield, business representative of the IAM, to Floyd E. Smith, president of the IAM, and says, in part, "During the week of October 26 Brother Name and I organized our political activity in behalf of Adlai Stevenson III, All Lodge No. 1553 plants were handbilled on either Thursday or Friday, and leadership in the plants was encouraged to work in their own respective neighborhoods. Approximately 4,000 copies of the Adlai material furnished by the Machinists were distributed to and by IAM members. Additionally 3,000 copies of the Adlai material were furnished to other labor unions through the Central Body."



## CLOSED BOOKS

The Foundation also is supporting the Gabauer case, filed last March, which charges top officers of the UAW with spending Community Action Plan fund money for political candidates and refusing to open the books of St. Louis Local 25 for inspection. It also contends that the officers use a substantial part of union dues and other assets to promote organizations and groups espousing and promoting ideological doctrines and causes the members oppose. These include the National Students Association, Students for a Democratic Society, Americans for Democratic Action, United World Federalists, DuBois Memorial Committee, Confederate Spanish Societies, New Mobilization for Peace, National Committee for a Sane Nuclear Policy and United States Committee for Democracy in Greece.

Another suit backed by the Foundation and brought by 12 members of UAW Local 558 in Chicago seeks to force UAW officials to end support of these same organizations. According to Bernard W. McNamara, spokesman for the group: "The members of Local 558 are sick and tired of seeing their dues money spent on political and various left-wing causes which we oppose. It is not only a violation of federal law, but in the case of our local, it has been done contrary to an express resolution adopted by an overwhelming majority of the membership."

Plaintiffs also charge that \$100,000 of dues money went to Adlai E. Stevenson III, resulting in his election to the Senate in 1970, and that an additional \$100,000 of dues money was spent for candidates for the House the same year. The suit seeks an accounting of the funds thus spent and asks that the union officers be required to repay to the union treasury the money they allegedly unlawfully diverted.

## LONG-RANGE GOAL

Long-range goal of the National Right to Work Committee is enactment of legislation abolishing compulsory payment of union dues. That, of course, would eliminate the problem of spending such money for political purposes opposed by the payers. Representative Sam Steiger (R., Ariz.) has introduced a bill, HR 11827, which would ban compulsory unionism. It is likely to stay bottled up at the largely pro-union Thompson subcommittee of the House Education and Labor Committee, at least for the rest of this session. The vote on the Fannin amendment indicates that such a measure would be unlikely to get through the present Senate. Recourse to the courts by the rank and file will take longer, but seems to be the only avenue open.

S. D. Cadwallader, national director of the Foundation, has been a voluntary member of the Order of Railway Conductors and Brakemen for 27 years. He says: "It seems to me that it is just a matter of time before the practice of using forced union dues for political purposes and ideological causes is ended by the federal courts."

## PEACE, COMMUNIST STYLE—RARICK REPORTS TO HIS PEOPLE

## HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. RARICK. Mr. Speaker, I recently reported to my people on the means by which communism is influencing the American judicial system and our democracy. I insert the report at this point:

## RARICK REPORTS TO HIS PEOPLE ON PEACE, COMMUNIST STYLE

The latest news, as if selected on a national scale to condition the minds of our people to accept what is yet to come seems to be concentrated on the Moscow meeting, the Angela Davis acquittal, and the George Wallace shooting.

President Nixon and his able staff are hard at work seeking political support and public backing for his peace deals with the Soviets, trying to reassure the realists that he really didn't disarm America or agree to limit the country to a second rate power. The Soviets' reaction has been quite to the contrary.

That part of the controlled Communist news media available to us in Congress has heralded the U.S.-Soviet talks as a victory for world socialism and a giant step forward for the Communist party dedicated to attaining world conquest. The Russian papers report the victory to their people:

"Lenin's principle of proletarian internationalism is applied to the international proletariat, the individual national rank and file, and the national liberation movement of the peoples of the world. . . . We exert major influence on the world revolution through our economic policy. The struggle in the world context has now reached this stage. Only when we solve this task can we achieve final victory within the international context."

In a June 1st broadcast in Mandarin to Red China:

"The results of the Soviet-American negotiations show that improvement of relations between the two great powers on the basis of peaceful coexistence is an actual possibility. 'Basic Principles of Relations Between the United States and the USSR,' a document to which CPSU Central Committee General Secretary comrade Brezhnev and U.S. President Nixon affixed their signatures, laid the foundation for improving relations and developing effective cooperation."

Notice that in the Soviet broadcast Brezhnev is not referred to as a Russian official, but as Comrade—the General Secretary of the Communist Party. So, any agreement was not with the Russian people, but with the Communist Party, a political apparatus that controls the Russian peoples.

The Communists continue, however:

"It should be emphatically pointed out here that the Soviet policy of improving relations between the Soviet Union and the United States does not affect the discharge of its internationalist duties."

The Soviets reassure their people that any agreement made with the U.S. will not be interpreted by them to affect their ultimate goal—the overthrow of all the non-Communist governments of the world, which the Communists teach is the only way to peace.

I have page after page of Communist propaganda broadcast to the world praising the so-called disarmament treaty as a victory for international Communists.

In nearby Silver Springs, Maryland, Governor George C. Wallace, who was hit by five bullets in an attempted assassination, has been transferred to a regular hospital room. Governor Wallace is a very sick man but making steady progress and remains a forceful voice in American politics. His would-be assassin has been charged by both federal authorities and the State of Maryland.

Reportedly the would-be assassin tagged after Governor Wallace and infiltrated into his political camp, suggesting he was on an assigned mission. He did not trust to marksmanship—he dared not miss—he waited until the close range opportunity presented itself and emptied his gun point blank into the stomach of George Wallace so that Wallace's wounds would be fatal.

But divine intervention had again upset the plans of man; Wallace lives and will continue his courageous battle. The would-be

assassin, the so-called loner, may now have more to fear than from his masters than from the law—he bungled his mission.

I am concerned that the verdict in the Angela Davis case will be a pattern for a crusade to exploit Wallace's would-be assassin as a new martyr in another constitutional crisis to aid and abet criminals. The persuasive argument goes like this. Suspect, would-be assassin, was held by the police for a suggested seven hours before seeing legal counsel of his choosing. The argument continues that this may exceed the legal tests laid down by the U.S. Supreme Court, thus depriving him of his Constitutional rights; therefore, suggesting that he should never come to trial. That this new mobilization is a fallacy seems unimportant to the revolutionary who is not interested in facts but rather is persuaded by emotion and hysteria. Certainly the police in Maryland did not have an attorney with them or assigned at the jail waiting for an assassination attempt to occur. Governor Wallace was not consulted as to the rights of any would-be attempt to kill him. All reports indicate that the apprehended suspect was offered an attorney—which he rejected—because he demanded exclusively an American Civil Liberties lawyer.

I sincerely hope that the wounded George Wallace is not made a scapegoat, if not a villain—for allowing himself to be shot. I do not make this statement lightly. In California in the justice for Angela matter, a state judge, Harold J. Hailey, was kidnapped from his own courtroom with a sawed-off shotgun at his neck and subsequently murdered. In fact, his head was blown off. Jurors in the courtroom were also taken hostage and the assistant District Attorney was paralyzed in the same incident.

Yet, public opinion was so mobilized by repetitious pleas of pity and sympathy for Angela Davis and her so-called love affair with a convict that the American public seem to have forgotten the brutal murder and the brazen insult to any theory of justice under law and order. Remember that the courtroom only exists for the people in dispensing justice in an orderly and dignified manner, rather than allowing the people to take the law into their own hands and enact vengeance as a mob.

The California trial on charges of murder, kidnapping, and conspiracy is over; and regardless of our feelings and reactions, under the law she goes free of the charges by the State of California. But the interesting part of the Davis case was not the charges or the trial, or for that matter even the acquittal, but rather the unprecedented amount of publicity and world-wide acclaim that Angela Davis received and continues to receive. The reason for her being catapulted into an international figure can only be explained as that she is a self-admitted Communist and that the Soviet Union and the Communist Party of the U.S.A. not only used Angela to raise money, get publicity and give "their people" a battle cry, but to further polarize the American people and belittle our time-proven Anglo-Saxon system of law. If you think the propaganda was demoralizing on unsuspecting Americans who should know better—think of its impact on the unsuspecting peoples of the world.

Immediately following the verdict, which the Communists had apparently felt would be more advantageous if it were a finding of guilty rather than of innocent, American papers reported:

"In Soviet Bloc countries—where government propaganda had transformed Miss Davis into a folk hero and where the public had been deluged with posters, public rallies and lapel buttons emphasizing the theme 'Free Angela Davis'—the acquittal was described as a great triumph for the progressive peoples of the world against racism and imperialism."

The Soviet Party position on the Davis trial clearly indicates their continued efforts to effect an overthrow of our country by collaborated activity to divide our people, class against class, race against race, thus encouraging additional acts of violence.

A judge and three prisoners were killed and another prisoner and District Attorney injured in what the Soviet Union would have the world believe was in the best interest of progressive minded people. Murder is a strange progress—but Communists have strange morals.

It must be remembered that Angela Davis admitted ownership of the guns, acknowledged involvement in what she calls freeing political prisoners, and fled across state lines following the shootout, thus making her a fugitive from justice. This is generally considered a crime in all civilized countries—we can even assume in the Soviet Union.

And how did Angela Davis accept the verdict? At first, she acted like a normal human being relieved of a great threat to her freedom. Then, she reverted back to her Communist Party discipline; and without any gratitude or regard for our system, which had just given her the benefit of doubt, she attacked our entire American system of justice and reverted to Communist criminal type. Her repeated use of the words "people's struggle" and "oppressed people" are perfect examples of the use of Communist jargon to disarm uninformed Americans. "People" or "people's struggle" to an indoctrinated Communist means "Communist" and "Communist struggle." No one else counts. The term, "oppressed peoples" refers to free people or people who have not yet been intimidated or induced to join the Communist movement to enslave the world.

This is about as ridiculous as was the argument of her black attorney to the all-white jury urging them to think black and trying to make the issues white versus black—rather than murder, kidnapping and conspiracy versus innocence. It should seem strange to any thinking American for black Americans to call our American society racist, when all Russians are white.

The Communist-labeled racist society that Angela Davis continues to denounce in favor of her allegiance to the Soviet Union has been very good to her. She has had the freedom to obtain a first-class education, the freedom to make her own decisions, which included a college education financed by taxpayers and enabling her to achieve a professorship at a California college; and she was granted the freedom of making her choice as to whether or not she would dedicate her life to being a loyal and faithful American citizen using her intelligence and achievements to help her people or whether she would become a Communist, dedicated to the violent overthrow of the country of her birth, dedicated to the destruction of the free enterprise system of economy, and an atheist. She chose the latter, and yet still has been accorded the freedom of our land and the protection of our laws. Even Angela Davis should have intelligence enough to know that the repressed people of the Soviet Union would never have been given any of these freedoms which she now despises. Likewise, she should know of the ever-increasing lists of immigrants from Communist countries awaiting the opportunity to come to America and the free world.

She repeatedly and arrogantly denied the charges, yet refused to testify in her own defense. It may be that she did not send her guns in the California murders. Being an admitted Communist, she may well have been the victim of her own comrades. In other words, the Communists in California may have deliberately involved her guns hoping that she would be convicted so that she could be used as more anti-American racist propaganda. But just as the U.S.-Soviet treaty is being used by the Communist prop-

aganda mills to advance its threat to the free world people, so is the Communist propaganda using Angela Davis and the court's decision. Moscow's official party organ, Tass has labeled the acquittal "as a great triumph for the progressive peoples of the world against racism and imperialism."

The Communist paper *Neues Deutschland* of East Germany said it was "a victory of the truth over the lie." The acquittal, it said, "was made possible because millions throughout the world came out in support of Angela Davis and because the threats of the racist anti-Communist plot was made clear for all to see." Radio Hanoi used the verdict for a different kind of propaganda by hailing it "as a victory for anti-war forces in the U.S."

In typical fashion none of the Communist voices who have talked about justice for Angela ever mention the absence of justice for Judge Hailey and the other three people who were murdered. Truth and full disclosure is just not a Communist policy. Communist policies are interested in goals and not individuals—unless for their advantages to the "movement." But then for that matter, not even in America are people being told that acquittal by a state jury under state criminal charges is not the end of the case. The American people have been sold the conclusion that there is nothing more than can be done in achieving justice for Judge Hailey.

Overlooked or ignored is the fact that she, while under indictment for a felony, fled the state and became a fugitive from justice—which is a crime. Overlooked is the precedent established by the U.S. Supreme Court in 1966—that verdicts of acquittal in state court murder proceedings do not bar federal prosecution under 1866 Civil Rights statutes enacted during the Reconstruction Period following the Civil War and having to do with violation of civil rights! The law is 18 U.S.C. Sections 241-242. Certainly federal prosecution for deprivation of Civil Rights in the Southland, despite earlier verdicts of acquittal or no action by state authorities, are just as pertinent when applied against denial of Civil Rights in California.

I have so notified the U.S. Attorney General—but because of the double standard of laws in our country, I don't expect any Federal action in this case. The Communist philosophy of Angela Davis—justice from the end of a gun barrel—is being tolerated and allowed to provoke violence and deny the Civil Rights of decent law-abiding American people.

And this brings us back to the attempted assassination of George Wallace, Governor Wallace's alleged assassin is being set up as a political prisoner "cause celebre". Is not George Wallace like Judge Hailey? Both are political victims, and the "right to know" machinery ignores the civil rights of the victims of political crimes which are acts of violence used by the Communists to advance their goal. Will George Wallace's intended assassin be promoted as another Angela Davis fund raiser for the Communist party?

#### EULOGY TO ARTHUR H. SEIDENSPINNER

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. HOGAN. Mr. Speaker, late last month my home county of Prince Georges, Md., lost one of its outstanding citizens and I lost a dear friend when Arthur H. Seidenspinner went to his eternal reward.

He was a kind, gentle, and dedicated man who spent his lifetime helping others. As one civic leader said to me at Artie Seidenspinner's funeral:

As many times as I asked him to work on a project, he never once turned me down.

Artie Seidenspinner will be sorely missed not only by his wonderful life-mate, Pauline, and his other relatives, but also by his countless friends who had the pleasure and privilege of knowing such a man.

I had the high honor of serving as an honorary pallbearer and was deeply moved by the eulogy delivered by Harry E. Hasslinger which accurately conveyed the accomplishments of this man and the high regard all of his friends had for him.

I insert this eulogy in the CONGRESSIONAL RECORD at this point:

EULOGY TO ARTHUR H. "ARTIE" SEIDENSPINNER  
(By Harry E. Hasslinger)

Jesus said . . . "And thou shalt love the Lord thy God with all thy heart, with all thy soul, with all thy mind, and with all thy strength: this is the first commandment. And the second is like, namely this, Thou shalt love thy neighbor as thyself. There is none other commandments greater than these."

How many times have you heard these commandments? How many times have you read these commandments? Many, I am sure. But, how many times have you seen anyone who has lived these commandments?

You and I have had the privilege of seeing and knowing someone who did live these commandments. . . . Arthur H. Seidenspinner . . . more affectionately known to us as "Artie." They were truly the guide for his life.

When you love the Lord with all your heart, soul, mind and strength, you love him in entirety; you turn yourself over to him completely. Artie did, for he took Jesus' word literally . . . "Except a man be born again, he shall not see the kingdom of God."

What a man of faith! Artie trusted the Lord fully for his guidance. Daily he sought such guidance through the study of the Scriptures and through prayer. Some of us had the privilege of meeting with him on Saturday mornings for the past 18 years in our College Park Prayer Breakfast Group. What a living testimony he was in his constant praise to God for the many blessings he had received! He was a pillar of strength to our group.

His witness, however, was not just on Saturday mornings, nor just on Sunday mornings, but daily. In all his contacts with his fellow man, you could see the Lord's radiance reflected in his actions. This, you can all affirm.

Twelve years ago the first Annual Governor of Maryland Prayer Breakfast was held with a gathering of governmental, business and civic leaders from all over the State. Artie was not only a prime mover in its establishment, but in its continuance over the years. This was just another of his many ways of witnessing for the Lord and helping to spread the Gospel.

As an active member of the Riverdale Presbyterian Church, he has served on its Board of Trustees and its Session, and contributed much to its progress. But his love for God and neighbor has not been limited to the immediate environs; it has spread to the "utmost parts of the earth." Through his assistance to International Christian Leadership and others, he has made an enduring contribution to spreading the Gospel "to all the world."

Jesus said that the first commandment was



to "love God" and the second to "love neighbor." They were placed in that order and rightfully so. Artie not only believed that if you loved God you would automatically love your neighbor, he personified that fact.

But, who is your neighbor? . . . Jesus told the parable of the Good Samaritan in the first century. Artie is a parable of a Good Samaritan of the 20th century. His neighbor was not just the persons living "next door" but those of the entire community . . . the County . . . the State . . . the Nation . . . Yes, even beyond the shores of the U.S. His gifts of time, talent and funds verify that fact.

Artie was always helping people. He was truly a "friend to man." This was one of his ways of showing his love for his neighbor. Time does not permit us to enumerate all the things he has done. As a matter of fact, he would not want us to, for he did not serve for credit. Let us just cite a few examples, though, so we might try to duplicate his love for neighbor.

Think of the time, effort and leadership he gave, as President of the Prince George's Chamber of Commerce and the Prince George's Real Estate Board . . . as a member of the Real Estate Commission of Maryland for 13 years . . . as a member of the Board of Directors of the Prince George's Chapter, American Red Cross . . . the Advisory Board of the Suburban Trust Company. There are ever so many organizations that have benefited similarly from his unselfish and dedicated service.

One of Artie's greatest interests was the youth. He devoted much of his efforts and gifts to affording young people a better opportunity to know the value of a Christian life. The Seidenspinner's home was always open to young people.

He made a wonderful contribution to the youth in the 4-H Club program through his black Angus breeding farm. . . . The Boy Scouts gained much from his financial aid. . . . He has been an active supporter of the University of Maryland in many ways. Numerous students have benefitted from this interest, particularly from the various scholarships he has endowed. . . . His generous contributions over the years to the Prince George's Scholarship Fund assured an education for many young people who returned to the County as teachers.

One of his greatest beneficiaries is the international organization "Campus Crusade for Christ." Hundreds of youths on college campuses have learned to know the Gospel because of his interest and financial support. This is particularly true at the University of Maryland. Let me cite just one example. . . . Several hundred students meet weekly on the College Park Campus under the sponsorship of Campus Crusade for instruction in the Bible and Christian witnessing. I have heard the testimony of students who have given up "hard dope" and accepted Jesus Christ, as a result of this program. Such would not have been possible without the support Artie Seidenspinner has been giving to Campus Crusade for Christ.

Just recently the Seidenspinner's bought "Curly" Byrd's home in College Park, which will be of great benefit to young people. This residence has become the home of a Christian family who will have students visit from time to time for counseling and training in the Gospel and Christian witnessing.

Well, we have mentioned but a few of Artie's many acts of love, his service and philanthropy. There are numerous others. But, most of his giving is unknown to man; it is "seen only by God," for Artie believed as Jesus told us. . . . "When thou doest thine alms, do not sound a trumpet before thee."

Throughout his years, Artie has received many awards in recognition of his dedicated leadership and service. He did not seek nor did he desire acclaim. I do think though that we might mention just two, as examples of the esteem in which he is held. . . . In 1962, the College Park Lions Club cited him "for

his loyal, faithful and unselfish efforts in the interest of his community and fellow men". Just recently, the College Park Rotary recognized his distinguished leadership and service with its award to the non-Rotarian who best meets the "Four Way Test" of Rotary.

We have touched but briefly on some of Artie's many acts of love to God and neighbor. There is one aspect of his love, however, that I have deliberately saved until the end, namely, the love of husband and wife. For almost 47 years, Pauline and Artie have been "loving partners" in work, play and service. But, most important is that they have been "loving partners" in the daily study of the Bible and daily prayer with God. Truly, they have been "one flesh." They have set a wonderful example of Christian love. What a blessing they have been to all of us!

So, we are gathered here today, but not to pay homage to a departed loved one, for Artie is not gone. . . . He is still with us, we just do not see him, physically that is. . . . When you toss a stone into the water, the ripples that develop flow out until you cannot see them. But, they have not stopped; you just do not see them as they continue on and on and on. . . . Thus it is with Artie. . . . His ripples . . . his spirit . . . will continue on and on and on. . . . Grant that we may dedicate ourselves today to carry on with the same spirit . . . with that same love for God . . . with that same love for neighbor . . . he so wonderfully set as an example for us.

Before Jesus departed from the disciples at that "Last Supper" he told them . . . "I go to prepare a place for you. I will come again, and receive you unto myself; that where I am, there ye may be also." That promise was not just for the disciples of the first century, but for those of all centuries.

Well, last Saturday, Jesus came for Artie to take him from his earthly room to his reward in his Heavenly Room. . . . I am sure that there was great joy in Heaven when they arrived together and Artie was lovingly greeted by Our Heavenly Father. . . . "Well done, my good and faithful servant."

#### CITIZEN COOPERATION AVERTS DISASTER

### HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BYRON. Mr. Speaker, occasionally an accident or incident occurs that is potentially disastrous; however, with local citizens and officials working together disaster is averted. Last February such an accident occurred in Washington County, Md., but through the efforts of the State Police, local firemen, and many citizens and businesses, the potential seriousness of the accident was minimized.

On a February morning, a truck carrying liquid propane gas was involved in an accident on Interstate 81 near Williamsport, Md., and the truck immediately began to leak its propane gas on the highway. Quick action by the State Police sealed off the highway in both directions reducing the likelihood of an explosion. The local fire companies also helped reduce the possibility of an explosion by keeping a steady stream of water on the tank truck. Local citizens and businesses pitched in to offer assistance including food for the busy firemen. I would like to commend all those

individuals involved for their outstanding work. These included the following organizations and individuals:

#### LIST OF ORGANIZATIONS AND INDIVIDUALS

Charles Cronauer—State Fire Marshall.  
Sharpsburg Volunteer Fire Company.  
Halfway Volunteer Fire Company.  
Williamsport Volunteer Fire Company.  
Funkstown Volunteer Fire Company.  
Maryland State Police.  
Burger Chef—Virginia Avenue.  
Salvation Army of Hagerstown, Md.  
Harry E. Shafer.  
Boonsboro Volunteer Fire Company.  
Washington County Civil Defense Agency.  
Maugansville Volunteer Fire Company.  
Fairplay Volunteer Fire Company.  
Williamsport Ambulance Squad.  
Community Rescue Ambulance Squad.  
Hagerstown Fire Department.  
Longmeadow Fire Department.  
Salvation Army of Martinsburg, W. Va.  
West Virginia State Police—Martinsburg.  
Mayor and Council of the Town of Williamsport.

#### TONGUE-IN-CHEEK BILL?

### HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. SHRIVER. Mr. Speaker, I include the following thought-provoking editorial from the Newton Kansan which presents several enlightening pros and cons of the much-discussed matter of closing tax loopholes. The editorial follows:

#### TONGUE-IN-CHEEK BILL?

Rep. Wilbur Mills of the House Ways and Means committee has introduced a bill in Congress to close all tax "loopholes" over a 3-year period beginning in 1974.

This may be a tongue-in-cheek bill, for by lumping all of the loophole closing legislation in one bill it is certain to have wide opposition. All tax payers are in favor of closing loopholes that doesn't benefit them, but keeping open those that do. And a bill like this is certain to hit about everybody.

One of the "loopholes" the bill would close would be that which makes tax free interest on municipal bonds. Most of these bonds are sold to the wealthy, who thereby escape paying income taxes, so the reasoning goes.

They do escape the federal tax, but in essence, they are contributing to the community whose bonds they own. One of the reasons municipal bonds are sold at a lower rate than other bonds is this very "loophole". Since the buyers don't have to pay income tax on the interest, they can afford to buy them at a lower interest rate than otherwise.

Because the buyers are satisfied with a lower interest rate, the local real estate property taxpayer benefits, because he doesn't have to fork over as much money to pay the interest.

About the only way that the loophole could be closed and still retain the benefits to the real estate property taxpayer would be for the federal government to funnel back to the cities an amount equivalent to the increase in interest rates on municipal bonds that such a closure would cause.

But this has a couple of drawbacks: how is anybody going to be able to determine that difference from year to year and from bond sale to bond sale? And when the federal—or state—government collects taxes and funnels it back to local government some of the money must be used to pay admin-

istration costs, thus reducing the amount available for distribution.

# UNITED STATES FACES PINCH AS "HAVE-NOT" NATION

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. GAYDOS. Mr. Speaker, one of the most interesting news articles I have read in some time appeared in a recent issue of the Pittsburgh Press. It was written by Mr. William H. Wylie, business editor for the Press, and involved a talk by E. F. Andrews, vice president—materials for Allegheny Ludlum Industries, before the American Iron and Steel Institute in New York.

The article describes one of the critical problems in the United States today—the transition from a resource-rich to a resource-poor Nation in a relatively short period of time.

The United States according to Mr. Andrews, now is 100-percent dependent upon foreign sources for its chromite, columbium, mica, rutile and tin, all vital strategic materials. It also depends on foreign nations for 99 percent of its manganese, 98 percent of platinum, 94 percent of antimony, 93 percent of cobalt, 87 percent of nickel and 35 percent of iron ore, just to name a few.

Mr. Andrews warns the rules and policies which served us as a "have" Nation will not serve us as a "have-not" Nation and suggests our Government weigh economic considerations when political and social policies toward developing nations are made. Furthermore, he recommends a review of the degree of our growing dependency for raw materials on "unfriendly" nations. He indicates more raw materials could be obtained from Russia and China because of recent developments but also warns that increasing dependency on these sources could come back to haunt us in future international crises.

Mr. Speaker, I am inserting Mr. Wylie's article into the RECORD for I believe it merits the attention of my colleagues:

UNITED STATES FACES PINCH AS "HAVE-NOT" NATION

(By William H. Wylie)

The transition from a "have" to a "have-not" nation will be painful for the United States, an Allegheny Ludlum Industries executive warned the steel industry today.

"The struggle for the world's dwindling supplies of raw materials could be the most critical problem facing this country in the next decade," E. F. Andrews told members of the American Iron and Steel Institute in New York.

"We must move quickly and wisely or be shut out from vital mineral resources essential to our very economic existence," the Allegheny Ludlum vice president-materials said.

Andrews noted that foreign competitors enjoy an advantage over American companies—cooperation of their own governments.

Using statistics, he pointed out that the U.S. had gone from a resource-rich to a resource poor nation in a relatively short time.

Steel is especially involved in the search for new sources of raw materials, he said.

"The United States is 100 per cent dependent upon foreign sources for its chromite, columbium, mica, rutile and tin—all essential strategic materials," Andrews said.

He also said the U.S. is dependent on foreign nations for: 99 per cent of its manganese, 98 per cent of platinum; 94 per cent of antimony, 93 per cent of cobalt, 91 per cent of bauxite, 87 per cent of nickel, 83 per cent of asbestos, 78 per cent of fluorspar, 58 per cent of zinc, 53 per cent of cadmium, 51 per cent of beryllium, 38 per cent of lead, 38 per cent of mercury and 35 per cent of iron ore.

The steel executive said there are only a few options left to the United States besides securing foreign sources of raw materials.

"New resources could possibly be discovered; or new processes and techniques could be developed, permitting reduction in the need for primary materials.

"Presently under heavy study is an increase in the recycling of materials. Finally, there could be development of substitute materials.

"All of these offer rather limited 'sure fire' total answers to our problem," Andrews said.

He estimated that the U.S. depends on foreign sources for half of its total mineral requirements.

"In 1970, we imported \$9 billion in minerals and exported \$5 billion. If the trend of the past 20 years continues, we will require mineral imports of \$60 billion by the year 2000," he said.

"The rules, the policies and the thinking that served us as a 'have' nation will not serve us as a 'have-not' nation," he continued.

Andrews called for an "in-depth review of our national posture" to make sure economic considerations are weighed when political and social policies toward developing nations are made.

"Certainly recent events involving chrome from Rhodesia, nickel from Cuba, tungsten from China, tin from Bolivia, cobalt from the Congo and iron ore and copper from Chile are cause for reexamination," he said.

"A complete review should be made to examine the degree of our growing dependency for our raw materials on 'unfriendly' nations," he added.

Andrews said Russia has been gaining a bigger share of chrome and nickel supplies. He suggested that "now that the Bamboo Curtain has been penetrated," the U.S. should try to tap China's tungsten supply.

At the same time he warned that increasing dependency on these sources could come back to haunt the U.S. in future international crises.

"And yet government actions in the last few years seems to be almost designed to push us in the direction of unfriendly sources," he observed.

On the environment, he said, "It is essential that our national goals on ecology be properly balanced against our national economic well-being."

As for business-government cooperation, he called it essential in the areas of raw materials, ecology, taxes and industrial safety.

Obviously the "game plan" for a "have-not" nation is different than Americans are used to.

## FREEDOM, FREEDOM

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mrs. GRASSO. Mr. Speaker, today is a sorrowful occasion for freedom-loving people throughout the world. Thirty-two years ago, on June 15, 1940, the Soviet

Union occupied and absorbed the independent Baltic States of Latvia, Lithuania, and Estonia. Thus began one of the most systematically brutal occupations of all time. Thousands of people were either killed or exiled in the early years of Soviet rule.

Unfortunately, recent events present a reminder that the Soviet imperialism which destroyed the freedom, liberty, and national integrity of these three States continues its oppression of minorities. Yesterday's press contained reports of a second self-immolation by fire of a Lithuanian youth in protest over Soviet occupation. It also mentioned further information on the nationalist rioting in Kaunas last month. All of these actions were directed against the source of discontent in the Baltic Republics—Soviet domination.

In April of this year, over 17,000 signatures on petitions informed U.N. Secretary General Kurt Waldheim of the renewed religious persecutions in predominantly Catholic Lithuania. On May 14, a young Catholic Lithuanian, Roman Talanta, burned himself to death in protest over the foreign domination of his homeland. The riots in Kaunas followed, and a crowd—its members too young to have lived in a free Lithuania—shouted for "Freedom, Freedom," and an end to the Soviet occupation. Their cries were met with brutal retaliation administered by internal security forces.

In response to this renewed repression in Lithuania, the president of the Lithuanian-American Community of the U.S.A., V. P. Volertas, has asked that June 15 be considered a day of mourning. Today, I join in that plea.

Discontent with Communist oppression is not confined to Lithuania alone. Smoldering beneath the surface of society in the Baltic States is a renewed sense of nationalist pride. It is noteworthy that the rioters and protesters of Kaunas were nearly all young—too young to have enjoyed the joys of life before the advent of Soviet imperialism. These people, despite Russian pressure, have developed the spirit of nationalism which led to the formation of the free Baltic States following World War I. Such deep feelings of the soul cannot be contained by physical oppressions.

The desire of the Baltic people to rid their countries of Soviet domination burns deeply within their hearts. Latvians, Lithuanians, and Estonians want to live in freedom and peace. They want to be governed by themselves and not by their powerful neighbors.

On this tragic anniversary of the loss of political freedom in the Baltic States, I wish to express my sincere hope that one day all of these people will be able to enjoy the freedom that has been cruelly repressed for the past 32 years.

## THE GUN CONTROL ISSUE

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BEGICH. Mr. Speaker, in recent weeks, the continuing series of tragedies



which involve the use of firearms has brought renewed attention to the matter of gun control. As I have pointed out many times, the term "gun control" itself is an oversimplification, for it includes not only the question of firearms misuse but also the interests of many who use guns for purposes which are highly proper and must continue to be protected.

For my own part, and as a Representative of the State of Alaska, I must continue to insist that the issue of gun control be approached on a rational and selective basis, that we address ourselves to those aspects of misuse which are most significant and recognize the rights of so many others who use guns properly and must not be penalized because of the misuse of a few. I am attaching for the attention of my colleagues today a resolution recently passed by the Legislature of the State of Alaska relating to firearms legislation under consideration in Congress. This resolution expresses, I believe, the strong feeling of Alaskans on this issue and the need for sensitive legislation. In addition to this resolution, I am attaching an article I wrote recently for *Gun World* magazine in which I set out rather fully my own views on this highly controversial topic. I am hopeful that this will be both of interest to my colleagues and to the many constituents in my State who have written to me regarding this issue.

Alaska State Legislature, Senate Joint Resolution No. 76—Requesting the United States Congress to reject gun legislation.

Be it resolved by the Legislature of the State of Alaska:

Whereas the United States Congress has already passed numerous firearms Acts; and

Whereas these Acts already provide sufficient protection against the criminal element with regard to firearms; and

Whereas further legislation to restrict the possession of firearms would be a practical matter have no deterrent effect on the acquisition of firearms by criminals; and

Whereas the only result of further legislation in this field would be to greatly inconvenience the lawful citizen and infringe upon his right to bear arms; and

Whereas the enactment of legislation to restrict the possession of firearms would open the door to a black market in guns, promote graft and corruption, and thus increase, not diminish, crime; and

Whereas over-reaction to tragic events in this nation often leads to the enactment of poorly considered legislation which does not go to the root of the problems leading up to the tragedy and more often than not places insupportable burdens on the innocent public at large;

Be it resolved that the Congress of the United States is respectfully requested to reject any legislation at this time which would restrict in any form a person's right to possess firearms.

[From the *Gun World* magazine, September 1971]

GUEST SHOT: NICK BEGICH

(Note.—U.S. Congressman Nick Begich attended public schools in Eveleth, Minnesota. He then worked his way through St. Cloud State College. He obtained his master of arts degree in educational administration and political science from the University of Minnesota.

(Congressman Begich has continued his graduate work toward a doctoral degree at the University of North Dakota and at the

University of Colorado. He has completed fifteen years in teaching and school administration and twelve years as instructor of American government and U.S. history for the University of Alaska.

(Congressman Begich went to Alaska as boys' counselor at West Anchorage High School and a year later was appointed director of student personnel for the Anchorage School District. Two years later, he was appointed principal of the Ursa Minor Elementary School at Fort Richardson Army Base. Appointed superintendent of schools in the Fort Richardson School System in 1963, he resigned from that position at the end of the 1967-1968 school year.

(He served on the National Compact on Education in 1967 and was selected to represent the State Senate at the leadership conference in Washington, D.C. From 1967 to 1971, he was the minority whip of the State Senate. He served for eight regular sessions and two special sessions in the Alaska State Senate before his election as the sole Alaskan Representative to the U.S. Congress in 1970.)

One of the sad things that seems to be occurring in America today is that so many issues are being given over to emotionalism. When this happens, the real merits of an issue are forgotten on both sides, extreme positions are taken and the chances for a rational solution are lost.

Certainly this is what has happened to the issue of "gun control." The term, "gun control," is itself an oversimplification, for it now is used not only to include the specific question of the misuse of guns, but also the interests of sportsmen, collectors and all those who share in the world of the arms. To treat the problem as a widespread one, as many people do, is to be grossly unfair to the vast majority of those who own firearms and use and care for them with the highest regard for other citizens.

Throughout my career as a legislator, I have been guided by certain basic convictions on this entire question. Among the most important is my feeling that the question of firearms regulation is clearly a matter of state's rights and that, in the absence of extraordinary cause, the Federal government should not legislate in this area. No state could serve as a better example than Alaska to prove that overgeneralized Federal regulation will always be insensitive to the special problems and needs of a specific state.

Secondly, I have remained convinced that people make a grave error when they suggest that the problems of crime and lawlessness are the problems of firearms ownership.

Throughout my career of public service, I have been committed to the idea of attacking all problems at their source, and I can assure you that the problem of crime is not caused by a failure to strictly regulate guns. While it is not altogether a coincidence that firearms are sometimes involved in crime, it cannot be responsibly claimed that they are the cause.

The source of this problem is complex and certainly involves poverty, unemployment, a lack of education, the difficulty of coping with our complex society and an atmosphere which creates a lack of respect for the law. Finding this complex source of crime and lawlessness must be every American's most important job for the next decade.

Finally, I have always felt that those who actively participate in an area of interest are the best source of ideas concerning that area, and bring constructive self-judgments to every problem. This is certainly true of the tens of thousands of American men and women who share an interest in firearms. What I have learned from such people is revealing and heartening.

I have not met such a person who does not favor strict safety regulation in the manufacture and specifications for firearms and firearms equipment. I have not met anyone

who does not favor extensive gun safety training programs, or firm hunting laws, or stiff penalties for those who misuse guns. When these same people tell me that they disapprove of gun registration or mail-order restrictions, their views must be respected, because they bring a practical knowledge to the question which cannot be replaced.

To be completely fair, I must say that I speak more as an Alaskan than anything else. I can appreciate that in urban areas, and in the case of guns which can be easily concealed, it may be appropriate to maintain more stringent controls. There may be other areas or types of control which would be desirable in specific cases. The point is that the case for such increased regulation must be made in each of these cases individually.

The case for strict firearms regulation has not been made in Alaska. During my period of service in the Alaska State Senate, I fought and voted repeatedly against registration, mail order and other control legislation. Such statutes would work a special hardship in Alaska, where it would be nearly impossible for Alaska natives and others in the rural areas to comply with such laws. Over a period of time, these same citizens of Alaska have established a record for extremely wise and safe gun use.

It is my feeling that the experience with such legislation in Alaska has been and is being repealed elsewhere in the United States. Wherever it is possible to separate the issue from the emotions, it should be possible to reach rational decisions, in many cases, I believe lawmakers will discover that regulation is just not necessary.

## SAFETY AWARD TO THE VILLAGE OF LAKE SUCCESS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. WOLFF. Mr. Speaker, I would like to call to the attention of the House an unusual and noteworthy achievement of the village of Lake Success in New York.

Earlier this week, the Automobile Club of New York presented the village of Lake Success with an award for its distinguished record of more than 10 years without a serious injury or death to a pedestrian as a result of an automobile accident. In this time of ever increasing traffic accidents and fatalities, and with more attention being devoted to the motorist's convenience and ease, rather than the pedestrian's, surely the village of Lake Success deserves a special salute for its achievement. Clearly, such a record was not reached by "accident," and the citizens of Lake Success are to be commended for their efforts to make their village a safe one.

A number of other Long Island communities also received the AAA pedestrian safety award, including my home village of Kensington, whose safety record is 6 years. The others who are to be commended are: Southampton, 26 years without a pedestrian fatality; Lawrence, Patchogue and Sea Cliff, 10 years; Cedarhurst, Mineola, and Babylon, 5 years; Northport, East Hills, Island Park, Malverne, New Hyde Park, and Roslyn, 2 years; and Farmingdale, Floral Park, Lynbrook, East Hampton and Southold, 1 year.

LAW ENFORCEMENT ASSISTANCE  
ADMINISTRATION**HON. BOB WILSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BOB WILSON. Mr. Speaker, I recently included in the RECORD a letter from Washington Police Chief Jerry Wilson outlining the concrete assistance his department has received from the Law Enforcement Assistance Administration under the able leadership of Administrator Jerris Leonard. I was pleased to receive the following letter from Los Angeles Chief of Police Edward M. Davis. Chief Davis details the beneficial effects on his department's law enforcement capabilities resulting from their close interaction with LEAA. I am pleased to share Chief Davis' letter with my House colleagues and want to take this opportunity to commend Jerris Leonard for a difficult task well-done:

LOS ANGELES, CALIF.,  
May 25, 1972.

HON. BOB WILSON,  
Rayburn Building,  
Washington, D.C.

DEAR CONGRESSMAN WILSON: Recently it has come to my attention that a congressional investigation has alleged the misuse of federal monies through the disbursement of Law Enforcement Assistance Administration (LEAA) funds.

The April 10, 1972, edition of the Los Angeles Times reported that the Legal and Monetary Affairs Subcommittee, headed by Representative John Monagan, alleges that the Law Enforcement Assistance Administration's programs "have been characterized by inefficiency, waste, maladministration and in some cases, corruption." The Committee further contends that the government's top crime-fighting program "has had no visible impact on the incidence of crime in the United States."

As Chief of Police for the City of Los Angeles, I do not believe that the findings of the Committee reflect the significant role of the Law Enforcement Assistance Administration's fight against criminal activity throughout the United States.

Since 1968, the Los Angeles Police Department has diligently worked in conjunction with this federal agency to create and provide police programs that will prove to be of benefit to the entire criminal justice system.

For example, two programs of immediate importance to this Department are the Pattern Recognition and Information Correlation (PATRIC) and the Automated Field Interview System (AFIS). PATRIC is the Los Angeles Police Department's approach to an automated system of correlation and retrieval of tactical police information. The purposes of this system are to provide investigators with rapid data of crime modus operandi and suspect and stolen property information. The Automated Field Interview System is a program whereby field interview information pertaining to vehicles and pedestrians is stored in an automated system. Both of these computer-oriented programs have proven successful in the capture of numerous felony suspects.

It is a matter of record that because of the fiscal squeeze experienced in large cities, many sorely needed law enforcement programs are never developed. In spite of a scarcity of municipal funds, Los Angeles, with the assistance of LEAA, has produced viable police programs in the fields of police training, management development, police operations, and computerized auxiliary support services.

The attached is a partial list of grant programs currently funded by the Law Enforcement Assistance Administration and demonstrates the responsiveness of that organization to the needs of law enforcement in the City of Los Angeles.

Very truly yours,

E. M. DAVIS,  
Chief of Police.

## POLICE TASK FORCE—NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS

The Law Enforcement Assistance Administration has taken the lead in improving the overall performance of the Criminal Justice System. A National Advisory Commission on Criminal Justice Standards and Goals was organized, and task forces were instituted to aid the Commission in the study of the multi-faceted Criminal Justice System. In Los Angeles, Chief of Police E. M. Davis, heads the Police Task Force. The objective of the Commission is to upgrade the standards of performance of the justice system throughout the nation. The organization of the Commission has been the only concerted effort in establishing uniformity in the appliance of justice and level of service to the community.

## FIREARMS TRAINING FACILITY

Public safety requires that a police officer exercise extreme discretion in the use of firearms. It has been learned that an officer is apt to use poor judgment in stressful field situations. The Firearms Training Facility being developed with funds from LEAA, will require each officer to repeatedly perform in simulated field situations. The experience gained on the training field will prepare the officer to act prudently in an emergency.

## RESTRUCTURING OF NARCOTICS ENFORCEMENT FOR THE ERADICATION OF ORGANIZED TRAFFICKING

The elements of organized crime have reaped vast profits with relative safety in organized narcotics trafficking. The organized criminal is insulated from the street peddler by several levels of intermediaries. With the aid of LEAA, the Los Angeles Police Department is restructuring its narcotics enforcement machinery to attack the major distributors, and dry up the flow of narcotics at the source.

## AUTOMATED FIELD INTERVIEW SYSTEM; PATTERN RECOGNITION AND INFORMATION SYSTEM; AND AUTOMATED WORTHLESS DOCUMENT INDEX

The Los Angeles Police Department has always been a leader in applying the latest advances in scientific investigation techniques and information management. Three grant projects, Automated Field Interview System (AFIS), Pattern Recognition and Information Correlation (PATRIC), and Automated Worthless Document Index (AWDI), have been undertaken with LEAA support. These projects demonstrate a high level of sophistication in crime investigation, and patrol deployment planning. Computer technology has been utilized with a high degree of proficiency in assisting the investigative mission of the Department.

## CRIME SPECIFIC—TEAM POLICING

The Los Angeles Police Department has initiated an innovative technique for police deployment and patrol. With assistance from LEAA, the Team Policing project is being tested in one particular geographic patrol division. The specific objective is to substantially reduce burglaries in the test area.

## EXECUTIVE DEVELOPMENT FELLOWSHIP GRANT

This enabled one lieutenant and one sergeant to attend the university of their choice in order to complete the requirements for a masters degree.

## MANAGEMENT DEVELOPMENT CENTER

This project involves the creation of a Management Development Center staffed and maintained for the purpose of consolidating the Department's efforts into one

standardized and coordinated approach to management training. In addition, it involves the design of sophisticated management institutes and seminars to be presented not only to our own personnel but involves, on a limited basis, the utilization of the center for management development of law enforcement officers on a regional basis.

## DEMONSTRATION AND EVALUATION OF CLOSED CIRCUIT TELEVISION CAPABILITIES

This grant project enabled the Los Angeles Police Department to design and install a universal airborne closed circuit television package which can be installed in a y helicopter at a reasonable cost per unit.

## MULTI-MEDIA INSTRUCTION FOR LAW ENFORCEMENT

The dynamic nature of law enforcement coupled with the acquisition of new personnel are giving rise to rapidly increasing demands for more and improved training. These factors stress the existing training methods to the point where they may no longer provide the quantity and quality of instruction required. To alleviate this problem, the Multi-Media Instruction for Law Enforcement Grant has provided the law enforcement community with a core of multi-media instructional packages that can be duplicated and used by any agency for the training of the basic police officer. Additionally, the system will be a model representing the state-of-the-art in advance instructional technology.

## LAW ENFORCEMENT MANPOWER RESOURCE ALLOCATION SYSTEM

The Los Angeles Police Department's computerized predictive resources allocation system is the result of a search for the optimal means of deploying police field forces so that the most effective job can be done with the patrol manpower resources available. The system reliably and accurately forecasts calls-for-service workloads and the number of patrol units needed to meet these requirements.

## TRAINING SYSTEM STUDY

As the result of a training system study conducted in conjunction with North American Rockwell Information Systems Company, the Los Angeles Police Department has adopted a new approach for the training of police officers.

The approach is based upon multi-media individualized instruction which allows each recruit to proceed at his own pace using various types of training materials such as films, slides, tapes, programmed instruction texts and student workbooks.

## AIRBORNE TELEVISION GRANT

This enabled the Los Angeles Police Department to develop a closed circuit television system to be mounted on a helicopter for visual transmissions during unusual occurrences.

## MASTER PLAN FOR DEPARTMENTAL INFORMATION SYSTEMS

This grant establishes guidelines, costs, and alternatives that will provide the focus for development of a working document for the implementation of all computer-based information systems within the Los Angeles Police Department for the next ten years.

## MISSING LINK STILL MISSING

**HON. GILBERT GUDE**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. GUDE. Mr. Speaker, for all too long, the Washington metropolitan area has been without an adequate mass transportation system, a system which



would combine to best advantage all the available modes of public transit coordinated to offer the commuter and tourist a viable alternative to the private automobile for intracity travel. Good progress is being made on our subway system and efforts are underway to find a solution to our local bus problems, and I would hope that such a solution will be forthcoming in the not too distant future.

However much benefit local citizens will gain from this important progress, there is one type of transit which has been for the most part, neglected for many years—that of a good, efficient, and frequent commuter rail service. Carl Englund completed his study commenting on the feasibility of such a system long, long ago. The National Association of Railroad Passengers and the Alliance for Commuter Rail Progress have been most active in pushing for implementation of a program to develop such a rail system. Many months ago, I urged Maryland's secretary of transportation to consider action on these proposals.

An editorial in the Evening Star yesterday has given a fair appraisal of the problem as it now stands. I heartily concur with the Star's view and commend the text of that editorial to my colleagues.

I have pushed for commuter rail service for some time, and will be sponsoring legislation with my able colleague from Maryland, the Hon. LAWRENCE HOGAN, which, if enacted, would direct the WMATA to develop a program within 180 days for such a system, and to begin implementation as soon as that plan is developed. Similar legislation has been introduced into the other body by Maryland's Members, Senators BEALL and MATHIAS.

Mr. Speaker, we have talked far too long and too much about the benefits of and need for a commuter rail system in the Washington area. The matter has been studied to death. Now is the time for positive action.

The editorial is as follows:

#### A MISSING LINK

Along with the auto, the bus and the Metro subway system now taking form, is the commuter train also finally to be encouraged to make a significant contribution to the Washington area's transportation arsenal? If that question cannot yet be answered affirmatively, the possibility at least is generating more interest, and we think it is high time.

The focus of attention on the subject at the moment is in Baltimore, where staff aides of Maryland's new Department of Transportation are pushing for an infusion of state aid to expand railroad commuter service through Washington's Maryland suburbs. A couple of proposals have been advanced—one calling for cash subsidies, the other purchase of equipment, to bolster the limited commuter services now provided on the Baltimore & Ohio and the Penn Central rail lines.

According to the citizen-based Alliance for Rail Commuter Progress, regular commuter use of the B&O's Brunswick line (tapping the burgeoning areas of Rockville and Gaithersburg) has increased by about 40 percent since a ridership campaign was initiated by that group last September. To accommodate the higher demand, the B&O has been forced to add more cars. But the kind of response—

understandable as it may be from the viewpoint of the railroad's bookkeepers—hardly proves anything about the potential of commuter trains, especially if, as the citizens' group alleges, the trains' seating capacity remains sorely inadequate.

The Maryland state-aid proposals are said to be in a highly preliminary stage of consideration, and indeed, at a meeting with area congressmen the other day, Transportation Secretary Harry R. Hughes reportedly had little, if anything, to say about them.

His new department was created, however, on the sensible premise that since various modes of travel are required to meet modern urban transportation needs, the fragmented approaches of the past should be replaced by a greater degree of coordination in their planning and financing. The possibility that commuter trains could prove to be a more useful link in Maryland's total transportation picture, alleviating some of the pressures now borne by automobiles and the traditional forms of public transit, is one not to be passed up.

### BURKE-HARTKE BILL POTENTIALLY DANGEROUS TO THE AGRICULTURE INDUSTRY

#### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FRENZEL. Mr. Speaker, the Burke-Hartke bill provoked considerable response from the heavy industrial areas of the United States. Less widely known, but equally important, is the potential damage which this legislation could cause the agriculture industry.

The June 3, 1972, editorial of the Farmer highlights several of the potential effects of the passage of this protectionist bill.

I commend the following editorial to my fellow Members:

#### NEW PROTECTIONIST THREAT

A new bill—in toto or as tack-on amendments—is quietly trying to make its way through Congress without creating waves. It doesn't even mention agriculture, but if passed, could hurt agriculture by blunting new market development and by chopping back the \$7.8 billion in farm export sales we now enjoy.

Called the "Foreign Trade and Investment Act of 1972," the proposal is another attempt at job protectionism. Sponsored by Congressman James Burke (D-Mass.) and Senator Vance Hartke (D-Ind.), it is backed by organized labor. Its purpose: to protect those U.S. industries which have let wages get out of balance with production and are now hard-put to match foreign competition.

The Burke-Hartke bill proposes three things: Place quotas on all categories of imports at rates based on 1965-69 domestic consumption; provide an arrangement whereby U.S. capital and technology expansion abroad could be blocked whenever such transfer might decrease U.S. employment; sharply increase the taxing of U.S. business operations in overseas areas. Effects would be to restrict foreign market development, discourage overseas investment and put U.S. subsidiaries at a serious competitive disadvantage.

If the bill passes, foreign governments would retaliate. U.S. agricultural exports would be their primary target.

The Common Market, our biggest farm customer, could easily slap a tax on soy-

beans, for example. It proposed a consumption tax of \$60/metric ton on oilseed and \$30/mt on oil cake and meal as long as three years ago. Such action would lop off a lot of our sales—and 60% of our beans must find markets abroad. Passage of Burke-Hartke would also cut the ground from under our request that the Common Market lower its levy against U.S. feed grain, which is paying a very stiff tariff to get in now. Japan, too, while it can't aspire to the agricultural self-sufficiency the Common Market wants, could alter its buying patterns to be less dependent on the U.S. And Japan is our largest single-nation buyer, with \$1.2 billion in farm product purchases last year.

By blocking future overseas investments, Burke-Hartke could blunt U.S. chances at future grain markets, which are expanding. Demand for meat is increasing around the world. Japan eats only 10% as much meat as do we, the Soviet Block 50% less and the Common Market only 60% as much. As red meat consumption increases, we want our share of the feedstuffs market to produce that livestock. Our best chance of getting it is the same way we have in the past, by showing foreign feeders how to make most efficient use of our grains and supplement. And that takes market development expenditures.

Burke-Hartke is short-sighted in other areas, too. Foreign expansions may well generate U.S. jobs, rather than lose them. We know agricultural investments abroad keep more of our land in production by finding markets for U.S. crops. As production holds up, so does demand for machinery, chemicals, fuel and other inputs. Employment is boosted at elevators, in trucking and at the rail and barge terminals. Ag exports even help pay wages of those striking dockworkers.

U.S. agriculture has doubled its exports in the past 15 years. Its route to still greater production rests with more market expansion. Such broad opportunities must not be sacrificed to the narrow isolationist interests of a few. This bill, or any amendment which smacks of blatant protectionism, should be defeated.

### A WORLD FIGURE FROM JACKSONVILLE

#### HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BENNETT. Mr. Speaker, from June 15 through July 4, 1972, Jacksonville, Fla., which I represent in Congress, will be celebrating its sesquicentennial. Part of that celebration will honor James Weldon Johnson, a black man who made substantial contributions to our community almost a century ago.

I include in the RECORD two articles that appeared in the June 11 edition of the Florida Times-Union and one from the June 13 edition of the Jacksonville Journal, each regarding this outstanding citizen:

[From the Florida Times-Union and Journal, June 11, 1972]

#### A WORLD FIGURE FROM JACKSONVILLE (By James R. Ward)

If you go anywhere in the world and mention Jacksonville, there's a better than even chance people you meet will know the names of two men closely associated with your hometown.

One of them would be Andrew Jackson, the

American general and president after whom the city is named.

The other would be James Weldon Johnson, who was born here a century ago.

And, of the two men, Johnson would probably be better known for his Jacksonville connection than Jackson.

With no offense intended, Jackson is known for more things than having towns named after him—even if he did protect this frontier town from the threat of the Seminoles and serve as the state's first territorial governor.

It is, therefore, ironic that not many Jacksonville residents either know or know much about James Weldon Johnson.

The name is familiar, of course.

There's a junior high school and a Y.M.C.A. branch named in his memory.

But the man behind the name—a man recognized for his genius around the world—is relatively unknown.

He left his mark on Jacksonville before he went to New York City to live—as he made his mark there and was subsequently heard of, read about and respected around the world—but Jacksonville forgot him.

Now recognized as one of the world's great men, not merely as one of the most capable Negroes of his time, perhaps it's time to recall James Weldon Johnson and his Jacksonville.

Johnson was born on Lee Street (the house is gone now and on the property there stands a Firestone store) on June 17, 1871.

Saturday, as part of the city's sesquicentennial celebration, a program, organized by Mrs. Earl Johnson (no relation), will mark Johnson's centenary-plus-one and recount in word, music and picture his accomplishments, his achievements.

They are many and they are great; but Jacksonville was where the seeds of that greatness and those accomplishments were sown.

It was here that the child became the father of the man, that he became to amount to something.

James Weldon Johnson began standing out from the crowd hereabouts in 1877.

That was the year former President Ulysses S. Grant came to town and Stanton School, where Negro children then went through the eighth grade and where his mother taught, was dismissed for the day.

Many children and adults stood along the route Grant took that day, but he only shook hands with one person—a boy who stuck out his hand and Grant shook it.

It was, of course, James Weldon Johnson who reached out to shake the hand of the man most singularly responsible for the military defeat of the South in the War Between the States.

After that, during the next decade he went to Atlanta University to complete his formal education, he learned well how to play baseball and, being a good student, was selected by his principal to deliver The Florida Times-Union, when the paper asked the principal to select a bright, responsible youngster for the job.

Prior to the days of Jim Crow, days which began about the time Johnson went to Atlanta to study, the color of a man's skin didn't mean much in Jacksonville.

His father, who was the head waiter at the St. James Hotel, was his idol. Of all the men in the city, who else, he said more than once, could get so many people to do what he said by simply telling them to do something?

Later, when the races moved more and more toward being actually separate and legally separated, his voice would often be raised against the resulting conflicts and injustices, but it was ever a voice of reason and compassion, however tempered with irony and indignation.

When he returned to Jacksonville after his Atlanta experience, he became a teacher at Stanton School.

He stayed long enough to become principal and to add four grades to the eight elementary grades there already.

Stanton High School was the first higher education institution the Negro had access to in Jacksonville, but the School Board was displeased.

Johnson hadn't told them he was doing it—and he taught the four classes himself for the first two years.

As New York began to beckon to Johnson, he studied the law and became the first Negro admitted to the Florida Bar since Reconstruction and he started a newspaper, a first for the Negro anywhere.

But soon, too soon perhaps, he was gone.

He was on a trip that would carry him far from this place, but, as his parents had left their positive mark on his character, so Jacksonville had influenced him.

Now it is time that the rest of that story to become better known.

It is time for the man to influence his city, the city of his birth, just as he was influenced by it.

Some of that influence on James Weldon Johnson led to greatness; the study of his genius might, if John Dewey knew what he was talking about, have a kindred result.

[From the Florida Times-Union and Journal, June 11, 1972]

#### OUR RENAISSANCE MAN

James Weldon Johnson is Jacksonville's Renaissance Man.

To reduce his life's work to its many parts is to draw a catalogue of callings, of careers.

Call him a teacher, an administrator, and he's turning an eight-grade institute into Stanton Senior High School—the first Negro High School in Jacksonville.

Call him a lyricist, a writer of songs, and he's writing Stanton's school song, "Lift Every Voice and Sing"—a song which has been called "The Negro National Anthem."

Or, he's writing the lyrics for music written by his brother, Rosamond Johnson, or Robert Cole—he's a habitue of Tin Pan Alley.

You've heard those words, tapped your feet to those tunes. Remember "Under the Bamboo Tree," "The Maiden with the Dreamy Eyes," and "The Congo Love Song."

You remember his Broadway musical, which he wrote with his brother and Cole, "The Shoo-Fly Regiment."

And, if you're political, maybe you remember his national campaign song, the one he wrote for Theodore Roosevelt—"You're All Right, Teddy."

Teddy liked it. He said it was "bully good," and he won the election.

Call him a poet, a maker of verse, a forger of words, and he's playing the black preacher with the immortal and moving words of "God's Trombones."

Or, he's writing poignantly of the half century his people had lived since Abraham Lincoln wrote and signed "The Emancipation Proclamation."

Or, he's writing of his people's penchant to sing songs in the night, as Israel did in bondage; he's writing "O Black and Unknown Bards."

Call him a diplomat, a representative of his country in foreign lands, and he's serving as a consul in Puerto Cabello, Venezuela, and Corinto, Nicaragua, where he took command of a U.S. Marine detachment during a banana revolution, one of three which took place while he was there.

Or, he's being sent to Haiti to investigate charges of brutality when the Marines occupied the country.

Call him a novelist, a teller of truth by way of fiction, and he's writing "Autobiography of an Ex-Colored Man"—one of the first, if not the first, books which showed the Negro his heritage, his source of pride and in the despair, his American experience.

Call him an essayist, a journalist of ac-

quired knowledge and experience, and he's writing about his own particular demon, creativity; he's writing "The Negro's Creative Genius" and "The Dilemma of the American Artist."

Call him an autobiographer, a rememberer of one's own life and times, and he's writing about his land, his America, his hope and his agony; he's writing "Along This Way."

Call him a lawyer, an advocate, and he's the first Negro to be admitted to the Florida Bar since Reconstruction and his oral examination reads like a session of an inquisition.

Call him an advocate of his people, call him a civil rights worker before the fact, and he's one of the first field secretaries of the National Association for the Advancement of Colored People, fighting for the country's first anti-lynching law and speaking words of reason against a backdrop of terror and fear.

Call him an editor, a newspaperman, and he's editing the first Negro newspaper, "The Daily American."

It was published in his hometown, Jacksonville.

Call him a native of Jacksonville, a son of this place, and you have a dimension no other man—black or white—has brought to this city.

He is Jacksonville's Renaissance Man.

He is a promise born 101 years ago—a promise that just now approaches reality—a reform that may yet initiate a renaissance.

[From the Jacksonville Journal, June 13, 1972]

(By George Harmon)

#### FORGOTTEN NO LONGER

They won't be able to say, after this coming Saturday, that Jacksonville has forgotten James Weldon Johnson.

A full day of events is planned for one of this city's most accomplished natives—a black man who filled his life with many careers.

Born in Jacksonville in 1871, and killed in a car-train collision in Maine in 1938, Johnson was a lawyer, educator, newspaper, publisher, a writer of popular songs for Broadway plays, a diplomat, a poet, an author and one of the pioneers in the civil rights movement.

In his hometown, however, Johnson almost became a forgotten man. A junior high school is named after him, and a branch of the YMCA—but few Jacksonville citizens knew anything about the man behind the name until this year.

Jacksonville's sesquicentennial celebration, which is now reaching its climax, helped revive interest in James Weldon Johnson. As a result, he is being honored with "James Weldon Johnson Day," as part of the official sesquicentennial festivities.

#### "LIFT EV'RY VOICE"

The first event on Saturday's agenda will be the unveiling of a historical marker across the street from 1307 Lee St., where Johnson's home once stood.

Mrs. Earl M. Johnson, wife of a Jacksonville city councilman and an instructor in math, psychology and education at Jacksonville University, is chairman of the James Weldon Johnson Day events. (The last name is coincidental; she's no relation to the man being honored.)

Although some purists in the local history game might object to the historical marker being placed across the street from Johnson's homesite, instead of the exact spot where the house stood, Mrs. Johnson said there's a good reason for the choice.

"The spot we chose is owned by the city," she said, "which means we'll be able to keep the surrounding area clean, and to beautify it."

The home that once stood at 1307 Lee St. is the place where Johnson and his brother



Rosamond—the two later became, with Bob Cole, a popular songwriting team in New York City—composed a song entitled "Lift Ev'ry Voice and Sing."

The words of the song were written in February 1900 by James Weldon Johnson as he sat on the front porch of the house. Johnson shoved the verses through an open window into the living room, where Rosamond sat at a piano and composed the music.

The song was written to be sung by students of Stanton High School to celebrate Abraham Lincoln's birthday. Johnson was principal of Stanton, where his mother had once taught. When Johnson took over direction of the school in 1894, after graduating from Atlanta University, it went only through the eighth grade. Johnson converted it into Jacksonville's first Negro high school—some say without the school board's knowledge—and the first class had graduated around 1896.

"Lift Ev'ry Voice and Sing" has had a remarkable history. After the Stanton students had introduced it, the song was published and spread quickly through black communities of the nation.

For many years it was known as the "black national anthem." Later, when blacks complained that their national anthem was the "Star Spangled Banner," it was redesignated as the official song for the National Association for the Advancement of Colored People.

The Johnson homesite marker will be unveiled by City Council President Lynwood Roberts. Also taking part in the program will be Rev. Rudolph McKissick, pastor of Bethel Baptist Institutional Church, and the Raines High School Band directed by Julian White.

The Raines band, naturally, will be playing "Lift Ev'ry Voice and Sing."

#### LUNCHEON PROGRAM

Following the ceremonies at the Johnson homesite, a dutch-treat luncheon will be held at the Thunderbird Motel at 12:30 p.m. Saturday.

On the luncheon program will be:

Dr. Ellen Moers, associate professor of English at Barnard College of Columbia University in New York City. Dr. Moers will talk about Johnson's literary works. It was she who wrote an article in *The New York Times Book Review* earlier this year in which she noted that 1871 was the birth year of the four American artists who helped New York City steal some of Boston's reputation as a national intellectual center. The four artists: authors James Weldon Johnson, Stephen Crane, and Theodore Dreiser, and painter John Sloan.

Robert Earl Jones, black actor and father of another black actor, James Earl Jones. The elder Jones will recite for the luncheon guests "The Creation," one of the poems in a volume entitled "God's Trombones," in which James Weldon Johnson took well-known Bible stories and rewrote them as he believed they would have written in South Georgia-North Florida Negro speech.

Henry Mack, music teacher at Eugene J. Butler High School here, who will play a piano medley of the songs composed by the Johnson brothers.

The Saturday luncheon, said Mrs. Johnson can be attended, at \$4 per ticket, by anyone who reserves a seat not later than Thursday noon by telephoning the Jacksonville Sesqui-centennial office at 398-5377.

"I understand that some of the members of the first graduating class of Stanton High School are still living in Jacksonville," said Mrs. Johnson. "If so, we'd like for them to sit at the head table during the luncheon; but we haven't been able to locate them."

Among those who will be sitting at the head table will be Mrs. Israel Kaplan, wife of the rabbi emeritus of Jacksonville Jewish Temple, one of the Jacksonville women who campaigned several years ago to have the local school named in honor of James Weldon

Johnson; Miss Eartha White, Jacksonville's black philanthropist, who was a girlhood sweetheart of Rosamond Johnson; and Mrs. Mildred Johnson Edwards of New York City, Rosamond's daughter.

(James Weldon Johnson's widow is still living, in New York City, but she is 86 years old and her health won't allow her to come to Jacksonville.)

#### "EVENING WITH JOHNSON"

The final event of James Weldon Johnson Day will be "An Evening with James Weldon Johnson," free to the public, at 8:30 Saturday night in the Prudential Auditorium.

Robert Earl Jones will appear also on this program, reciting some of James Weldon Johnson's poetry and other writings, with the choir of Edward Waters College providing background accompaniment.

The Edward Waters choir will also sing some old Negro spirituals which were compiled in two volumes by the Johnson brothers when they became worried that the songs would die out and be irretrievable for future generations.

Another facet of Jacksonville's "rediscovery" of James Weldon Johnson is an exhibit of the books which Johnson wrote. They are on display at the downtown library.

Later this month, the Jacksonville Art Museum is expected to erect the Smithsonian Institution's pictorial display of Johnson's life and works. The display couldn't be obtained this week because of its popularity. It is now on display in Nassau, The Bahamas, which is where Johnson's mother was born, and the exhibit is booked for various cities of the nation through mid-1973.

#### STATEMENT ON HUNGARIAN MAGNA CARTA

#### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mr. CRANE. Mr. Speaker, this year marks the 750th anniversary of the "Bulla Aurea," or Golden Bull, which is, in effect, the Magna Carta of Hungary.

Enacted in 1222 by the Hungarian Diet, this charter guarantees personal freedom and narrowed the breach between the upper and middle classes and ordered an end to the oppression and exploitation of the people by the nobility.

The most notable provision of this charter stated that prelates, barons, and others of the nobility would be free to "resist and withstand" the King should he violate any of the charter's provisions. Magna Carta in England, similarly, limited the role of the King and, in effect, placed him under the restraint of law.

The "ius resistendi," or right to resist, contained in the "Bulla Aurea," remained one of the most important rights of the Hungarian people for succeeding centuries.

At this time when we celebrate the introduction of rule by law to Hungary, it is essential that we keep faith with the brave and valiant people of that country who suffer under the tyranny of communism.

Hungarians do not today have the right to resist. In 1956, the people of Hungary rose up bravely against their Communist oppressors only to be brutally defeated by an invading Russian army. In an era when there is much discussion of "detente" and an easing of

tension between East and West it is easy to forget those men, women, and even children who have perished in the fight for freedom in Hungary and elsewhere in Eastern Europe. This we must not do.

Today, Hungarians do not live under a legal charter which limits the authority of their rulers. The rulers of Hungary are elected by no one, and are not obligated to go to the people in an election to obtain their approval.

They are, instead, the handpicked supporters of a foreign country, and have been installed in their positions of power by the armed might of the Soviet Union, as have the leaders of Czechoslovakia and other Eastern European countries.

We must look forward to the day when Hungarians will once again be masters of their own fate, when once again those who rule will be limited by law, and will be obligated to follow the will of the people.

Often, those who defend tyrannical rule argue that we, in America, would not wish to live under such a dictatorship, but that the peoples who suffer under such rule have never known democracy anyway, and that perhaps they want communism.

The fact is that a majority has never freely elected a Communist government in history. Even as they seek power through violence, Communists preach not tyranny but freedom. Lenin, for example, promised the people of the Soviet Union "bread, peace, and land," not communism. Castro promised "democracy" and Mao Tse-tung claimed to be an "agrarian reformer." Once in power, however, tyranny descended upon the peoples of those unfortunate countries.

Let us celebrate the 750th anniversary of the "Bulla Aurea" by reaffirming our faith in a free and independent Hungary. Such freedom and independence would be the culmination of this great Hungarian tradition, just as the Communist domination of today is its antithesis.

#### EDUCATION

#### HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. DUNCAN. Mr. Speaker, every day the Nation's 2 million elementary and secondary teachers are called upon to answer the most thought-provoking question ever devised by man. Why? The quality of our educational system's answer to this quest for knowledge has enabled America to meet the great challenges of our time.

Education's response to inquisitive minds has inspired young Americans to dream dreams of trips to the moon, great medical discoveries, and inventions which stagger the imagination. Our educational system has, over the years, demonstrated its ability to transform the dreams of the young into the realities of the future. The sum total of this experience has meant a better life for all of us.

We must never lose sight of the importance a good education means to the 46 million youngsters who fill our ele-

mentary and secondary schools. Education is the key to their future and the future of our country.

America indeed owes a great debt of gratitude to our educational system. The fruits of this system have provided all Americans with a quality of life unparalleled in history.

CHARLES F. KETTERING II

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. WHALEN. Mr. Speaker, the Ketterings of Dayton, Ohio, are one of the most prominent families in our Nation. Their progenitor, Charles F. Kettering, was the well-known inventor and longtime vice president of General Motors Corp.

The fame of his grandson and namesake, Charles F. Kettering II, perhaps was not as widespread. However, he was indeed the equal of his grandfather and father in his concern for his fellow human beings.

Charles F. "Chuck" Kettering II died suddenly and tragically in December. His 40 years of life were filled with philanthropic activities. Chuck received a B.A. degree from Dartmouth College and served his alma mater as an assistant to the director of admissions. In 1963, he was awarded a master's degree in personnel services from the University of Colorado where he later served as a faculty advisor and as assistant dean of the College of Arts and Sciences.

At the time of his death, Chuck was a trustee of the Charles F. Kettering Foundation and the Kettering Fund and a director of C. F. Kettering, Inc., all in Dayton. In addition, he was chairman of the board of his own Denver-based foundation, CFK Ltd., which contributed more than \$200,000 annually for educational projects. Under his direction, CFK Ltd. also has made substantial contributions to projects throughout the western United States, many of them related to minority group causes.

Charles F. Kettering II was an extraordinary man and an extraordinarily good human being. The tributes which have been written of him reflect, to the extent that it is possible to do so in words, the impact which his life had on his associates. I am honored to have this opportunity to present three of these memorials. The first, by the CFK Ltd. board of directors, was made available to me by Presidential Counselor Donald Rumsfeld, a former Member of the House and a longstanding friend of Chuck Kettering. The second is reprinted from the publication of the Kettering Foundation. The third is by Mr. Tony Larson of radio station KOSI in Denver.

The tributes follow:

CHUCK

Have you Noticed . . . ? He Was That Kind of Man.

Have you noticed that everyone who knew him, no matter how much or how little, called him their friend?

He was that kind of Man.

Have you noticed that everyone, then and now, have only good words for him?

He was that kind of Man.

Have you noticed that no one, although many have tried, has a completely adequate way to pay full tribute to him?

He was that kind of Man.

Did you notice that Chuck always paused to feed the hungry and to soothe the pained in spite of life's mad pursuit?

He was that kind of Man.

Did you notice that Chuck always took time to care?

He was that kind of Man.

Did you notice that Chuck knew he was blessed manifold times—by his parents, his beloved by his side, his children, and his friends?

He was that kind of Man.

Of Chuck it can be said:

He has lived . . . He has truly lived . . . He shall not die . . . Because he cared and because we still here also care.

Chuck was that kind of Man.

CFK Ltd. Board of Directors:

B. FRANK BROWN,

GEORGE L. BROWN,

LEO C. McKENNA.

CHARLES F. KETTERING II—AUGUST 28, 1931—  
DECEMBER 12, 1971

The untimely death of Chuck Kettering leaves his fellow Trustees and the entire Staff of the Charles F. Kettering Foundation feeling a tragic loss.

Until he was fatally struck by a car on a street near his Denver home, Chuck Kettering spent much of his time striving to rectify inequities and indignities as he saw them.

Through his participation on the Board of the Charles F. Kettering Foundation; on the boards of several other foundations and universities; and as Chairman of the foundation he established in Denver, CFK, Ltd.; Chuck exerted a stimulating influence on many projects and people. Frequently, he would also go beyond the reach of any institution to personally extend his support and understanding.

But it was more than his achievements that earned Chuck Kettering the lasting respect and love of those who knew him well; he was known and revered for what he was.

He was a man with courage, a man with soul, and a man with empathy for disadvantaged people.

WHEN YOU LOSE A FRIEND—A TRIBUTE TO  
CHARLES F. KETTERING II 1931-71

These thoughts on Chuck Kettering were authored and delivered by Tony Larson on KOSI Radio, Denver, on December 13, 1971

Carl Sandburg wrote, "A man's life? A candle in the wind."

All of us are no more than that, but every so often there is a man, who while his life burns brightly, accomplishes tasks that far surpass the works of most. He does it quietly, without fanfare, expecting no rewards, shunning the spotlight of notoriety, underplaying acclaim, accepting the inner satisfaction that comes with the opportunity of giving—his mind, his talent, his concern for others.

A man such as this has moved beyond rehearsal—the mere playing of a role—he knows himself. He is true to himself, and he finds freedom in the giving of himself.

Too often we move about on stage encountering few who meet the standards of this man. We deceive and are deceived by false faces; by the push and the rush of fleeting time and passing friendships. If we meet this man and can call him friend, time holds more for us. It widens to offer substance; to add perspective.

In the measure of our own "candle in the wind," we can ease the tempo, pause and think more deeply on the worth of knowing such a man. If we take that time, soberly,

and are willing to sit—as if at the foot of a teacher—and patiently listen, giving value to his words, we learn, and we grow. We learn by watching him work, amazed at his steady hand knowing its strengths and weaknesses; inspired by the clarity of his mind, his thought and planning, channeled into human concerns. We grow because his friendship has added depth and meaning to our lives. We are the fortunate who benefit from his labor, and there is no way to return the trust and faith of that friendship other than by giving it away to some else.

A man such as this . . . died in our city last night. He was only forty.

Those who knew Chuck Kettering, knew a most extraordinary man—a teacher—who walked through life with a clearly defined purpose: to use his resources for the good of others. He worked tirelessly to see that goal achieved, but was never too busy to share his insight and wisdom—to extend his hand, to be a friend.

The wealth of the man was in the man.

AID FOR THE ELDERLY

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. YATRON. Mr. Speaker, as we are well aware, our Nation is now being challenged—as it never has been before—to develop and implement a national policy on aging. This will require a full fledged action campaign in several areas if the later years are to be a time for dignity and self-respect.

One of these efforts to help our senior citizens has begun to make progress in the Sixth Congressional District of Pennsylvania. Mrs. Minerva Kasper, an energetic septuagenarian publisher, has begun a newspaper, the Berks County Senior Citizen. This newspaper, which may be the only one of its kind in the Nation, operates solely to express the feelings, needs, and interests of older Americans. It is free of charge to the elderly, and deals with topics which range from programs of assistance on the local level, to open letters to the President on the national level.

As Mrs. Kasper has often pointed out, nowhere is the need to assist the elderly more evident than in the area of economic security. Today, more than 4.7 million older individuals exist below the poverty line—nearly 100,000 more than in 1968. Older Americans are more than twice as likely to be poor as younger Americans. One out of every four persons 65 and older—in contrast to one in nine for younger individuals—lives in poverty. Congress has realized these deficiencies and has been extremely active in this area recently, with many efforts to increase the income of the elderly near passage now.

Another area of utmost concern to the elderly is the field of health care. Today, less than 7 years after the passage of medicare, the threat of costly illness is still too real for too many older Americans. The sad truth is that serious illness strikes with much greater frequency and severity at a time in life when incomes are most limited. Persons 65 and over have health bills averaging nearly \$800 a year; or approximately six times



that of youngsters and three times that of individuals in the 19 to 64 age category. Efforts to assure increased medicare coverage, expanded community services, national health plans, and health maintenance organizations are currently in various stages of completion in Congress as efforts to help the elderly progress.

If our Nation is to assure true economic security in retirement, we must resolve the serious medical cost problems which pose an intolerable drain upon the limited incomes of older Americans.

Today, our Nation has a unique opportunity to make advancing age a time of fulfillment, instead of neglect and despair. Mrs. Kasper, through her efforts as a writer, on radio broadcasts, and in countless personal contacts and endeavors, has launched a spirited drive to assure that the needs of the elderly are met. Ever since she began her writing career 50 years ago, she has been determined that the voices of the elderly should be heard. Such dedication deserves our recognition, and I would like to commend her for the devotion she has shown toward senior citizens 365 days a year.

Perhaps even more significant, however, there is already broad agreement on many crucial policy goals and the course of action our Nation should take now and in the future. In many respects, the report of the White House Conference on Aging is a ringing reaffirmation of the recommendations advanced by congressional committees and councils.

With this broad base for support, our Nation can begin to develop, for the first time in its history, a comprehensive workable national policy for the elderly American. As Mrs. Kasper has often said in her efforts to help the elderly:

May God help the members of Congress to open up their hearts to them, consider their plight and feel the great urge I feel towards them. Let it not be said . . . that this great nation with all its wealth, will continue to neglect them. They deserve our love, consideration and care.

I believe that the Congress has embarked upon a path which will meet the needs of the elderly, and I would like to commend Mrs. Kasper for her untiring efforts in their behalf.

#### A TRIBUTE TO DICK O'BRIEN

#### HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. STEELE. Mr. Speaker, each year the Northern Middlesex, Conn., Chamber of Commerce honors one citizen as the area's outstanding citizen of the year.

This year the chamber has selected Mr. Dick O'Brien of Haddam for this high award and will honor him at the chamber's 77th annual dinner on June 19.

Both as an individual and as president of WCNX in Middletown, Mr. O'Brien has contributed greatly to Middlesex County through his deep interest in people and service to the community. Indeed, his extensive activities throughout Connecticut have made him not only

an asset to Middlesex County, but to the entire State of Connecticut.

He serves on the boards of directors of Middlesex Memorial Hospital, Goodspeed Opera House and the Connecticut Broadcasting Association. He is a member of the advisory board of the Hartford National Bank and the board of trustees of the YMCA, a corporator of the Farmers and Mechanics Savings Bank of Middletown and a member of the board of his alma mater, Trinity College in Hartford. He is currently a member of the board of directors of the Northern Middlesex Chamber of Commerce and has served in various capacities in the chamber for the past 22 years, helping to make it one of the most successful and respected chambers of commerce in the United States.

It is no surprise that a man who has done so much for his city, county, and State should be so honored. Dick O'Brien epitomizes the individual responsibility, commitment and action which have always been the driving force of our national life.

ADDRESS BY THE HONORABLE  
G. A. LINCOLN

#### HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. MILLS of Arkansas. Mr. Speaker, I am submitting for printing in the RECORD the address by the Honorable G. A. Lincoln, Director of the Office of Emergency Preparedness of the Executive Office of the President before the Interstate Oil Compact Commission meeting at Hot Springs, Ark., on June 13, 1972. I recommend these important remarks to attention of my colleagues:

REMARKS BY HONORABLE G. A. LINCOLN

Honorable Chairman, Ladies and Gentlemen:

It is both a privilege and a unique experience for me to be here in Arkansas with you this morning; a privilege because you are an important part of that group of people who provide that essential resource for our country—energy. I consider it an even greater privilege since my Agency has no official relationship to your compact functions. It is a unique experience because, even though fairly widely traveled, I have never before been in the State of Arkansas.

One of the tenets inscribed on my young mind by my grandmother was that "confession is good for the soul." I should start by confessing that because your invitation reached me not too long ago, I am going to say here principally some of the things that I have said to other audiences, most of them in the provinces of our East Coast. If any of you have heard some of my remarks, I ask you to accept the repetition as a point that I still think is important.

It is not often that a Nation reaches a watershed period, a time when it crosses a divide between one era and another. Our country is progressing over a number of divides at this time with new policy in areas important to our society.

I am going to speak briefly of four of these areas and the progress which has been made under the leadership of our President—the unprecedented agreements with the Soviet Union to limit nuclear armaments, the President's energetic efforts to achieve an honorable peace in Vietnam, and his fight against inflation. I will spend the greater part of my

time with you on the fourth problem area, one with which you in this meeting are centrally and, many of you, professionally concerned—energy and energy security.

The four together are topics of the highest concern in foreign and domestic policy. In my judgment, within a very few years, perhaps five to ten at the most, energy policy will rank in national concern as importantly as national security and foreign policy, with which, of course, it is closely intertwined.

The fight against inflation and a search for a just resolution of the Vietnam tragedy are primarily reactions to crisis situations which this Administration has inherited. The strategic arms limitation agreements are a positive action toward stabilizing the dangerous and burdensome strategic arms competition.

The treaty with the USSR on defensive missiles and the agreement on offensive systems can well be characterized as the beginning of a new era. For the first time, actual limits on numbers of strategic weapons have been agreed to by the major nuclear powers. The benefits in added safety and lessened burdens should become increasingly evident as this solid base is used to build further toward a lasting peace.

The agreements lend stability to the nuclear equation by taking into account the national interests of both sides. They do not favor one at the expense of the other. Secondly, they are in the category of national security actions that protect our people against an attack by diminishing the threat of attack. Thirdly, they do not decrease the nuclear power available in the world, and so are not the occasion to lessen our vigilance or drop our guard in the strategic arena.

It is appropriate to mention the very grave problems of Vietnam, at this time, in juxtaposition with our progress in arms control. The Moscow meeting, at which over two and one-half years of arms control negotiations were coming to fruition, just happened to get scheduled at a time shortly after North Vietnam launched a massive, open aggression against South Vietnam. Both this aggression, which may or may not have been timed in relation to the Moscow meeting, and the great goals of that meeting were on the President's desk at the same time.

The Vietnamization program, designed to enable the South Vietnamese to protect themselves, had been generally successful in protecting the people of South Vietnam against internal subversion and small unit attacks. Now however, the enemy has abandoned all pretense of their so-called "people's war" of spontaneous insurgency and restored to open aggression, across international borders utilizing virtually their entire armed force in a conventional military operation. They had failed in their initial attempt to take over South Vietnam by internal warfare and they are now trying other, much more destructive means.

This brutal invasion of South Vietnam was answered by our President with courage and foresight. How better to stop killing than to deny the enemy the tools of war? How better to do this than to mine openly the entry ports through which the largest part of those materials have been sent? Since idle gestures by a great power are both impotent and dangerous, the concurrent bombing of land lines of supply is a necessary part of the effectiveness of the coastal blockade by mines.

The President's policy has, so far, been successful. The North Vietnamese have not won by brute force what was denied them when they used subversion and murder. The blatant aggressor has not been allowed to keep his own country as a sanctuary. Neither the United States nor the Soviet Union has allowed the Vietnam situation to replace other, overriding common interests in building a more stable relationship.

But I do restate our objectives—to stop

the war and the killing, recover our prisoners and let the South Vietnamese work out, for themselves, their own government.

Turning now to a major domestic problem—inflation—this the President has tackled forthrightly and tenaciously with the new economic program.

An important part of that program, in addition to international trade and monetary policy, is stabilization of the economy. Most of you probably recall that the Office of Emergency Preparedness was charged with managing the 90-day freeze.

It is now over nine months since the President announced his new economic program, and we are beginning to see substantial progress in the fight against inflation. Price indices are always subject to multiple interpretations, and are somewhat unreliable over the short run. But, I do offer these figures for your considerations.

In the even months prior to the wage-price freeze, the Wholesale Price Index increased at an annual rate of 5.0%. The President's program has so far reduced this annual rate of increase by 32%—to 3.4% per year. The Consumer Price Index rose at an annual rate of 3.9% in the seven months prior to the freeze. Since the freeze, it has risen at the reduced rate of 2.8%. In April, the last month for which consumer price figures are available, the Index was even lower—2.4% on an annual basis.

In my personal judgment, the statistics, while important, are less so than breaking the inflation psychology. This is necessary for a sound economy and society.

I now turn to the problem of our energy matters.

I do get a lot of the President's mail forwarded to my office to handle, but I got a new one last week. A letter addressed to the Government Bureaucrat in Charge of Energy, care of the White House, was bucked to me for reply. This writer was, by the way, worrying about gas supply in Oklahoma.

This problem in energy matters—sometimes called the energy crisis—is already upon us and will be with us for a couple of decades at least.

I do, as most of you know, come into contact with our energy problems through my national security job as Director of the Office of Emergency Preparedness. My duties include responsibility for policy formulation, management and surveillance of the Mandatory Oil Import Program—a national security program stemming from one of our laws.

The quantity of our oil in imports, and the subsequent degree of hazard to our security, fairly obviously turn on both domestic energy supply and domestic energy demand. The resultant energy gap caused by demand increasing more rapidly than supply is filled by imported oil. While energy sources—coal, gas, oil and nuclear power—are in varying degrees substitutable one for another, oil is currently the most versatile of all energy fuels. Hence, the security hazard which derives from the extent of the shortfall in domestic energy supply makes such matters as the Alaskan pipeline, offshore leasing, efficiency in oil recovery, and maximization of the use of our one abundant fuel—coal—as much matters of security concern as is the determination of the oil import quota. In fact, that determination is, now, to a considerable extent, a statistical forecasting exercise since it is based on the estimate of the gap between supply and demand.

I am not in this meeting going to re-tread the tiresome trail of the different ways we might manage our oil imports—quotas, tariffs or a combination of the two. All current forecasts of our energy position show that the situation is hazardous to the national security. A favorite projection for around 1980 is that half of our oil will be imported, or approximately a quarter of our energy supply—our light, heat, and transpor-

tation—will be imported. The problem we face, from the national security standpoint, is how best to minimize that hazard as we orchestrate the many efforts required, as best we can, to meet other important domestic and foreign programs and objectives of our Republic.

People can rightly ask how this crisis situation has come about, allegedly without warning, and in some instances they rightly blame the government. In fact, but in hindsight, government should probably accept some blame in certain specific areas where policies stem from perhaps a decade ago and are only now being changed to meet realities—for example pricing of natural gas.

We have dealt in the past with energy on an assumption of abundance. This assumption is no longer valid. Policies in the past have been guided by the effects of governmental controls and on relative costs, rather than by concern over the conditions of prospective scarcity or over the most efficient consumption patterns.

Now when the crunch of scarcity begins to be apparent, we have compounded our difficulties by a too long delayed interest in environmental programs. These programs both increase demand for scarcer types of energy such as gas and tend to restrict domestic supply. This is illustrated by our problems in unlocking the energy resources of Alaska and the Outer Continental Shelf, and the inhibitions placed on our use of coal.

There are some answers often suggested for our energy programs.

One suggestion is that nuclear power will fill a great part of the energy gap. In fact, large amounts of nuclear power only begins to come on line after 1985, and even then will not for a long while, if ever, increase at a rate equal to that of projected increases in energy demand.

Another suggestion is that imported liquid natural gas and synthetic natural gas from imported petroleum could close a significant part of the supply-demand gap. On the basis of our total energy requirements, these sources of supply cannot be very significant by current estimates. They may, however, be helpful in particular areas of the East Coast. The estimated costs are a puzzling item in the framework of our current energy policy—around a dollar, to as high as \$1.40, per MCF when the interstate wellhead price of new domestic gas is now, I believe, about 25¢ and the city gate price in the Northeast is around 50 to 60 cents. Assuming that there is in our country a supply elasticity based on the price of gas, which I believe there must be, the situation certainly warrants an increase in wellhead price of new gas, as I have stated some time ago.

The most often mentioned proposed solution is to close the energy gap with oil imports. These imports have gone up and will continue to do so for at least awhile—the question is how much and in what pattern. It is worth keeping in mind the negative aspects of increasing oil imports, particularly in the longer run. There are, as examples, the very significant adverse effects on our balance of payments. Also, larger imports increase dependency on Eastern Hemisphere sources where oil exporting countries may not continue indefinitely to provide, on schedule, all of the demand of the oil consuming countries, even at an increasing price.

As prorationing de facto disappears in the United States, we now see prorationing in the form of arbitrary production limits developing in the OPEC countries, and can expect it to increase. The implications include a probable higher price of foreign oil and restricted supply with a consequent national security implication.

It appears we will be entering the market in years to come for large quantities of oil in competition with our European and Japanese friends. Oil income may be adequate to the current needs of producing countries,

and foresight argues for conservation of their reserves to guarantee future income. After all, these oil producing countries have their own compact for pricing and for dealing with oil companies and oil consuming countries on such matters as ownership and sales. The international oil pictures has changed drastically in the last few years and the change foretells increasing hazards to our energy and national security.

In a recent speech, Under Secretary Pecora, of the Department of the Interior, emphasized our policy of developing domestic energy resources and of maintaining processing and refining capacity within the United States. Doing so contributes to flexibility and diversity in dealing with various sources of foreign supply. This is a fallback position being forced on us by the hard fact that our domestic oil production no longer equals our requirements. But this situation can be improved, even if the problem cannot be completely solved.

There are at least three methods by which we can increase oil and gas production capacity—we can discover new reserves by new exploration here in the United States; we can develop the known reserves now considered uneconomic, such as oil from shale and the tight gas reservoirs; and, we can improve recovery. I do not name as a fourth alternative, producing above the Maximum Efficient Rate, which would produce more oil initially but would ultimately decrease total recovery. In an era when the energy gap is projected to persist and grow for the foreseeable future, this fourth method would be a false security indeed.

At the same time, I think it is safe to say that barring unexpected discovery of several giant fields, and even if Alaska crude comes on line promptly, henceforth market demand prorationing by State regulatory agencies will have at most a minor effect. By allowing essentially unrestricted production within the constraints of present prices and tax incentives, we can maintain the highest level of exploration and development. The higher production levels will allow a faster return on investment and thus improve the economic incentive for needed investment in the domestic oil industry. Unduly restricting current production would be detrimental to our goal of increasing longer range U.S. production and reducing or minimizing the energy gap.

Instead, we must turn our attention to the maximization of ultimate production through improved, although comparatively expensive, recovery methods. This is an area in which the IOCC's historic efforts deserve high commendation. When the compact was organized in 1935, less than 10% of the oil in place was being extracted in the average reservoir. Today, largely through the efforts of the producing States, that figure is 36%. But, as Governor Hathaway told the Congress two weeks ago, that is not yet enough. According to American Petroleum Institute reserve estimates, there are around 275 billion barrels of oil in presently known reservoirs that will not be recovered using existing recovery methods. According to one estimate I have seen, some 60 to 75 billion barrels of this oil is potentially recoverable using improved recovery methods. A failure to maximize recovery means more oil imports and less energy security.

There are several possible avenues to improving recovery. One is through modification of the incentive structure defined largely by prices and taxes. This will not change quickly. Another avenue is accelerating development of recovery technology. The petroleum industry has recently taken important cooperative steps in this direction. Some of you here undoubtedly attended the recent Oil Recovery Symposium at Tulsa.

Yet another aid to recovery is unitization. The payoffs of unitization are reduced costs and increased recovery through early implementation of optimum recovery methods.



Unitization has long been a concern of this group and your past successes have been noteworthy. However, I am apprised that there are still some gaps remaining. With this country facing a severe energy shortage we can no longer afford the luxury of inefficient production methods. National security requires that we produce from each reservoir with maximum efficiency. Effective unitization is important in an energy scarcity situation.

Both enforcement of MER's and improvement of recovery are examples of conservation in the production of energy. I do mention briefly the corresponding requirement for conservation in the use of energy. Our energy dilemma is going to be manageable only if we exercise the same resourcefulness on the side of moderating demand that we must exercise in expanding supply. A million barrels per day equivalent of oil not used because of fuel energy conservation is an even better achievement than the same amount of energy developed—since we don't have to pay for it and there is less insult to our environment.

I have just sent a letter to Governors of all fifty states concerning emergency energy matters to avoid brownouts and blackouts, and soliciting cooperation in energy conservation measures to avert critical shortages of power which could arise this summer.

Far beyond actions to keep the lights on this summer, we need systematic actions to maintain the quality of our life and over industrial production, while using less energy in the longer run. There are vast opportunities on this little explored frontier. Transportation efficiency, production of electricity, home insulation, and consumer incentives are just some examples. Rough staff level estimates indicate that the payoff starts now and by 1980 added energy available as a result of conservation could be on the order of the production of two or three Prudhoe Bays.

I should refer to the environment as another area of newly increased concern to many of us. I understand that your Commission was far ahead of EPA and most of the rest of us in giving attention to the environmental consequences of oil production. Comparison of today's clean oil production methods with the wasteful and environmentally harmful flares and salt water discharges through the 1930's and 1940's is an example of how effective regulation at the state level can minimize environmental damage without destroying the industry being regulated.

While there are undeniable tradeoffs between energy adequacy and environmental quality, we cannot solve the equation by throwing away either side of it. There can be no priorities among essentials.

In closing, I do comment on the need to move quickly and positively to adjust our energy affairs at the local and state level, as well as at the national level, to the changing times. Your Interstate Oil Compact Commission does have a specific charter directed to the purpose of conserving "oil and gas by the prevention of physical waste thereof from any cause."

As I understand it, the actual operation of your mission is through the actions of states, organizations, and individuals who are here represented or present.

In connection with another one of my jobs for the President, emergency preparedness, I did, coincidentally, urge a meeting of State officials in San Antonio yesterday to review their State legislation and procedures. This review should be done in light of the changing requirements for preparedness and response to emergencies, for example to hurricanes and other natural phenomena.

I suggest to all here that, if you have not done so already, it is urgent that there be a systematic review of State laws, rules, and regulations and of operations affecting oil and gas production. This review should be

accomplished in light of the current situation of increased scarcity rather than the situation of abundant energy under which your Compact was born.

As a general rule we should be slow to discard the institutions which have served us well in the past but, on the other hand, we should be assiduous in shaping them within the dimensions of the charter imposed by the changing times.

I have appreciated very much this double opportunity of visiting the great State of Arkansas, where I have not before had the privilege of being and of talking to this distinguished and widely representative group concerned with our energy problems.

## ROADBUILDER'S DREAM

### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FRENZEL. Mr. Speaker, the Minneapolis-St. Paul area like other major urban centers throughout the country is wrestling with the problem of long-range transit planning. Inevitably when billion dollar capital expenditures hang in the balance, the policymaking process becomes embroiled in controversy. Some would have us believe that any major expansion of public transit is a waste of public funds. Others, and I include myself in this group, feel that we must find a people pleasing alternative to the automobile if we are to reverse the steady deterioration of our urban environments.

Even among we right thinkers who favor a more balanced urban transportation system there are differences over the criterion which mass transit should meet. Should we be satisfied with a transit system that is aimed principally at the rush hour traffic problem or should we aim higher and attempt to attract riders out of their cars for other kinds of trips as well? What are the relative costs of either strategy?

Whatever the final answers to these fundamental and difficult questions, the St. Paul Pioneer Press in a recent editorial put their finger on a key consideration. They say:

One way to make mass transit more popular is to make traveling by auto less attractive, particularly for commuters. A better scheme would be to devise a mass transit system that is as attractive as commuting by car.

I suspect this is the key to winning public support for new and expanded mass transit systems.

The editorial follows:

## ROADBUILDER'S DREAM

At a nice round price of \$100,000 a consulting firm has developed for the Metropolitan Council a Twin Cities area transportation plan that calls for a future system of mass transit relying solely on buses operated on a street-highway grid system (including freeways). It is difficult to see how this plan differs much from the transportation system that now exists.

The consulting firm proposal calls for 227 miles of new highways and completion of the 466-mile freeway system the state highway department has planned for the metro area. As St. Paul Mayor Lawrence Cohen has so aptly described the proposal, it is a "highway builder's dream."

The present transportation system of the

Twin Cities is one of buses, streets and highways. The only problem is that most people who have an alternative will not ride the buses, preferring to pay the considerable extra expense of commuting by automobile in exchange for the added convenience of a personal vehicle. Of course, much of this convenience is provided by the tearing down of homes, commercial buildings, trees and parks to make way for ever-wider strips of concrete.

Along with these concrete ribbons come air pollution, noise pollution and the permanent division of many traditional residential communities. More of the downtown area is devoted to the parking of automobiles, forcing more retail shops out of the loop and into the suburbs. The city becomes a ghost town after the evening traffic jams break up.

It seems preposterous that anybody or any firm claiming to have expertise in transportation planning would suggest an urban-area transportation plan calling for even more highways that will certainly mean the loss of more homes, buildings, trees and parks. New highways will only make travel by automobile more attractive and pollution levels will climb.

One way to make mass transit more popular is to make traveling by auto less attractive, particularly for commuters. A better scheme would be to devise a mass transit system that is as attractive as commuting by car.

## CONFERRING OF HONORARY DEGREE UPON FRED B. ROONEY

### HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. GREEN of Pennsylvania. Mr. Speaker, occasionally one of our colleagues is honored in such a way that we like to share his happy achievements with all the Members of the Congress, as well as his good friends in his district. I speak of Congressman FRED B. ROONEY, who has just been awarded an honorary doctor of laws degree by Moravian College.

As a Congressman from Pennsylvania, I have worked closely with the Honorable FRED ROONEY, 15th District of Pennsylvania, on matters of mutual concern to our constituents, and I have been impressed with Congressman ROONEY's relentless devotion, dedication, and sensitivity to the needs of his districts. The role of a Congressman and a lawmaker frequently involves a balancing of national against local needs. Congressman ROONEY has a unique ability to satisfactorily resolve these frequently conflicting needs. Moravian College has recognized this unique ability and has appropriately awarded Mr. ROONEY an honorary doctor of laws degree.

MORAVIAN COLLEGE COMMENCEMENT—CITATION BY ROBERT P. SNYDER, MAY 28, 1972

President Collier, I present for special honor the Honorable Fred B. Rooney, Congressman from the 15th District of Pennsylvania, and close friend of this institution.

It is the awesome responsibility of 435 individuals to represent 200,000,000 fellow Americans in the Congress of the United States. Each Representative must give special concern to the needs, if not the wants, of the residents of his district while keeping paramount the total welfare of the people of this nation and of the world. Congressman Rooney has succeeded in both.

At a time when there is widespread alienation throughout our land and a feeling that government is remote, Congressman Rooney is known for the attention he willingly gives to a wide range of requests from the half million residents of the 15th District.

His concern for the immediate needs of his constituents is not at the expense of judgment devoted to national concerns. Discussion of the great issues of our times are many-sided. Yet, when a congressman finally votes on each of the 1,000 bills which reach the floor annually, his final legislative response must be yes or no, often in the face of conflicting, strident pleas of special interest groups.

Congressman Rooney has initiated substantial health and consumer legislation, including the establishment of the National Eye Institute for research into the causes of blindness, and laws prohibiting deceptive sales practices.

A native son of Bethlehem, a devoted father, a man who has served Northampton County in the State Senate, a man who has been reelected to Congress four times, and a man who paces the sidelines with Moravian's coaches at Steel Field, I am happy to present the Honorable Fred B. Rooney, Representative of the 15th Congressional District, for the degree, Doctor of Laws.

#### AID FAILURE PROPHECY COMES TRUE—LAOS NOW; CAMBODIA, VIETNAM NEXT?

**HON. WILLIAM S. MOORHEAD**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. MOORHEAD. Mr. Speaker, as chairman of the Foreign Operations and Government Information Subcommittee, I was dismayed greatly to read an article entitled "Fraud Seen on Aid to Laos," which appeared in the Washington Evening Star, Tuesday, June 13. The article described the failure of the foreign exchange operations fund set up under the auspices of the U.S. foreign aid program. Similar funds are in process for Cambodia and South Vietnam.

The House Committee on Government Operations warned in a report to this body December 8, 1971, that the United States was headed for trouble in giving unrestricted cash grants to programs such as the one in Laos. The advice went unheeded and, as a result, the U.S. aid program in Laos is a failure. Will history repeat itself in Cambodia and Vietnam?

The following article and the conclusions and recommendations of our report last December may even be of interest to Henry Kissinger when he gets back to Washington:

#### FRAUD SEEN ON AID TO LAOS

(By Tammy Arbuckle)

VIENTIANE.—American and other economic sources here condemn the agreement with Laos which the United States is expected to sign this week contributing \$16.1 million in U.S. funds to the foreign exchange operations fund whose ostensible purpose is to stabilize the Lao monetary unit the kip.

"Fraud and corruptions and the inability of the Lao government to impose any economic measures and cooperate with the donor nations have made the Foreign Exchange Operations Fund (FEOP) meaningless and unworkable," official economic sources said. "The money put into FEOP is not stabilizing

the economy nor is it contributing to Laos economic development."

FEOP is a money changing operation which makes dollars available to Laos importers at a set price of 605 kip for one U.S. dollar. American and other western economic sources describe the operation as one in which some 800 importers and a few politically important Lao families can change their kip profits into dollars and stash them away in Swiss and other bank accounts, courtesy of the U.S. taxpayer.

#### PRICE UNSTABLE

American and other economists here made the following points arguing that FEOP should be scrapped. Prices in Laos are no longer stable. Meat for example has jumped in price by 100 percent from 1.10 per kilo to \$2.20 per kilo, making it an impossible purchase for the average Lao. Other commodities such as milk, sugar, chicken, duck and some types of rice are in the same state. Whenever the Lao government attempts to investigate, prices come down but food is hidden and hoarded and becomes unavailable.

Price figures put before the Moorhead House subcommittee on government operations by U.S. aid claiming prices in Laos have risen only 8 percent in the last eight years are spurious. They were challenged by this reporter who did his own pricing in Laos markets using Lao housewives.

#### PROFITTEERING INCREASES

Other points made by economists are: Pegging the dollar at 605 has not led to food being made available to the consumer on a cheaper basis. It has only led to blatant profiteering by local merchants.

Merchants do this through a thriving black market for dollars which has begun in Vientiane. They import at 605 and peg their price at the black market rate of 820 to \$1.

The Lao government is totally unable to impose price controls and there is no way of preventing this. Foodstuffs produced in Laos are even pegged at black market rates although they are not economically linked to the dollar as they are not imports.

Economists also make these points: FEOP dollars are not soaking up excess kip as they were designed to do. This is because the Lao government has failed to impose any fiscal discipline on itself. Its budget deficit is 15 billion kip and getting bigger every year because it continues to hire more and more civil servants which it does not need, is forced by rising prices to give salary increases making more kip available, and economic sources allege is surreptitiously printing more kip.

These sources said two Britannia planes arrived in Vientiane a few weeks ago with cargos of newly printed kip notes from Singapore.

#### NEED IS INCREASING

There is no evidence available that the Lao government has destroyed the old kip in equivalent amounts. To make matters worse the Lao government has slashed import duties against U.S. advice, making its revenues less, its deficit greater, and therefore its need for more FEOP funds greater.

At one point this year Laos made FEOP dollar available for travelers. Merchants jumped at this dollar source. Overnight whole families claimed to be going abroad. Bank officials said they received 50 or 60 application forms all in the same handwriting. Couriers were employed to take cases full of passports across Mekong to Thailand to get them stamped by Thai officials to show applicants really travelled although in fact the merchants remained in Vientiane.

Top U.S. aid officials such as U.S. aid director Charles Mann still defend FEOP. These officials claim they are plugging holes which the Moorhead committee complained about in 1971. They say Laos is paying toward FEOP now to the tune of \$2 million and that new documentation will eliminate the capital flight of FEOP dollars from Laos. In fact in

their haste to make things work, though no FEOP agreement has been signed, the U.S. has already given Laos \$7 million through 'letters of intent' as a U.S. promise to sign agreements.

#### U.S. CLAIMS DERIDED

Other American aid officials and diplomats from other donor nations (Britain, Japan, France, Australia, but the U.S. contributes 75 percent of the FEOP total) laugh at U.S. aid claims. The Lao contribution is in special drawing rights from the International Monetary Fund to which the U.S. indirectly contributed and no amount of documentations in Laos can stop fraud because top Lao officials including cabinet ministers and National assembly deputies are in league with Chinese and Vietnamese merchants who run the country's economy. "Look how FEOP got into this mess," they say.

The International Monetary Fund planned to devalue the kip but the plan was leaked by the Lao government. There was a run on FEOP leaving it \$3 million short in 1971 as the Chinese and Lao chased dollars before devaluation could take place.

#### FAMILY ACCUSED

The same thing happened again in 1972 to a lesser extent and FEOP is expected to be at least \$3.5 million short this fiscal year, an amount which U.S. aid officials are likely to try to take out of fiscal 1973.

Economists allege the powerful Lao family, the Sananikone, are deeply involved in the whole FEOP fraud.

During earlier attempts by U.S. AID at documentation a Sananikone family member, it is alleged, took kickbacks totalling \$750,000 from Chinese merchants applying for imports in his capacity of a Lao government official.

The merchants have dreamed up a new swindle on forthcoming FEOP money, a western diplomat said. Although they are applying for FEOP money for imports they have no intention of doing any importing.

Informed sources in merchant circles say warehouses are full of imported goods boarded over the last three years. The merchants intend to pass off these goods with Lao customs collusion as fresh imports to substantiate their demand for FEOP dollars. This means the next lot of FEOP money will end up in Swiss and other bank accounts having been procured in exchange for the kip profit on the old goods.

Sources here say the list of fraud, corruption, greed and mismanagement in connection with FEOP funds is endless and easy to find in this small community.

Why then do U.S. aid officials insist on throwing away the American taxpayers' money when they know it's not going to benefit the Lao man in the street and is not going to stabilize the country's economy?

#### CALLED POLITICAL

"It is just a gigantic political payoff," said one bitter American official tired of his superiors' policies. "The embassy is pushing Charlie Mann to get this economic thing settled. They think that if the economic crisis worsens Souvanna (Phouma, Laos' premier) will fall."

"The Sananikones have been criticizing him in the assembly over the economy and the embassy feels that if we clip their wings, particularly their ability to change their kip profits from their financial concerns into dollars then they'll push Souvanna and there could be a right wing coup."

Other western diplomats back this allegation. But both they and disgruntled U.S. officials say they have no faith in this theory.

"If FEOP is stopped the kip will jump to 8,000 to one dollar," a diplomat said. "That will soak up all this excess kip and the Chinese profiteers will leave. The imports of luxury items like cars, whiskey and perfumes would have to stop. There's nothing the Lao could do about it. They need all that U.S.



military aid too much. The assembly and the government are blaming the U.S. for this crisis. We are not even getting any political mileage for our money."

The following are the conclusions and recommendations of the December 8, 1971, report on Laos by the House Committee on Government Operations based on a study conducted by its Foreign Operations and Government Information Subcommittee:

#### VI. PROGRAM OVERHAUL NEEDED CONCLUSIONS

U.S. Government programs designed to stabilize the Lao economy over the past 15 years have been basically uneconomical for the United States and have promoted rather than curtailed fraud and corruption. The value of the Lao currency has been maintained, in recent years, not by any true measure of monetary stability in Laos but simply by foreign aid donors to Laos, mostly the United States, artificially controlling the Lao currency market by buying and selling kip at a fixed price. If the exchange rate rises, kip is bought, if the rate declines, kip is sold back into the Lao money market. Stabilization of the kip is as simple and artificial as that.

The system has provided an excellent vehicle for the Lao importers to import luxury goods for sale, at sizable profits, in Laos, Thailand, and Cambodia. As Lao officials were able to acquire kip, they were able to convert it to hard currency and transfer it to accounts in other more secure countries. Without such convertibility—which is mostly financed by the United States—the kip would hardly have been worth acquiring.

If we are to help the Lao people, a major overhaul of our aid program for Laos is necessary beyond any doubt. Competent personnel need to be assigned. They will need to be thoroughly versed in the shortcomings of the economy and efficiency of our previous programs in Laos and will need to take a realistic approach if we are ever to be successful in our foreign assistance programs for Laos. AID officials in Washington will need to constantly monitor the Laos program to prevent slippage.

Our foreign assistance programs for Laos have contained all the elements needed but our excessive generosity has precluded any real and lasting success. Where a shopping bag was needed, we sent a truck load.

U.S. Government programs for Laos provide food and equipment for the Lao military. Other U.S. programs provide essential government services, such as agricultural development, education, health care, and road maintenance. Still other U.S. programs provide full support in the form of food, clothing, and shelter for Lao refugees. Yet, in addition to all this, we have also saddled the U.S. taxpayers with multi-million-dollar "stabilization" programs to support the monetized sector of Laos, which consists of no more than a half million people. The Lao stabilization programs may have been more successful had they been more limited in size, more efficiently administered, and more firmly coupled with stringent RLG fiscal and monetary controls. Most of the Lao people have not benefited from these programs, only a wealthy few. If our AID program in Laos is to be economical and efficient, it simply must be brought under control. Determinations need to be made as to kind and amounts of commodities actually needed by the Lao monetized sector—and these commodities need to be supplied from U.S. sources. Controls need to be established to insure that the economic assistance financed by the U.S. taxpayers is properly utilized and benefits the Lao people generally rather than only a selected few. If fraud and corruption cannot be prevented, then there simply is no basis for a U.S.-financed program.

It is relatively obvious that our partners

have never really bought the FEOF stabilization program. As the costs of the Foreign Exchange Operations Fund skyrocketed, our partners have not been willing to increase their contributions; the U.S. taxpayers picked up the tab for the additional input into the fund. Nor has there ever been adequate information or controls to insure the efficient and economical use of the U.S. taxpayers' gifts to the monetized sector of Laos.

From a U.S. Government viewpoint, the beneficial aspects of the FEOF program in providing a degree of economic stability may have been outweighed by the lack of effective controls—leading to the importation of nonessential luxury goods, capital flight, and the acquisition of dollars by Communists.

France, for all practical purposes, has been using FEOF to acquire the kip needed for its local expenses in Laos. Japan has reserved its kip being acquired through FEOF for future uses and has indicated that it will not increase its contributions to FEOF. Australia and the United Kingdom are—in all probability—also looking for ways to gracefully rid themselves of FEOF. Action to establish a properly controlled program is long past due.

Unrestricted cash grant programs of the types funded by the United States in Laos are uncontrollable and lack assurance that the foreign assistance is efficiently and economically used and, therefore, deserve little consideration in our foreign assistance program. Every grant or loan given by the U.S. Government should clearly be for a specific and definite purpose and adequate controls should be established to insure that the U.S. taxpayers' money is specifically used for the intended purpose. Anything less than this is an open invitation to fraud and corruption.

It's been said<sup>1</sup> before that "this type of administration of this (AID's) program is making us look utterly foolish in the eyes of friend and foe alike."

#### RECOMMENDATIONS

1. The United States, in assisting Laos to achieve stability, security and development, must devise programs which are far more effective and economical than those of the past. There is a need to develop programs which assure the Laotian people a supply of essential commodities necessary for maintaining a reasonable standard of living, but without facilitating smuggling, corruption, or the importation of nonessential goods. There is a need to develop fiscal and monetary stability, including the imposition of an adequate tax structure and a realistic exchange rate, while preventing the misuse of foreign exchange or an unacceptable burden on the U.S. payments balance. There is a need to assist in the planned development of the Laotian economy, in cooperation with other developed nations, while sharing equitably in the award of sponsored projects and in the supply of goods. Finally, there is a need to establish effective controls and restrictions to assure that the programs so established are working according to plan—something unachieved to date.

To accomplish the above, it is essential that far more information be obtained about the workings of the Laotian economy and society, about consumption habits, about types and quantities of commodities required, and about many other necessary factors. Too often in the past, the United States has been operating in the dark in Laos and has made serious mistakes as a consequence. Neither a commodity import program nor a foreign exchange stabilization program nor a cash grant program has proved satisfactory. The fact is that no acceptable solution has yet been found. In the meantime, the U.S. taxpayers have been subjected to an unfair burden. There is a vital need for AID to initiate studies immediately and intensively with other U.S. agencies, the International

Monetary Fund, other international agencies, and with other nations to develop programs that will assist the Laotians in achieving their goals and objectives, but in keeping with the economic needs of the United States.

For almost two decades, U.S. financial assistance has been misused in Laos. The American taxpayers have grown tired and disgusted in seeing their money spent in Laos on nonessentials, luxuries, hoarding, and corruption. AID must assign highly competent personnel under top priority status to develop and recommend to the Congress—with in 90 days—new programs which will accomplish the goals and objectives outlined above with regard to U.S. assistance efforts in Laos.

2. AID must press for a satisfactory conclusion to negotiation of fair and equitable freight rates for commodities transported through Thailand to Laos. AID should also conduct appropriate cost audits to insure proper freight charges. If this matter cannot be satisfactorily negotiated—now—with the Thai Government, consideration should be given to making appropriate reductions in U.S. economic assistance to Thailand.

3. AID should also insure that commodities provided for construction of the Nam Ngum Dam in Laos are fairly priced. As the U.S. Government provides 50 percent of the \$30 million required for construction of this dam, it is imperative that AID insure that the funding provided is properly spent.

4. The Committee on Government Operations further suggests that the Foreign Assistance Authorization and Appropriation Committees of both the House and Senate consider amendments to Foreign Assistance Authorization and Appropriation Acts specifically prohibiting the use of unrestricted cash grants except in those instances where specifically and separately authorized by the Congress.

#### BILL TO ELIMINATE TAX-LOSS FARMING

**HON. BOB BERGLAND**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BERGLAND. Mr. Speaker, today I introduced a bill to amend the Internal Revenue Code and prohibit persons who are not bona fide farmers from using losses incurred in their farming operations as an offset to income from other sources. This bill would affect 14,000 persons who are claiming substantial losses on this hobby farming and would produce an estimated \$205 million in new revenue.

While \$205 million in tax revenues will not solve the fiscal crisis in the Federal budget, if added to other tax reform measures pending in Congress, it will go a long way in closing the budget gap. In addition to the revenue consideration I think it is high time the taxpayers stop subsidizing these millionaire playboys. These individuals buy farms, operate them at a loss and then charge off the loss—giving them an unfair advantage over the hundreds of thousands of family farmers who are struggling to make ends meet.

If some corporation or wealthy person persists in farming for a hobby under the terms of this bill, they will pay for their fun out of their income after taxes. Income tax records indicate millionaires are notoriously bad farmers with nearly all who farm reporting a loss.

<sup>1</sup> Representative John J. Flynt, Jr. Hearings on "Foreign Operations Appropriations for 1964," p. 269.

Since I believe this bill to be of major importance to the family farm community, I am including the text for the RECORD:

H.R. 15549

A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Farm Tax Reform Act of 1972".

(b) AMENDMENT OF CODE.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 280. LIMITATION ON DEDUCTIONS ATTRIBUTABLE TO FARMING.

"(a) GENERAL RULE.—In the case of a taxpayer engaged in the business of farming, the deductions attributable to such business which, but for this section, would be allowable under this chapter for the taxable year shall not exceed the sum of—

"(1) the gross income derived from the business of farming for such taxable year, and

"(2) in the case of an individual, the higher of (A) \$15,000, plus one-half of the amount by which the excess of the aggregate of the deductions attributable to such business over the gross income derived from such business for the taxable year exceeds \$15,000, or (B) the amount of the special deductions (as defined in subsection (e) (2)) for the taxable year, or

"(3) in the case of any other taxpayer, the higher of (A) one-half of the excess of the aggregate of the deductions attributable to such business over the gross income derived from such business for the taxable year, or (B) the amount of the special deductions for the taxable year.

For purposes of this subsection, an individual does not include a trust.

"(b) MARRIED INDIVIDUALS.—In the case of a husband and wife who file a separate return, the \$15,000 amount specified in subsection (a) (2) shall be \$7,500. The preceding sentence shall not apply if the spouse of the taxpayer does not have any income or deductions attributable to the business of farming for the taxable year.

"(c) EXCEPTION FOR TAXPAYERS USING CERTAIN ACCOUNTING METHODS.—

"(1) IN GENERAL.—Subsection (a) shall not apply to a taxpayer who elects to compute taxable income from farming (A) by using inventories, and (B) by charging to capital account all expenditures paid or incurred which are properly chargeable to capital account (including such expenditures which the taxpayer may, under this chapter or regulations prescribed thereunder, otherwise treat or elect to treat as expenditures which are not chargeable to capital account).

"(2) TIME, MANNER, AND EFFECT OF ELECTION.—An election under paragraph (1) for any taxable year shall be filed within the time prescribed by law (including extensions thereof) for filing the return for such taxable year, and shall be made and filed in such manner as the Secretary or his delegate shall prescribe by regulations. Such election shall be binding on the taxpayer for such taxable year and for all subsequent taxable years and may not be revoked except with the consent of the Secretary or his delegate.

"(3) CHANGE OF METHOD OF ACCOUNTING, ETC.—If, in order to comply with the election made under paragraph (1), a taxpayer changes his method of accounting in computing taxable income from the business of farming, such change shall be treated as having been made with the consent of the Secretary or his delegate and for purposes of

section 481(a) (2) shall be treated as a change not initiated by the taxpayer.

"(d) CARRYOVER OF FARM OPERATING LOSSES.—The amount not allowed as deductions by reason of subsection (a) for any taxable year shall be treated as a deduction attributable to the business of farming for each succeeding taxable year (to the extent not allowed as a deduction under this subsection for any prior taxable year), except that the amount so treated shall be allowable as a deduction for any such succeeding taxable year only in an amount not to exceed one-half of the excess of—

"(1) the gross income derived from the business of farming for such succeeding taxable year, over

"(2) the deductions allowable by this chapter (computed without regard to this subsection) for such succeeding taxable year which are attributable to the business of farming.

"(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) NONFARM ADJUSTED GROSS INCOME.—The term 'nonfarm adjusted gross income' means adjusted gross income computed without regard to income and deductions attributable to the business of farming.

"(2) SPECIAL DEDUCTIONS.—The term 'special deductions' means the deductions allowable under this chapter which are attributable to the business of farming and which are attributable to—

"(A) taxes,

"(B) interest,

"(C) losses arising from fire, storm, or other casualty, or from abandonment or theft,

"(D) losses and expenses directly attributable to drought, and

"(E) recognized losses from sales, exchanges, and involuntary conversions.

"(3) INCOME AND DEDUCTIONS.—The determination of whether any item of income is derived from the business of farming and whether any deduction is attributable to the business of farming shall be made under regulations prescribed by the Secretary or his delegate, but (except for purposes of paragraph (1)) gains or losses which for the taxable year are treated under section 1231 (a) (after the application of section 1245) as gains and losses from sales or exchanges of capital assets held for more than 6 months shall not be taken into account.

"(4) BUSINESS OF FARMING.—

"(A) HORSE RACING.—In the case of a taxpayer engaged in the raising of horses, the business of farming includes the racing of horses.

"(B) SEVERAL BUSINESSES OF FARMING.—If a taxpayer is engaged in more than one business of farming, all such businesses shall be treated as one business.

"(C) RELATED INTEGRATED BUSINESSES.—If a taxpayer is engaged in the business of farming and is also engaged in one or more businesses which are directly related to his business of farming and are conducted on an integrated basis with his business of farming, the taxpayer may elect to treat all such businesses as a single business of farming. An election under this paragraph shall be made in such manner, at such time, and subject to such conditions as the Secretary or his delegate may prescribe by regulations.

"(5) PARTNERSHIPS.—A business of farming carried on by a partnership shall be treated as carried on by the members of such partnership in proportion to their interest in such partnership."

(c) Repeal of Farm Loss Recapture Provision.—

(1) Section 1251(b) (2) (A) of such Code is amended by inserting after "taxable year" the following: "(other than a taxable year beginning after the date of the enactment of the Farm Tax Reform Act of 1972)".

(2) Section 1251(b) (3) (A) of such Code is amended by striking out "an amount equal" and inserting in lieu thereof: "with respect

to taxable years other than taxable years beginning after the date of the enactment of the Farm Tax Reform Act of 1972, an amount equal".

(3) Section 1251 of such Code is amended by adding at the end thereof the following new subsection: "(f) Cross Reference.—

"For limitation on deductions attributable to farming applicable to taxable years beginning after the date of the enactment of the Farm Tax Reform Act of 1972, see section 280."

(d) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"SEC. 280. LIMITATION ON DEDUCTIONS ATTRIBUTABLE TO FARMING"

(e) EFFECTIVE DATE.—The amendments made by subsection (b) of this section shall apply only to taxable years beginning after the date of the enactment of this Act.

## THE EAST BERLIN REVOLT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. DERWINSKI. Mr. Speaker, next Saturday will be the 19th anniversary of the revolt in East Berlin, when tens of thousands of Germans rose in protest against their Communist oppressors.

A recital of the causes for the uprising shows that events in East Germany followed an all too familiar pattern: Intensified persecution of the churches, near-starvation brought on by serious food shortages which were sure to worsen before the grain and potato harvests, collectivization of agriculture, and takeover of factories, the last being aggravated by increases in production norms.

The revolt of June 17, 1953, was set in motion on the previous day, when construction workers on the Stalinallee project, in what was apparently a spontaneous action, threw down their tools and marched through the city in protest against the increased production quotas that had been ordered. The higher norms were revoked as a result of the protest meeting that the workers staged at the government buildings.

The revolt spread on June 17, when what amounted to a general strike took place in East Berlin and strikers seized the factories. Thousands of the city's residents demonstrated in the streets, took over government buildings, jails, banks, and police stations. The Soviet authorities rushed army tanks to the city to help restore order, declared martial law, and imposed a curfew. At least 17 Soviet divisions were required to maintain martial law.

On the 18th, the strikes spread to the East German uranium and coal mines. Sixteen people were killed, hundreds injured, and thousands arrested before the lifting of the state of siege in East Berlin on July 9. Martial law ended 3 days later.

As embarrassing as the uprising was to the tyrants in the Kremlin, even more humiliating to the Soviet leaders was the feeding of hungry East Berliners by their fellow Germans in the American



sector. West Berliners began providing food on July 14 and the American authorities followed suit on the 27th.

The Soviet Union was requested to permit the United States to deliver \$15,000,000 worth of American food for free distribution in East Germany. When permission was refused, the food was made available in West Berlin. By August 2, a million parcels of food had been distributed to hungry East Germans and the free world had won a tremendous propaganda victory through its humanitarianism.

Mr. Speaker, how ironic that the protest of June 17, 1953, was organized and carried out by the working classes, the very people for whom the Communists presume to speak. How ironic that a great agricultural nation such as the Soviet Union was unable to feed the inhabitants of East Germany. How ironic that the Iron Curtain in the form of the Berlin Wall that now separates the two sections of Berlin was erected, not to keep outsiders from entering the People's Paradise, but to keep insiders from leaving.

#### PRAYER FOR LITHUANIANS

**HON. CHARLES W. WHALEN, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. WHALEN. Mr. Speaker, it is with deep regret and sympathy that I view the most recent tragedy in the long Lithuanian struggle to free herself from religious and political oppression. I refer to the recent death by self-immolation of a young Roman Catholic man in the Lithuanian city of Kaunas.

I therefore join today with Americans of Lithuanian origin on this national day of mourning and prayer for the plight of the Lithuanian nation, so declared by the Lithuanian-American Community and the Roman Catholic Churches of America.

Unhappily, June also marks the 22d anniversary of the Soviet Union's forceful occupation of Lithuania. Since that day in 1940, the problems of religious persecution and political repression in Lithuania have continued to mount.

The Lithuanian people have demonstrated that they will not let themselves and their natural right to freedom of expression be forgotten by the rest of the free world. We have seen their determination to resist tyranny in the massive petitions that have been signed and sent by Lithuanian-Americans to the President, by the extensive petitions submitted by their native countrymen to the United Nations and the Communist Party leaders themselves, and by the repeated protests in that country.

As citizens of a nation dedicated to the ideal of freedom American's pray that one day the people of Lithuania will also regain the freedoms that are rightfully theirs. Along with this hope, we also share the sorrow that all Lithuanians feel today following the recent tragedies in their country.

#### THE DEFEATISTS ARE AT IT AGAIN

**HON. BOB WILSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BOB WILSON. Mr. Speaker, I am pleased to share with my House colleagues a recent speech by Richard G. Capen, Jr., vice president, Copley Newspapers, La Jolla, Calif., before the District Convention, Lions International, San Diego, on May 26. I heartily recommend this excellent commentary to the thoughtful review of the recent crop of newly "converted" doves.

The speech follows:

THE DEFEATISTS ARE AT IT AGAIN!

(By Richard G. Capen, Jr.)

Events of the past few days have moved the world's two great powers a few steps closer to President Nixon's goal of building a generation of peace. The President's statesmanlike leadership during the substantive talks in Moscow can be a source of pride for all Americans.

We now have a major understanding to halt the arms race. We have treaties with the Soviets on conquering pollution and disease. A joint Soviet-United States space effort is planned by 1975. An agreement has been reached to reduce incidents at sea.

Through the spirit of negotiations, an outbreak of war has been averted in the Middle East. The access to Berlin has been reestablished. A treaty involving the use of the world's seabeds has been developed and we have renewed a dialogue with the more than 800 million people of Mainland China.

Regrettably, our desire to negotiate differences has not led to an end of the war in South Viet Nam. But that has not been due to any lack of effort or reasonableness on the part of the Nixon Administration. Rather, our initiatives toward an honorable settlement have been met with only obstinate, negative response from the enemy.

Today it's a new ball game in Viet Nam. It's a new game because the North Vietnamese have made it so, not the United States. The enemy has violated the demilitarized zone. They have rocketed population areas. They have killed more than 20,000 civilians in the past two months alone.

To invade South Viet Nam, the enemy has committed virtually all of its combat forces—12 of 13 divisions. Their goal has been to choke off South Viet Nam's freedom at all cost. The North Vietnamese have undertaken this massive effort in clear violation of international accords and understandings which they themselves agreed to follow.

Despite these facts, the American defeatists are at it again.

They have called The President's decision reckless, foolish and irresponsible. They were convinced that the Moscow talks would be sabotaged, that the Red Chinese would be forced to intercede. To hear these defeatists talk, one would think that the North Vietnamese invasion was our fault instead of the other way around.

Some of these critics, I am convinced, would rather see America defeated than support any responsible means for extricating this country from a long and frustrating war.

In the frantic search for expedient solutions, they have openly supported resolutions which would tie The President's hands as he withdraws from Viet Nam. Yet, several years ago they were giving full approval to decisions that got us into Viet Nam.

Today, they favor resolutions to condemn President Nixon for seeking to stop the enemy's aggression, but they direct not one

single word of criticism against the enemy that started that aggression. Some have gone so far as to believe enemy propaganda while deliberately refusing to accept statements by our own government.

Now these defeatists are seeking to cover up their own errors, and the mistakes of earlier administrations, by labeling this battle "Nixon's War." It's a simple matter for them to criticize their country's current military initiatives. After all, they have no responsibility for the consequences of such casual words. Nor would they be accountable for the loss of credibility in our nation's commitments around the globe should we desert South Viet Nam at this, their most critical, moment.

Some critics have built their entire political career on platforms of obstructionism. They have placed their political interest first and their country's interest last. They have expressed moral indignation when it was convenient to do so.

They have generated the impression that there would be no war in the world if the United States were not in Viet Nam. They have naively convinced others that once the last American soldier was out of Viet Nam, that there would be peace in the world. Do they really believe that settling the war in Viet Nam will settle the war in Ireland? Or the war in the Middle East? Or the confrontation in India and Pakistan? Or the dispute along the Chinese-Russian borders?

No, Catholics and Protestants, Arabs and Jews, Hindus and Moslems and Russians and Chinese have battled for hundreds of years. It's not likely to stop soon. This, of course, is regrettable, but, I cannot really believe that restoring peace in Southeast Asia will restore peace in the world.

Because it's a new ball game today in Viet Nam, I believe it is essential to place recent developments in proper perspective. One cannot do so without taking stock of what has occurred in the past three and one-half years.

In my opinion, President Nixon has shown incredible restraint in the face of irresponsible criticism by those who run away from their responsibility for past actions by seeking to saddle others with the consequences of these actions.

Today, from the privacy of Washington offices, a former Defense Secretary and a former U.S. negotiator in Paris have all the answers for getting America out of Viet Nam—now. But, where were those ready solutions when these former officials were in positions to act? These were the people who got our country into a war they could neither win nor end. That, in a sentence, is the sad legacy President Nixon inherited when he assumed office.

Since January 1969, conditions have changed substantially through President Nixon's leadership and through his Vietnamization program. It was not President Nixon who sent 550,000 Americans to Viet Nam. He has brought 500,000 home.

It was not President Nixon who was in office when as many as 500 Americans were being killed each week. Under his administration, combat deaths have been reduced by more than 95%. And I might add that those low levels have been maintained despite the current intensity of ground combat in South Viet Nam.

When the Nixon Administration took office, American troops were handling ground combat. In fact, there was no authorized plan whatsoever for turning that combat role over to our allies. Today, the South Vietnamese have that responsibility and they are doing amazingly well. Sure, they are not winning every battle, but no one ever predicted they would.

In short, Vietnamization is working. We have provided the equipment. We have helped to train South Vietnamese forces, and we have assisted with air and naval

support as necessary. As a result, substantial numbers of Americans have been withdrawn. Do you realize that there are fewer Americans in Viet Nam today than there were Americans in Korea when President Nixon took office in 1969. It took 10 to 15 years for the Koreans to take over their own internal security responsibilities. But the South Vietnamese have been forced to assume that responsibility in less than three years. I think they have come a long way.

Three and one-half years ago, there was no comprehensive peace plan for ending the war in Viet Nam. That, too, has all changed. Through secret initiatives and public talks in Paris, The President has sought every reasonable avenue for ending the conflict through negotiations. But the enemy has balked every step of the way, greeting each peace offer with insult and escalation of the war.

I don't see how anyone can possibly criticize The President for failing to do all that was humanly possible to end the conflict. He has offered every reasonable alternative to Hanoi. Even while negotiating—as frustrating as that was—he proceeded to withdraw thousands and thousands of Americans despite any visible progress in Paris.

Today, not only has The President decided to stand up against the enemy's blatant aggression, but he also has made it clear that the North Vietnamese will have to prove their sincerity to negotiate before such talks are resumed. In the meantime, their war-making capacity is being destroyed. It is being destroyed rapidly and effectively.

Overlooked in the dramatic announcement to mine the harbors of North Viet Nam and to step up our bombing of military and strategic targets has been the significant negotiating move made by this country.

That involves our proposal to withdraw all U.S. forces from Viet Nam within four months after American prisoners of war are released and after an internationally supervised cease fire has begun. There are no commitments for linking our withdrawal to the progress of Vietnamization. There are no commitments linking our agreement to the stability of the South Vietnamese government. In short, it is about the most liberal peace plan anyone—most of all the enemy—could hope to expect.

Even the Senate Doves should be able to support this proposal, but I sometimes think that they are more concerned about defeating the Communists than protecting the South Vietnamese.

Fortunately, I feel that most Americans understand what has been accomplished to date and realize what is now at stake. They respect The President's efforts. They recognize that he has taken every possible public and private step to end our involvement. And they know that it is the enemy—not the United States—that is responsible for the current actions in Viet Nam.

Public support from a majority of Americans has come through clearly. It has been seen in the thousands of letters and telegrams to The White House and Congress. It has been seen in the Gallup poll indicating that 74% of the American public supports The President's efforts toward building peace. It has been seen in the Harris poll showing that 59% endorse The President's decision to mine the enemy's harbors.

It has also been seen in the low level of protest around the country. Sure, there have been some riots and demonstrations, but there always will be regardless of the issue. Those who carry the Viet Cong flag today will carry another banner tomorrow. But you can be sure that their banners will urge the destruction of America not the improvement of it!

If there is to be a negotiated settlement, the time is now. In the meantime, The President has asked for the support of a unified nation. I believe he deserves that support

and I believe, for the most part, he is receiving it.

Today this nation has a new direction. The Peking trip has dramatized that fact. The substantive agreements in Moscow have dramatized that fact.

Hopefully, the world can arrive at a point when its leaders can safely discuss and resolve mutual problems. If so, we will truly be moving toward our nation's goal of a generation of peace.

# **"HAWAIIAN" MEANS MORE THAN BLOOD AND SKIN, SAYS DAVID K. TRASK, IN NOTING EVOLVING ETHNIC RELATIONSHIPS IN THE 50TH STATE**

**HON. SPARK M. MATSUNAGA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. MATSUNAGA. Mr. Speaker, over the years, peoples of many different races, nationalities, and creeds have made Hawaii their home. To a large extent, they adopted the island culture; they also saw some of their own beliefs and customs adopted by earlier immigrants. This process of integration has been so successful that our late, beloved President John F. Kennedy selected Hawaii as the site of his first major civil rights address. Pointing to Hawaii's outstanding achievements in race relations, President Kennedy on June 9, 1963, in Honolulu, urged the Nation to emulate its youngest State.

The most thoughtful of Hawaii's citizens, while recognizing Hawaii's position of leadership, realize that relations between the varying peoples of the island State are still evolving. While great progress has been made, there is room for improvement—a fact which is illustrated by recent reports of ethnic tension between the descendants of the earliest Hawaiians and the descendants of later immigrants.

These problems have raised serious questions in the minds of thinking Hawaiians: Can we preserve our racial and ethnic harmony and still allow each individual to fully develop his own ethnic identity? Can we have a harmonious society composed of individuals from many different cultures and races? Can an individual of Japanese, Chinese, Filipino, or Caucasian ancestry be a "true Hawaiian"?

These questions and others were raised at the recent annual convention of the Hawaiian Civic Clubs in Honolulu, Hawaii, by Matsuo Takabuki, a distinguished attorney and trustee of the Bishop Estate. Mr. Takabuki, who is of Japanese ancestry, urged members of the Hawaiian Civic Clubs to seek a balance whereby they can maintain their ethnic identity and still function as members of a larger society.

In introducing Mr. Takabuki, Mr. David Trask, a member of an old and highly respected Hawaiian family, and the retiring president of the organization of Hawaiian Civic Clubs, sought to define a "true Hawaiian." Mr. Trask eloquently reminded his fellow Hawaiians

that "'Hawaiian' means more than blood and skin."

With the thought that my colleagues will find both speeches inspiring and thought provoking, I am submitting them for inclusion in today's RECORD:

A SPEECH BY MATSUO TAKABUKI

When I was first approached to address you, I had mixed feelings, but I consulted a friend whose judgment I valued, and he encouraged me to accept it.

So I am here this morning.

For many years I have avoided making a speech, and I was contented because it was the way I wanted it.

For many years I was out of the "glass-bowl of public glare"—permanently retired from the public sector—to live within a fence of privacy for myself and my family, and it was a lifestyle more to our liking. I enjoyed what I was doing in my particular fields of interests, being adequately compensated for my work with people I knew who entrusted me with such work.

But eight months ago I was thrust into the center of a stage of raging controversy within our community, and but for one public statement, I refrained from making any other statement until today.

It has been six and a half months since I took office as a Trustee of the Bishop Estate. And I should like to share some of my thoughts with you.

At the outset, let me make an obvious personal commitment. You can be assured of my best efforts to perform the job I have been entrusted to do—to use whatever talents I may have to work with the other trustees of the Estate to meet the broad objectives established under the Will of Princess Bernice Pauahi Paki Bishop. You can be assured that there will be no miracles—no earth-shaking changes—only my continuous effort with the other trustees to enhance the assets of the Estate, and to generate more income to fund the educational activities of its principal beneficiary, Kamehameha School, and to assist in establishing meaningful programs in reaching out to as many of the children who are not presently receiving the benefits of her concern.

If you will allow me another brief personal note, I want to tell you of my profound admiration for the two principal benefactors of the Estate, the Princess and her husband, Charles Reed Bishop, for their foresight by creating this legacy of charity and compassion which shall continue in perpetuity. Trustees will come and go, but the Estate and Kamehameha School shall remain beyond any Trustee's lifetime as the lasting memorial of her concern for her people.

Now, let me get back to look at this "Takabuki problem" as it may relate to you, to me, and to our broader community. You have asked, and others have asked, and rightly so, who is this guy, "Takabuki," who is vested with this awesome responsibility by the Supreme Court of Hawaii as one of her five Trustees to do the good that the Princess wanted for her people. What is he? An unscrupulous political hack; a shrewd conspirator out to destroy the Estate, or the best thing which happened to the Estate, or anywhere in between these two extremes. Only time will tell how this story will end.

Perhaps, however, an observation made by a friend in half-jest may be illuminating. In our abstract philosophical evaluation of this controversy, he sort of brightened up, grinning somewhat impishly, and said pleasantly, "You know, Matsy, I think you got a lot of charisma," and he paused, and I quickly reacted, somewhat puzzled, "Charisma?" at this very inappropriate description of me, especially in the midst of the raging controversy, and he smiled, and continued. "Yes, a lot of negative charisma." How right he was! I could never win a popularity contest.



Now that you know of this speaker with negative charisma, it should warn you that you could not be expecting too much from him.

Let me, however, attempt to place in some perspective the deeper issues of this controversy by quoting from an article appearing in the *Star-Bulletin* by Tomi Knaefer, in an interview with Dr. Alan Howard, a former Bishop Museum anthropologist who is now professor of anthropology at the University of Hawaii, with a three year live-in research and study in Nanakuli. The excerpts of his interview read as follows:

"The Takabuki protest symbolizes the Hawaiians' first battle cry to legitimize their ethnic identity. If they fail to gain it through this route, they have no choice but to express themselves through conflict—politically and militantly.

"At heart, the Hawaiian movement is no different than the blacks' fight for ethnic identity.

"The protest points up the myth of Hawaii's melting pot concept, which, in fact, is a boiling pot of suppressed racial differences long denied legitimate airing.

"The melting pot illusion simply must go. The damage it has done is to blur ethnic diversity and to allow the Anglo culture to dominate."

These are very interesting observations. Certainly they touch the sensitive vein of ethnic identity—so different from the accepted rhetoric of the "melting pot" of the Pacific—and so true in some respect—but is this battle cry for ethnic identity comparable in intensity as the "black power" movement of the militant blacks? Is this melting pot illusion called Hawaii similar to the black ghettos of Watts, Newark or Harlem? Are the Japanese, or Takabuki, the symbol of suppression as the "whites" are to the militant blacks? Dr. Howard, however, softens this thrust by saying that:

[But]

"I don't feel the protest is an expression of hostility toward the Japanese or toward Takabuki as an individual."

But is he right when he said in seeking your ethnic identity, you have "no choice but to express yourselves through conflict—politically and militantly". Can there be other options and alternates that you can choose? Or can you do it alone as one ethnic group isolated from all other groups in this society? Or is this irrelevant because we are on the threshold of a new era—a changing lifestyle from the melting pot concept to ethnicity, and an emotional need of ethnic minorities to pursue militant courses of action on ethnic lines to get a "piece of the action"?

Let me try to examine this point of view.

Anyone who has lived in Hawaii for awhile can readily give you illustrations of ethnic tensions, and yes, discrimination existing in our imperfect society, but is it boiling so much that the melting pot becomes the boiling pot of suppressed racial differences? Are you, or am I, or are we prepared to move away from the goal of making Hawaii the "melting pot" of the Pacific? Are we ready to cast aside the acceptable norm in reaching for a "homogenized blend of races", or in looking even further in the future, will there be a time when the bloodlines of our people may become so mixed as to have the "golden man" of the Pacific?

Is the "part-Hawaiian" who has grown so substantially to be this "golden man" of the future? A Hawaiian-Chinese, Hawaiian-Caucasian, Hawaiian-Japanese, or any mixture with Hawaiian is racially classified as "part-Hawaiian", and not part-Chinese, part-Haole, or part-Japanese. But will time and circumstances change this ethnic reference as it did in our recent Hawaiian history. I think back to the days of the 442nd Regimental Combat Team in the Second World War, and I can remember when many Hawaiian-Ja-

panese were not part-Hawaiian then, but part-Japanese who can only belong to this racially segregated combat unit. Any smattering of Japanese blood made him different from other ethnic Americans at war, but I can remember also the counter-declaration by Franklin D. Roosevelt that "Americanism is not a matter of race, color or creed", and for this reason this ethnic group should be given the chance to prove themselves.

What happened since is past history, and I guess we proved that President Roosevelt was not wrong that Americanism overcame ethnic bloodlines, and perhaps, the melting pot concept is viable and the "golden man" is achievable.

Are we now, two and a half decades later, involved in a new cycle of re-ordering our priorities when ethnic identity becomes the rallying cry for a sense of pride and confidence? Is it not true that to deny pride in one's ethnic identity is really to deny who you really are? Or, perhaps, could it be an angry ethnic outcry born of frustration? Should we now say that "Brown, Yellow, White or Black is beautiful", as the case may be, and put the homogenized blend of races on the back burner as a myth—the bad guy of Anglo-Saxon culture who suppresses ethnic pride?

In searching for this ethnic identity, or in seeking a sense of pride and confidence in ethnic terms, is there any danger that it may lead some to reject all that is not of its color? Or, will the opportunity to openly and proudly air their cultural and ethnic differences create an understanding, appreciation, and mutual respect among all the diverse ethnic groups to accept them as they are?

Is Dr. Howard right when he seeks replacement of the melting pot concept with ethnic diversity by saying:

"There are those who oppose legitimizing ethnicity on grounds this would lead to racist conflicts.

"Such danger exists more by denying ethnicity because to deny pride in one's ethnicity is to deny who you really are.

"The need then, is a society that encourages divergence, no convergence. A recognition and respect for individual differences. And a willingness to admit that there's more than one way, more than one right, more than one truth."

But what happens when such ethnicity, such way, such right, or such truth sharply conflicts with other groups aspiring for the same thing within the same society—or it runs counter to the dominant White-Anglo-Saxon Protestant cultural pattern—or it denies the concept of love and the brotherhood of men of the Protestant ethic—or it violates the precept of a democratically constituted political structure that "all men are created equal."

I guess this was our dilemma in this incident. But can there be an accommodation of both concepts?

When does ethnic identity become a divisive force, and not a positive one within a community? Can you be primarily ethnic in some areas like the Hawaiian Homes Commission, and yes, your major legacy as the Bishop Estate, Liliuokalani Trust and others, and yet, perhaps, reconcile these as exceptions to the rule to escape the possible backlash of the accepted more of the "melting pot" concept within our society?

Where is the balance one can strike on ethnic diversity, and yet maintain an equal, if not stronger, desire to seek a common denominator so we could live together in relative harmony? Can we believe ethnicity and the "golden man" concept at the same time? Are we, again, going through a useless exercise of soothing rhetoric of trying to blend the races even though we recognize that we will continue to have this kind of ethnic crisis so long as people have different shades of color?

Can there be a common definition of a "child of Hawaii", a "keiki o ka aina"? Or

is this, again, the same kind of rhetoric to lead to conformity to suppress ethnicity under a WASP cultural pattern?

Can any one of us be a "child of Hawaii" in one respect, but never in another one? Don't you, or I, or any other person, have the right to foreclose all others in doing our own ethnic thing? Isn't it your right to control your own ethnic destiny? Is it not true that only you could fully understand your own ethnic hopes and aspirations? But, then, what about a Charles Reed Bishop? Or is Abraham Lincoln irrelevant to the Blacks because he was none of them? I wonder if there are some lessons we can learn from these questions.

Or, in evaluating another incident within a different context where the converse can be said to have occurred, should we really applaud Jesse Kihaulua for his award by the East-West Center for his contribution to intercultural activity in gaining unprecedented stature as a non-Japanese in a purely indigenous Japanese sport called sumo? Can't he be, in one way of thinking, the shining example of "brown power" over "yellow power" in Hawaii? Or is he another example of the blending of the races, the racial tolerance, or the Aloha spirit of Hawaii? Or is Jesse Takamiyama an "Uncle Tom" for the Japanese?

I raise these hard questions to show that there are many sides to an issue, and many shades of interpretation depending on how you see it, or want to see it, and the rationale you use to justify your belief.

I raise these questions to show that any action may bring diverse re-actions—good or bad, sharp or indifferent, in varying shades of intensity depending on how such action may affect the person or persons involved.

I raise these questions as possible basis for your own critical re-evaluation, and perhaps, the need for careful re-thinking, re-examination and re-ordering of your priorities and values—and I suggest it may be a time for soul-searching for all of us, seeking, perhaps, for a new accommodation, or reaffirming the old concepts, or blending the new and the old, in trying to reconcile all the variables covering the whole spectrum of our society, including our ethnicity, our socio-economic priorities, our political cross-currents, and our individual and collective hopes for the future, and seeking somehow by our actions to create a better Hawaii for all of us.

I do not pretend to know the answers. And it is certainly not for me to try to tell you what should be done. You will have to decide what is your own way, what is your own right, and what is your own truth.

And in this difficult task that only you can decide, I wish you well.

PRESIDENT'S MESSAGE: "HAWAIIAN" MEANS MORE THAN BLOOD AND SKIN

(By David K. Trask)

Fellow Hawaiians, I've decided to step down as President of the Hawaiian Civic Clubs. I've made this decision because I feel that it is the best thing I can do in serving the Hawaiian people. By stepping down, I will allow someone to replace me who can devote more time and energy to the important work of the organization and thereby move the organization forward at a more rapid pace.

However, as I retire from the Presidency, I feel compelled to make a few observations which I hope all of you will accept as being the words of a Hawaiian who desires nothing but the best for Hawaii and the Hawaiians. Let me take you back through time so that we may see what has happened to the Hawaiian people. I believe that if we can understand the past, we will be able to better understand what is required of us in this time and age. If we can understand what is required of us, we will be able to see what needs to be done so that our children and our

children's children will be able to derive whatever benefits we will be able to bestow upon them.

About a century or so ago, we Hawaiians were in our full splendor and glory. We had a ruler of our race who ruled these beautiful islands and the life style that we developed for ourselves was a life style which most people only dreamed about. We were truly blessed by the gods, for we had a beautiful cluster of islands in which to live; we had one of the most favorable climates in the world; and the flora and fauna of Hawaii flourished without much cultivation. All of our people were able to live happily and comfortably without having to compete for food, shelter, or clothing. We learned to share with each other and really believed that all men should live as brothers. We welcomed most of the strangers that came to our shores in the true spirit of Aloha—with open hearts, mind and arms.

We lived in this happy state not really realizing that Hawaii was changing and that the time of the old Hawaii was drawing to a close. Suddenly, at the turn of the 20th century, we were rudely awakened by a shock ing and chilling sight. We witnessed the lowering of the Hawaiian flag at Iolani Palace and the raising of a new flag. The Hawaiian Kingdom had come to an end. Many of us did not realize then nor do some of us realize now that that was the most visible day when the old Hawaiian life style began to change. Big business and complex economics had come to Hawaii and with its coming came the cold, calculating, sophisticated, efficient and competing methods of operation. Hawaiians were ill-equipped to exist in that environment for we had learned how to live in a world of plenty without competition. Now, we were suddenly thrust into a world where competition rather than sharing was the keystone.

As a result of the new environment and our reluctance to change our life style with the times, we find ourselves today with little. What we retain are a few benefits which we really believe we must preserve for our children and their children's children. One of these benefits is the Bishop Estate and its holding of lands. Every Hawaiian believes that he has a stake and interest in the Bishop Estate. He somehow feels that the lands of the Estate were once his and that it should be protected from all those who would take his inheritance. There is really nothing wrong with that feeling, but what is wrong is the feeling that all other races would rob us of our inheritance and therefore should be excluded from the Estate. What I think we are confusing is racism with what should be the present definition of the word "Hawaiian". We seem to be saying that anyone without the blood of those who originally came to the Hawaiian Islands is not a Hawaiian. Yet, look at all of us here today. We have the blood of the races of today's Hawaii running through our veins—Chinese, Japanese, Korean, Filipino, Puerto Rican, Portuguese, Samoan, Black, Halse, and many others. In fact, our last names reflect the conglomerate of races—Chang, Akana, Tsukiyama, Lyman, Paginawan, Thompson, King, Galderia, and Trask. Are we less Hawaiian because we are not pure bloods? Frankly, I think it is time that we think of the word "Hawaiian" as representing a person who really represents Hawaii, regardless of race or color. Such a man is a person who believes in his fellow man, who treats all equally, and who treats all men with compassion and understanding. That is a Hawaiian, for it represents that which was the most beautiful part of the Hawaiian life style and culture.

I think Matsy Takabuki is such a man. Many of you may disagree with me and with his appointment to the Board of Trustees of the Bishop Estate. I believe that Matsy will add a new dimension to the Board for he is a man of wide business, legal and political

experience which when devoted to the tasks of the Estate will provide all of us with what we want most—to preserve the Estate for the benefit of our children and their children's children.

The entire episode of Matsy's appointment was disheartening to me. It was disheartening because I witnessed an attempt by some to close the hearts, minds and arms of some of us to a person of another race who, if anything, is a true son of Hawaii. Matsy was born in Hawaii; he went to school with us; he fought against our common enemies during a time of crisis; he served us as our representative in political office and has worked all of his life in Hawaii. If that does not make him a Hawaiian or a son of Hawaii, then I don't know what will. What some of us have done to him and through him to others who live, understand and love Hawaii is beyond comprehension, for if we deny him and others like him of being Hawaiian, then we will be losing the most important and valid part of our life style. If we do that, we will have been finally conquered by others, for we will have learned how to hate others who look different from ourselves.

I believe that the most important gift that our ancestors gave us and which we must pass on to our children is the openness of heart, mind and arms—the love of our fellow man no matter what his color, or his looks. We must teach our children that they should not judge a man by his race, the color of his skin, the way he looks, or the way that he spells his last name; but rather that they should judge him by what he believes in, what he feels and by what he does. If any man believes in his fellow man and treats him with love, compassion and understanding then love him for he is a true Hawaiian and a son of Hawaii.

#### CONGRESSMAN McCLOSKEY'S REMARKS ON THE "TODAY SHOW"

#### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1972

Mr. BIAGGI. Mr. Speaker, I was shocked to hear the comments made by the gentleman from California (Mr. McCloskey) on the NBC-TV, "Today Show" concerning American prisoners of war in North Vietnam. Mr. McCloskey said, and I quote:

There's 700 prisoners over there. If I were General Galt I think I'd be putting one of them in the town square of each of my 700 biggest towns.

He went on to say:

And if I had 700 cities I'd want to save, I'd put one prisoner in each city. And I think the North Vietnamese may very well do that.

I cannot believe that Mr. McCloskey, a former Marine Corps officer, would actually be advocating such a policy. The damage, however, lies with the fact that this sort of suggestion by an American Congressman might have the effect of not only putting the idea in the mind of the enemy, but also since it is being discussed on high levels in this country, actually seem to justify such an action in Hanoi.

I do not believe that American officials should be planting any more sinister ideas in the minds of the enemy than are already there, particularly when it would have the effect of jeopardizing our

American Servicemen who are prisoners of war in North Vietnam. In addition we should not be discussing the possibility of using the POW's as pawns in the conflict. Certainly, we should not be suggesting that they be held up as living targets for our bombers.

Mr. Speaker, this type of suggested use of prisoners of war has never been used by even our most brutal opponents in war. For example, we never had to face the possibility of bombing our servicemen who were captured by the Germans in World War II. What is the purpose of suggesting such an idea to the leaders of North Vietnam?

The day after Mr. McCloskey spoke on the "Today Show," Mrs. Carole Hanson, the chairman of the National League of Families of American Prisoners and Missing in Southeast Asia appeared and made a rebuttal to the remarks of Mr. McCloskey. She is also the wife of a Marine Corps officer who has been missing for 5 years. In her statement Mrs. Hanson said:

In the long five years as a wife of a missing in action American, I have never heard a more shocking statement, nor one more dangerous to my husband and 1700 other prisoners and missing men in Southeast Asia. Never has a proposal, threat, or suggestion like this been made from any side, not even from Hanoi.

The most bitter of anti-war opponents have not suggested that prisoners be used as shields against bombs. Mr. McCloskey said it not once, but twice.

She went on to say:

For a man of his position and experience to suggest this most heinous violation of the Geneva Convention is stunning to all POW families, and I trust to all Americans. Whether or not the Congressman meant this as an actual proposal, is not the issue. The fact remains that this sort of serious discussion by American officials may seem to justify such actions to Hanoi.

I agree with Mrs. Hanson's statement, and hope that such suggestions will cease in the future. We should not place the American prisoners of war in a more dangerous situation than they are in already. We all want this conflict to end, but not at the expense of American prisoners of war. They have already paid a high enough price.

#### HALTS DETROIT BUSING

#### HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BROOMFIELD. Mr. Speaker, the crisis of forced busing has been above all others the one issue which is of paramount concern to my constituents in Oakland County, Mich. I have received tens of thousands of letters from concerned parents who have turned to Congress for relief from court-ordered forced busing.

I have devoted a great deal of my time during this past year working toward a legislative means to stop forced busing. I am pleased to say that last week my measure to delay all court-ordered bus-



ing pending appeal received final congressional approval and has now been sent to the President for his signature.

Mr. Speaker, I have tried to keep in constant communication with my constituents in order to keep them abreast of the latest developments here in Washington. As you can imagine, I was extremely pleased to mail this week my Washington Report announcing the culmination of over a year's work to halt forced busing. Mr. Speaker, because I feel that this report may be of interest to my colleagues I include it at this point in the RECORD:

**HALTS DETROIT BUSING—BROOMFIELD ANTI-BUSING AMENDMENT GETS FINAL APPROVAL FROM CONGRESS**

DEAR FRIEND: I am pleased to report to you that Congress on June 8th gave final approval and sent to the President for his signature my legislation against forced school busing. It will mean that no court can order busing this fall between Detroit and the suburbs and the nation will have at least an 18-month breathing period in the busing controversy. During that time, I am hopeful the U.S. Supreme Court will rule against forced school busing.

The House of Representatives gave strong approval to the Higher Education Act containing my legislation by a vote of 218 to 180. All but five of the members of the Michigan Congressional delegation present and voting supported it. Those opposed included Senator Philip Hart, Congressmen Jack McDonald, John Conyers, Guy Vander Jagt and Gerald Ford. Despite his "No" vote, Congressman Gerald Ford called the Broomfield Amendment "the only meaningful part of the bill in the busing field."

Congressman Marvin Esch of Ann Arbor, one of Congress' recognized experts in education and a ranking member of the House Education and Labor Committee, played a major role in helping me get approval on the House Floor. (Excerpts of Congressman Esch's speech are contained on the reverse side of this letter along with my own statement and those of several other Michigan Congressmen.) Senator Griffin helped get the measure approved in the Senate.

While some have been critical of my proposal as not tough enough, a number of national organizations which support school busing made an all-out, though unsuccessful effort to defeat it. One national labor organization attacked my bill with this statement: "(We) do not take lightly our opposition to the Higher Education Act. (We) do so, not because of the proposals dealing with higher education, but because of the inclusion of the Broomfield Amendment. . . ."

I agree that further legislation may be necessary when the new Congress reconvenes next January. But given the present make-up of Congress, I am convinced that no stronger anti-busing language can be passed now. Without this anti-busing amendment, we would have nothing with which to fight forced busing this year in Michigan and throughout the country. I will continue to work for approval of any legislation that will make forced school busing a thing of the past.

Sincerely,

WILLIAM S. BROOMFIELD,  
Member of Congress.

[FROM THE CONGRESSIONAL RECORD, June 8, 1972]

**REMARKS OF HON. WILLIAM S. BROOMFIELD**

Mr. Speaker, as the author of the Broomfield antibusing amendment which is contained in the bill before us. I have listened with great interest to the debate about this proposal since it was first approved by this body nearly 7 months ago.

I would only ask each of you to ask your-

selves one very simple and direct question before you vote today.

Are you for or are you against forced busing?

And, if in all sincerity you conclude that you are against forced busing, you will vote for the bill and my amendment.

Because plainly and simply it is the only antibusing legislation before us today.

It is the only antibusing legislation that will go to the White House for the President's signature tomorrow—not next month, or next fall, or next year, or the year after.

If we, who are opposed to court-ordered busing, view this vote today as an all-or-nothing proposition, we are going to get just that—absolutely nothing—to prevent the senseless busing of thousands of school children this fall.

In the Detroit metropolitan area where I come from, in Florida, in California, or Texas where court-ordered busing could begin or will continue next September—just 3 months from now—people will want to know: "What happened to the Broomfield amendment?"

"Isn't it true," they will ask, "that Congress had before it the means to halt this senseless busing at least while we appealed our case all the way to the U.S. Supreme Court?"

The answer is: Of course it would have. And, it will, if we pass this legislation today.

We have the means here today to halt those buses before they ever roll. We cannot let this chance slip through our hands.

Make no mistake about it, I am not telling you that we have the final answer to the busing problem before us.

I am prepared to continue working tomorrow for even stronger language and, if necessary, a constitutional amendment which will once-and-for-all make court-ordered busing a thing of the past.

But we have to be realistic. Forced busing is not yet a thing of the past. It is a very real and persistent problem of the present. It will, unfortunately, continue until we do something about it here in Congress.

This amendment bridges the gap between the present crisis for which we have no legislative remedy and that day in the future when we can eradicate forced busing for good.

Let us not delude ourselves—nor the people who are depending on us—that this can be accomplished overnight.

Does anyone of us who is sincerely opposed to forced busing seriously suggest that we vote down this antibusing legislation today and begin all over again tomorrow with absolutely no assurance that we can do better.

We can fill the air with all of the highest sounding rhetoric in the world about the need for strong legislation.

But if children are bused next week or next month or next fall because we were not satisfied with half-a-loaf then we have failed to help the people who are counting on us.

If this body were to pass a constitutional amendment against forced busing today, and, if by some major miracle the Senate were to do likewise tomorrow, which you and I know is as unlikely as a July snowfall, it still would be years before it could be ratified by the necessary State legislatures and be put into effect.

So, I say let us pass this language today. Let us take half-a-loaf today and begin working tomorrow for the rest.

This amendment will buy us the time we need to get the rest.

Without this antibusing amendment, parents in many places throughout the country will read in tomorrow's papers that Congress rejected help in the fight against forced busing while their children ride 10, 20, or 30 miles to school under court decree.

With this antibusing amendment, they will read that Congress is making progress in the fight against forced busing while their children continue to walk to their neighborhood school.

I can think of no better way to illustrate the importance and the fairness of the Broomfield antibusing amendment than by

reminding you that only 2 days ago the Fourth Circuit Court of Appeals reversed a lower Federal court's cross-district busing order in Richmond.

If the appeals court had not ruled till next fall, children would have been bused only to find that it was not necessary under the law.

There is a very real possibility that without my antibusing amendment that hypothetical could become a reality in Metropolitan Detroit and other parts of the Nation.

I want to avoid that. My antibusing amendment will avoid that. It provides that the defendant school district will have his day in court before he has to buy buses, uproot children from their neighborhood schools and implement forced busing.

It seems clear to me that the true solution to the busing problem lies in upgrading the quality of all of our schools across the country.

As one of the original signers of the discharge petition to the constitutional amendment to ban busing, I testified before the House Judiciary Committee last month on this very point. I feel that busing is hardly a remedy to the problem of unequal education.

There are remedies, real remedies, which we can and should explore. We need increased financial aid to local schools. We need improved teacher training programs designed to develop the unique and special skills to reach disadvantaged children. We need teaching aides and assistants to relieve professional teachers from the daily burdens and duties which rob them of precious time they can devote to their students.

Mr. Speaker it is for all of these reasons, but most especially to give relief to the millions of Americans who oppose forced busing, that I respectfully urge this House to pass the Higher Education Act and my amendment to postpone court-ordered busing until all appeals to that order have been exhausted.

**OTHER CONGRESSMEN SPEAK OUT ON THE BROOMFIELD AMENDMENT**

**REMARKS OF HON. LUCIEN N. NEDZI**

Mr. Chairman, I support the Broomfield amendment.

I recognize that what the Broomfield amendment does is rather drastic in respect to the control that Congress exercises over the courts, but we are dealing with an extremely drastic problem. The entire problem has been discussed thoroughly. What I would like to do in the brief time available to me is to bring to the attention of the Members the situation which exists in Detroit at the present time and point out to the Members the reasons why I and most of my Democratic colleagues from Michigan support this amendment.

**REMARKS OF HON. GARRY BROWN**

But let me say, Mr. Speaker, before my time expires, I think the adoption of the Broomfield amendment is so essential with regard to this legislation that I intend to support the motion to instruct. I think every Member of the House should do likewise.

**REMARKS OF HON. MARVIN L. ESCH**

There has been such emotionalism on the issue of school busing that we have failed to grasp the purpose for our schools—and that is to create a stable environment in which the children can learn. The impact of the Broomfield amendment, whether we are for or against the busing of schools, will do that. It will provide more stability to school systems, so that we will not have another generation of children growing up in an unstable atmosphere of school busing. Those who are undetermined in this Chamber today, if they vote against this conference report, will be saying they do not wish to stop court-ordered busing for the next 18 months.

**REMARKS OF HON. WILLIAM D. FORD**

I am convinced that if this legislation is adopted today we will never see cross-district

busing or court-ordered school district mergers in the State of Michigan or any other metropolitan area such as that surrounding Detroit.

Section 803 is the most important provision of this entire act to the people of my district, to the State of Michigan, and, perhaps, to the country, particularly now, as we wait day by day for a final decision from the Federal court which is at this very moment considering a plan of metropolitan school districts or cross-district assignment of pupils in the Detroit metropolitan area.

# MODEL STATE ACT FOR TREATMENT AND REHABILITATION OF DRUG DEPENDENTS

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FREY. Mr. Speaker, I have drafted a model act for a comprehensive approach at the State level to the demand side of the drug problem. The model act has been enacted by the State of Tennessee and is under consideration by several other States.

On Friday, June 16, I will address the National Association of State Drug Abuse Program Coordinators on the model act. Following is the most recent version of the model act:

## MODEL STATE ACT FOR THE TREATMENT AND REHABILITATION OF DRUG DEPENDENT PERSONS

Be It Enacted by the Legislature of the State of \_\_\_\_\_:

### Section 1. Purpose.—

(1) It is the intent of the legislature that persons charged with or convicted of violating state criminal laws, with certain enumerated exceptions, or persons not charged with a criminal offense, who are determined to be a drug dependent person and who require medical treatment should be civilly committed for confinement and treatment for such condition and its underlying causes. Such treatment shall be carried out for nonpunitive purposes not only for the protection of the drug dependent person against himself, but also for the prevention of contamination of others and the protection of the public.

(2) It is the further policy of the legislature that individualized, community-based treatment taking into account the degree of addiction, age of the drug dependent person, and behavior and criminal record of the drug dependent person, will be provided to those committed under this program so that they may be treated and rehabilitated in the shortest possible period of time and once again become functioning members of society.

Section 2. Definitions.—As used in this act, unless the context clearly requires otherwise:

(1) "Authority" means the drug dependent evaluation authority.

(2) "Center" means the state rehabilitation center.

(3) "Commission" means the state drug dependent commission.

(4) "Conviction" and "convicted" mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

(5) "Director" means the director of the state rehabilitation center.

(6) "Drug dependent person" means a person who is using a controlled substance and

who is in a state of psychic or physical dependence, or both, arising from administration of a controlled substance on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects, or to avoid the discomfort of its absence.

(7) "Eligible individual" means any individual charged with an offense against the state, except those individuals as follows:

(a) Persons previously convicted for murder, assault with intent to commit murder, attempt to commit murder, kidnapping, arson, robbery, burglary, mayhem, felonies involving bodily harm or attempt to inflict bodily harm, or any offense for which the minimum term is more than five (5) years in state prison.

(b) Persons whose histories include criminality of any nature which is evaluated as chronic or extensive.

(c) Persons who appear to be involved in a large-scale trafficking operation for sale of narcotics, dangerous drugs, or marijuana, or persons who are found to be trafficking or in possession of narcotics, marijuana, or dangerous drugs beyond that which might be reasonably necessary to support their own need for narcotics.

(d) Persons with a history of assaults, battery, and other offenses against the person, including:

1. Those with a pattern of aggressive and assaultive behavior. This pattern may be developed either by acts committed over several years with periods of nonviolent adjustment in between or it may demonstrate itself in a series of acts preceding the instant arrest.

2. Those who have a pattern of aggression which precedes their narcotic addiction and continues after their addiction.

3. Those for whom it is adjudged that long-term institutionalization is indicated because of the seriousness of their behavior. Single acts of aggression may warrant exclusion when the act was of such nature that it demonstrates aggression which was aggravated or vicious, or when the individual was involved in using dangerous or deadly weapons in the commission of the instant or prior offenses.

(e) Persons whose histories show they can reasonably be classified as an escape risk or are recalcitrant to the extent that they unduly threaten the good order and the security of the minimum security facilities of the civil addict program.

(f) Persons who are shown to be narcotic addicts, but who have been previously exposed to therapy and rehabilitation programs without significant gains.

(g) Persons who have major behavior or medical disorders distinguishable from narcotic addiction and who would need treatment in addition to a treatment for addiction which the civil addict program is not able to provide, including:

1. Persons shown to be sex deviates who need treatment for this pathology in order that they may be controlled and become less of a threat or menace to society.

2. Persons who would require treatment for chronic psychosis before the addiction program could begin.

3. Persons with such serious medical problems that treatment for their narcotic addiction is secondary.

4. Persons whose medical problems are so severe as to be deemed irreversible.

(8) "Felony" includes any offense in violation of a law of the state which at the time of the offense was classified as a felony by the law of the state.

(9) "Patient" means any individual with respect to whom a petition has been filed by the state attorney as provided in §§3 and 4.

(10) "Related individual" means any person with whom the alleged narcotic addict may reside or at whose house he may be, or the husband or wife, father or mother, brother or sister, the child, or the nearest available relative of the alleged narcotic addict.

er or sister, the child, or the nearest available relative of the alleged narcotic addict.

(11) "Treatment" includes confinement in an institution or supervised aftercare or outpatient treatment in the community and includes, but is not limited to, medical, educational, social, psychological, vocational services, corrective and preventive guidance and training, and other rehabilitative or maintenance services designed to control or eliminate the patients dependence on controlled substances and to make him less susceptible to dependence on controlled substances in the future.

Section 3. Civil commitment of persons charged with or convicted of a crime.—

(1) (a) If the state attorney or judge has reason to believe that an individual charged with or convicted of a criminal offense against the state is drug dependent, then the state attorney or judge will request the commission to determine if there is reasonable cause to believe such. If the commission determines that there is reasonable cause, the state attorney will file a petition with the court to have such a person examined to determine if he is, in fact, drug dependent.

(b) Upon the filing of any such petition by a state attorney, the court may order the individual to appear before it for an examination as provided in paragraph (d). The court shall cause a copy of the petition and order to be personally served upon the defendant.

(c) The court shall advise the individual to be examined of his right to have his own physician present for consultation during any examination conducted under this section, but in no event shall such physician be entitled to participate in any such examination or in the making of the report required under this section with respect to the examination.

(d) The court shall then appoint two (2) qualified physicians, one (1) of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination the court may order the individual committed for a period not to exceed seventy-two (72) hours to the custody of the chairman of the commission for confinement in a suitable hospital or other facility designated by the chairman of the commission. Each physician appointed by the court shall, within the seventy-two (72) hour period, examine the individual and at the end of the examination file with the court a written report with respect to the examination. The examination shall consist of a physical examination and a psychiatric examination, except that if the physical examination indicates that the individual is not a drug dependent person, the psychiatric examination shall not be administered and the individual shall be immediately returned to the court for such further proceedings as it may direct. Each such report shall include a statement of the examining physician's conclusions as to whether the individual examined is a drug dependent person and requires medical treatment. Upon the filing of the reports, copies shall be made available to the individual and the state attorney.

(2) (a) If both examining physicians as referred to in subsection (1)(d) conclude in their respective written reports that the individual is not a drug dependent person, or does not require medical treatment, the court shall immediately enter an order discharging the individual and the pending criminal proceeding shall be immediately resumed.

(b) If the written report of either such physician indicates that the individual is a drug dependent person who requires medical treatment, or that the physician submitting the report is unable to reach any conclusion by reason of the refusal of the individual to submit to a thorough examination, the court shall promptly set the case for completion of the criminal proceedings.

(3) (a) Any individual who has been examined and found to be a drug dependent



person in need of medical treatment under this section may be detained by the court for a reasonable period of time in a suitable hospital or other facility designated by the center until after the criminal proceeding has been concluded, and such hospital or facility may administer to the patient such interim medical treatment as is necessary.

(b) An individual committed for examination shall not be released on bail or his own recognizance.

(4) At the completion of the criminal proceedings, an individual who was found innocent of the criminal charge and who was examined and determined to be a drug dependent person in need of medical treatment may, after being advised of the consequences of such commitment under subsection (2) of section 5, petition to be committed under section 5. If, however, he does not volunteer for treatment, the state attorney may petition for his commitment under section 4.

(5) (a) At the completion of the criminal proceedings, an individual who was found guilty of the criminal charge and who was examined and determined to be a drug dependent person in need of medical treatment will be advised by the court that if, after hearing as provided in this section, he is found to be a drug dependent person who requires medical treatment and an eligible individual as defined in § 2(7) and desires to be committed for treatment:

1. He may be civilly committed to the center for treatment.

2. He may not voluntarily withdraw from the treatment.

3. The treatment will last for an indeterminate period of time not to exceed five (5) years but in no event shall it exceed the sentence which would otherwise have been imposed.

4. During treatment, he may be confined in an institution.

5. The imposition or execution of the sentence will be stayed, pending the successful completion of treatment.

(b) The court shall advise the patient appearing before it pursuant to paragraph (a) of his right to have counsel at every stage of the civil judicial proceedings under this section and, if he is unable because of financial reasons to obtain counsel, the court will, at the patient's request, assign counsel to represent him.

(6) If the individual referred to in subsection (5) desires to be committed for treatment and if the commission certifies that appropriate facilities and trained personnel are available for the treatment of the person and that such person is an "eligible individual" as defined in section 2(7), the state attorney will petition for his commitment. After such petition has been filed, the individual will be transferred to the court of competent jurisdiction located at the facility designated by the commission.

(a) The court of competent jurisdiction will promptly set the case for civil hearing to review the report of the examination conducted by the commission and other information coming to its attention to determine if the patient is a drug dependent person and if he is an "eligible individual" as defined in section 2(7). The court shall cause a written notice of the time and place of such hearing to be served personally upon the patient and his attorney. Such notice shall also inform the patient that upon demand made by him within fifteen (15) days after he has been served, he shall be entitled to have all issues of fact with respect to his alleged drug dependency determined by a jury. If no timely demand for a jury trial is made, the court, in conducting such hearing, shall determine all issues of fact without a jury.

(b) In conducting any civil hearings under this title, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the reports referred to in section 3. Any patient with respect to whom such hearing

is held shall be entitled to testify and to present and cross-examine witnesses.

(7) Whenever an individual is committed to the custody of the commission for treatment under this chapter the sentence shall be continued without final disposition and shall be dismissed if the commission certifies to the court that the individual has successfully completed the treatment program. On receipt of such certification, the court shall discharge the individual from custody and waive the sentence. If prior to such certification the commission determines that the individual cannot be further treated as a medical problem, it shall advise the court. The court shall thereupon terminate the commitment and the patient shall be returned to the court for execution of the sentence.

(8) An individual committed for treatment shall not be released on bail or on his own recognizance.

(9) Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment, or whoever rescues or attempts to rescue or instigates, aids or assists the escape or attempt to escape of such a person is guilty of a crime punishable by imprisonment in the state prison for not exceeding years. This section does not apply to unauthorized absence from a halfway house or other outpatient facility or program.

(10) The total period of treatment for any individual committed to the custody of the commission under this title shall not exceed five (5) years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed. If, at the expiration of such maximum period, the commission is unable to certify that the individual has successfully completed his treatment program, the pending criminal proceeding shall be resumed.

(11) An individual committed under this title may not be conditionally released until he has been treated for six (6) months following such commitment in the state treatment and rehabilitation center established by the commission and the division of corrections under subsection (2) of section 6 of this act.

(12) Nothing in this section shall preclude a person who has been discharged from the program from being recommitted under the program, irrespective of the periods of time of any previous treatments.

(13) Whenever a pending criminal proceeding against an individual is resumed under this title, he shall receive full credit toward the service of any sentence which may be imposed for any time spent in the institutional custody of the commission or any other time spent in institutional custody in connection with the matter for which sentence is imposed.

(14) The determination of drug dependency and the subsequent civil commitment under this chapter shall not be deemed a criminal conviction. The results of any tests or procedures conducted by the director of the state rehabilitation center or the supervisory aftercare authority to determine drug dependency may only be used in a further proceeding under this chapter. They shall not be used against the examined individual in any criminal proceeding except that the fact that he is a drug dependent person may be elicited on his cross-examination as bearing on his credibility as a witness.

Section 4. Involuntary civil commitment of persons not charged or convicted of any criminal offense.—

(1) (a) Except as otherwise provided in subsection (11), whenever a related individual, or any law enforcement officer or health official has reason to believe that any person is a drug dependent person, such related individual law enforcement officer, or health official may file a petition with the commission requesting that such person be admitted to the commission for treatment of his dependency. Any such petition filed by a related individual, law enforcement officer, or

health official with respect to a person believed by such related individual, law enforcement officer, or health official to be a drug dependent person shall set forth the name and address of the alleged drug dependent person and the facts or other data on which the petitioner bases his belief that the person with respect to whom the petition is filed is a drug dependent person.

(b) The commission will, after receiving the request for treatment and rehabilitation of a suspected drug dependent person under paragraph (a), if it is determined that there is reasonable cause to believe that the individual is a drug dependent person, that appropriate facilities and trained personnel are available for the treatment of the person, and that the person is an "eligible individual" as defined in subsection (8) of section 1, advise the state attorney to file a petition with the court of competent jurisdiction to commit such individual to the commission for treatment.

(c) Upon the filing of any such petition by a state attorney, the court may order the individual to appear before it for an examination by physicians as provided under subsection (2) and for a hearing, if required, under subsection (4). The court shall cause a copy of such petition and order to be served personally upon the patient.

(2) The court shall immediately advise any patient appearing before it pursuant to an order issued under paragraph (c) of subsection (1) of his right to have:

(a) Counsel at every stage of the judicial proceedings under this title and that, if he is unable because of financial reasons to obtain counsel the court will, at the patient's request, assign counsel to represent him; and

(b) Present for consultation during any examination conducted under this section, a qualified physician retained by such patient, but in no event shall such physician be entitled to participate in any such examination or in the making of any report required under this section with respect to such examination.

(3) The court shall also advise such patient that if, after an examination and hearing as provided in this section, he is found to be a drug dependent person who requires medical treatment, he will be civilly committed to the commission for treatment; that he may not voluntarily withdraw from such treatment; that the treatment (including posthospitalization treatment and supervision) may last eighteen (18) months; that he may be confined in an institution for up to, but not exceeding six (6) months for treatment or, in the alternative, he may be placed in an outpatient program established by the commission for treatment and supervision; that if he is confined in an inpatient facility he will, following his release, be placed under the care and custody of the commission for treatment and supervision under a posthospitalization program established by the commission, and that should he fail or refuse to cooperate in such posthospitalization program or be determined by the commission to have relapsed to the use of drugs, he may be recommitted for additional confinement in an inpatient facility followed by additional posthospitalization treatment and supervision. After so advising the patient, the court shall appoint two (2) qualified physicians, one (1) of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination, the court may order the patient committed for such reasonable period of time as it shall determine, not to exceed seventy-two (72) hours. The examination shall consist of a physical examination and a psychiatric examination except the psychiatric examination shall not be administered, and the patient shall be immediately returned to the court for such further proceedings as it may direct, if the physical examination indicates that the patient is not a drug dependent person. Each physician appointed by the court shall, with-

in such period so determined by the court, examine the patient and file with the court, a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusions as to whether the patient examined is a drug dependent person and is likely to be rehabilitated through treatment. Upon the filing of such reports, the patient so examined shall be returned to the court for such further proceedings as it may direct under this section. Copies of such reports shall be made available to the patient and his counsel.

(4) (a) If both examining physicians conclude in their respective written reports that the patient is not a drug-dependent person, or does not require medical treatment, the court shall immediately enter an order discharging the patient and dismissing the proceedings under this section. If the written report of either such physician indicates that the patient is a drug dependent person who requires medical treatment, or that the physician submitting the report is unable to reach any conclusion by reason of the refusal of the patient to submit to a thorough examination, the court shall promptly set the case for hearing. The court shall cause a written notice of the time and place of such hearing to be served personally upon the patient and his attorney. Such notice shall also inform the patient that upon demand made by his within fifteen (15) days after he has been served, he shall be entitled to have all issues of fact with respect to his alleged drug dependency determined by a jury. If no timely demand for a jury is made, the court, in conducting such hearing, shall determine all issues of fact without a jury.

(b) In conducting any hearing under this section, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the reports referred to in subsection (3). Any patient with respect to whom a hearing is held under this section shall be entitled to testify and to present and cross-examine witnesses.

(c) Any patient with respect to whom a hearing has been set under this section may be detained by the court for a reasonable period of time not to exceed thirty (30) days in a suitable hospital or other facility designated by the director of the state rehabilitation center until after such hearing has been concluded.

(5) If the court determines after a hearing that such patient is a drug-dependent person who requires medical treatment, the court shall order him committed to the care and custody of the commission for treatment in an inpatient facility or outpatient program to be established by the commission. The commission shall submit to the court written reports with respect to such patient at such times as the court may direct. Such reports shall include information as to the health and general condition of the patient, together with the recommendations of the commission concerning the continued confinement of such patient.

(6) Any patient committed to the care and custody of the director of the commission pursuant to subsection (5) of this section shall either be committed for a period up to six (6) months in an inpatient facility subject to such posthospitalization program as may be established pursuant to subsection (7) of this section, or in the alternative, he may be placed in an outpatient program established by the commission for treatment and supervision. After the director of the commission certifies that the individual has recovered from his drug dependency to the extent that release on an outpatient status is warranted, the authority, in its discretion, may conditionally release the individual under supervision.

(7) If, at any time during such three (3) year period, any patient:

(a) Falls or refuses to comply with the directions and orders of the commission in connection with such patient's posthospitalization treatment and supervision, or

(b) Is determined by the commission to be again using controlled substances, the commission may order such patient's immediate return to the committing court which may recommit such patient to the commission for additional treatment for a period of not to exceed six (6) months, and may require such patient thereafter to submit to a posthospitalization program.

(8) Nothing in this section shall preclude a person who has been discharged from the program from being recommitted under the program, irrespective of the periods of time of any previous commitments.

(9) Any determination by the court pursuant to this section that a patient is a drug dependent person shall not be deemed a criminal conviction, nor shall such patient be denominated a criminal by reason of that determination. The results of any hearing, examination, test or procedure to determine narcotic addiction of any patient under this section shall not be used against such patient in any criminal proceeding.

(10) Any physician conducting an examination under this section shall be a competent and compellable witness at any hearing or other proceeding conducted pursuant to this section and the physician-patient privileges shall not be applicable.

(11) The provisions of this section shall not be applicable with respect to any person against whom there is pending a criminal charge, whether by indictment or by information, which has not been fully determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release has not been fully served, except that such provision shall be applicable to any such person on probation, parole, or mandatory release if the authority authorized to require his return to custody consents to his commitment.

(12) Notwithstanding any other provisions of this section, no patient shall be examined pursuant to subsection (2) of this section unless the commission certifies that adequate facilities or personnel for treatment of such patient are available.

(13) Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment under this section, or whoever rescues or attempts to rescue or instigates, aids, or assists the escape or attempt to escape of such a person is guilty of a crime punishable by imprisonment in the state prison for not exceeding — years. This shall not apply to unauthorized absence from a halfway house or other outpatient facility or program.

(14) Any person who knowingly makes any false statement to the state attorney or his assistants in any petition under subsection (1) of this section shall be guilty of a misdemeanor of the third degree.

Section 5. Treatment for noncriminal addicts who volunteer for treatment.—

(1) Whenever any drug dependent person desires to obtain treatment for his dependency such drug dependent person may file a petition with the director of a community based multimodality treatment program established pursuant to section 6 of this act, requesting that he be examined and admitted for treatment for his dependency. Any such petition filed by a drug dependent person shall set forth his name and address and the facts relating to his dependency. Any person thirteen (13) years of age or older has the capacity to consent to such examination and treatment for any dependency.

(2) The director of the community-based multimodality treatment program will, after receiving the request for treatment and rehabilitation of a suspected drug dependent person under subsection (1), advise the pa-

tient that if, after an examination as provided in subsection (3), he is found to be an "eligible" drug dependent person who requires medical treatment, he will be committed to the commission for treatment, that he may not voluntarily withdraw from such treatment; that the treatment (including posthospitalization treatment and supervision) may last six (6) months, that he may be confined in an institution for up to, but not exceeding, three (3) months for treatment or, in the alternative, he may be placed in an outpatient program established by the commission for treatment and supervision; that if he is confined in an inpatient facility he will, following his release, be placed under the care and custody of the commission for treatment and supervision under a posthospitalization program established by the commission; and that should he fail or refuse to cooperate in such posthospitalization program or be determined by the commission to have relapsed to the use of controlled substances, he may be recommitted for additional confinement in an inpatient facility following by additional posthospitalization treatment and supervision.

(3) After being so advised, if the patient knowingly and voluntarily agrees to be committed for treatment, the director shall appoint two (2) qualified physicians, one (1) of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination, the director may order the patient committed for such reasonable period of time as it shall determine but not to exceed ten (10) days. The examination shall consist of a physical examination and a psychiatric examination, except the psychiatric examination shall not be administered, and the patient shall be released, if the physical examination indicates that the patient is not a drug dependent person. Each physician appointed by the director shall, within such period so determined by the director, examine the patient and file with the director a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusions as to whether the patient examined is a drug dependent person and is likely to be rehabilitated through treatment. Upon the filing of such reports, the patient so examined shall be returned to the director for such further proceedings as he may direct under this title. Copies of such reports shall be made available to the patient.

(4) If both examining physicians conclude in their respective written reports that the patient is not a drug dependent person or is does not require medical treatment, the director shall immediately enter an order discharging the patient. If the written report of either such physician indicates that the patient is a drug dependent person requires medical treatment, and the director determines that the patient is an "eligible individual," the director shall commit him either to an inpatient program not to exceed three (3) months, or to an outpatient program in the community for individualized treatment and supervision. After the director certifies that the individual has recovered from his dependency to the extent that release on an outpatient status is warranted, the narcotic addict evaluation authority created in section 7, in its discretion, may conditionally release the individual under supervision.

(5) If, at any time during such six (6) months period, any patient:

(a) Falls or refuses to comply with the directions and orders of the director in connection with such patient's posthospitalization treatment and supervision, or

(b) Is determined by the director to be again using drugs, the director may order such patient's immediate return for additional inpatient treatment for a period not to exceed three (3) months, and may require such patient thereafter to submit to a posthospitalization program.



(6) The provisions of this section shall not be applicable with respect to any person against whom there is pending a criminal charge, whether by indictment or by information, which has not been fully determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release has not been fully served, except that such provisions shall be applicable to any such person on probation, parole, or mandatory release if the authority authorized to require his return to custody consents to his commitment.

(7) The patient may any time after being committed petition for release from the treatment facility or program if:

(a) The patient did not knowingly and voluntarily agree to such commitment;

(b) The patient can prove that he is not receiving any medical benefit from such confinement; or

(c) The patient ceases to be a drug dependent person.

(8) Any determination pursuant to this section that a patient is a drug dependent person shall not be deemed a criminal conviction, nor shall such patient be denominated a criminal by reason of that determination. The results of any hearing, examination, test or proceeding to determine the drug dependency of any patient under this section shall not be used against such patient in any criminal proceeding.

Section 6. State drug dependent treatment commission.

(1) There is hereby established a state drug dependent treatment commission either as a separate agency or within an agency. Such commission shall consist of five (5) members, who shall be appointed by the governor, by and with the advice and consent of the senate. Insofar as practicable, the members of the commission shall possess broad knowledge and experience in medicine, psychology, social work, sociology, education and law. The term of office of each such member shall be for five (5) years; provided that the members first appointed shall serve for terms of one (1), two (2), three (3), four (4), and five (5) years, respectively, from January 1 next succeeding their appointment, and providing further, that any member appointed to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the remainder of the unexpired term of the member whom he is to succeed.

(a) The members of such commission shall devote their whole time and capacity to their duties as such members. They shall receive an annual salary to be fixed by the governor within the amount made available therefor by appropriation, and shall be allowed their actual and necessary expenses in the performance of their duties hereunder.

(b) The governor may remove any member of the commission for cause after an opportunity to be heard. A statement of the cause of his removal shall be filed by the governor in the office of the department of state.

(c) The governor shall designate a member of the commission as chairman thereof to serve as such during the pleasure of the governor. The chairman shall direct the work of the commission and shall be the chief executive officer of the commission.

(d) The commission shall make an annual report to the governor and the legislature.

(a) The commission shall assist the state attorney in making his decision to petition an individual for commitment by:

1. Receiving the request from a person to commit himself or another suspected to be a drug dependent person under section 4 of this act;

2. Determining that there is reasonable cause to believe that a person is a drug dependent person and advising the state attorney as to such; and

3. Determining that adequate facilities and trained personnel exist to treat the per-

son for whom the petition was filed and advising the state attorney as to such.

(b) The commission shall survey and analyze the state's needs by gathering information and maintaining statistical and other records relating to drug dependents and drug dependency in the state. It shall be the duty of every physician, dentist, veterinarian or other person who is authorized to administer or professionally use controlled substances, or apothecaries, hospitals, clinics, dispensaries or persons authorized to dispense and all public officials having duties to perform with respect to controlled substances or users of controlled substances to report and supply such information in relation thereto as the commission shall by rule, regulation or order require.

(c) The commission shall promote, develop, establish, coordinate, and conduct through the utilization of federal, state, local and private resources, community-based multimodality treatment programs in communities throughout the state which have severe drug dependency problems, for the treatment, aftercare, and rehabilitation of drug dependent persons certified to the care and custody of the commission. Such programs shall, in order to provide comprehensive treatment at the community level:

1. Coordinate such existing public and non-profit private treatment agencies and organizations, provided that such existing programs or facilities meet the standards established pursuant to paragraph (g); and

2. Develop with federal, state, local and private resources additional treatment programs to complement and supplement existing programs.

(d) The commission together with the state department of corrections shall establish and operate, through the utilization of federal and state resources, a state treatment and rehabilitation center for drug dependent person committed under section 3 of this act who were found guilty of a criminal offense or drug dependent persons committed under either sections 3, 4, or 5, who have exhibited such antisocial tendencies that confinement in the center is considered necessary. The center should provide comprehensive treatment including, but not limited to, diagnostic medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative or maintenance services designed to protect the public and benefit the drug dependent person by correcting his antisocial tendencies and ending or controlling his dependence on controlled substances. Separate treatment and rehabilitation programs or facilities shall be established for persons under the age of eighteen (18) and for men and women.

(e) The commission together with the state department of corrections shall establish a treatment and rehabilitation program for the detoxification and treatment of inmates in the state prison system.

(f) The commission shall establish, maintain, operate and designate medical examination or other facilities for alleged drug dependent persons for the purpose of determining whether such persons are drug dependent persons and for the care and custody of alleged drug dependent persons with respect to whom court proceedings are pending.

(g) The commission shall, together with the State Department of corrections, establish a drug dependent parole program. Rules and regulations governing the operation of the program shall be established to closely supervise the patient after release from the facility, to make periodic and surprise testing for controlled substances use, to counsel the patient and assist him in securing employment and a place to live, to recommend to the director of the state rehabilitation center if it is in the best interests of the patient and society that a patient should be returned to inpatient status at the state rehabilitation center, and to limit the case-

load of each parole officer so that he can effectively assist the individual drug dependent person.

(h) The commission shall establish standards for licensing treatment programs or facilities in effect immediately prior to the effective date of this act and the establishment of new ones that are components of a community-based, multimodality treatment program.

(i) The commission should exercise complete flexibility in dealing with drug dependent persons committed to the custody and care of the commission for treatment and rehabilitation or who volunteer for treatment and provide them with individualized, multimodality treatment.

(j) The commission shall provide education and training in prevention, diagnosis, treatment, rehabilitation and control of drug dependency for medical students, physicians, nurses, social workers and others with responsibilities for drug dependent persons either alone or in conjunction with other agencies, public or private.

(k) The commission shall provide public education on the nature and results of drug dependency and on the potentialities of prevention and rehabilitation in order to promote public understanding, interest and support.

(l) The commission shall disseminate information relating to public and private services and facilities in the state available for the assistance of drug dependent persons and potential drug dependent persons.

(3) Treatment for the maintenance or control of dependence on controlled substances by the use of methadone and other heroin substitutes shall be strictly controlled, limited to drug dependent persons who are over eighteen (18) years of age and who have failed on two (2) previous occasions to respond to treatment designed to end dependence on addicting drugs, and shall not be administered to pregnant women. Maintenance programs will not be administered for either detoxification or treatment purposes to drug dependent inmates in the state prison system.

Section 7. Drug dependent evaluation authority.—

(1) There shall be established a drug dependent evaluation authority. The authority shall be composed of five (5) members, each of whom shall be appointed by the governor, for a term of four (4) years and until the appointment and qualification of his successor. Members shall be eligible for reappointment. The chairman of the authority shall be designated by the governor from the five (5) members from time to time. The terms of the members first appointed to the authority shall expire as follows: one on January 15, 1973, one on January 15, 1974, one on January 15, 1975, one on January 15, 1976 and one on January 15, 1977. Their successors shall hold office for terms of four (4) years, each term to commence on the expiration date of the term of the predecessor. The governor shall fill every vacancy for the balance of the unexpired term. Insofar as practicable, persons appointed to the authority shall have a broad background in law, sociology, law enforcement, medicine, or education, and shall have a deep interest in the rehabilitation of drug dependent persons.

(2) Each member of the authority shall devote such time to the duties of his office as required for performance of his duties and shall be entitled to an annual salary as provided by law for attendance upon business of the authority. In addition, each member shall be allowed actual expenses incurred in the discharge of his duties, including travel expenses in accordance with § 112.061, Florida Statutes.

(3) The authority shall maintain its headquarters at the state rehabilitation center and shall be provided with necessary office space, equipment and services from funds

appropriated to the state rehabilitation center.

(4) The authority shall meet at the center or its branches at such time as may be necessary for a full and complete study of the cases of all patients who are certified by the director of the state rehabilitation center to the authority as having recovered from drug dependency or to such an extent that release in an outpatient status is warranted. Other times and places of meetings may also be fixed by the authority. The authority panel shall consist of at least two (2) members of the authority. Three (3) members of the authority shall constitute a quorum for the transaction of business. No action shall be valid unless concurred in by a majority of the members present.

(5) After an initial period of observation and treatment, whenever a person committed under this act has recovered from his drug dependency to such an extent that, in the opinion of the director of the state rehabilitation center, release in an outpatient status is warranted, the director shall certify such fact to the authority. If the director has not so certified within the preceding three (3) months, his case shall automatically be referred to the authority for consideration of the advisability of release in outpatient status. Upon any such certification by the director or such automatic certification, the authority may release such person in an outpatient status subject to being retaken and returned to inpatient status by the committing court as described in subsection (7) of section 4 of this act. The supervision of such persons while in an outpatient status shall be administered by the state rehabilitation center in conjunction with the state department of corrections.

(a) A single member of the authority may, by written or oral order, suspend the release in outpatient status of such person and cause him to be retaken, until the next meeting of the authority. The written order of any member of the authority shall be sufficient warrant for any peace officer to return such persons to physical custody.

(b) It is hereby made the duty of all peace officers to execute any such order in like manner as ordinary criminal process.

Section 8. Civil commitment and the courts.—

(1) All hearings to be held pursuant to §§ 3 and 4 of this act for the civil commitment of alleged drug dependent persons will be held in a division of the circuit court to be located in the state hospital designated by the center where the alleged drug dependent persons are confined for treatment and examination pending the hearing.

(2) The attorney general is authorized and directed to establish training programs for the circuit court judges who sit on the court referred to in subsection (1) of this section, and probation and parole offices under the drug dependent parole program created in § 4 to better acquaint them with all aspects of the problems relating to drug dependency, and to enable them to carry out their duties and responsibilities regarding drug dependency in a manner that will best serve the interests of justice, safety, and humanity.

#### Sec. 8. Severability

If any section, provision, or term of this Act shall be adjudged invalid for any reason, such judgment shall not affect, impair, or invalidate any other section, provision, or term of this Act, and the remaining sections, provisions and terms shall be and remain in full force and effect.

#### Sec. 10. Continuation of Rules

Any orders and rules promulgated under any law affected by this Act and in effect on the effective date of this Act and not in conflict with it shall continue in effect until modified, superseded, or repealed.

#### Sec. 11. Repealers

(List repealers of appropriate State code sections).

Sec. 12. Effective Date  
This Act shall take effect upon becoming a law.

### QUESTIONNAIRE RESULTS FROM THE 40TH DISTRICT OF NEW YORK

**HON. HENRY P. SMITH III**  
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. SMITH of New York. Mr. Speaker, recently I mailed my annual questionnaire to the residents of my district. I received in return in excess of 21,000 responses with my constituents' views on the pressing issues facing this Nation. I am pleased to have the opportunity to include the results of that survey at this time for the review of my colleagues:

U.S. HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR FRIEND: As I have done in the past, I am again asking you to take a few moments of your time to let me know how you feel about the important issues facing all Americans. In this way, I feel I can best serve your needs and reflect your desires in Congress.

The Constitutional amendment which lowered the voting age to 18 has focused attention on the fact that there may be more than two qualified voters in each household. If this is the case in your home, feel free to attach an extra sheet of paper to this questionnaire with the additional responses.

Thank you for giving me the valuable benefit of your opinions through this questionnaire, and please feel free to call on me whenever I can be of service to you.

With every good wish.

Sincerely yours,

HENRY P. SMITH III.

[In percent]

1. Certain measures have been taken to remedy U.S. economic difficulties. How would you describe your outlook now regarding the future of the U.S. economy?

Very optimistic.....	4
Optimistic.....	34
Pessimistic.....	31
Very pessimistic.....	10
Undecided.....	15
No response.....	5

2. Federal spending involves your tax dollars. Should the Federal Government spend more, less, or the same on the following?

	NR	More	Less	Same
Defense.....	4	14	49	33
Education.....	4	47	14	35
Space development.....	4	10	59	27
Crime prevention.....	4	71	5	20
Foreign aid.....	4	3	82	10
Environmental protection.....	5	63	6	26
Aid to poor.....	4	31	24	41
Aid to elderly.....	3	59	5	32
Consumer protection.....	5	46	11	38
Mass transportation.....	6	33	30	31
Farm programs.....	6	14	43	37

3. What is your opinion on amnesty for those who chose to leave the United States rather than serve in the military?

	Yes	No	NR
Amnesty should never be granted.	28	-----	-----
Amnesty should be granted only after serving in a public service job for a specified length of time.	39	-----	25
Unconditional amnesty and pardon.	8	-----	-----

4. Do you favor compulsory arbitration to control nationwide strikes in the transportation industry?

	84	12	3
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Note: NR means no response.

[in percent]

5. Regarding possession and use of marijuana:	
(a) Legalize it.....	10
(b) Reduce present penalties.....	22
(c) Retain present penalties.....	17
(d) Increase present penalties.....	37
(e) No response.....	14
6. Would you be willing to pay increased prices for consumer goods if they could be made pollution free?	
Yes.....	60
No.....	36
No response.....	4
7. Do you think forced busing of school children is a proper method to achieve racial balance in American schools?	
Yes.....	5
No.....	93
No response.....	2
8. Do you favor continued deficit spending if it is necessary to reduce unemployment?	
Yes.....	39
No.....	56
No response.....	5
9. Do you approve of President Nixon's initiatives in opening new approaches toward Red China and the Soviet Union?	
Yes.....	80
No.....	16
No response.....	4

In addition, Mr. Speaker, the results of the presidential preference question are as follows: President Nixon, 45 percent; Governor Wallace, 9 percent; Senator McGOVERN, 7 percent; Senator MUSKIE, 4 percent; Senator HUMPHREY, 3 percent; and undecided, 23 percent.

THE LATE HONORABLE PHILIP J.  
PHILBIN

**HON. CLEMENT J. ZABLOCKI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mr. ZABLOCKI. Mr. Speaker, I wish to join my colleagues in expressing sorrow at the untimely passing of our former esteemed colleague, the Honorable Philip J. Philbin.

It was a privilege to serve in the Congress with him for he was a distinguished legislator and a good friend. He served the people of the Third District of Massachusetts with dedication and devotion and as a ranking member for a long period of time and all too briefly as chairman of the Armed Services Committee his expertise on national security legislation contributed to the strength and security of our Nation.

Congressman Philbin was a dedicated, hard-working, high-principled gentleman who will be missed by his colleagues and his many friends. The Nation has lost a great citizen. My wife Blanche joins me in expressing deep sympathy to his children and we hope they derive consolation from the knowledge that his loss is shared by his many friends.

ANTIPOVERTY WEAPON: SELF-  
INTEREST

**HON. JOSEPH M. McDADE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. McDADE. Mr. Speaker, Charles Bartlett, the very perceptive syndicated columnist of the Washington Evening



Star, in a recent article calls attention to a new imaginative program being carried out by Action. The program, called university year in action, provides the opportunity for students to earn college credits for working on inner-city problems. This combined work-study program is only 9 months old but already it is functioning in 24 colleges and universities throughout the Nation.

Mr. Speaker, this is one very excellent way in which the creative talents of our young people can be put to work in solving the many problems of our cities. I commend the Action program for displaying such leadership and I highly recommend this article to the Members' attention.

The article follows:

#### ANTIPOVERTY WEAPON: SELF-INTEREST

It is difficult to dispute the Urban League's assessment that public sympathy and attention are turning away from the inner cities.

The concern has faded like a fad because the problems are stubborn and the solutions are uncertain. The Urban Coalition finds it increasingly hard to cement a link between the power structures and the needs of the cities. David Rockefeller warns business leaders that if they keep pulling away from the problems, they may have social obligations imposed upon them by law.

But the job of reviving the cities and tackling the intricacies of racial disintegration cannot be done by fiat or left to the impulses of goodwill. The broad consensus now is that the best, perhaps the only, hope lies in exertions that are motivated by a large degree of direct self-interest.

This is the premise on which Samuel Beard, a young New Yorker with a strong urge to turn the situation around, has launched the Development Council. It will serve as a catalyst to make the point to manufacturers, particularly small ones in labor intensive industries, that there are significant advantages in putting factories in the slums. These include access to a job-hungry work force as well as priority claims on federal loans.

Beard learned the importance of the self-interest motivation in the course of a successful campaign to persuade large corporations to deposit portions of capital in minority banks. He was able to induce American companies to place over \$250 million in these banks, not by stressing that it was a nice thing to do but by describing the corporate benefits that could flow from the gesture.

On the personal level, the same principle is being used by the Nixon volunteer agency Action to bring college students into the battle against urban poverty. The program is called University Year in Action. It is only nine months old but it clearly holds the potential for a profound impact on the volunteer students, who earn credits while they gain experience in the ghettos, and on the universities, which have their first real opportunity to become involved in the communities which surround them.

Both the volunteer and the university are subsidized so the federal cost for each of the 1,000 students now working out of 24 academic institutions is about \$6,100. But this is less than the cost of a VISTA volunteer and the impact is magnified because the students have the backing and guidance of their faculties.

The virtues of UYA were eloquently described to a Senate committee by Charles Hurst, who has transformed Malcolm X College on the West Side of Chicago into an imposing institution. He said that if the program had not come along the universities would still be talking about what they ought to be doing instead of doing something. The problem, as he put it, is that education has been producing "socially naive people."

Hurst predicted that UYA, if allowed to ex-

pand to a broader segment of the student population, can accomplish an immense social result by producing a new breed of decision-makers with a sharpened sense of social responsibility and a keener awareness of what needs to be done. This, he said, is crucially important at a time when "we are living as witnesses to social disaster in all the major cities."

Liberals in Congress have been curiously reluctant to endorse UYA, partly because it is a Nixon program and partly because they fear it may eclipse VISTA, their own innovation. They are restricting its expansion and hobbling its evolution, even though it may be the best hope of reinvigorating concerns which have gone out of style.

This is not the kind of issue on which parochial notions should be allowed to intrude because it is important to develop incentives that will keep the battle against poverty going.

#### AHEAD TOGETHER

### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. LONG of Maryland. Mr. Speaker, the Political Activities Club of Bel Air High School in my congressional district has sent me its platform, "Ahead Together," which is based on the club's opinion poll taken in the school.

I am enthusiastic about some of the ideas presented, such as reform of our foreign aid, control of guns without interfering with sportsmen, and reexamining our system of health care delivery.

The platform also contains some views that I cannot support, including the position on the draft, pollution, drugs, and welfare.

By and large, however, this platform represents great maturity on the part of the students of Bel Air High School. I am always encouraged when a group of young people takes an interest in politics and does it in such a responsible way.

I am pleased to insert the platform in the RECORD:

#### AHEAD TOGETHER

##### INTRODUCTION

This platform is the result of a random sampling of students from grades 9-12 concerning the various issues facing the United States today.

We believe that this platform represents not only the views of the average teenager, but also his concern for the future he will inherit.

It is our fervent hope that this platform will be read and that the reader will gain a fresher insight about what this country is and, should be doing.

Respectfully submitted,

ANTHONY F. SARCONI,  
Advisor.

RICHARD BRINEY,  
President.

BRENDA AYRES,  
Corresponding Secretary.

##### I. FOREIGN AFFAIRS

One of the most serious problems facing the United States is the question of foreign aid.

It is the belief of the students of Bel Air High School that the government should distribute as much information as possible about how foreign aid is administered and distributed.

We also believe that the people should have a say in how foreign aid is determined.

Foreign aid should be reduced but not cut out altogether.

No aid should be sent to developed nations or to nations who owe us money, especially those nations who borrowed billions during the two World Wars.

The students of Bel Air High School feel that nations are entitled to receive foreign aid if they are also funded by the Communists or even if they vote against us in the United Nations.

We feel that nations that constantly espouse anti-Americanism should not receive any foreign aid.

Lastly, we feel that monies should be diverted from the foreign aid program and used for more valuable projects such as education, eliminating poverty and pollution control.

The students of Bel Air High feel that the United States is not accepting the role as number one nation properly and that we are too concerned with other nations rather than ourselves. This view should not be mistaken for isolationism.

It is in this vein that the students of Bel Air High School hope that the United States will continue to support activities and resources of the United Nations.

We also feel that the United States should take a harder line with the North Vietnamese at the Paris "Peace Talks."

##### II. DEFENSE

The students of Bel Air High School recognize that the United States should maintain an effective and efficient military establishment.

We would like to see the government reverse the trend of recent years and begin again to build up the navy and our missile capabilities to meet Soviet increases in this area.

We lastly feel that the military should be held criminally accountable for cost overruns which have become too frequent and much too costly.

##### III. DRAFT

We the students of Bel Air High School would like to see the draft abolished completely and a volunteer army created instead.

##### IV. CRIME

One of the most serious of our domestic problems is that of crime.

The only way to wipe out crime is to eradicate the economic and social ills that cause most crimes.

We the students of Bel Air High School feel that hiring more policemen is NOT the solution to the problem of crime.

We also feel that wire taps are an invasion of privacy and should NOT be used.

We strongly urge that the problem of crowded court dockets be solved by setting a time limit for cases to be heard.

We feel, however, that despite the slow wheels of justice, suspects should be held until their cases are heard.

##### V. SPACE PROGRAM

We urge NASA to admit women as astronauts to the space program.

It is our belief that a space program is necessary and that the United States has benefitted from the material and information gained from space exploration.

We would urge the development of a space station.

We strongly suggest a joint America-Soviet space venture.

Until such time as our other, more pressing domestic problems, such as pollution, poverty, urban renewal, etc. are solved, we feel the amount of money allotted the space program should be cut back.

##### VI. HEALTH AND WELFARE

We strongly urge that welfare programs be reformed and that the amount of assistance be based on the cost of living.

We feel that free medical clinics should be made available to people in low income brackets.

It is our belief that the shortage of doctors is a very serious one and that the government should do all that it can to defray the cost of medical tuition for the student.

We approve of the opening of Fort Dietrich in Frederick, Maryland as a cancer research center and hope that more such places will be opened by the government.

#### VII. POLLUTION

It is our firm conviction that the government is not doing enough in the area of pollution.

We feel that the government is the only agency capable of solving the pollution problem.

We urge that off-shore oil drilling NOT be allowed and further that stricter pollution controls be applied to the automobile industry.

#### VIII. TRANSPORTATION

We feel that the solution to the traffic problem is NOT the building of more high speed expressways.

We would like to see cars banned from city streets and mass transit used instead.

We also want the development of a practical steam or electric car.

#### IX. DRUGS

While we are not exactly certain as to the long range effects of marijuana we feel it is less harmful than alcohol.

We the students of Bel Air High School are far from united on the question of legalizing the use of marijuana, but more feel it should be, than do not.

#### X. ECONOMY

We favor the concept of a wage-price freeze and strongly desire to see profits frozen.

We also favor permanent government controls to avoid inflation.

#### XI. PRISON REFORM

We feel that one of the most serious problems to be faced in the area of prison reform is the quality of the guards. It is our overwhelming opinion that the average prison guard is poorly and inadequately trained. We feel this should be corrected so that he can act more intelligently to stop prison riots before they start.

We feel that the luxuries and money given to prisoners at present is for the most part adequate.

As for capital punishment, we are almost evenly divided, but more favor its retention, than do not.

#### XII. BUREAUCRACY

We feel that the Congress has far too many committees and thus wastes much of its time in pointless debates.

It is our almost unanimous opinion that the bureaucracy is much too large and thus the government is very ineffective and inefficient.

We urge that Congress take measures to revamp and thus revitalize the structure of the bureaucracy.

#### XIII. GUN CONTROL

We highly recommend that all firearms and ammunition be made illegal for sale to minors and that stiff penalties be provided.

We feel that all gun traffic should be strictly controlled, but that the rights of hunters should not be infringed.

### WASATCH FRONT FIVE-COUNTY ALCOHOL SAFETY ACTION PROJECT

#### HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. McKAY. Mr. Speaker, John Volpe, Secretary of Transportation, visited Salt Lake City, Utah, on June 6, 1972. Part of

his time was devoted to a review of the Wasatch Front five-county alcohol safety action project.

Public safety officials arranged to demonstrate the arrest and booking procedures for a drinking driver at the Salt Lake City and County Jail. Mr. Newell Knight, highway patrol specialist in breathalyzer operation and training, explained the use of a breathalyzer while giving an actual test.

In Utah, 0.08 percent blood alcohol concentration is the presumptive level of intoxication. If, upon arrest, tests show that the driver's BAC is 0.08 percent or higher, he is held for arraignment and charged with driving under the influence of alcohol. Under Utah laws, DUI is a misdemeanor and punishable by a fine of up to \$300, and/or 6 months in jail.

At the time of arraignment, the driver enters a plea. If he pleads guilty or is found guilty by trial, a presentence investigation may be ordered by the judge. Presentence investigations attempt to determine the seriousness of the alcohol problem and then make appropriate recommendations for probation programs.

The judge may sentence the offender to jail, a fine, probation, or any combination thereof. After completing the sentence, including the terms of probation, the individual is released from his sentence; however, the ASAP program will continue contact for several years.

ASAP activities involve all phases of the legal system, and will coordinate with rehabilitative programs when advisable. Special enforcement teams in the Salt Lake City Police Department, Salt Lake County Sheriff's Department, Ogden City Police Department, Provo City Police Department, and the Utah Highway Patrol will increase detection and arrest of drinking drivers.

Additional prosecutors are being trained to handle the increased case-loads in the Salt Lake County, Weber County, and Davis County Attorneys' Offices. Judicial seminars are being planned to acquaint judges with ASAP goals and alternatives. Probation personnel funded by ASAP will conduct presentence investigations for courts in Salt Lake City, Ogden, and Provo. Investigations include a preliminary assessment of the seriousness of the driver's alcohol problem, and recommendations for appropriate rehabilitative measures.

Cooperative agreements with the University of Utah Clinic for Alcohol and Drug Abuse, Weber County Mental Health Center, and Timpanogos Mental Health Center have been arranged. These groups will help determine appropriate referrals and rehabilitative programs for those drivers who have very serious alcohol problems.

Schools to reeducate those convicted of DUI are in operation and are an integral part of our program. Increased knowledge of the serious effects of alcohol on driving will serve to reorient attitudes toward operating an automobile while intoxicated.

Driver license revocation is mandatory upon DUI conviction. Additional hearing officers are being trained to process the increased number of revocation reviews.

Public information and education is an important part of the ASAP program.

Alcohol information is being added to existing driver training programs and driver license manuals. The news media as well as individual speakers will present programs to increase the public's awareness of the alcohol problem as it relates to traffic safety. Efforts will be made to impress upon the public that alcohol-related accidents can and must be reduced.

Mr. Speaker, preliminary results indicate that as the program becomes operational on July 1, 1972, we will, with the continued cooperation and efforts of concerned personnel, be able to significantly reduce the number of alcohol-related accidents in our area.

### JAMES SUMMER: THE SOCIAL ROLE OF BUSINESS

#### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. FRENZEL. Mr. Speaker, a recent Minneapolis Tribune article carried excerpts from a speech by James Summer, president, General Mills, Inc., at an Upper Midwest Council seminar on the social responsibilities of business and labor.

Mr. Summer discussed the dilemma businessmen face in trying to balance the traditional objective of making a profit with increasing demands to participate in socially relevant activities. The usual corporate response has been to channel a portion of its resources into nonprofit corporations over which it has little control. Because there is no real incentive in this system, the results have proved disappointing.

As an alternative, Mr. Summer proposes that corporations consider moving directly into service fields such as education and health care. Under his plan corporate subsidiaries would be formed to compete with other such subsidiaries, and with public and nonprofit organizations, for the business on the basis of a modest return on equity.

Mr. Summer's intriguing proposal deserves active consideration by corporations which understand the potency of incentive systems.

The article follows:

#### JAMES SUMMER: THE SOCIAL ROLE OF BUSINESS

I am going to describe a new institutional relationship for the large companies that will seem at first to do bodily harm to David Rockefeller as the symbolic representative of capital. The same will be true of George Meany and labor and of Ralph Nader and the consumer.

As I see the matter, the solution to our dilemma of balancing corporate independence and responsibility has to go to the root of the institution itself. The solution is not to divert the large corporation from an economic purpose to a social purpose, but rather to redefine the corporation so that its pursuit of the economic purpose is kept consistent with its various—and sometimes conflicting—obligations.

The typical manager of the larger company sees social responsibility in two ways: first, the manner in which he deals with demands to modify the conduct of his business; second, the providing of money and people to a growing number of nonprofit or-



ganizations. The first is a subject in itself, but I want to concentrate on the second.

Up to some level, the manager can absorb the demands or requests as being important, but still peripheral to his basic professional purpose: to make a profit in his business. Above some level of demand, and we seem to have reached it, a real anxiety sets in. The amount of money and manpower is important, but the real problem is a growing suspicion that the resources are being wasted and even may be adding to the problem.

The manager cannot follow through to make the resource produce the results intended. He is detached from the resource and is viewed that way.

This leads to the charge of tokenism, which is valid insofar as the manager's and the company's vital interests are not at stake. What he is doing is frustrating him, and as yet there is nothing he can do with a sense of purpose and control.

A partial solution to what business can do with purpose and control may lie in a fundamental trend of recent years.

The relative importance of definable products such as Wheaties, TV sets, etc., is decreasing, while the importance of services such as education and health care is increasing. Most of these increasing services are being handled by public or nonprofit private organizations, and with growing uneasiness. I will call this the gray service zone, since it is midway between the black and white of that which is clearly private and that which is clearly public.

There is an opportunity for the large companies of the Twin Cities to move out. I propose that 8 to 10 large companies assume the responsibility for operating in three or four of these growing gray-service areas.

Each company would form a subsidiary with staff and financial support as a bona-fide slice of its corporate whole, fully committed at risk of reputation as any other commercial activity it engages in. It would compete with one or two other companies in the selected area. It would operate at a profit, but at a return on equity of perhaps 5 percent.

This proposed form of decision influence on top management to integrate social costs into the economic judgments of 500 to 1,000 companies is infinitely preferable to a state-controlled system.

There might be some short-term dilution to shareholders, but the genetic defect would be avoided not least to the benefit of the shareholder.

The manager and the corporation are not going to solve the social problems of the world, but they could be making a powerful contribution if they came to clear grips with what they could do and demanded relief from what they cannot do.

## VIOLATION OF HUMAN RIGHTS IN SOVIET-OCCUPIED BALTIC STATES

**HON. EDWARD A. GARMATZ**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. GARMATZ. Mr. Speaker, Americans of Baltic origin or descent and their friends will mark some sad and glorious anniversaries during this month. First, the Baltic States were overrun by the Soviets 32 years ago; second, 31 years ago Lithuanians were successful in their revolt against the Soviet Union; and finally, the Baltic peoples have lost more than one-fourth of their population during these 32 years of the Soviet terror and occupation.

I, once again, urge the administration

to implement legislation by bringing the Baltic States question in the United Nations and requesting the Soviets to withdraw from Lithuania, Latvia, and Estonia.

I would like to include the following essay prepared by the Lithuanian American Community of the United States of America, Inc., at this point in the Record, along with a copy of House Concurrent Resolution 416, of the 89th Congress, which was unanimously passed by the House and the Senate:

### VIOLATION OF HUMAN RIGHTS IN SOVIET-OCCUPIED BALTIC STATES—RED TERROR IN LITHUANIA, LATVIA AND ESTONIA

The Soviets dominate Lithuania, Latvia and Estonia, and Russian troops are at hand to squelch any resistance. The Baltic peoples are deprived of their very basic human rights and freedom. They are unable to speak for themselves. It is the responsibility of all the people in the free world to be spokesmen for enslaved Lithuanians, Latvians, Estonians and other captive people.

The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of the Baltic nations—Lithuania, Latvia and Estonia—shows this to be a cruel fiction. The Communist regime did not come to power in the Baltic States by legal or democratic process. The Soviets invaded the Baltic States in June of 1940 and grabbed them by force of arms. The Baltic peoples have been suffering in Russian-Communist captivity for more than 30 years.

#### SAD AND GLORIOUS EVENTS OF JUNE

The month of June is very sad as well as glorious to the Balts in all parts of the world and to other freedom-loving people. Thirty-two years ago this month—in June of 1940—the Soviet Union invaded the grand old Baltic States of Lithuania, Latvia and Estonia and took over these three peace-loving republics by force of arms. One year later—in June of 1941—the Russian Communists started mass deportations of the Baltic people, and over 150,000 Lithuanians, Latvians and Estonians were swallowed up in Siberian slave and labor camps. Several days before the Nazi invasion of the Soviet Union on June 22, 1941, the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established. This free, provisional government of Lithuania remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

#### ANCIENT NATIONS

The Balts are proud people who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 721st anniversary of the formation of the Lithuanian state. Mindaugas the Great, unified Lithuanian principalities into one kingdom in 1251.

The Baltic peoples have suffered for centuries from the "accident of geography" From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, Latvians and Estonians, it should be kept in mind, are ethnically related neither to the Germans nor the Russians.

#### RESISTANCE AGAINST THE INVADERS

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. It is widely recognized that in the period between 1940 and 1952, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the Soviet conquerors.

The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, the Baltic nations of Lithuania, Latvia and Estonia have lost more than one-fourth of their combined populations to the ethnically genocidal deportation and resettlement programs of the Soviet Union. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

#### DESPERATE FLIGHT OF LITHUANIANS

Two events of the past several months indicate the desperate plight of Lithuania's Roman Catholics, the primary target of the Soviet government repression among religious denominations. In March, 1972, a petition bearing 17,054 signatures was forwarded to Dr. Kurt Waldheim, Secretary General of the United Nations. The courageous signatories stated that they were appealing to the United Nations to relay their protest to Leonid Brezhnev, Secretary General of the Russian Communist Party, because three previous collective letters had gone unanswered.

The most recent known demonstrations against the Soviet occupation of Lithuania and persecution of religion took place in the city of Kaunas and in other cities during the second part of May, 1972. Several thousand youths battled police and Soviet soldiers in Kaunas after a young Roman Catholic, Romas Talanta, burned himself to death in a public park for political reasons. The rioting continued for several days after the funeral of Talanta and spread throughout the entire country suffering in the Soviet captivity. This immolation has brought international furor and attention to the problems besetting the captive Lithuanian nation.

#### CONFRONTING THE SOVIETS WITH THEIR ACTS OF AGGRESSION

The United States Government still refuses to recognize the forced incorporation of the Baltic States into the Soviet Union. But this lack of official recognition by our Government is not enough. Our diplomatic representatives at the United Nations and elsewhere should be prepared to confront the Soviet Union with its acts of aggression against Lithuania, Latvia and Estonia when Soviet spokesmen raise the cry of "imperialism" against our own country.

The Soviet Union has signed the U.N. Declaration of Human Rights. This document describes the fundamental privileges which are due to every individual from a state in which he lives. These include the rights of assembly, of free elections and of freedom of worship. Most importantly, they include the right to move freely over the borders for emigration or temporary visiting.

The United States and other countries of the free world should urge the Kremlin leaders to make these rights described in the Declaration available to the Balts and other captive people. If the rulers of the Soviet Union had the courage to carry out such reforms there would be no end for self-immolation to demonstrate the plight of Lithuanians and other people of the Russian Communist captivity.

#### BRINGING THE BALTIC CASE IN THE UNITED NATIONS

Past experience indicates that the Soviet Government is sensitive to criticism of its actions by those in the free world. Hoping that such means may minimize the persecution of the Balts in the Soviet captivity, the Administration should go ahead and implement H. Con. Res. 416 (89th Congress). This legislation was unanimously passed by the House and the Senate and it calls for the freedom from Soviet domination of Lithuania, Latvia and Estonia. The President of the United States should bring the issue of the liberation of the Baltic States in the United Nations and demand the Soviets to withdraw from Lithuania, Latvia and

Estonia. We should have a single standard for freedom. Its denial in the whole or in part, in any place in the world, including the Soviet Union, is surely intolerable.

**TREATIES THAT WERE NOT KEPT BY THE SOVIETS—ILLEGAL SEIZURE OF THE BALTIC STATES BY THE SOVIET UNION**

The Communist regime did not come to power in the Baltic States by legal or democratic process. The Soviets invaded and occupied the Baltic States in June of 1940, and the Baltic peoples have been suffering in Russian-Communist captivity for 32 years.

The seizure and annexation of Lithuania, Latvia and Estonia by the Soviet Union constituted an act of aggression and a flagrant violation of numerous international treaties and agreements, as well as the inalienable rights of the Baltic peoples.

The treaties and agreements violated by the Soviet Union are:

1. *Treaty of Peace between Russia and Estonia*, signed at Tartu (Estonia) on February 2, 1940;
  2. *Peace Treaty between Lithuania and the Russian Socialist Federal Republic*, and *Protocol*, signed at Moscow on July 12, 1920;
  3. *Treaty of Peace between Latvia and Russia*, done at Moscow, completed and signed at Riga (Latvia), August 11, 1920;
  4. *Treaty of Non-Aggression between the Republic of Lithuania and the Union of Soviet Socialist Republics*, signed at Moscow on September 28, 1926;
  5. *Treaty of Non-Aggression and Peaceful Settlement of Disputes between Estonia and the Union of Soviet Socialist Republics*, signed at Moscow, May 4, 1932; extended in 1934 for a term to last until December 31, 1945;
  6. *Convention for the Definition of Aggression*, signed at London, July 3, 1933, between Romania, Estonia, Latvia, Poland, Turkey, the Union of Soviet Socialist Republics, Persia, and Afghanistan.
  7. *Convention between Lithuania and the Union of Soviet Socialist Republics for the Definition of Aggression*, signed at London, July 5, 1933; extended in 1933 for a term to last until April 4, 1943;
  8. *Treaty of Non-Aggression between Latvia and the Union of Soviet Socialist Republics*, signed at Riga, February 5, 1932;
  9. *General Treaty for Renunciation of War as an Instrument of National Policy*, signed at Paris, August 27, 1928, to which 63 states are parties among them the Soviet Union and the Republics of Lithuania, Latvia and Estonia;
  10. *Convention relating to the Establishment of the Conciliation Commission and Conciliation Procedure between Latvia and the U.S.S.R.*, signed on June 18, 1932;
  11. *Mutual Assistance Pact between the Soviet Socialist Republics and Estonia*, signed on September 28, 1939;
  12. *Mutual Assistance Pact between the Union of Soviet Socialist Republics and Latvia*, signed on October 5, 1939;
  13. *Mutual Assistance Pact between the Union of Soviet Socialist Republics and Lithuania*, signed on October 10, 1939;
  14. *The Covenant of the League of Nations*, came into force on January 10, 1920. Lithuania, Latvia and Estonia became Members of the League on September 22, 1921, and the Soviet Union on September 18, 1934.
- As the forcible incorporation of Lithuania, Latvia and Estonia by the Soviet Union constitutes a violation of international treaties and generally accepted and recognized principles of international law, the Soviet regime in the three Baltic States lacks any legal basis and should be regarded only as a temporary occupation.

**H. CON RES. 416**

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the

United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people; Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

Attest:

RALPH R. ROBERTS,  
Clerk.

**TRIBUTE TO DR. ELSON**

**HON. CLARENCE J. BROWN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. BROWN of Ohio. Mr. Speaker, I wish to enter into the RECORD the following sermon by the Reverend Dr. Edward L. R. Elson. On Sunday, May 14, 1972, Dr. Elson announced to his congregation at the National Presbyterian Church that for health reasons he would no longer be maintaining a full preaching schedule. Earlier this year, he had given notice of his retirement from pastoral responsibilities effective January 1, 1973. This sermon was written prior to his receiving word from his doctor that he would have to surrender his pulpit and pastoral responsibilities. His sermon, entitled "Dividends From Difficulties," is especially significant in light of the circumstances that accompanied its delivery, making it all the more fitting that it be entered into the RECORD. I would also like to enter the following tribute to the Reverend Dr. Elson, one of the most distinguished clergymen in America today.

The Reverend Dr. Elson was born in Monongahela, Pa. He attended high school in Clairton, Pa. He received the A.B. degree from Asbury College, Wilmore, Ky., in 1928, and the M. Th. degree from the University of Southern California in 1931. He has been the recipient of 16 honorary doctor's degrees, including the D.D. from Occidental College in 1947,

and Wheaton College in 1943; the S.T.D. from the College of Emporia in 1955, and from Ripon College in 1956; the Litt.D. from Centre College of Kentucky in 1952, from Lafayette College in 1958, and from Gettysburg College in 1960; the LL.D. from Norwich University in 1953, from Davis and Elkins College in 1955, from Asbury College in 1958, and from Hope College in 1961; the L.H.D. from the University of Southern California in 1954, from the College of Wooster in 1960, and from Washington and Jefferson College in 1960; and the D. Hum. from Parsons College in 1955.

Dr. Elson was ordained into the ministry by the Presbytery of Los Angeles at Santa Monica, Calif., April 27, 1930. He served as assistant minister, First Presbyterian Church, Santa Monica, Calif., 1929-31. From 1931 to 1941, he was minister of the First Presbyterian Church, La Jolla, Calif. Since 1946, he has been minister of the National Presbyterian Church, Washington, D.C. During this time, he was pastor to former President and Mrs. Eisenhower, members of the Cabinet and other Government officials. In January 1969, he was elected as Chaplain of the U.S. Senate.

His public service includes the following: a member, board of directors, Maryville College, Maryville, Tenn.; president, board of trustees, Wilson College, Chambersburg, Pa.; member, board of directors, Freedoms Foundation at Valley Forge, Valley Forge, Pa.; chairman, national council, American Friends of the Middle East; member, Advisory Committee on the Arts, John F. Kennedy Center for the Performing Arts; president, board of directors, American Colony Charities Association, Jerusalem; vice president, Religious Heritage of America since 1965; former chairman, Clergy Advisory Council, National Association of Manufacturers; member, National Advisory Council, Welfare of the Blind, Inc.

His past positions include: Moderator, Los Angeles Presbytery, 1938; western regional director of Presbyterian Post War Fund, 1946; member, board of pensions, Presbyterian Church in U.S.A., 1948-57; national chaplain, Disabled American Veterans, 1950-51; president, Washington Federation of Churches, 1952-54; president, Military Chaplains Association, 1957-59; commissioner to the general assembly, United Presbyterian Church in the U.S.A. six times; president, Kiwanis Club, La Jolla, Calif.—honorary life member; moderator, Presbytery of Washington City, 1966.

Dr. Elson has extensive military experience. He was commissioned chaplain, U.S. Army Reserve, 1930. He has held the rank of colonel since 1944, from which he retired in November 1961. He saw extended active duty, 1941-46, was chaplain XXI Corps, European Theater; chaplain, 7th U.S. Army, Europe. His military decorations include the Legion of Merit; Bronze Star Medal; Army Commendation Medal; French Croix de Guerre avec Palme; French Medal of Freedom; Silver Star of Jordan—First Class; Gold Medal, Lebanese Order of Merit—First Class; Arms of the City of Colmar, France; German Occupation Medal; Reserve Officers Medal with three



clusters; Chief of Army Chaplains Silver Medallion; National Defense Medal; American Theater Medal; Victory Medal, World War II; European Theater Medal.

His numerous honors include being recipient of the following: "Clergy Churchman of the Year" Award by Religious Heritage of America and Washington Pilgrimage of American Churchmen, 1954; Freedoms Foundation Award, Sermon Category: 1951, 1954, 1957, 1958, 1959, 1960, 1962, 1964; Freedoms Foundation Principal Sermon Award, 1965 and 1971; Honor Medal Award for his book, *America's Spiritual Recovery*, 1954; Honorary Citizen, Dallas, Tex., Charlotte, N.C., Alliance, Ohio; Honorary Kentucky Colonel; Honorary Life Member, Kiwanis International; Member U.S. Mission to observe Vietnamese Elections, 1967; World Who's Who, First Edition; Who's Who in America; Who's Who in Government; Community Leaders of America, fourth edition—1970.

His travels have taken him to Europe, the Middle East, and Africa. He has been guest preacher in leading churches in the British Isles and Europe. He frequently has been guest speaker at colleges and universities in the United States. He has been retreat master at spiritual retreats for clergy and military chaplains, in the United States and abroad.

He is the author of the following books: *One Moment With God*, Doubleday, 1951; *America's Spiritual Recovery*, Revell, 1954; *And Still He Speaks*, Revell, 1960; *The Inevitable Encounter*, Erdmans, 1962; and has been a contributor to 10 additional books and periodicals.

He holds membership in the following societies: Theta Sigma, Chi Alpha, YMCA, International Platform Association, Newcomen Society in North America, Cosmos Club, Army and Navy Club, U.S. Capitol Historical Society—sustaining member, Pennsylvania State Society, Disabled American Veterans—national chaplain, 1950–51, the Military Order of the World Wars, and the Military Chaplains Association. He is a member of the following learned societies: Phi Chi Phi, American Society of Church History, Church Service Society, Academy of Religion and Mental Health.

His wife is the former Helen Chittick, a descendant of Wishart, coadjutor of John Knox, and was educated at the Bishop's School and the University of California. They have four children. Mrs. Erland Heginbotham, Washington, D.C., Eleanor Frances; Miss Beverly Lunn, Washington, D.C.; Mrs. Duncan MacRae, Baltimore, Md.; Mary Faith; David Edward, Washington, D.C.

In light of his achievements, honors, and outstanding ministry, I present also this sermon by Dr. Elson, for the benefit of my colleagues:

#### DIVIDENDS FROM DIFFICULTIES

"Thou hast enlarged me when I was in distress."—Psalm 4: 1.

The Fourth Psalm was written for an ancient people at a time of great peril. The King, threatened by conspiracy and rebellion, was camping out with a few of his followers. His adversaries were all about him. The future was uncertain. The enemy seemed rich and well-fed, while this band had to forage about for food and shelter. At any moment it seemed a fatal stroke might fall. One among the king's followers, David, took up

his stylus and wrote an evening hymn which moves to the joyous conclusion:

"Thou has put gladness in my heart, more than in the time that their corn and their wine increased; I will both lay me down in peace and sleep: for Thou, Lord, only makest me to dwell in safety."

No wonder this evening hymn became a great favorite of that ancient vagabond nation, Israel. This people, chosen of God to produce the Saviour, had her ups and downs, her depressions and prosperity, her defeats and victories. Wandering across deserts, scaling mountains, fording streams—no matter what the day had brought—when they sat by their campfires at evening they sang this refrain: "Thou hast enlarged me when I was in distress." Dividends from difficulties.

Why is it that men and women grow great and strong and creative under criticism, in suffering and in sorrow? So often it is through pain and in hardship that God puts a song in the heart and creative energy in the brain.

Criticism is a form of suffering which most people encounter fairly early in life, and the pain is intensely real and poignant. Most human beings desire social approval. Men and women appreciate approbation. To be accepted, to be popular, is a better way of life than to live under disdain and disapproval. Yet men and women who accomplish most in life sometimes receive the severest criticism. Politicians, professional men, ministers, writers—who register their leadership on the human scene—are perpetually exposed to their critics. None is completely impervious to this ordeal.

It is not that we get criticism—nor that it hurts—but rather how we manage criticism, which is the measure of our character. Can we suffer the assaults of our fellows, evaluate the statements and the circumstances of the declaration, and then grow under them?

Someone had hard words for Andrew Jackson when they said, "The President is a monster whose choicest aliment is human blood." Yet Jackson gave his critic a cabinet post.

"The President is a low, cunning clown. He is the original gorilla. Those who seek the ape-man are fools to travel all the way to Africa when what they are after can be so readily located in Springfield, Illinois." This critic was speaking of the man whose monument is the most beautiful in our Capital—Abraham Lincoln.

"He is treacherous in private friendships, a hypocrite in public life, an imposter in public life, an imposter who has either abandoned all good principles or else never had any." This was somebody's view of Washington.

And eighty million people heard and saw the funeral in this Church for the late Hon. J. Edgar Hoover. Since then I have fallen heir to some of the objects which he kept in little framed easels on his desk as he worked. Here is a quotation from Earl Keith: "Criticism is something you can avoid by saying nothing, doing nothing and being nothing." Here is one from the Psalms: "I will not be afraid of ten thousands of people that have set themselves against me round about." Perhaps these and others give us a brief insight into a great life which was informed and guided by a knowledge of the Bible, the catechisms and confessions of our particular Christian heritage.

All of us suffer in some way or other the criticism of others. How do we use it? Do we ask if it is true and, if true, do we make revision? And, if not true, do we give it all back to God for His dealing? Do we remember Jesus who died trying to combine all that was holiest in tradition with all that was healthiest in innovation, who unflinchingly spoke the truth, and who "when accused, opened not His mouth."

That is why I did not respond publically to the erroneous attacks upon my Palm Sunday sermon.

Suffering from personal abuse and criticism can be carried in the majesty of human personality and turned into a testimony for God.

Then there is the enlargement of character which comes from sickness. "Thou has enlarged me when I was in distress" is the reminiscent testimony of many a person who has walked in the valley of physical suffering.

I think of the daughter of one of our church officers, who suffered severely from polio but remained a beautiful homemaker and saint of God to her whole community—a refined, ennobled and radiant spirit. She turned her suffering into a testimony of faith and courage.

One of our noblest hymns begins, "O Love that wilt not let me go . . ." We never weary of it. The words were written by George Matheson, who distilled beauty from a great sadness. This promising young minister was engaged to a lovely lady when he began to lose his sight. He told her of the darkness descending upon him only to find her unwilling to share his burden of blindness. Alone in the quiet haven of his study, he wrote about another love—a "love that wilt not let me go . . . a joy that seeketh me through pain . . . a Cross that liftest up my head." That hymn speaks to men's deepest needs because it came out of a suffering soul, testifying triumphantly.

Another hymn—"How Firm a Foundation"—had been the favorite of Robert E. Lee—Woodrow Wilson—William McKinley—Dwight D. Eisenhower. When we recall its words and ponder their meaning, we are able to understand its power for these great men of the past:

"When through the deep waters I call thee to go,

The rivers of woe shall not thee overflow;  
For I will be with thee, thy troubles to bless;  
And sanctify to thee thy deepest distress."

That hymn speaks to the heart which knows the burden of leadership in times of great national crisis, when human wisdom seems so fallible and great decisions must be made.

We think sickness a tragedy. Hold on! It depends upon what we do with this experience. If we learn to alternate between intense work and complete repose, we have been well schooled by sickness.

Hawaiian music gets hold of us in the depths. What is its power? It seems to be a blend of sorrow and joy. Born in a leper colony where men's bodies were dropping away, but where their souls sang to God, it is laughter with tears in it. It is beauty distilled from the holy joy of a heart in suffering.

Or look at our only true native music, the Negro spiritual. Listen to the "Largo" of *The New World Symphony* by Dvorak, with its haunting refrain, "Goin' home . . . I'm just goin' home."

Out of the suffering of Negroes walking over the stubble in the fields of the Southland comes

"Sometimes I'm up—sometimes I'm down  
O yes Lord.

Nobody knows the trouble I have  
Glory Hallelujah!"

One summer while a college student I worked with an engineering company installing a new kiln in a pottery in Ohio. I learned their lesson about suffering and beauty. The chinaware which was to bear the most beautiful and permanent decorations would be smeared with black pitch and then placed in the kiln and baked in the fury of intense heat. After some hours it was removed and the blackness was brushed off, and there for the whole world to see was the beauty of hand painted china. So it is with suffering. Out of the blackness and fire of suffering oftentimes comes the beauty of the human soul.

What is it that war does to a man? Either he capitulates under its strain, gives way under its exertions, deteriorates under its

duress, or he becomes a bigger, better, stronger man. Justice Holmes looked back upon his war years as the refining period of his life. Those who have been in battle know its terror, its devastation and its torment of soul. Yet, even here, creative energies have been released.

In World War II, John Gillespie Magee, Jr. of this city, joined the Royal Canadian Air Force and was killed in action on December 11, 1941. Whatever creative insights were down deep inside this boy welled up within him as he flew his plane in that war. He left us an immortal poem—"High Flight"—

"Oh, I have slipped the surly bonds of earth,  
And danced the skies on laughter—silvered  
wings:  
Sunward I've climbed and joined the tum-  
bling mirth  
Of sun-split clouds—and done a hundred  
things  
You have not dreamed of—wheeled and  
soared and swung  
High in the sunlit silence. Hov'ring there,  
I've chased the shouting wind along and  
flung  
My eager craft through footless halls of air.  
Up, up the long delirious, burning blue  
I've topped the wind-swept heights with  
easy grace,  
Where never lark, or even eagle, flew;  
And, while with silent, lifting mind I've  
trod  
The high untrespassed sanctity of space.  
Put out my hand, and touched the face of  
God."

The death of a youth like this seems tragic, but in those brief years he touched the face of God and his experience and his words will live in English literature for ever. "Thou hast enlarged me when I was in distress."

One of the great Christian heroes of our age is John Hayes, our missionary for many years in China. I spent many hours with him after his brain-washing and threatened execution by the Chinese Communists. I have always felt close to him and part of his ordeal because, when he was hauled up for trial and accused of being the leader of an American spy ring, I was supposed to be his Washington axis. He came back to us by the merciful deliverance of God and in answer to our prayers, and this is what he had to say,

"God kept me, gave me clarity, made me strong. I did not seek release. I only wanted to be true to Christ, and true to truth, with or without my head."

There was a new quality to John Hayes' message and his life as he witnessed in Indonesia. "Enlarged in distress?" Why not?

Look at Paul. Six of his letters were written in jail. He did not write about gray, grim prison walls. His soul sang, "Rejoice, rejoice!" . . . When I am weak, then am I strong."

Perhaps the deepest suffering we are called upon to endure is the sorrow of losing a loved one. When we lose a visible friend, do we gain the invisible Lord? Even out of these depths of loss come beauty and fresh spiritual vigor.

Someone once wrote these words:

"I walked a mile with pleasure.  
She chatted all the way,  
And left me none the wiser  
For all she had to say.

"I walked a mile with sorrow;  
And ne'er a word said she.  
But, Oh! the truths I learned from her  
When sorrow walked with me."

Occasionally our choir sings an introit penned by Cleland B. McAfee for a communion service. That week the McAfee family, his church and the town had been stunned with grief over the death of Dr. McAfee's two small nieces, within twenty-four hours of each

other. Seeking for some comfort for all the saddened hearts, he wrote:

"There is a place of comfort sweet,  
Near to the heart of God;  
A place where we our Saviours meet,  
Near to the heart of God.

"There is a place of full release,  
Near to the heart of God;  
A place where all is joy and peace  
Near to the heart of God."

A friend of ours, Mrs. Bertha Spafford Vester, who spent an entire lifetime in Jerusalem, has written of the tragedy which befell her parents on her mother's first trip across the Atlantic. Traveling with her four little daughters on a French luxury liner, the ship was struck by another vessel in the middle of the night and sank within twelve minutes. By some miracle Mrs. Spafford was rescued, but her children drowned.

Her cable to her husband, delayed at home because of business, plunged him into the valley of the shadow of death where he searched his life, hitherto so blessed, for an explanation of this sudden tragedy. On his way across the Atlantic to rejoin his wife, Horatio Spafford wrote the hymn which has given comfort to so many:

"When peace like a river attendeth my way,  
When sorrows like sea-billows roll,  
Whatever my lot, Thou hast taught me to  
say;

"It is well, it is well with my soul."

"Thou hast enlarged me when I was in distress." It seems like a hard way, but it is the way of life and sometimes it is God's way to creativeness. It is a certain way to a deeper life with God.

How do you use suffering? Do you recoil from it in bitterness? Or do you accept it, grow under it, turn it into a testimony of beauty?

When the skies are black, when the thunder of life's storms roll and the tempests are wild, do you hear the angels sing? Is it well with your soul? Are there not dividends from difficulties?

Out of the sufferings of the past has come the music of life; out of difficulty, new dedications; out of hardship, a new hallowing of life.

"Thou hast enlarged me when I was in distress."

#### IN MEMORIAM

**HON. PETER W. RODINO, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mr. RODINO. Mr. Speaker, it is with a great deal of affection and with a deep sense of loss that my thoughts turn to the many days the Honorable Philip J. Philbin shared these Chambers with us. Mr. Philbin's beliefs and views, his tenacious sense of commitment to those whom he served and to the principles upon which our Nation stands, have engraved in our hearts his image as an advocate of the highest traditions of our land. The following words by the poet Arthur Guiterman best express the continual presence I am certain he will hold for all of us:

The Past is deathless. Souls are wells too deep  
To spend their purest gains.  
All that he gave to us is ours to keep  
While memory remains.

I join at this time with my fellow colleagues in honoring so dear a friend and so respected a man.

#### TECHNOLOGY AND THE ENVIRONMENT

**HON. CHARLES S. GUBSER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. GUBSER. Mr. Speaker, in the last few years this Nation has developed millions of instant experts in the field of ecology who can tell us how to unpollute our environment. Many of them advocate the zero growth, and the stifling of what we have learned to view as progress in recent decades. Almost all of them seem to look upon modern technology and scientific development as an enemy of a clean environment. Many of them say it must stop.

Frankly, I believe the answer to cleaning up our environment lies in technological and scientific development and much as I would personally enjoy it, I cannot conceive of this Nation giving up of its way of life to return to a simple agrarian existence.

Unfortunately, many of the people who advocate stopping technology are those who are so affluent that they possess every known gadget which consumes energy and does in fact pollute the environment.

Recently an article by Ernest Conine indicated that these people are "hip-deep in hypocrisy." The title of the article is "Give Up Gadgets for Ecology's Sake?"

I believe every reader of the CONGRESSIONAL RECORD would benefit from the thoughts presented by Mr. Conine and for this reason I submit his article in full:

#### GIVE UP GADGETS FOR ECOLOGY'S SAKE?

(By Ernest Conine)

One Californian, after listening to an especially impassioned speech by a dedicated enemy of environmental pollution, looked over the gathering of affluent liberals and made a cynical observation:

"I'll wager there isn't a guy here who doesn't have at least two cars in his garage—not to mention the dune buggies, snowmobiles and motorbikes—plus air-conditioning and a houseful of electrical appliances.

"But I don't see anybody rushing to give up all those gadgets and goodies in the name of a clean environment." It's easier, he added, just to make high-sounding speeches about the sins of the industrial polluters and the evils of continued economic growth.

The observation is hardly original, but it is to the point.

America is hip-deep in hypocrisy on ecology, as on other matters. If Americans could cut through the hypocrisy, they might be a lot closer to some solution.

Why not require everybody who makes speeches about the environment—or, for that matter, writes columns or editorials about it—to make full public disclosure of just what his own contribution to the problem is?

The proposal, while offered facetiously, might not be a bad idea at that.

Each speaker or commentator on the ecology would be given an environmental guilt rating which he would have to display publicly—maybe on a lapel badge—whenever and wherever he holds forth on pollution. The higher the number, the larger the indicated contribution to the pollution crisis.

As most people know by now, overpopulation and affluence are the twin roots of ecological evil. So any man or woman with more than the allowable two children would be



penalized two points for each "surplus" child.

Each household could have one compact car, not exceeding 115 horsepower, without penalty. But every extra car would cost a point. The big gas-eaters would count double. So would dune-buggies, gas-driven lawnmowers, snowmobiles, boats, campers and motorcycles, since all are essentially luxury items.

Every household could be entitled, without penalty, to one TV set, one radio, one record player, one cooking apparatus, whether gas or electric, and one refrigerator. Penalty points would be assessed, however, for extra appliances in these categories. And points would be added to the guilt rating for electric blankets, swimming pool heaters, electric mixers and can openers, power saws and mowers, electric razors and hair-dryers and (except in desert climates) air-conditioners.

Considering how much pollution jet airliners spew into the air, anybody traveling more than 1,000 airline miles each year would have to add a point for each extra thousand miles.

Obviously the whole idea is absurd—not to mention being unconstitutional and possibly even subversive. Which is too bad, considering the amount of antidemocratic and antihumanist nonsense which is being uttered these days in the name of ecological survival.

Not long ago, for example, a team of MIT scientists and engineers warned that the world faces pestilence, poverty and starvation within 70 years unless economic growth is halted. Think of the implications.

What these and like-minded experts are saying, in effect, is that mankind has only two ways to go:

The have-nots of the world—the people with an environmental guilt rating of close to zero, if you will—must accept a condition of permanent poverty and give up all hope that they, or their children or grandchildren, will ever be able to enjoy the kind of affluence while a middle-class American or Englishman or Japanese enjoys today.

Falling that, the haves—the people with an environmental guilt rating of 10 or 15 or 20—must be forced or persuaded to join the ranks of the have-nots.

Human nature being what it is and always has been, neither is going to happen.

The ultimate answer will be found, one suspects, not in stopping economic growth and the spread of affluence, in halting the construction of power plants and prattling on about returning to nature, but in the technological fix. Pollution-free generation of power. Conserving of the world's mineral resources through recycling. Outer space garbage disposal. Maybe even colonization of the planets.

This is pretty far-out stuff. But not as far out as the nation that half the world's people are going to stay poor in order to keep the earth environmentally safe for the other half.

CLEVELAND'S MRS. JAMES V. O'BRIEN CELEBRATES 100TH BIRTHDAY

### HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 1972

Mr. JAMES V. STANTON. Mr. Speaker, on the day of June 16 I am pleased to join with the many friends and relatives of Mrs. James V. O'Brien in extending to her warmest congratulations upon her 100th birthday.

Longevity alone is not a cause for celebration, but rather we pay tribute to Mrs. O'Brien for the great deal she has accomplished in the years God has given her. Through the love, devotion, and guidance she rendered as a wife and mother, and later as a grandmother and great-grandmother, she has raised and sent into the world a family of productive and dedicated citizens. Surely there can be no greater accomplishment.

Her lively spirit and attitude toward life serves as an inspiration to us all.

PHILIP J. PHILBIN

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mr. CELLER. Mr. Speaker, it was my privilege to have had Phil Philbin as a fellow colleague throughout his years of service in the House of Representatives. I am deeply saddened by his death.

Phil was a man of kindness and erudition. And this kindness and erudition he put to use to serve his Nation. It was this combination that gave him the unique quality which earned him both affection and respect. Few in the House could resist his warmth of personality and few could successfully challenge the wealth of information Phil brought to the floor when legislation was before it.

The passing of the years brings many changes and one accommodates oneself to meet them. But to the loss of a good fellow being, one cannot become reconciled. A scar forever remains.

To his family I extend my deepest sympathies. A measure of consolation to them must be that so many of his friends

and colleagues share in the feeling of loss.

REGRETS PASSING OF FORMER CONGRESSMAN PHIL PHILBIN

### HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 1972

Mr. MONAGAN. Mr. Speaker, I was shocked to learn of the death of my dear friend former Congressman Phil Philbin and I join my colleagues in expressing my regrets at his passing.

He was a devoted Member of Congress and represented the people of his district with the utmost fidelity. No task was too small for him to perform for his constituents and he furthered their interests with dedication and understanding.

He also served the people of the country well in his years as a member of the Committee on Armed Services and his devotion to maintaining the strength of our national defense never wavered during his career of 28 years.

Those who knew Phil Philbin intimately, as I did, remember him most of all for the warm qualities of friendship. He was a delightful companion and an excellent raconteur and on innumerable occasions I enjoyed chatting with him while we discussed mutual friends or pompous figures whom Phil was skilled in deflating.

Not everyone knew that Phil was an excellent pianist and a great lover of music. His particular affection was for the musical comedy melodies of earlier days, ranging from Victor Herbert to Jerome Kern. He was a personal friend of many of the most famous composers and would meet and entertain them from time to time. Rudolf Friml was a particular friend. With his warm and charming personality and his skillful manipulation of the piano, Phil Philbin added pleasure for many people to innumerable gatherings, both in Washington and elsewhere.

A fine athlete in his youth, a graduate of Harvard, a devoted father, a dedicated Member of Congress and a warm and loyal friend, Phil Philbin passes from the scene at a time when people of his experience and conviction are sorely needed. He will be missed.