

EXTENSIONS OF REMARKS

CONGRESSMAN BUCHANAN'S ELOQUENT COMMENTARY ON THE MUNICH TRAGEDY

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, we were all deeply shocked and horrified by the tragic events which occurred in Munich this past week. Although many Members of this body have ably voiced the profound sense of outrage which such heinous crimes compel, I think few have expressed themselves so eloquently as my distinguished colleague and good friend from Alabama, JOHN BUCHANAN. In a special report to his constituents, he said:

It is a tragedy of great magnitude for the young state of Israel, which has had to struggle merely to survive in an often hostile environment, to lose these outstanding young people who were competing in an atmosphere of peace and harmony. This latest attack compounds the pain which Israel has suffered in terrorist attacks at its airport and within its borders elsewhere.

Congressman BUCHANAN's compassionate response to the slayings is coupled with a call for a strong commitment to immediate international action against nations harboring terrorists. He urges for "strong and enforceable agreements to provide that those who commit crimes against humanity will not receive sanctuary from any nation and will be punished for their acts."

I strongly share the sentiments of my colleague from Alabama and include his report at this point in the RECORD:

REMARKS BY CONGRESSMAN JOHN H. BUCHANAN, JR.

The House this week joined the rest of the nation and the world in expressing its shock and horror at the killing of 11 Israeli athletes and its sympathy to the people of Israel.

At the same time, the House passed a resolution pledging this country to seek all means "by which the civilized world may cut off from contact with civilized mankind any peoples or any nation giving sanctuary, support, sympathy, aid or comfort to acts of murder and barbarism such as those just witnessed in Munich. . . ."

The senseless slaying of the Israeli delegation is a tragedy of many dimensions. It is a personal tragedy to those who died and to their families. They have my deepest sympathy and prayers.

It is a tragedy of great magnitude for the young state of Israel, which has had to struggle merely to survive in an often hostile environment, to lose these outstanding young people who were competing in an atmosphere of peace and harmony. This latest attack compounds the pain which Israel has suffered in terrorist attacks at its airport and within its borders elsewhere.

We can also share the sense of tragedy felt by the people of the Federal Republic of Germany which hosted the games and whose nation was invaded for the purpose of committing this heinous crime and disrupting everything for which the Olympic games stand and toward which West Germany had worked. It is truly unfortunate that this nation which has worked for a generation

to overcome the shadow of the madman Hitler was chosen by a group of terrorist madmen for the commission of crimes against the Jewish people.

And it is a tragedy to the world that a group of young people participating in the Olympics in the spirit of international unity and cooperation and who would perhaps have been leaders of the Israeli efforts toward peace in the future, died with their lives yet before them.

It is a grim and tragic fact that just as the courage and excellence which they displayed are a part of the reality of our times, so, as well, is the kind of brutality and inhumanity represented by the terrorists.

This is why it is so difficult to achieve instant peace or early solutions to the world's problems.

It does, however, seem a crime against life and history that in this era when there is so much basis for hope for peace, justice and humanity among men, the violent acts of irrational individuals and terrorist groups have so marred the record of our times.

We must, therefore, seek to pursue the goal of peace and justice for all the peoples of the world to insure that that minority which represents those who would inflict terror and spread hate will not prevail.

The resolution passed unanimously by the House is in effect a sense of Congress' resolution giving support to U.S. efforts, which will be forthcoming from the Department of State toward combatting terrorism of this type.

In the past, efforts to obtain complete cooperation of all nations concerning hijackers have not been successful. These were voluntary plans.

But the resolution as passed by the House made it clear that Congress does favor strong sanctions against any nation harboring or abetting terrorist groups or individuals.

It would appear that this is probably the only route which would offer some hope of obtaining cooperation from these nations. Stronger economic and political pressures must be brought to bear.

We have been seeking ways for years to stop hijackings and the violence which accompany them including extradition agreements and policy statements that nations will not permit hijackers to obtain sanctuary in their lands.

These efforts are continuing with renewed force.

Secretary of State William Rodgers last week put the United States on record as supporting very strong action by the world community to combat both hijacking and terrorism.

Our government is contacting other world leaders to obtain their thoughts on the most effective route to pursue.

We must not cease our efforts until we have strong and enforceable agreements to provide that those who commit crimes against humanity will not receive sanctuary from any nation and will be punished for their acts.

E. A. BOWEN, LITTLE ROCK, ARK.,
HONORED ON 50TH ANNIVERSARY
AS SCOUTMASTER

HON. JOHN L. McCLELLAN

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Tuesday, September 12, 1972

Mr. McCLELLAN. Mr. President, lest we forget, I think it should be noted that

in an era of our civilization that is marked by conflict, confusion, and anxiety—both at home and abroad—many positive, constructive, and commendable accomplishments of our people often go unrecognized or little appreciated. That is why it was a particular privilege and honor for me recently to join others in paying homage to one of Arkansas' most distinguished citizens, Mr. E. A. Bowen, of Little Rock.

Mr. Bowen has just completed his 50th year as scoutmaster of Troop No. 24, sponsored by the Asbury United Methodist Church of Little Rock. His remarkable contributions to society and the lives of thousands of our young men for over a half century and his unswerving dedication to Christian ideals have now received appropriate acknowledgement and public acclaim. Quietly and with constancy and perseverance, this fine American has made a strong and favorable impact on his fellow man.

Mr. Bowen's noble service is worthy of special praise. He has contributed much to the building of character in the youth of his community. His noble work stands as a beacon of inspiration for all good citizens to emulate in their pursuit of a better life and in the service of their fellow man. His many civic endeavors and attainments have included 50 years of service to over 10,000 boys in scouting activities. He has gained recognition as and has been acclaimed Dean of Scoutmasters in America. For 40 years he taught Sunday school at Asbury United Methodist Church, and for 45 years he was a teacher and administrator in Little Rock's public schools.

It may be said that few have given so much to shape the minds and bodies of so many of our youth who will be our leaders of tomorrow. Few have recorded such a splendid chapter of accomplishment or etched such an indelible impression on the lives of people or so greatly influenced their destiny.

On September 2, 1972, the Quapaw Council of the Boy Scouts of America and the Asbury United Methodist Church held an appreciation dinner in Little Rock honoring Mr. Bowen. I was privileged to be their guest and to present a citation to Mr. Bowen from the President of the United States. It read as follows:

The President of the United States awards this commendation to E. A. Bowen in recognition of exceptional service to others in the finest American tradition.

RICHARD M. NIXON.

Mr. Frank Blair, of the National Broadcasting Co.'s "Today Show," made the principal address on this memorable occasion, in which he paid a beautiful and richly deserved tribute to Mr. Bowen. His message was, I believe, most constructive and enlightening to all who heard it and to all who may have an opportunity to read it. I think it fully merits publication in the CONGRESSIONAL RECORD. Accordingly, Mr. President, I ask unanimous consent that it be printed in the RECORD. There being no objection, the address

was ordered to be printed in the RECORD, as follows:

ADDRESS BY FRANK BLAIR

This is the kind of assignment I like. It is so unlike some of the more formal speaking engagement I fulfill. Here, tonight, I have the privilege of adding my small bit to paying tribute and honoring a man who is so outstanding, so outgoing, so giving of himself that he has spent 50 years of his young 86 years on this planet as a Scoutmaster. I ask you how many men of your acquaintance can boast of a record like that and deservedly be described as the Dean of Scoutmasters in America, and have a day declared by the Governor of this state as, "E. A. Bowen Day?"

Many words of praise and gratefulness have been heaped upon Scoutmaster Bowen this day. What can I, in my simple way, add to what has been said?

I am sure Mr. Bowen has many memories to reward him for his untiring services to Scouting and the youth of this community. In his long and precious journey on the Scouting Train. Memories of boys who died in service to their country—boys who grew to be leaders in their community and boys who found "something they could hold onto" as they made part of the journey with Mr. Bowen as their leader.

As I move around our country I sense a need, deep inside the people, for someone . . . something to depend upon . . . to put trust in . . . to hold onto!

I sense a weariness with crisis piled upon crisis . . . a hunger for relief from protest . . . a need for reaffirmation of values, the things that are truly important in life! Some of the great things that I found in Scouting and that many of you in this room found in Scouting and that Mr. Bowen instilled in more than 10,000 boys.

I sense a longing for a turning-point! And we've got to find that turning-point and soon and we've got to make that turn if we are to survive!

I think we all realize we are living under pressure today stemming from a nervous society, a gyrating economy, yet amidst unbelievable technological achievement.

From the sixties we inherited international crisis, social unrest, a drug problem, concern for our environment and concern for our survival. Yet, we have witnessed man's first step on the moon, medical miracles, faster transportation and communication.

Every day when I go to work—in the wee hours of the morning—wonder what new crises will erupt—and what new miracles will be performed.

Our environment is taking a beating. It has reached the crisis stage. There is mounting concern over pollution of our lakes and streams, pollution of the air we breathe. There is concern about noise pollution and even people pollution, as this earth becomes crowded to the point of overcrowding. And among the crowds of city and suburbia and countryside there is a loneliness, new to mankind in its sharpness—a hunger for someone to turn to, talk with about even the simple problems of living and staying alive on this once green earth.

We are at a point in existence when the question arises—Are we going to survive? And when you mention survival or the possibility of not surviving, is it any wonder that human beings begin to wonder and worry and concern themselves with personal annoyances and frustrations and preconceptions and opinions and twice as many of the things their thinking disagrees with?

And then we start looking for the mistakes of others, we become hypercritical, we go off half cocked, as the saying goes. We forget the fundamentals, the basic philosophies, the concepts, the dreams and the hopes that were once ours. All taught and learned in Scouting. And then we get caught up in the maelstrom of confusion. We turn to false

ideologies. We don't even stop to think about the present much less the future. We forget about that turning-point we're all seeking. We go off on tangents, in different direction espousing extreme causes leading to violence, blood-shed and self-destruction.

Wouldn't it be great if there were no generation gap, no color line, no religious bigotry and everyone was "just people?"

Are we too caught up in the present to look to the horizon? Are we too stymied in our mess that we can't even look back to see where we've come from. Mr. Bowen can look back proudly and he knows where we came from and why?

We hear a lot today about the generation gap. Sure there is! There is a gap, too between my father's generation and mine and between his father's and his! That's nothing new! And every generation has made mistakes . . . always has and always will. We have made out share. But our generation has made America the most affluent country on earth. It has tackled a serious racial problem. It has publicly declared war on poverty and it has gone to the moon. It has presided over what is probably the greatest social and economic revolution in man's history. It has desegregated school or is attempting to do so and has abolished polio. We have begun these things—not finished them. We have declared ourselves and committed ourselves and taxed ourselves and nearly run ourselves into the ground in the cause of social justice and reform. And our mistakes are fewer than our father's generation—or his father's.

I'd like to say to that younger generation that's beyond the present day gap. What do you have to offer? I haven't seen anything yet but dissention, violence and filth. Do you think you can survive on that? You say—I won't listen, that I'm too busy to hear you. Perhaps I am. I'm trying to further the job other generations of Americans—like Mr. Bowen's—started to make this a better world for you.

And I'd like to say, why don't you listen for a change and stop shouting and throwing rocks and running away from your responsibilities on some trip from which a lot of you will never return. Better he went on an overnight hike or an extended camping trip.

And I'd like to say—Look, young men and women of every generation have always stood on the same hill and felt the same vague sense of restraint that separated them from the ultimate experience—the sudden and complete expansion of the mind, the final fulfillment. It is the oldest, sweetest and bitterest experience of mankind. And what you seek to attain, all mankind has sought to attain throughout the ages. So what's new? Mr. Bowen knows about that hill and he has stood with many a lad at its summit.

Society hangs together by many threads. No 18 year old is simply the product of his 18 years. He is the product of 3,000 years of the development of mankind. And throughout those years, injustice has existed and been fought; rules have grown outmoded and been changed; doom has hung over men and been avoided; unjust wars have occurred, pain has been the cost of progress and man has persevered!

Maybe man has been able to persevere and survive thus far because he's been able to look back at his mistakes and tried to correct them and because he has an awareness that the present needs mending and he has the ability to look to the future with the impulse to grow, to reach out, to touch stars, to live freely and to let the mind loose along unexplored corridors.

If we're going to find that turning point that is so important to our survival, then we must seek tolerant religious, moral, legal and political philosophies and training in formal thinking. All of those things the Scouting Movement has been offered the younger generation for years under the leadership of

great men like Mr. Bowen . . . with dedication, devotion, honor and trust.

The resolution of today's crisis in American life must begin with the individual. Each one searching his own soul and sensing the need to save it to recover the world. Within our own family groups, we must teach and learn understanding, reasonableness, justice, love, fidelity, patriotism, love of God—then and only then will we achieve love of our fellow man which, I believe, can and will save the world. It's all in Scouting.

There is really no limit to what we—the human race in general—we Americans in particular can accomplish in the Seventies. But even that doesn't define the quality of our lives in the decade ahead. What I hope to see in the years ahead is the flowering of the kind of life we started developing almost 200 years ago in this country. We fought then for the right, as independent men, to find our little piece of land, to build a home and hearth, to raise our families in security, preserving the values by which all free men have always lived.

But it will be a decade of such complexity, of such staggering problems and such dizzying progress, that it will become less and less possible to find the really meaningful satisfactions—the deep, quiet ones, outside our homes. We may travel more, faster and farther but we'll be happier than ever to return home.

But despite all the problems and all the warnings of doom, I have to feel good about a decade in which, about two thirds of the way through, on July 4th, 1976, the world is going to celebrate the 200th anniversary of the flowering on earth of the free human spirit.

That spirit I hope and pray will be as strong in the majority of Americans then as it was among those who fought for our freedom almost two centuries ago. And that spirit must prevail—in the Seventies and beyond and it can and will if we recognize and accept the responsibility of the individual in our society and he is willing to live up to his responsibilities. I think Scouting has taught me that.

Scouting is the school of life. It is a guide for boys to choose the truest, the most just and most natural side of things.

It is the purpose of Scouting to provide boys and young men an effective program designed to build desirable qualities of character, to train in the responsibilities of participating citizenship, and to develop in them personal fitness, thus to help in the development of American citizens who: Are physically, mentally and morally fit.

Have a high degree of self-reliance as evidenced in such qualities as initiative, courage and resourcefulness.

Have personal and stable values based on religious concepts.

Have the desire and the skills to help others.

Understand the principles of the American social, economic and governmental systems.

Are knowledgeable about and take pride in their American heritage and understand America's role in the world.

Have a keen respect for the basic rights of all people.

Scouting offers the answers to the problems of the young and I am happy to say it is a growing movement.

I do not know the answers to all the problems facing this scarred world—I don't even pretend to; but I am sure as I am of the Scout Oath that all these problems could and would be solved if everyone on this earth was a good scout.

The man we honor here tonight, the Dean of Scoutmasters in America, Mr. Bowen, for 50 years has been all of these things and has passed them along to more than 10,000 boys directly in Scouting activities. I congratulate you, Mr. Bowen, and I thank you for being a good scout.

CONGRESSMAN LEE HAMILTON'S
WASHINGTON REPORT ON THE
U.S. ENERGY CRISIS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include my "Washington Report" concerning the United States' energy crisis.

WASHINGTON REPORT

(By Congressman LEE HAMILTON)

The United States, the richest nation in the world, is rapidly approaching the point where it will be energy poor. Our appetite for energy is voracious. With less than 6 percent of the world's population, the United States consumes about 35 percent of the world's energy production. Our electric usage has doubled since 1961, and will double again by 1980.

If we continue to use our fossil fuels (oil, gas, coal) at the present rate, we may well be left with only coal to burn by the year 2,000, and some geologists say even that resource may be depleted by the middle of the 21st century. In all, we burn 1.9 billion tons of fossil fuel every year, but produce only 1.7 billion tons. The gap is increasing, as is the importing of fossil fuels.

Our primary energy sources are:

OIL

U.S. production peaked in 1970 at 11 million barrels a day. Americans, meanwhile, are burning about 15 million barrels daily, and that usage is expected to reach 20 to 25 million barrels a day by 1980. Alaska's North Slope will supply about 2 million barrels a day by 1980, but dwindling domestic reserves in other oil states indicate we may never again reach the 1970 production peak. The U.S. now buys about 27 percent of its oil from foreign suppliers, and it is estimated that by 1985, about half of our oil and gas needs will have to be met with foreign imports.

GAS

The U.S. consumed 49 percent of the world's production of this resource in 1971 and experts say there may be enough left in domestic reserves for another 12 to 13 years. It is our cleanest-burning resource, and in the greatest demand. A recent decision by the Federal Power Commission to permit producers to deliver additional supplies at prices above the federally-regulated rates should prompt more exploration for, and production of, natural gas, and hopefully ease the growing shortage for homes and industries. The decision also means higher prices for consumers, however.

COAL

The most abundant of our fossil fuels, coal also is the dirtiest. Coal is expensive to transport, creates pollution when it is burned, and makes a shambles of the land when it is strip-mined.

NUCLEAR POWER

Twenty-one nuclear reactors are now in service in the U.S., producing about 2 percent of the electrical power. The Atomic Energy Commission has approved plans for 51 new plants, now being constructed, and 61 more, which are ready for construction. While nuclear power is generally thought of as the fuel of the future, the development of nuclear plants has been slow as experts work to resolve all questions of environmental safety.

The energy crunch has placed increasing pressure on the Congress for the establishment of a thoughtful energy policy which will meet our needs with a minimum of damage

to the environment. Congress is just beginning to wrestle with these problems.

The House Interior and Insular Affairs Committee has concluded hearings aimed at assessing our supply of, and demand for, energy resources, and will publish a series of analyses and forecasts in the coming weeks. The Senate Interior Committee is now about half-way through a two-year study of the energy crisis.

In other developments, research into nuclear power is being accelerated, the mining and processing of oil-bearing shale is being encouraged, and a revision of the U.S. quota system to permit more imports of foreign oil and gas is under consideration.

We will be hearing much more in the days ahead about a national energy policy, and it will require a delicate balancing of national objectives such as national security, conservation, economic growth, consumer protection and international trade.

ELECTION AND BIGOTRY

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. NIX. Mr. Speaker, I read with deep interest an article published in the Washington Post on September 11, 1972, under the byline of William Raspberry.

The article is entitled "Election and Bigotry."

I consider this article of particular significance, first, because it directs the attention of the American people to the significance of bigotry at a time in history when the very continuity and improvement of the life of our people and our country cry out for tolerance, for understanding and for the acceptance of each other in a spirit of brotherhood.

I am particularly grateful to the author of this article for the reason that bigotry must be in the forefront of the consciousness at this time of decision-making on the choice of the President of the United States, if we are to analyze the honest feelings and worth of the contending candidates.

I direct your attention to this article most particularly because the author, among other things, mentions the President's apparent position on racial matters as he speaks on the subject of so-called quotas in Government employment.

Mr. Raspberry mentions President Nixon's appointees to the Federal courts, including the Supreme Court. You must distinctly recall that the philosophies of the appointees to the U.S. Supreme Court were challenged and widely condemned. I was one of those who disagreed with and condemned those philosophies.

An additional value in the article is that Mr. Raspberry presents a challenge to the intelligence and good faith of all Americans. The article follows:

ELECTION AND BIGOTRY

(By William Raspberry)

Maybe Nov. 7 will be just another Election Day, after which the nation's business will go on pretty much as usual.

But I am more and more afraid that this Election Day—assuming the re-election of Richard Nixon—will put bigotry in the driver's seat for a long, long time.

That is not to say that President Nixon is

a bigot; I don't know whether he is or not. But I can see the direction he's been heading on racial matters, and I find it scary as hell.

He has played the busing issue in such a manner that there is a good chance that some section of the country will be returning to pre-1954 segregation.

He has attacked racial "quotas" in government employment, and there are reports that his administration is about to dismantle the Philadelphia Plan (and similar devices around the country) that made it possible for large numbers of black people to find jobs in the construction industry.

He has made some unfortunate appointments to the federal courts, including the Supreme Court, and will have opportunity (assuming his re-election) to do a good deal more damage in that regard.

None of these things makes him a bigot. It is possible to be philosophically opposed to massive busing, quotas and liberal jurists without being a racist. The danger lies in the way he has done what he has done.

He has invested precious little of the enormous prestige that goes with his office in efforts to persuade America to do right by its dispossessed minorities. Instead, he has played upon the fears and prejudices of the white majority, not challenging them to a higher morality but dignifying their bigotry.

Those Americans who are opposed to racial integration will find support in the President's antibusing stance; those who are opposed to equal employment opportunity for blacks will cheer this antiquota remarks.

But more important, they will get the message that they no longer need restrain their bigotry; their President has told them that it's all right. He hasn't told anybody to indulge in bigotry, but he is setting a tone that will make bigotry a good deal easier to practice. You don't have to tell your personnel man to stop hiring black folk; just tell him that the quotas are off and that he doesn't have to hire black folk. He'll get the point.

It had become almost routine in this country for national leaders to appeal to America's sense of justice and fair play. It's hard to imagine the damage that could result if the appeal is now to be made to selfishness.

Some suspect that Nixon has taken some of his positions for the purpose of garnering votes from bigots. It would almost be a relief if that were so. For if his antiblack posture is intended only to assure his easy reelection—if he doesn't really believe that way—then he won't have to keep it up after Nov. 7.

If he is only indulging in political expediency, telling Americans what he thinks most of them want to hear to win their votes, he can, after he has those votes, devote himself to leadership, to carving for himself a respectable niche in history.

But suppose he does believe in what he's doing? Suppose he really would like to reverse the tide of black progress? Suppose he does believe that black folks and liberals will be the ruin of the country?

In that case, instead of being just another Election Day, Nov. 7 could mark the beginning of the biggest reversal for racial justice since the post-Reconstruction era. A lot of black Americans count that a very real possibility.

ROSH HASHANA—5733

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. ANDERSON of California. Mr. Speaker, the Jewish high holy days

commenced at sundown, September 8, with Rosh Hashana, and will conclude on September 18, Yom Kippur—the Day of Atonement.

These holy days, usually a time for celebration and gladness, have been marred by violence born out of hatred, reared in malice, and fed by fanatical madness.

Thus, instead of the happiness which usually marks this occasion, the new year 5733, on the Hebrew calendar, was ushered in with cries of anguish for people all over the world mourning the tragic death of the young Israeli athletes.

To the shrill sound of the shofar, or ram's horn, has been added the sound of grief for those Olympians who died in Munich at the hands of their barbaric captors.

During these holy days, people of Jewish faith are assembling to answer the violence, not with calls for retribution, but with prayers of forgiveness for man's sins and to pray for the unification of mankind.

The beginning of one of the prayers associated with Rosh Hashana—"unite all of us in the bond of brotherhood"—is a concept on which all can agree and affirm, as we pray for individual freedom, world peace, brotherhood, and the opportunity for greater spiritual growth—especially among Soviet Jews.

Mr. Speaker, as we recall the suffering endured by the Jewish people, and the many obstacles that have been placed in the way of Jewish religious observances, we can only emulate their prayers for guidance.

During this time of reflection, in which the Jewish people rededicate themselves to social justice, the sanctity and dignity of human life, and the brotherhood of man; the world would do well to look at the Jewish teachings and join their prayers for freedom from persecution, from violence and from hatred.

Mr. Speaker, the challenge of justice for the Jewish people is to all men, and all nations. For our part, let us resolve to erase the violence and the persecution. Let us offer a haven for peace and freedom, and let us continue to build the dream which led to the creation of Israel.

MILITARY SAVES MONEY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. PATTEN. Mr. Speaker, I am indeed pleased to report to you today on a program that is saving the taxpayer substantial sums of money. I refer to the worldwide program instituted by the Department of Defense to reclaim and utilize silver on a recycling basis. This program has now been underway for 4 years and the commander of the Naval Ordnance Systems Command—as well as his staff—are to be commended for the efficient manner in which they have managed the program for the entire Defense Establishment.

This silver bank enables the Department of Defense to furnish silver to contractors at a cost to the Government far below the commercial price of silver. In fact, as a result of increased usage and improved management practices, it is now possible to make silver available for defense contracts at a cost of 35 cents an ounce at a time when the metal is selling in commercial markets for \$1.90. Since most of the products that utilize this silver are eventually returned to the Government and the silver reclaimed and reused, it is obvious that these savings will prevail for many years to come.

The program began with the signing of DOD directive 4160.22 on August 23, 1968.

At the end of fiscal year 1972, the silver bank's resources totaled 13.4 million troy ounces valued at approximately \$24 million. Of this amount, 8.8 million troy ounces were refined and on deposit with the U.S. Assay Office in New York City and West Point, New York.

During fiscal year 1971 utilization declined to a low of 2.6 million troy ounces chiefly due to the diminishing requirement for torpedo batteries. The search for new uses and energetic management practices during fiscal year 1972 stimulated an upward surge resulting in the utilization of 4.1 million troy ounces, an increase of 57 percent over fiscal year 1971. Chief among these were in contracts for film production and the procurement of Sonobuoy batteries by the Naval Air Systems Command.

A LETTER TO GOLD MEDAL WINNER MR. SUGAR RAY SEALES

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. DANIEL of Virginia. Mr. Speaker, it is my understanding that, thanks to extensive television coverage, more people in the world were observers at this year's Olympic games than has ever before been possible. As Americans, with some few distressing exceptions, we felt pride in our athletes as we shared their triumphs and disappointments—and sometimes their frustrations. The Reverend A. Purnell Bailey, of McLean, Va., has eloquently stated the feelings of many in a letter from his family addressed to Mr. Sugar Ray Seales, one of the U.S. Gold Medal winners. Reverend Bailey has kindly shared his letter with me, and I wholeheartedly endorse his sentiments as I respectfully request that his letter be inserted in the CONGRESSIONAL RECORD.

Reverend Bailey's letter states:

McLEAN, VA.,
September 10, 1972.

Mr. SUGAR RAY SEALES,
Olympic Gold Medal Winner, in care of Channel 7 TV—WMAL, Washington, D.C.

DEAR MR. SEALES: Congratulations on winning a great fight at the Olympics and winning the Gold Medal!

Even more, congratulations on your respect to the flag of our country and to all of us in the United States who supported our

Olympic contestants. Your hand over your heart was a symbolic moment of respect to our country, and a word of thanks to all of us who participated in sponsoring our athletes.

Earlier in the Olympics we were distressed at the disloyalty of two contestants who literally "thumbed their nose" at the country which supported them. You had better stuff in you and we are grateful.

We are sending a copy of this letter to the President, to the Olympic officials, to our Senators and Congressmen to express to them our pride and gratitude for you, your loyalty to our country, and for your fine skills.

We are grateful, too, to the excellent station (WMAL-TV in Washington: Channel 7), advertisers, and others who brought us the events as if we were there. We were in Munich and Augsburg a week before the Olympics and wished we could have stayed for the events.

We are proud of you, and proud of the country to which we give our respect and loyalty!

Our congratulations to your family, too!
Yours cordially,

A. PURNELL BAILEY.
RUTH H. BAILEY.
JEANNE P. BAILEY.

"POSITIVE AMERICA"—ARTICLE BY SANDY BICKMORE

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. McCLURE. Mr. Speaker, the more I travel throughout my State, the more convinced I become that today's young people are in every sense a credit to their country. I was reminded of this again in reading an article written by Sandy Bickmore, a student at Skyline High School in Idaho Falls.

It is Sandy's thought that we hear too much about what is wrong with our country today, and not enough about the good. I think the same thing could be said for today's youth. Let us stop talking about the bad apples and complement those—and they are in the majority—who are developing into responsible citizens.

I insert Sandy Bickmore's article in the RECORD at this point:

POSITIVE AMERICA

(By Sandy Bickmore)

"This land is my land; this land is your land. This land was made for you and me." America was also made for those who want to disrupt the peace of this land. These people would like America to believe that she is going to pot.

It seems that America is not seeing the good in her land. What about the beautiful fields of wheat growing on the plains? What about clear water of cool mountain streams? What about the kids that do not riot? What about these things? They are good, and they DO exist.

From one corner of the nation to the other, one can see the natural beauties and blessings of America. Idaho's glorious mountains; clear and clean. California's rocky coasts. Utah's mountain canyons. Cotton fields in the South. The desert's beauty in New Mexico. The wildlife in Florida's everglades.

In every city, town, and village, live good people, whose children don't riot and are not hippies. There are many who are not

prejudiced and who work hard to keep America free.

Why is it that all that America sees is the bad; the hippies, the trash, the pollution, the prejudices, the slums, the unpatriotic influences? Why? Why is the good a silent majority? Maybe it's human nature. It's something that should change.

I think that America should stop looking at the negative side, and look at the positive. Because there is something good about America and all she has to do is look for it.

We are America, and this country is ours, it was made for all of us, so we might as well find the good instead of the bad!

MOLLOY SEAMOUNT

HON. ALTON LENNON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. LENNON. Mr. Speaker, a note came across my desk several weeks ago reporting the death of Arthur E. Molloy, a marine cartographer at the Naval Underseas Research and Development Center's Arctic Submarine Laboratory in San Diego. Mr. Molloy was a veteran of almost 25 years Federal service. He started his career with the Navy Hydrographic Office here in Washington. He spent a number of years in Arctic nuclear submarine operations and participated in a number of underice cruises. At various times he served as senior scientist for bathymetric surveys in the North Atlantic, North Pacific, and Mediterranean.

After the loss of the submarine U.S.S. Thresher Analysis Group at the Woods for the lost vessel and served in the Thresher Analysis Group at the Woods Hole Oceanographic Institution examining data for clues that might shed some light on the loss of the vessel.

Before moving to the west coast, he served in the Naval Oceanographic Office in Suitland, Md., as a program manager for special oceanographic programs.

I bring this to your attention today because of the honor bestowed upon Mr. Molloy by the U.S. Board of Geographic Names. A number of Mr. Molloy's colleagues thought it fitting that a significant undersea feature be named in his honor.

Accordingly, a seamount discovered in August 1960 on an underice cruise of the U.S.S. Seadragon, SSN-584, has been designated Molloy Seamount. This 1,166-fathom—6,996-foot—feature located at 83°58' north latitude, 105°10' east longitude in the Arctic Ocean is 20 miles long and 10 miles wide at the base. It is the largest seamount on the Nansen Cordillera, an extensive undersea mountain system. The seamount was first discovered by a single line of observations by the Seadragon and subsequently confirmed by other submarine crossings.

I feel that this tribute is appropriate because of the nature of the undersea feature. A seamount is defined as an elevation rising 500 or more fathoms from the seafloor and of limited extent across the summit. I think it is most appropriate that a man like Mr. Molloy, who has worked so many years in the marine environment and who has traveled thou-

sands of miles under the surface of the ocean, should have this undersea feature named in his honor.

This seamount, Molloy Seamount, is very much like Mr. Molloy—one among many, almost imperceptible, yet very distinct and clearly identifiable.

Arthur Molloy, also one among many, quietly working in the ocean, but one of the few who gave special character to his field of endeavor.

I believe it most appropriate that his colleagues recognize Mr. Molloy's accomplishments and service to his country by the naming of this undersea feature "Molloy Seamount."

REJUVENATING RURAL AMERICA

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. PURCELL. Mr. Speaker, it has become quite fashionable to extol the virtues of the "Family Farmer's" wish to preserve his survival on the land. It is also very "chique" these days to talk about the need for improving our rural-urban balance so that we start reversing the trend of getting more and more Americans into a smaller space. Currently over 75 percent of all Americans live on less than 2 percent of the land. This is going on while 80 to 100,000 farmers leave the land every year. A new breed of environmentalists, sociologists, economists and city planners all agree that rejuvenating rural America should have one of the highest national priorities.

The Secretary of Agriculture, Earl Butz, recently climbed on this bandwagon when on December 8, 1971, he told the American Farm Bureau:

That we have the full support of President Nixon and his staff in the White House as we move forward vigorously to preserve the family farm structure in American agriculture; and do our utmost to assure a level of income for farm folks that will let them share adequately in the great American affluence; as we try to strengthen our rural communities all through America so that our young people may find good opportunities for purposeful employment and peaceful living in areas where they grew up; and finally, to bring to all of us in agriculture a deeper inner sense of dignity and pride in our profession.

If the administration is really serious about improving our rural problems, I suggest they direct Government procurements to be used as an aid in helping to stimulate rural economies. Federal procurements of food and fiber would provide the "family farmers" with needed alternative outlets for his abundance. This would assist the farmer by improving his bargaining position which in turn would help to improve his economic well-being.

Let me explain. According to Caspar Weinberger, the Director of the Office of Budget and Management, the Government purchases about \$100 billion in goods and services annually. This means that Government purchases account for 10 cents out of every dollar produced in the country—or about 10 percent of our Gross National Product. A quick glance

at the parties involved in this \$100 billion business indicates that the Government contractors are not located in rural areas such as ours.

This fantastic purchasing power if properly used and directed could do much to stimulate the dying economies of rural America. The administration does not need enabling legislation. It could do this with Executive orders. These would command the various Federal agencies that procure goods and services to provide "set-asides" whenever feasible to stimulate the economies of rural America. We have recently seen a precedent when an Executive order was issued on December 28, 1971, to curtail or suspend purchases from any government supplier that violates the guidelines set forth in phase II of the Government's economic stabilization program. I applaud this effort and I would like to see this administration make a similar effort toward directing its purchasing power to improve the economic well-being of rural America.

There are two things the administration could do tomorrow that would help predominantly rural areas like my own 13th Congressional District of Texas:

First, provide for set-asides similar to that directed to small business and labor surplus areas for rural areas showing an outflow of population because of a general lack of job or economic opportunity. With such a set-aside policy, chances for locating new industries in rural areas such as ours would be greatly enhanced. This coupled with providing rural areas with its fair share of manpower training funds would do much to stimulate our economy. For example, when the Defense Department buys boots and shoes for its troops it could direct a portion of its purchases to rural areas meeting the qualifications I just mentioned. I think you can easily picture the kind of uplifting effect such a policy would have in our area.

Second, the administration could provide a special set-aside of its food and fiber procurements from producer groups deemed by the Secretary of Agriculture as having marketing difficulties. About 11 Federal agencies purchase over \$4 billion worth of food annually. These procurements approach 10 percent of all the food produced in this country. These set-asides would go a long way toward providing family farmers with an important alternative outlet, especially when they are facing an ever-increasing concentration of buyers. As you can see, this could be particularly useful in enhancing farmers' bargaining power.

I believe that judicial use of the Government's purchasing power could have a salutary effect on the rural economies of this country.

CONGRESSMAN ANNUNZIO IS HONORED

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. RODINO. Mr. Speaker, the adoption of resolutions of one form or another is certainly not an uncommon oc-

currence for any of us in this Chamber. I would like to bring to your attention, however, a particular resolution which was unanimously adopted on Friday, August 18, 1972, at the afternoon session of the 37th annual national convention of Italian-American War Veterans.

The resolution was written to pay just tribute to my close friend and colleague, the Honorable FRANK ANNUNZIO for his deep dedication, his great support, and his fervent actions on behalf of our American war veterans.

Only a few weeks ago, Mr. ANNUNZIO introduced H.R. 13804—a bill to provide for printing as a House document certain proceedings of the Italian American War Veterans of the United States, Inc. I recall the strength of his words at that time:

It is an honor for an individual's activities or the proceedings of one's organization to be recorded among the official documents associated with the House of Representatives. It is an honor we have accorded to veterans organizations since 1931. We have done this as one of the symbols of high esteem a grateful nation bestows upon its veterans. To be included among official government papers is to be accorded a certain symbolic immortality.

It is certainly appropriate for the Congress to extend this recognition, which is now enjoyed by other veterans organizations, to the Italian-American War Veterans of the United States whose members have done their share to uphold and preserve the freedom and security of our beloved country. It is only fitting that they and their activities should survive as long as the Republic itself. It is fitting that we remember their sacrifices for the perpetuation of our national ideals.

Before sharing the words of the August 18 resolution with you, I would like to mention that this is not the first time that Congressman ANNUNZIO has received recognition for his work in this vital area. In 1970, he received the "Man of the Year" award from the Disabled American Veterans, Business and Professional Chapter No. 47, Chicago, Ill. In 1971, he was presented with the Illinois Congressional Award as the Outstanding Illinois Veterans Legislative Leader from the Illinois Department of the American Legion. And, on October 3 of this year, he will be chosen "Man of the Year" by the Combined Veterans Association of Illinois.

Thus, it is with much pride that I submit the following resolution to you and I would like to congratulate Mr. ANNUNZIO, personally, for this very special recognition:

RESOLUTION

Whereas, the Honorable Frank Annunzio, Member of Congress, State of Illinois, has been an active leader in the support of causes important to American War Veterans;

Whereas, he has taken the initiative on many occasions to see that justice and recognition is bestowed upon these veterans;

Whereas, he has also advanced the causes of veterans' organizations that are non-profit and non-political whose membership is totally made up of honorably discharged American War Veterans; and

Whereas, such leadership in supporting veterans' measures has now placed him in the role of champion

Now, therefore, be it resolved that the Honorable Frank Annunzio, Member of Congress, State of Illinois, is hereby bestowed

the symbol of "High Esteem" by the 37th Annual National Convention, Italian American War Veterans of the United States.

LINE-ITEM BUDGETS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. WALDIE. Mr. Speaker, I direct your attention to the extension of my remarks, September 11, 1972—page 30142—which contained the partial text of a speech by President Horn of California State College at Long Beach.

I wish to continue to extend my remarks on the timely subject of line-item budgets. Here is the concluding statement of President Horn:

ODE TO A LINE-ITEM BUDGET

This fall we had State auditors visit our campus. They noted that some of our laboratories were not filled to capacity with students. They asked why. We said that we had enrolled as many students in each laboratory as we had equipment to accommodate them. Admitting a student to a class where he has no equipment to use is a fraud upon him.

The auditors correctly pointed out that equipment costs less than faculty salaries. But they went on to recommend that the Department of Finance insist on larger classes by cutting the authorized number of science faculty positions.

The Department of Finance cut science faculty positions. Unfortunately, it also cut the laboratory equipment budget. We can actually accommodate less laboratory students than before in terms of faculty and equipment, but the State in its own unique version of Sacramento wisdom affected by a larger tule-fog than usual insist that we take more.

This is not an isolated case. The State formulas for budgeting faculty positions and the formulas used by State auditors in judging performance are many times not in agreement.

The formulas are developed as a result of what the colleges call "faculty staffing worksheets." Unfortunately, these worksheets are developed 18 months to two years ahead of the time that we are finally authorized the position we requested. I am sure that the businessmen in this audience—looking back on general economic conditions 18 months to two years ago—will realize that conditions can change drastically in that period of time. It is no different in the academic world.

In a dynamic, responsive university, it is extremely difficult to predict two years in advance the precise subject or class level that will be undergoing a boom or a recession. . .

(In the deleted portion, President Horn discusses the problems of mass-ordering of some items such as tennis balls, of which half are usually "dead", dry felt-tip pens, carbon paper of poor quality, and typewriter ribbons.)

But I think precisely because of the financial crisis that this is the year that we might reasonably petition the Legislature to free us from archaic and stifling management techniques such as the line-item budget.

I am not asking for carte blanche to spend the State's money. What I am asking is that a program budget, which sets goals and lists out the specific costs of achieving them, be substituted for a line-item budget. I am asking that the Board of Trustees of the California State Colleges be given the fiscal

flexibility to shift funds from one portion of the budget to another in order to meet the needs of students as they exist today, not as they existed two years ago. I am asking that the Trustees be allowed to delegate some of that flexibility as it affects the local campus to the president of that campus. At a minimum the president at each institution should have the authority to transfer up to 10% of the funds in each budget function to another function; for effective management, he should have greater authority.

There would be no real loss of control. The Legislature and the Governor would still have the power to review the budget. But the budget should be justified to them and to the Department of Finance according to realistic formulas, and then it should be administered according to realistic procedures.

However, once justified, once approved, once signed into law, a college president should have the local flexibility necessary to buy the most for his money—whether it be in faculty, in services, in facilities, or merely good carbon paper.

If a president can't do it, if he misuses his responsibility, then the Board of Trustees should fire him. It's as simple as that. But a president should be given the opportunity to provide the best education possible with a given number of taxpayers' dollars.

I do not really blame the Department of Finance for the horror stories I have related. The department is composed of honest, intelligent, and conscientious men doing the best job they know how. It is just impossible for them to do as good a job from Sacramento as other honest, intelligent, and conscientious men can do when they know and have full responsibility for the local campus. I think our leaders both in the legislative and executive branches are coming to agree with me. Just the other day, Dr. Alex Sherriffs, the assistant to Governor Reagan for educational matters, was quoted by the San Diego Union as advocating the assumption of greater local responsibility.

"The governor's fundamental approach . . . is that the real solutions to the problems we're facing in higher education have to come from the campuses," Dr. Sherriffs said, and he went on to add:

"The governor believes passionately in local control. He would rather the Trustees took the necessary action than the State Legislature, the local school boards rather than the State Board of Education."

I agree, and I hope that you will agree.

You have read in recent weeks about Chancellor Dumke's bold new proposals to reform higher education by redefining its tasks in terms of relevant goals rather than in terms of meaningless transcripts of courses suffered through. I think these proposals have touched a new chord within all elements of the State Colleges—administrators, faculty, and students. Many of these proposals have long had my support. I am a member of a committee recently appointed by the Chancellor to develop concrete suggestions for implementing the type of innovations he proposed. Last fall, we began the ground work to develop a mission project group which would serve as a vehicle for self-evaluation on our own campus.

I am excited by these proposals as I hope you are. But as the Chancellor and a number of us have pointed out, they can be achieved only if the government and the citizens of this state give us the necessary flexibility—particularly fiscal flexibility—to develop these programs. Without that flexibility they will never see the light of day. Without that flexibility taxpayers' funds will not be as effectively utilized as they might be.

In a year when your local university is confronted with the Governor's Budget which compels us to take over a thousand more students during the coming year and yet pro-

vide courses for them with 47 less faculty than we had this year . . . in a year when no funds for salary increases for faculty or staff have been recommended in the budget . . . in a year when no capital outlay or equipment funds have been sought . . . in a year when these are just a few of many severe cuts which affect your institution—an institution with 28,000 students, 1,165 faculty, and almost a thousand on the staff . . . an institution with students from all over California, all fifty states, and 62 foreign countries . . . an institution which offers 51 baccalaureate degrees and 39 masters and graduate degrees . . . in such a year, the provision of adequate fiscal flexibility is essential if we are to maintain and to increase the academic quality which you, as taxpayers, have a right to expect of us.

TEACH OR JAIL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. JACOBS. Mr. Speaker, I place in the RECORD a story which appeared in the Indianapolis Star on September 7, 1972. Judge Sepe obviously is a man with an incisive intellect:

TWO WHITE TEENAGERS "SENTENCED" TO TEACH NEGRO PRISONERS TO READ AND WRITE

MIAMI, FLA.—A judge who thinks illiteracy is one of the major causes of crime has given two white teenagers a chance to teach Negro prisoners to read and write in lieu of going to jail.

"I believe many of the people who end up in trouble do so because they are victims of the educational handicaps of poor people," Criminal Court Judge Alfonso Sepe said yesterday.

"They have been unable to get an education, and they can't communicate verbally or orally, so they get into trouble."

Tuesday, Sepe gave the choice of teach or jail to 17-year-old Margaret Fleming, who pleaded guilty to a marijuana possession charge, and 19-year-old Richard Wade, who admitted to charges of disorderly conduct and resisting arrest with violence.

Sepe also withheld adjudication, meaning the Miami students would have no criminal record if they taught once a week at the Dade County stockade for the next three years.

The judge said he specifically told the two young people to teach Negroes to read and write "because black people traditionally have been underprivileged and therefore are more likely to run into problems caused by being victims of racism."

"But I think we need to survey all the prisoners in all our jails—blacks and whites—and learn just how many are unable to read and write and speak effectively," he said.

Miss Fleming accepted the judge's terms with the comment, "I'd rather teach in jail than live there."

Wade said, "It was pretty strange because I'd never heard of a thing like that before. But it really makes sense. I don't think I'd be doing much good lying around a jail cell, and now I'm really interested to learn if I can teach someone to read and write. It's going to be a challenge."

Sepe makes no bones about the fact that he thinks people who commit crimes have a definite obligation to the society they trespass against.

"I've done something for you," he said at the sentencing of Miss Fleming and Wade. "Now it's time you do something for someone else."

SOURCES OF EDUCATIONAL FINANCIAL AID

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. VANIK. Mr. Speaker, scholarships and awards are granted from hundreds of organizations that are interested in promoting specialized fields of study and career development.

Since there are literally thousands upon thousands of scholarships, loan funds, gratuities, and other educational aids offered by universities, colleges, foundations, private organizations, and by Federal and State legislation—families and students might want to consult various educational aid bibliographies.

Following is a list of guides for financial aids provided to my office by the Library of Congress. Local libraries or high school counselors may have copies of these publications:

GUIDES FOR FINANCIAL AID

College Scholarship Guide. (Clarence E. Lovejoy and T. S. Jones) Simon and Schuster, Inc., 1 West 39th Street, New York, N.Y. 10018. 1964 Edition. \$2.95, paperback; \$4.95 cloth.

Alphabetical listing of schools, associations, foundations, and other organizations which gave scholarships, fellowships, and grants.

Financing a College Education—A Guide for Counselors. (College Entrance Examination Board) College Scholarship Service, Box 592, Princeton, New Jersey 08540, or Box 1025, Berkeley, California 94701. 1969 Edition. Five complimentary copies per high school; additional copies, 25¢ each.

A concise presentation of valuable information for the high school counselor on the policies and procedures of the CSS in evaluating students' financial needs by means of the Parents' Confidential Statement.

A Letter To Parents. (Sidney Margolius) College Entrance Examination Board, 475 Riverside Drive, New York, N.Y. 10027. 1968 Edition.

A 10-page pamphlet distributed by CEEB. Designed to give a thumbnail orientation for parents who must finance a student's college education, particularly with reference to the function of the College Scholarship Service and its Parents' Confidential Statement.

Need A Lift? (Ed Wieland, Editor) Education and Scholarship Commission, National Child Welfare Division, The American Legion Headquarters, Box 1055, Indianapolis, Indiana 46206. 21st Edition (Fall 1971) 50¢, prepaid.

The best reference available for the particular needs of the veteran of past wars and conflicts, and of his children in locating financial aids to education.

Scholarships, Fellowships, and Loans. (S. Norman Feingold) Bellman Publishing Company, Box 172, Cambridge, Massachusetts 02138. Vol. III & Vol. IV. \$10.00 each.

Information on about 10,000 scholarships, fellowships, loans, and grants-in-aid. Gives names and addresses of administering agency, qualifications, funds available, and where to apply.

Student aid bulletin and student aid manual. Chronicle Guidance Publications, Inc., Moravia, New York. Available as part of the Educational or Guidance Service offered by CGPI, \$18.00 per year.

The Annual continues from year to year to report the complete financial aids programs available from accredited four-year

colleges. The Bulletins supplement the Annual, giving current information on scholarship opportunities available from labor unions, private organizations, businesses and industries, and the 50 states and Federal government.

You Can Win A Scholarship. (Samuel C. Brownstein and Mitchel Weiner) Barron's Educational Series, Inc., 113 Crossways Park Drive, Woodbury, N.Y. 11797. Revised Edition, 1964. \$3.95, paperback; \$7.95 cloth.

Lists about 150,000 scholarships in exceedingly brief form without describing them. Most valuable portion of the book is the review material and study outlines in various school subjects with the same tests from past examinations in these areas.

IN APPRECIATION TO OUR NATION'S PUBLIC SAFETY OFFICERS AND THEIR FAMILIES

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. ROE. Mr. Speaker, the President recently announced that the Attorney General had reported to him that there was a 1-percent rise in serious crime for the first quarter of this year compared with a 6-percent increase for the same period in 1971, 13 percent in 1970, and 10 percent in 1969.

As you know, we here in the Congress have been attempting to expand and intensify our national commitment to bring an end to the rising rate of crime by providing the police, other law enforcement agencies, and public safety officials with the essential tools and funding to enable them to more effectively carry out their duties and responsibilities in seeking to achieve optimum public safety and protection for our people.

Mr. Speaker, the following is an updated synopsis report on some of the legislation I have sponsored during the 92d Congress to be of assistance to our public safety officers:

SYNOPSIS

H.R. 5645, March 4, 1971—Nationwide Emergency Telephone No. "911": To amend the Safe Streets Act of 1968 to provide funds to assist state and local governments for the purpose of developing and improving communications procedures and facilities with respect to prompt and efficient dispatch of police, fire, rescue and other emergency services.

H.R. 6304, March 17, 1971—Firearms Felony: A Federal Crime: To make use of a firearm to commit a felony a Federal crime where such use violates State law. With the increasing jeopardy that our police officers are encountering in America today: as a target in the war in our streets, or being hampered in arresting suspects because of sniper fire, as well as deliberate police assassinations, we must institute a tougher policy against the use of firearms and particularly these warlike crimes. This bill would prosecute the commission of a felony with a firearm as a federal crime thus permitting federal officials to assist local authorities in investigating crime and tracking down criminals, with the crime being punishable under federal statutes.

H.R. 7332, April 7, 1971—Law Enforcement Officers Bill of Rights: To amend the Omnibus Crime Control and Safe Streets Act of

1968 to provide a system for the redress of law enforcement officers' grievances and to establish a Law Enforcement Officers' Bill of Rights in each of the several states. This bill would guarantee the civil rights of our police officers and give national recognition to their fight to maintain their highly honorable and trustworthy stature during these most critical times when every institution that has been developed to serve the needs of the people of our country, and particularly our law enforcement agencies, are threatened by those who, through violence, destruction and coercion, attempt to take the authority into their own hands to achieve their goals, not only contravening the laws of the land but by their action attempt to force their will, transgressing the rights of all others. A firm and strict approach is necessary to stop the attack on our public safety officers and what they stand for in order to hold secure their dignity and honor and provide them with the rights enjoyed by other citizens throughout our country.

H.R. 7553, April 20, 1971—Aircraft Anti-Hijacking Detection Systems: To provide for a program of Federal Assistance in the development, acquisition and installation of aircraft anti-hijacking detection systems, and for other purposes.

H.R. 9760, July 13, 1971—Police Officers Benefits Act of 1971: To amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of police officers killed in the line of duty. Over 500 state and local policemen have been killed in the line of duty in the past five years and except for rather limited Workmen's Compensation laws 15 states provide no specific benefits to the survivors of policemen killed in the line of duty. Federal survivor benefits are available to the family of a local law enforcement officer killed in the line of duty if he is dealing with a federal law. This legislation would provide a \$50,000 death benefit gratuity to the families of full-time state or local police officers killed in the line of duty. Payments would be made under regulations promulgated by the Law Enforcement Assistance Administration.

H.R. 10746, September 16, 1971—Federal Injury and Death Benefits for non-federal Law Enforcement Officers, Firemen and Their Survivors: This bill would extend the federal injury and death benefits of 5 U.S.C. 8191 to law enforcement officers and firemen (and their survivors) not employed by the United States, who are killed or totally disabled in the line of duty. Such benefits would include: medical, surgical and hospital services and supplies; compensation for disability; and compensation for death based on the number of survivors. However, in the event of such death, the total monthly compensation shall not exceed 75% of the decedent's monthly pay. Extends such benefits to professional state and local policemen and firemen, volunteer firemen, and to members of a legally organized State or local law enforcement agency who are serving without compensation.

H.R. 10747, September 16, 1971—Policemen and Firemen Safety Act: To provide a penalty for unlawful assault upon policemen, firemen and other law enforcement personnel and for other purposes.

H.R. 11290, October 18, 1971—Omnibus Correctional Reform Act: To provide financial assistance for state and local small, community-based correctional facilities; for the creation of innovative programs of vocational training, job placement, and on the job counseling; to develop specialized curriculum, the training of educational personnel and the funding of research and demonstration projects; to provide financial assistance to encourage the States to adopt special probation services; to establish a Federal Corrections Institute and for other purposes.

H.R. 11503, November 1, 1971—Commission on Penal Reforms: To establish a commission

on Penal Reforms to make a comprehensive investigation and study of existing conditions at federal and state penal facilities and other correctional institutions. The Commission shall make findings of fact and recommended methods, legislative and otherwise, for improving the Nation's correctional systems.

H.R. 12525, January 20, 1972—Emergency Crime Control Act of 1972: To provide for greater and more efficient federal financial assistance to certain large cities with a high incidence of crime and for other purposes.

H.R. 15434, June 12, 1972—Law Enforcement Officers' Group Life Insurance Act: This bill would authorize the Attorney General to provide group life insurance and group accidental death and dismemberment insurance for state and local law enforcement officers. Defines "law enforcement officers" to mean, "any individual, who is employed full-time by a state or unit of local government primarily to patrol the highways or otherwise preserve order and enforce the laws." This program would closely parallel the Servicemen's Group Life Insurance and the Federal Employees' Group Life Insurance Program. The cost of this program would be shared by the insureds and the Federal Government and the President would determine the Federal contribution, which in no event could exceed one-third the cost of such insurance. The amount of life insurance authorized under this bill would be \$2,000 more than the basic pay of the insured rounded to the next higher thousand, with a minimum of \$10,000 and a maximum of \$32,000. An equal amount of accidental death and dismemberment insurance would be provided.

H.R. 15513, June 14, 1972—Federal Injury and Death Benefits to Volunteer Firemen, Ambulance Teams, Rescue Squads: To provide for the compensation of innocent victims of violent crime in need; to make grants to states for the payment of such compensation; to authorize insurance programs and death and disability benefits for public safety officers, police, volunteer or paid firemen, and members of an ambulance team or rescue squad; to provide civil remedies for victims of racketeering activities; and for other purposes.

H.R. 16203, August 3, 1972—Rescue Squads Eligible for Federal Surplus Property: To amend the Federal Property and Administrative Services Act of 1949 to permit rescue squads to obtain surplus property.

H.R. 16292, August 9, 1972—Anti-Skyjacking Measures: To insure international cooperation in the prosecution or extradition to the U.S. of persons alleged to have committed aircraft piracy against the laws of the U.S. or international law by banning airlines of such countries from landing on U.S. territory.

H.R. 16291, August 9, 1972—Medal of Honor for Police and Firemen: To provide for the awarding of a Medal of Honor for policemen and a Medal of Honor for firemen.

Mr. Speaker, although there is still much more to be done, during the past 2½ years we have been successful through congressional action in providing increased Federal assistance for State and local authorities, strengthening our laws and providing additional funding and manpower, including additional Federal judges, and other anti-crime measures. I know you will agree with me that these congressional initiatives, whose success has also depended on the degree of commitment held by the executive branch of the Government, have also placed added responsibilities and increased burdens upon our Nation's public safety officers.

On May 24 and 25, 1972, hearings before Subcommittee No. 1 of the House

Judiciary Committee were conducted by the subcommittee's able chairman, my distinguished colleague, personal friend, and dean of our New Jersey congressional delegation, the Honorable PETER W. RODINO, regarding legislation which will provide death and disability benefits for our Nation's public safety officers.

I wish to commend the subcommittee and its chairman for acting promptly in considering the measures which have been introduced in this Congress. In doing so, the committee has demonstrated their concern and understanding of the urgent need for legislation in the area of public safety officer benefits and insure that the House will have the opportunity to consider such measures during this session of Congress.

Mr. Speaker, I would like, at this point, to enter in the CONGRESSIONAL RECORD my statement to the subcommittee as follows:

STATEMENT OF HON. ROBERT A. ROE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. Chairman, there is an impressive list of Congressional initiatives on anticrime measures in recent years; among them are the Law Enforcement and Assistance Act of 1965, the Prisoner Rehabilitation Act of 1965, Gun Control measures adopted in 1968, an Anti-Obesity measure enacted in 1967, establishment of a Select Committee on Crime, establishment and extension of the National Commission on Reform of Federal Criminal Laws, Juvenile Delinquency Prevention and Control Act of 1968, the Omnibus Crime Control and Safe Streets Act of 1968, and Amendments of 1970, an increase of 61 additional federal judges, funding in 1970 of an additional \$26 million for more "Strike Forces" against crime and \$8 million more for the FBI fight against organized crime. I think that everyone present here today will agree with me that Congress has clearly understood its commitment to the nation to bring an end to the rising rate of crime and that we are providing the country with the necessary instruments and funds with which to accomplish that task. Much remains to be done to be sure, but the success of our legislative efforts has depended and will always depend upon the degree of commitment held by the Executive Branch of the Government; their willingness to act and their willingness to expend the funds as appropriated by Congress.

Mr. Chairman, in reviewing this impressive list of Congressional initiatives I would like, at this point, to draw the attention of this committee to the impact these measures have had on our nation's public safety officers. I think it is very important to understand that the composite side-effect of all anti-crime legislation has placed an enormous degree of responsibility on our police to perform under extraordinary circumstances and pressures. The publicity a national crime program engenders inevitably falls on the shoulders of our police; a secondary burden they carry with as much dignity and understanding as the functions of their profession.

Regrettably, for this nation, some have given their lives in the line of duty under the specter of this nation's watchful and sometimes all too critical eye. In these terrible instances, we have to ask ourselves how we can lighten the burden for the families who survive these dedicated and professional public safety officers and how Congress can assure its police and firemen that our interest in their welfare is as great as our commitment to the lessening of crime.

We are not speaking of only a few people when we discuss this matter. With great alarm, we have seen the number of police-

men killed in the line of duty in the United States rise steadily over the last few years. In 1969, 86 officers lost their lives. In 1970, the number rose to 100, an 11% increase in one year; and in 1971, the number went up again to 125, an increase of 25% over 1970. Violent crimes in the United States increased 12% in 1970 and by 10% in the first nine months of 1971. For the decade from 1960 to 1971, violent crimes have jumped 180%.

Mr. Chairman, I think I would be correct in saying that these figures reflect an ugly trend that is deplored by every citizen of this nation. Similarly, the escalating incidence of such crimes also reflects the factor of risk which confronts every policeman and fireman who must meet this challenge to decency day after day.

Mr. Chairman, I firmly believe H.R. 9760, the Police Officers Benefits Act and H.R. 10746 also providing benefits to law enforcement officers and firemen who are killed or totally disabled in the line of duty will demonstrate the Congress' concern for the families of police officers and firemen who have lost their lives and assure our entire force of public safety officers of our understanding of the many risks and uncertainties they must face in their professional pursuit. As the first line of defense of the laws of our democracy we cannot neglect the safety and morale of these men and the families of those who have lost their lives.

TAX COURTROOM BOONDOGGLE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. ASPIN. Mr. Speaker, the Federal Government is building a huge and expensive ceremonial courtroom in Washington for 16 Tax Court judges who will almost never be there to use it. The ceremonial courtroom will be the largest single room in the \$19.1 million Tax Court currently under construction in Washington.

There is no need for this ceremonial courtroom that accommodates 16 judges simply because the judges never meet together and are almost always traveling throughout the country as circuit judges.

According to the U.S. Tax Court's schedule of sessions for the fall of 1972, only two of the Tax Court's 16 judges will hold sessions in Washington for a total of 4 weeks during the 15 weeks between September 11 and the end of the year. In addition, every Wednesday the chief judge of the Tax Court hears special motions. But these sessions could be held in a broom closet and certainly do not require the planned massive ceremonial courtroom.

Today I am calling upon the Tax Court and the General Services Administration to dramatically change the plans of the building to eliminate this wasteful and blatant boondoggle.

My colleagues may be interested to know the cost of the courthouse has skyrocketed from an estimated \$9 to \$19.1 million. And I am told by officials of the court that the cost is expected to continue to rise.

Officials of the court hope to complete the building by June 1, 1974, but GSA estimates indicate that there may be

delays or 2 to 6 months. The ceremonial courtroom is never planned for use as a regular courtroom, but will cover more than 25,000 square feet in the building which is currently under construction and cost at least \$3 million. These judges do not need the 25,000 square-foot courtroom and the entire courtroom ought to be scrapped.

This ceremonial courtroom boondoggle seems to have all of the elements of a Pentagon escapade—cost overruns, delays, and paying for unnecessary puffery with public funds.

CONGRESSMAN LEE HAMILTON'S WASHINGTON REPORT ON THE NATIONAL PRESIDENTIAL SELECTION PROCESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HAMILTON. Mr. Speaker, my Washington report on the national presidential selection process:

WASHINGTON REPORT

(By Congressman LEE HAMILTON)

With the wrap-up of the national political conventions, it is appropriate to ask whether we are following the best practice to nominate a presidential candidate. This year, a record 25 presidential primary elections were held prior to the conventions, covering 3½ months and costing \$13 million. A field of 16 candidates entered the fray, subjecting the residents of the 25 primary states to a barrage of campaigning for the world's most important political office.

The primary election campaigns also felt in their wake a growing number of complaints, among them: (1.) they last too long, (2.) they cost too much, (3.) they demand too much of the candidate, (4.) they disrupt the legislative business in Washington, (5.) the process of delegate selection is unrepresentative, (6.) the primary election laws are too diverse and complex, and (7.) the outcome is not clear-cut.

Criticism of the present system has led to a discussion of three alternatives: (1.) a national primary, or (2.) improvement of the present system, using state primaries and conventions to select national convention delegates, or (3.) a system of regional primaries to select all delegates, a compromise between the present convention system and the national primary.

NATIONAL PRIMARY

This suggestion calls for a constitutional amendment to set a national primary election day across the country. The states would handle the mechanics of the election and voters would vote only for candidates from the party in which they were registered. To qualify, a candidate would present a petition in 17 states with signatures in each state equal to 1 percent of the vote cast in that state in the previous presidential election.

Substituting a national primary for a party convention would have several advantages: (1.) it would extend popular control, (2.) make political manipulation less likely, (3.) provide uniformity in the nominating process, (4.) encourage a national, rather than regional, approach to problems, (5.) increase voter interest, and (6.) simplify campaigning for candidates.

A national primary also would have some disadvantages, including (1.) a weakening of the two-party system and party responsibility

by diminishing the party's role in the selection process, (2.) increased costs, and (3.) limit choices of leadership by giving advantage to already-established personalities.

National polls, taken at the height of the primary election season, showed that most Americans approve of a national primary because it permits direct participation by the voters.

REGIONAL PRIMARIES

This approach divides the United States into five regions, in which a presidential primary would be held, once a month between March and July. Candidates would be selected by a national elections commission or by petition. Convention delegates for each candidate would be apportioned according to the candidate's vote total.

The regional primary plan's advantages and disadvantages are matters of degree, since it is intended as a compromise. It would standardize the delegate selection process, reduce costs by reducing the length and complexity of the campaigns, make conventions more representative of the voters, but it would also be costly and dilute political party responsibility.

IMPROVEMENT IN EXISTING SYSTEM

Before making too many changes in the way a President is selected, we should recognize that the present system has generally produced good candidates. It screens candidates effectively and balances a variety of interests reasonably well. Nevertheless, most people agree that the system could be improved by standardizing the rules for delegate selection, shortening the primary season, limiting spending, allocating delegates on the basis of votes, reducing total numbers of delegates, and establishing rules determining a delegate's commitment to support a candidate.

I am dissatisfied with the present system because of its costs, demands on the candidate, its delegate selection process, which produces delegates unrepresentative of the average voter, and its complexity, and I am willing to begin a careful and unhurried search for a better way to nominate the candidate for President.

FISCAL WONDERLAND

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. PRICE of Texas. Mr. Speaker, once again the spotlight has been thrown upon a most important but sadly neglected problem—and that is the chronic state of imbalance in the Federal budget.

The Federal agencies, the public and private lobby interests, and the general public have continued to demand, and the Congress has continued to appropriate public funds at a rate exceeding general revenues such that the United States has been brought to the brink of a first-rate fiscal crisis.

The Federal budget has become a Christmas tree—something for everyone. We keep ignoring the fact that someone has to pay the bill, and by borrowing we are merely postponing the day of reckoning. There is no room for emotion in this issue—simply, the laws of economics can be bent but not broken. Sooner or later the American people will be required to pay the bill—the question is, how long are we going to pretend

may be able to pass our national debt off on our children by mortgaging their future—but the good faith and credit of the Government of the United States ultimately depends upon whether this Nation meets its financial obligations.

The situation is not hopeless. There is no such thing as an "uncontrollable item" in the budget—except for perhaps interest payments on the national debt itself—since Congress has the power to repeal or modify any existing law by which public funds are spent. I submit that the Congress ought to stop trying to buy votes with public funds; the time has come to face up to our responsibilities to not just a few special constituents or interests, but to all Americans of both present and future generations, and to restore integrity and balance to our national budget.

As a most appropriate commentary on this matter, I submit for the RECORD at this time an editorial from the Monday, July 17, 1972, Washington Evening Star and Daily News entitled "Fiscal Wonderland."

The article follows:

FISCAL WONDERLAND

In a year when presidential politics have become all-absorbing, the idea of worrying about the federal budget has all the appeal of tropical storm Agnes. And yet there is a direct and highly troubling connection between the budget and what the politicians, especially on the Democratic side, are saying the next president should do for the country.

The budget is a central and essential instrument of policy-making. But at this point, as we are told by Paul McCracken, former chairman of the Council of Economic Advisers, the budget is "in a quite literal sense out of control." If he is right, then it follows that spending policies and the setting of priorities are severely hamstrung. And all the evidence suggests he is right. In January the Office of Management and Budget predicted a deficit for fiscal 1973 of about \$25 billion. Now the predictions are for a deficit of at least \$34 billion, possibly going to \$40 billion.

The Democrats may well try to embarrass Mr. Nixon on this issue. But even a cursory review of what has happened will reveal they haven't much to stand on. For one thing, the Democratic Congress, now in recess, not only ignored the fiscal crisis but, on one piece of legislation after another, helped make it substantially worse. This occurred not only in connection with Social Security and other sure-fire vote-getters, but almost as a matter of habit with less visible spending bills.

A good example was the HEW-Labor appropriations bill. Largely because of virtually uncontrollable increases in spending obligations (public welfare is a good example), the administration had requested \$27 billion for this fiscal year, a full \$7 billion increase over 1972. The Democrats couldn't be content with that. First the House added more than \$1 billion to what the President asked; the Senate went even farther in the game of fiscal one-upmanship, appropriating over \$2 billion above the budget.

To read the Democratic platform, meanwhile, is to enter even higher dimensions of fantasy. Everybody who can work is to have a job, and those who can't work are to have a guaranteed income. And while there will be great new spending for education, and manpower training, and health and just about everything else on the Democrats' domestic wishlist, and while there will be no price and wage controls, it is assumed the money will be there to pay the bill and somehow inflation will go away.

It is a dizzying period we are going through. Occasional warnings come of our worsening fiscal plight. But fiscal irresponsibility only increases. The Democrats spend, and plan to spend some more. The President occasionally threatens a veto, but not too loudly, and with an obvious eye on his own re-election chances, he keeps signing all those bills that run the deficit to ominous levels.

The grimmer the budget picture gets, the narrower the leeway for the next president, whoever he is, to do what he wants, and the greater the certainty that new taxes will be necessary. One of these days, reality will set in, and it will be something fierce.

TEAMSTER'S RAY SCHOESSLING— CHAMPION OF WORKING PEOPLE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. PUCINSKI. Mr. Speaker, earlier today Mr. Ray Schoessling, vice president of the International Brotherhood of Teamsters and president of Teamsters Joint Council 25 in Chicago appeared before the Antitrust and Monopoly Subcommittee of the other body in support of legislation to strengthen this Nation's franchise opportunities.

I was pleased to see Mr. Schoessling support legislation pending in the other body which is identical to H.R. 16067 which I have the privilege of cosponsoring here in the House.

Mr. Schoessling has a long history of fighting for causes of highest importance and benefit to the Nation's working people.

As president of Teamsters Joint Council 25, Mr. Schoessling has brought a new dimension of respect and dignity to labor-management relations in the entire Midwest.

As an international vice president of the Teamsters, Mr. Schoessling has made a profound impact on this Nation's entire labor-management field.

I am particularly pleased that Mr. Schoessling supports the concepts of protecting and preserving the franchise system as incorporated in the bill I am cosponsoring—H.R. 16067.

As Mr. Schoessling told the other body:

The franchise system has permitted the development of genuine maturity in collective bargaining.

I am sure that with the strong voice of Ray Schoessling behind this legislation, Congress will respond favorably and the jobs of many people involved in franchising will be preserved.

This legislation is necessary because of new procedures being enacted by the Federal Trade Commission which would seriously impair the future of franchising.

We see a measure of the man in Ray Schoessling when we reflect on his sensitivity to the needs of his members as demonstrated by his testimony here in Washington today.

This is not the only instance where Ray Schoessling demonstrates leadership. Recently, he was instrumental in help-

ing the House-Senate conferees structure a school lunch bill which would help protect the jobs of many Americans.

We in Chicago are proud to produce labor leaders of Ray Schoessling's stature.

He reflects the highest traditions of the Teamsters in America and their deep concern for their fellow man.

Mr. Speaker, I am enclosing in the RECORD today the statement by Mr. Schoessling in support of legislation for continuing the franchising system.

Mr. Schoessling's excellent statement follows:

STATEMENT OF RAY SCHOESSLING, VICE PRESIDENT, INTERNATIONAL BROTHERHOOD OF TEAMSTERS

My name is Ray Schoessling. I am vice-president of the International Brotherhood of Teamsters. I am also president of Teamsters Joint Council 25, which is comprised of local unions with 160,000 members of the Teamsters Union in Northern Illinois.

I am also president of Teamsters Local 744, which has jurisdiction over the production, warehousing and delivery of soft drinks in the Chicago area. I am the Secretary-Treasurer of the soft drink division of the International Brotherhood of Teamsters.

Our International Union, with over 2 million members, strongly supports the franchise system. Accordingly, we urge a favorable report by this committee of bills that would continue the traditional methods of permitting exclusive local franchises and maintenance of standards distribution practices in the soft drink industry.

It has been my privilege to represent workers in the soft drink industry for over 35 years.

There are over 123,000 bargaining unit employees in the soft drink industry. About 8,000 more are in management and supervision.

A large proportion of the production, warehousing and route delivery personnel are members of local unions affiliated with the International Brotherhood of Teamsters.

These local unions negotiate collective bargaining agreements directly with franchise holders and/or local associations of bottlers.

We have developed a sound and mutually productive relationship between our union and the employers.

The franchise system has permitted the development of genuine maturity in collective bargaining.

We have recognized the employers' problems in adapting to changes in technology and the impact of a growing market for their products.

We believe that the records will show labor and management in the soft drink industry have achieved unusual success in union-employer relations.

The franchise system is a vital factor in producing this record.

I am sure that the manufacturers and franchise holders will provide adequate justification for enactment of the legislation under discussion, from their point of view.

I would like to point out certain factors in the franchise system as they relate to employees in the industry.

The franchise system sets territories for sale by the bottler.

He is assured of the integrity of his investment in plant and equipment because of the franchise.

The employees are reasonably assured of continuity of employment because the bottler will have a relatively steady share of the market.

If the employer is deprived of the exclusive sales territory by the Federal Trade Commission, the impact on the employees' welfare would be devastating.

Competitors producing the same product at lower wage levels in other communities could undermine the pay and conditions of workers in the franchise holder's territory.

There could be a temporary price advantage to the consumer, but this benefit would soon disappear as soon as the invader achieved control of the market.

Elimination of exclusive sales territories would create chaos in the labor-management picture.

Employees in the industry, through their unions, have negotiated excellent health and hospitalization benefits.

This has been made possible because the franchise holders are familiar with the problems of their employees.

Through exclusive sales territories, they can generally forecast the cost factors of these benefits.

This is especially important where pensions are concerned.

The viability of these benefits, designed to provide a life of decency and dignity for these workers when they retire, is dependent upon the employers staying in business.

Bottlers permitted to come into a territory of a franchise holder which has an agreement with a local union for pension benefits could cause the demise of the pension, with the resulting indignity to the worker.

I am sure that the members of this committee are aware of the concern of another committee of the United States Senate with the fact that many pension systems are withering away before the worker reaches retirement age.

All of us in the trade union movement know of the personal tragedies caused by the disappearance of the security on which a worker had based his hopes for his declining years.

I will leave to the lawyers the discussion of the legal principles involved in the Federal Trade Commission's action against the franchise system in the soft drink industry.

The workers I have the honor to represent have nothing to sell but their time, strength and skill.

If they are monopolists, they have a monopoly on the hard work that goes into the production, distribution and sale of their product. They have a monopoly on the insecurity that would come with loss of jobs and income.

They have the so-called work ethic: they like steady jobs, with decent pay, sound benefits for their families, the opportunity to make progress with the advancement of the economy and their industry, and the assurance that they will be able to retire with a measure of security.

The franchise system in the soft drink industry helps our union to avoid the harassment of territorial jurisdictional disputes.

This is a contribution to the stability of labor-management relations and the continuity of production.

In no sense, do we as a union want to eliminate competition in our industry. There is plenty of vigorous inter-brand competition for the consumer's favor, as is evident in the vast amount of advertising purchased by the various soft drink manufacturers.

Our purpose is continuity of employment, security of our pensions and other benefits and a share in the growth of the industry.

Your support of legislation to continue exclusive territorial arrangements in the soft drink industry would be a contribution to the stability of employment of our members, eliminate the danger of unfair competition that would endanger their living standards, and avoid the difficulties arising from jurisdictional disputes between unions.

The legislation is necessary because the litigation initiated by the Federal Trade Commission can create a long-term situation of uncertainty.

During this period, many bottlers with whom we negotiate for our members' wages,

benefits and job conditions, will be reluctant to initiate or improve long-term gains for their employees.

We urge a favorable report on the legislation before you.

I appreciate the invitation to make this presentation on behalf of the workers in the soft drink industry.

CONGRESSMAN HAMILTON'S WASHINGTON REPORT TO INDIANA'S NINTH DISTRICT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HAMILTON. Mr. Speaker, I include my Washington Report concerning President Nixon's New Economic Policy in the RECORD.

The report follows:

CONGRESSMAN LEE HAMILTON'S WASHINGTON REPORT

A year ago President Nixon announced his New Economic Policy to slow inflation, reduce unemployment and strengthen the dollar in foreign markets. On the first anniversary of the New Economic Policy an evaluation is appropriate.

Since then the economy has developed strongly, with production, incomes, employment, business spending and consumer buying all showing sharp increases, while the rate of inflation has been turned downward.

Despite the New Economic Policy, economic problems persist. Government deficits balloon, the unemployment rate has dropped only slightly, the dollar is sinking in value and the trade deficit still worsens.

INFLATION

The inflation rate has been running at about 3 percent, but the wholesale price level is rising, which suggests that consumer prices may climb faster in the months ahead. Most of the .5 percent increase in the June wholesale price index occurred in items over which there are few or no controls.

My own judgment is that Phase II has made a marginal contribution toward holding down inflation, although probably not enough to limit the rate to the target of 2-3 percent this year.

Two trouble spots in the fight against inflation are the costs of food and services, and the controls program has limited application to these items. In addition, Phase II operates on inflation caused by increasing costs, but in some areas the inflation is caused by strong demand (e.g. cattle and lumber), and the Phase II controls cannot be expected to be effective in these instances.

WAGES

The Pay Board has held average pay increases to 4.9 percent, actually below the 5.5 percent standard, and covering 10 million workers.

PROBLEMS

Phase II has its problems. It is an administrative swamp. No office of government presents the public with more bureaucratic confusion, delay and red tape. Public hearings are limited, public access to the decision making bodies restricted, and answers are hard to get.

But the question of the fairness of the wage-price controls is paramount. Many point out that the 70 percent of all workers who are not part of organized labor are getting less than their fair share, that too little of the productivity gains are being passed on to consumers in price cuts, that profit margins are not effectively enforced, and that the

program locks in existing economic inequities without providing for a way to deal with them.

To reduce the charges of unfairness and the administrative confusion, exemptions from the controls are increasing. Today 56 percent of the labor force is exempt from wage-price controls, a total of about 32.5 million people and including all workers who earn less than \$2.75 per hour.

Another problem is when and how to end the controls. Most observers think they will not disappear soon because abandonment of them in 1973 would invite resurgent inflation. 1973 will present many important wage negotiations and the productivity gains, which are relieving cost pressures today, will begin to run out. Public opinion surveys show that most people want controls and they want them tightened, rather than eased, if the controls are not working.

Enforcement of price controls, always a problem with controls, can be expected to toughen with sharp increases in the number of investigations and with special focus on the big and middle-sized companies and unions, especially in sectors of the economy where prices tend to rise the fastest.

Phase II, then, is neither a brilliant success nor a total failure. It is a mixed bag, with some progress and many problems.

NEWBURYPORT, MASS., STAGES A COMEBACK

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HARRINGTON. Mr. Speaker, I would like to call to your attention an excellent article by Al Alabiso on the industrial development of Newburyport, Mass., in the August 1972 issue of Industry magazine. Under the dynamic leadership of Mayor Byron J. Matthews and his innovative industrial director Robert Polley, the city is making a remarkable industrial comeback. Through Polley's "climate for growth" program, Newburyport has been providing space for existing and potential industries. This developmental tool has provided jobs and increased income in the Newburyport area.

The text of the article follows:

NEWBURYPORT STAGES A COMEBACK

(By Al Alabiso)

In a sense, Newburyport is moving forward by turning back the clock.

This paradox is a tribute to Mayor Byron J. Matthews, a realist who recognizes that the most salable commodity of this smallest of Massachusetts cities is its charm as an old New England seaport. That's why five different developers are currently at work transforming the once-blighted Merrimac River port into a living masterpiece of clipper-age renaissance.

But Newburyport no longer holds claim to being a thriving port (although it lives in reflected glory as the birthplace of the United States Coast Guard) and Mayor Matthews is keenly aware of the need to broaden its industrial base.

He recalls a bleak day in 1961 when CBS Hytron closed the doors of its Newburyport plant, terminating 3,000 jobs.

By the time he moved into the mayor's office in January 1968, Owens Illinois, Inc. had opened a plastic packaging plant in the city, absorbing a relatively small segment of the labor force that was cut adrift with the Hytron closing.

The pervading attitude of the city was one of apathy. Yet, the seeds of an industrial resurgence had been planted in 1965 by a small, optimistic group of businessmen who organized as the Newburyport Area Industrial Development Corporation (NAID). With the cooperation of Earl F. Cook, the city's industrial director at that time, NAID went directly to the community and raised \$200,000 to buy 113 acres of land suitable for an industrial park. They named it Lord Timothy Dexter Industrial Green, after a manufacturer and eccentric millionaire who flourished in the days of Federalism.

NAID had laid the base for the park by raising funds, acquiring land, and undertaking preliminary engineering and design work by the time Matthews was inaugurated as mayor. Because his formative years were steeped in the industrial tradition (he was the son of Greek immigrants who worked at Mayfair Shoe) he knew from practical experience that his administration must give high priority to a vigorous campaign to attract industry. A marketing program was now required.

To implement such a program required a professional in industrial development with a marketing background, and whose sense of purpose was in undeviating empathy with the mayor's own.

The search for such a person took four months, and finally ended with the enthusiastic selection of Robert E. Polley, a Cornell graduate who had gone on to earn his master's at Rutgers with a concentration on marketing. The young executive, a vice president of the International real estate development firm of D. H. Overmyer Company, embodied all the qualifications desired by the administration.

As industrial director for the City of Newburyport, Bob Polley inherited not only the problem of building the industrial park but the job of finding tenants for a handful of former mill sites downtown, as well.

He was determined not to "chase smokestacks," opting instead to go after elite, modern industries whose role as corporate citizens would enrich community life aesthetically, socially and economically.

Not long after his appointment, Polley and Mayor Matthews applied for and received an Economic Development Administration grant of \$261,000—to be matched by the city—in order to bring water to Dexter Industrial Green, install roads, sewage and open drainage. (Application for a second-phase grant is currently pending before EDA to enable the city to extend the road and an existing railhead into the now-expanded park.)

Adopting as his slogan, "Climate for Growth," Polley developed a pitch which apparently is working with prospective tenants. Since Newburyport is off the beaten Route 128 path, it goes, there is less competition for the labor market. And that labor market is available at lower-than-average wage levels.

Bob Polley is an innovator with a finger on the pulse of industrial development concepts. Through his initiative, for instance, there is currently a building on a site close to the Industrial Green, a child care center . . . which should make it easier for more women to join the labor force.

Living and Learning is of dual value to the city, in Polley's view. "Not only will it benefit the community by freeing mothers for work, but as an organization and an investor in new facilities, it will provide tax revenue and help to raise Newburyport's employment income level."

At present, there are four manufacturing companies in Newburyport which employ 200 or more employees. One is the internationally renowned Towle Silversmiths—which was established in 1690 and has the distinction of being the oldest surviving industry in the state—located downtown on

Merrimac Street. Another, also on Merrimac Street, is Chase-Shawmut Company, manufacturer of electrical equipment. The other two, situated in new structures in Dexter Industrial Green, are Owens-Illinois Glass Company, plastic container manufacturer, and Green Shoe Company, manufacturer of Stride-Rite shoes and for many years a mainstay of the Boston shoe industry.

Relatively smaller firms located at the Green include:

International Light Company, producer of energy measurement devices;

Amesbury Specialty Company, maker of metal equipment;

SUDA Corporation, leather processing company;

Electronic Products, Inc., manufacturer of glass-to-metal seals;

Norfolk and Dedham Insurance Company.

Polley, a firm believer in providing manufacturing space as a development tool, on a speculative basis, urged NAID to erect a 10,000 square foot building. It was acquired by SUDA Corporation, which soon found it necessary to expand to 26,000 feet.

At Polley's invitation, McGill Development Corporation erected a 20,000 square foot "stall" building at Dexter earlier this year. The structure, set on 2½ acres, was designed in 5,000 foot modules, to accommodate as many as four industrial tenants. Last March, the entire building was leased to Trak, Inc., an importer and distributor of leisure time and recreational products, including its popular No-Wax cross country skis.

The quick leasing of the speculative building is an indication of the increasing progress of industrial development at "new" Newburyport. But that's the way things are happening—fast—at Lord Timothy Dexter Industrial Green, which was pastureland only two years ago. Polley attributes the increased pace to a growing awareness of the availability of extremely low-cost land and a choice of easy financing plans. And, most important, easy access to expressway routes 95 and 495.

Construction is progressing there now on a 20,000 square foot plant, with a financial assist from the Small Business Administration, for Berkshire Manufactured Products. The company custom-stamps metal precision parts for the aircraft engine, electronic and instrument industries. President Edward Molin said the plant will include a facility for making company tools, and a special production area for mechanical and hydraulic punch presses.

Under Matthews-Polley-NAID direction, the park has grown in recent months to 200 acres through acquisition of two adjacent farms. Uniquely, the old farmhouse on one parcel is being renovated and adapted to provide administrative quarters for the Norfolk and Dedham Insurance Company.

Polley and NAID have momentarily turned their attention to the general appearance of the Industrial Green. They have asked owners to landscape the grounds surrounding their buildings, and are making plans to pipe and fill an open drainage ditch that flows incongruously in front of the attractive plants—not unlike the moats of medieval times.

Newburyport was originally settled in 1635. Its location at the mouth of the Merrimac River was ideal for trade and trade-related industries. Extensive timber stands up-river made it a logical center for shipbuilding and, as an outgrowth, the production of barrel staves.

Between 1680 and 1740, more than 100 sailing ships were launched, and for a brief time following, during the 1850's, it was known as the clipper capital of the world. But the advent of steam and an insidious buildup of sand shoals at the mouth of the Merrimac made the industry impractical, and the community turned to the manufacture of shoes, textiles, rum and silverware.

To house these industries, substantial brick factories—handsome in their period—went up within walking distance of the tenement quarter and the downtown mercantile area.

Some of these mill structures continue to stand. Under Polley's mill building renovation program, they are rapidly being filled with "incubator" firms—small companies with a big growth potential.

Under this renovation program, Bixby Box Toe Company moved into a 100,000 square foot building on Warren Street last May. The company makes Bixon, a new material from which it manufactures box toes and counters. Bixon enables the shoe parts to retain the contour of the last while undergoing high speed production techniques.

"We consider the Newburyport location ideal for the development of our new production process, from the standpoint of close community cooperation," Vice President Benjamin C. Bixby said.

Responding to the community's "environmental considerations," the company engaged 32 people for the Newburyport plant on an experimental two-shift, four-day work week basis.

Fibre glass skis are the principal manufactured product of another Newburyport firm, Graves Manufacturing, which occupies space in a large brick plant on Charles Street—once the home of the Mayfair Shoe Company, where the parents of Mayor Matthews were employed.

In this same converted mill is located the world-famous Ernest M. Skinner Company, manufacturer of pipe organs and wind chests. Skinner designs, builds, maintains, installs, rebuilds organs, and does tonal design and tonal revisions. The company originally started in Boston 50 years ago, and moved to Florida in 1960. When John Bolten became president in 1971, he moved the firm to Newburyport.

Another tenant is Epicure Products, Inc., where hi-fi speakers and stereophonic equipment are made.

Newburyport's highly respected journal, the Daily News, is a major employer in the downtown area, with a complement of 34 workers earning a total of \$225,000 annually. The city has its own radio station, WNBZ, affiliated with the American Broadcasting Company. Its primary listening area extends from Hampton, New Hampshire to Ipswich.

For existing and potential industries requiring a financial lift, there are six banks which offer varying degrees of assistance: First and Ocean National, Institution for Savings, Merchants National Newburyport Five Cents Savings, Arlington Trust, and Newburyport Co-operative.

There are other avenues open to the prospective lender:

Under the city's "persistent unemployment" classification, it is eligible for special financial assistance from the federal government in order to help new businesses in the community. As an example, this classification allows priority considerations for companies seeking government contracts or manpower training assistance.

The Small Business Administration's 502 Program permits financing of new building construction because of the "persistent unemployment" classification. Eligible businesses may even obtain 100 percent financing for terms up to 25 years. A portion of the financing may be loaned by SBA at an interest rate of 5½ percent.

The Economic Development Administration grants low-interest, long-term loans for any size business firms in "persistent unemployment" areas.

Under the leaseback method of financing, the operating company may give building specifications to the Newburyport Area Industrial Development Corporation, which would then arrange for leasing the building

to the operating company with a purchase option.

Another tool for financing industrial projects in Newburyport is the industrial revenue bond, authorized by the city council under Chapter 772 of the Massachusetts Act of 1967. These bond issues are eligible for preferred treatment, guaranteeing low interest rates and long terms for projects up to \$5 million.

Mayor Matthews, in his desire to expand Newburyport's industrial base, is motivated by a personal sense of responsibility. "It is our job to provide jobs," he said.

He is regarded by his constituency as "a doer" . . . a chief executive who has been very successful in adapting federal programs to the needs of his city.

He is buoyed by the community's renewed spirit—a Climate for Growth—and the confidence that Bob Polley is the man who can nurture it.

THE AMERICAN-ISRAEL LOBBY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. RARICK. Mr. Speaker, along with the other Members I received a questionnaire and literature from the American-Israel Public Affairs Committee lobbying Members of Congress for support for a for a foreign nation.

The accompanying correspondence contains the Middle East platform planks of the two national political parties and a 7-point questionnaire to be answered by each Member of Congress.

Missing from the questionnaire was the paramount question: "Are you as a Member of Congress prepared to vote to send American fighting men to defend Israel, or are you prepared to sit idly by while your President, of either party, or the State Department commits American men without your approval?"

I ask that the questionnaire and the platform plank excerpts follow my comments:

THE 1972 MIDDLE EAST PLATFORM PLANKS DEMOCRATIC

The United States must be unequivocally committed to support of Israel's right to exist within secure and defensible boundaries. Progress toward a negotiated political settlement in the Middle East will permit Israel and her Arab neighbors to live at peace with each other, and to turn their energies to internal development. It will also free the world from the threat of the explosion of Mid-East tensions into world war. In working toward a settlement, our continuing pledge to the security and freedom of Israel must be both clear and consistent.

A Democratic Administration should:

Make and carry out a firm, long-term public commitment to provide Israel with aircraft and other military equipment in the quantity and sophistication she needs to preserve her deterrent strength in the face of Soviet arming of Arab threats of renewed war;

Seek to bring the parties into direct negotiation toward a permanent political solution based on the necessity of agreement on secure and defensible national boundaries;

Maintain a political commitment and a military force in Europe and at sea in the Mediterranean ample to deter the Soviet Union from putting unbearable pressure on Israel.

Recognize and support the established sta-

tus of Jerusalem as the capital of Israel, with free access to all its holy places provided to all faiths. As a symbol of this stand, the U.S. Embassy should be moved from Tel Aviv to Jerusalem;

Recognize the responsibility of the world community for a just solution to the problems of the Arab and Jewish refugees.

Soviet Jews

We welcome every improvement in relations between the United States and the Soviet Union and every step taken toward reaching vital agreements on trade and other subjects. However, in our pursuit of improved relations, America cannot afford to be blind to the continued existence of serious differences between us. In particular, the U.S. should by diplomatic contacts seek to mobilize world opinion to express concern at the denial to the oppressed peoples of Eastern Europe and the minorities of the Soviet Union, including the Soviet Jews, of the right to practice their religion and culture and to leave their respective countries.

REPUBLICAN

In the Middle East, we initiated arrangements leading to a cease-fire which has prevailed for two years. We pledge every effort to transform the cease-fire into a lasting peace.

We support the right of Israel and its courageous people to survive and prosper in peace. We have sought a stable peace for the Middle East and helped to obtain a cease-fire which contained the tragic conflict. We will help in any way possible to bring Israel and the Arab states to the conference table, where they may negotiate a lasting peace. We will continue to act to prevent the development of a military imbalance which would imperil peace in the region and elsewhere by providing Israel with support essential for her security, including aircraft, training and modern and sophisticated military equipment, and also by helping friendly Arab governments and peoples, including support for their efforts to diminish their dependence on outside powers. We support programs of economic assistance to Israel pursued by President Nixon that have helped her achieve a nine percent annual economic growth rate. This and the special refugee assistance ordered by the President have also helped to provide resettlement for the thousands of immigrants seeking refuge in Israel.

We will maintain our tactical forces in Europe and the Mediterranean area at adequate strength and high levels of efficiency. The irresponsible proposals of our political opposition to slash the defense forces of the United States—specifically, by cutting the strength of our fleet, by reducing our aircraft carriers from 16 to six and by unilateral withdrawals from Europe—would increase the threat of war in the Middle East and gravely menace Israel. We flatly reject these dangerous proposals.

With a settlement fair to all nations of the Middle East, there would be an opportunity for their peoples to look ahead to shared opportunities rather than backward to rancorous animosities. In a new environment of cooperation, Israel will be able to contribute much to economic renaissance in the Mid-East crossroads of the world.

Soviet Jews

We firmly support the right of all persons to emigrate from any country, and we have consistently upheld that doctrine. We are fully aware of and share the concern of many citizens for the plight of Soviet Jews with regard to their freedoms and emigration. This view, together with our commitment to the principles of the Universal Declaration of Human Rights of the United Nations, was made known to Soviet leaders during the President's discussions in Moscow.

AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE QUESTIONNAIRE

May we respectfully ask your response to the following questions:

1. Do you endorse your party's plank?
2. Do you favor direct Arab-Israel peace negotiations?
3. Do you favor providing Israel with planes and other equipment needed to preserve her deterrent capacity?
4. Do you support economic assistance to Israel to lighten her present enormous defense burden?
5. Do you support assistance to Israel to help her resettle Jewish immigrants from the Soviet Union?
6. Are you in favor of moving the United States Embassy to Jerusalem, the capital of Israel?
7. Do you have any other comments?

Name:

City:

State:

Date:

Party:

District:

Please detach this part and mail this questionnaire to:

American Israel Public Affairs Committee,
1341 G Street, N. W., Washington, D.C. 20005.
Irving Kane, Chairman.

I. L. Kenen, Executive Vice Chairman.

GIVE TVA SOME HELP

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. DUNCAN. Mr. Speaker, strip mining has become a highly controversial and emotional subject. The Tennessee Valley Authority is as concerned about this issue as any of the combatants currently debating this matter.

So that all the facts on this be known, I am including the following article from the September 4, 1972, issue of the Knoxville News-Sentinel which seeks to set the record straight concerning TVA and its views on the strip mining of coal:

GIVE TVA SOME HELP

Critics of TVA for years have lambasted the agency because it buys strip-mined coal. Some say it should stop doing it. Rep. Ken Hechler (D-W. Va.) charged recently that deficiencies in TVA's enforcement of reclamation requirements justify abolishing strip mining.

All this in spite of these facts:

TVA is the only major coal consumer in the nation which has urged stronger state laws governing strip-mine reclamation.

It is the only major coal buyer which writes reclamation regulations into its purchase contracts.

It is the only major buyer which, on its own initiative, has done extensive research on strip-mine reclamation.

It buys only about 7 per cent of the coal strip-mined in the nation and only about 13 per cent of that stripped in the seven states where it buys coal.

We agree with TVA Chairman Aubrey J. Wagner who said recently that TVA is handicapped in enforcing its reclamation requirements because of inadequate laws in some states and no Federal law at all governing strip-mine reclamation.

We think lack of a strong Federal law hampers TVA in another way, too. TVA is supposed to provide a "yardstick"—the lowest reasonable price for producing electricity.

The "yardstick" is not quite accurate when TVA has to impose upon itself strip-mine reclamation costs that private utilities do not impose upon themselves. A Federal law, uniformly enforced, would solve this problem.

Plenty of proof can be found in nearby coal-producing counties that strip-mine reclamation has not been adequate—silted streams, ruined roads, scarred hills. Strip mining has made some floods more damaging than they would have been without it. There have been reports, undoubtedly true, of homes damaged by mining operations.

TVA and other utilities need coal and society needs the electricity produced with it. But not at the expense of the regions where the coal is mined.

We do not go along with those who would ban strip mining. But we strongly urge Congress to adopt legislation which will protect the welfare of the people in the coal regions.

Certainly, the fact that TVA alone cannot cure all the evils of stripping is not proof that strip-mine reclamation is impossible.

Give TVA some help.

REQUIREMENTS FOR NUCLEAR WASTE STORAGE

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HOLIFIELD. Mr. Speaker, there was, on page 744 of the September 1, 1972, issue of Science magazine, a very interesting letter by Dr. Chauncey Starr, dean of the School of Engineering and Applied Science at the University of California at Los Angeles, and Dr. R. Philip Hammond of the Oak Ridge National Laboratory, Oak Ridge, Tenn., discussing the requirements that will be needed in future years for nuclear waste storage from nuclear power reactors. I would like to quote a few sentences from this letter which clearly indicate what volume of storage would be necessary for the electricity consumed by each U.S. citizen each year.

Each citizen of the United States consumes about 7000 kilowatt-hours of electricity per year, on the average; this amount of power is obtained from the fissioning of about 1 gram of nuclear fuel, equal to the weight of three aspirin tablets, but with a volume less than that of one aspirin. Thus if the source of the electric power is nuclear, about 1 gram of fission products to be stored per year per person is created.

I insert the entire letter in the RECORD at this point:

[Excerpt from Science, Sept. 1, 1972]

LETTERS: NUCLEAR WASTE STORAGE

(By Chauncey Starr)

In public discussion of nuclear power and public safety, much concern is expressed about the need for storing the radioactive waste for centuries. While such long-term storage is an essential part of nuclear power development, the projected public safety issue involved is minimal, compared with other environmental problems. A completely adequate waste storage system is trivial in terms of scope and cost, although we depend upon its being there and functioning properly and would suffer hazard and expense if it were not. Because of the long radioactive lifetime of nuclear waste, we are of necessity handing

on to future generations a problem that we have "wrapped up" in one form or another. There is some ambiguity about what this form should be, derived mainly from a lack of clear distinction between the concepts of "waste disposal" and "waste management." We believe that perpetual, flexible management is essential so that future generations can have the option of choosing new solutions as new conditions and new technologies appear. Such perpetual care is neither difficult nor costly, chiefly because the inherent volume of nuclear waste is so small.

Each citizen of the United States consumes about 7000 kilowatt-hours of electricity per year, on the average; this amount of power is obtained from the fissioning of about 1 gram of nuclear fuel, equal to the weight of three aspirin tablets, but with a volume less than that of one aspirin. Thus if the source of the electric power is nuclear, about 1 gram of fission products to be stored per year per person is created. The waste concentration process is carefully arranged so that valuable plutonium is removed for fuel purposes, but there the removal of certain other inert material is too much trouble. The safest way to handle the final mixture is to drip it in liquid form into a small pot, heated by electric coils, where it boils dry and then melts to form a glasslike ceramic clinker that is insoluble in water. This is done in a sealed chamber behind heavy walls and watched and controlled with telescopes. After firing and cooling is completed, the clinker, pot and all, is sealed up inside a tight can, and then in still another. It then can be safely moved in a thick-walled shipping cask to a final place. In clinker form the 1 gram of fission products and the accompanying inert material (representing about 1 man-year of electricity use) will occupy about 1/10 of an ounce, volume measure, and the total cost of processing, transport, and permanent storage will amount to about 14 cents.¹ The heat emitted is 1/40 of a watt, or about 1/10 the energy of a penlight flashlight. In a lifetime of 70 years, each person served by nuclear power could account for a maximum nuclear waste accumulation of less than half a pint in volume. The value of the electric power consumed in his life, at 2 cents per kilowatt-hour, would be, at most, \$10,000, and the cost of the nuclear waste storage would be \$10 of this.

Thus, the volume to be stored is trivial, and the cost of storage is a fraction of a percent of the value of the power, but the wastes last a long time, must be kept behind thick walls, and must get rid of a certain amount of heat. Nuclear wastes accumulated for 1 year emit 10 watts of heat for each megawatt of heat emitted while in the reactor. If wastes from the same power source are continuously added to the storage vault, a steady-state heat output is reached of 550 watts per megawatt, since the older residues are decaying.²

Where would we store such wastes? How can we contemplate a continuity of protection and integrity of containment that will extend over hundreds of generations? Has anyone ever made such commitments before? The answer is yes—in Egypt, and with rather remarkable success. Wooden chests and sarcophagi removed from the Egyptian pyramids are perfectly preserved and look like new after 5000 years in the desert. Metal, ceramic, and glass objects are also unchanged. Can we not do as well.

The stone of the great pyramid of Cheops, which is about 230 meters square at the base, could be arranged to form a series of smaller vaults that would house all the nuclear wastes that could be generated by the United States, at its present rate of electric power consumption, for over 5000 years. The heat dissipation of 275 megawatts is a small load for such a "dry cooling tower." During these

thousands of years, some spent waste could be removed for simple burial to make room for new, so that in fact a perpetual capacity would exist for our present rate of electricity use. New pyramids would be needed as electrical loads increased, perhaps one every decade or so.

We recognize that an engineered storage facility with appropriate handling and cooling facilities would require additional volume, and might look more like the Pentagon than a pyramid. The point of this example is to give perspective to the quantities of waste to be managed, which are indeed tractable and feasible to handle. We are not seriously suggesting that pyramids in the desert are the best way to store nuclear wastes. Other places, such as salt mines, are perhaps better. But if all else fails, they would work, they could be safe and attractive, and they would not be forgotten.³ The key objective is to give our successors the freedom to manage the radioactive waste and to change the storage plan if they find a better one, or if surrounding conditions change.

FOOTNOTES

¹ W. G. Bellot, *Nucl. Safety* 8, 174 (1966).

² A. M. Weinberg and R. P. Hammond, "Global Effects of Increased Use of Energy" (paper presented at the Fourth International Conference on Peaceful Use of Atomic Energy, Geneva, 1971), table III.

³ Since the above was written, the Atomic Energy Commission has announced plans for vault storage, while continuing research on other modes.

WHY ARE WE EXTERMINATING DDT?

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. GOODLING. Mr. Speaker, the Environmental Protection Agency has decreed that the DDT insecticide shall be outlawed effective January 1, 1973.

There are many experts on the environment who feel that such a decision is ill-founded and has not been based on a scientific appraisal of what, in many quarters, is labeled a miracle insecticide. Instead, they contend, it was occasioned through an emotional overflowing prompted by pressures of so-called ecological specialists—expert experts, if you will.

The New York Times, in its issue of August 27, 1972, carried an article entitled "Why Are We Exterminating DDT?" Because this article deals with the subject of DDT in a rational, rather than an emotional, manner, I insert it in the CONGRESSIONAL RECORD and commend it to the attention of my colleagues.

The article follows:

[From the New York Times, Aug. 27, 1972]

WHY ARE WE EXTERMINATING DDT—BAN CALLED POLITICAL INSTEAD OF SCIENTIFIC

(By Samuel Rotrosen)

Only twice in the history of our country has a widely used product whose name has been a household word been banned by Government action. The first was alcoholic beverages in 1918 and the second was DDT, the "miracle" insecticide whose use has been outlawed by the Environmental Protection Agency effective next Jan. 1.

The immediate impact of the E.P.A. ruling falls most heavily, of course, on the Montrose

Chemical Corporation of California, the nation's sole remaining producer of DDT, and its employees; but I believe that there are implications far broader and more basic to our entire value system than have surfaced in the long controversy over DDT.

It took 10 years from the publication of Rachel Carson's "Silent Spring," the first popular criticism of DDT's use, to the order last June by William D. Ruckelshaus, the administrator of the E.P.A. During that time the number of DDT producers fell from six to one. Peak production in the United States reached 179 million pounds in 1963 and declined steadily to 48 million pounds last year.

Shortly after World War II there were 16 producers, including the giants of the American chemical industry—du Pont, Allied, Monsanto, American Cyanamid, Hercules. One by one they dropped out. Among the last of them to leave the field was the Olin Corporation, whose chairman, Gordon Grand, said in 1970, when his company ended production of DDT, that despite the fact that the bulk of their DDT went to the public health programs of the World Health Organization, Olin could not afford to spend the time and effort defending a product that accounted for less than 1 per cent of its sales.

The concern of the World Health Organization and the United States Public Health Service, the world's two largest users of DDT, has been repeatedly expressed. The Surgeon General and WHO have stressed that at present there are no substitutes in sight for control of malaria, typhus and other diseases that still are scourges in large areas of the world.

WHO cites DDT's "amazing record in eradicating malaria for 500 million people, of having saved about 5 million lives and prevented 100 million illnesses, of having served at least 2 billion people without causing the loss of a single life by poisoning from DDT" and it concludes that "the immediate discontinuation of the use of DDT would be a disaster to world health."

The implications to the farmer and the consumer are perhaps not as dramatic, but are beginning to be apparent. We have become accustomed to vegetables free of insect debris and to fruits that are unblemished.

Today's housewife is not used to cutting away wormy parts, but with the increasing attack on all insecticides, her attitude will have to change. A sign at a roadside produce stand in New Jersey tells the story: "We have stopped using DDT. Result!! Corn Worms." And the cotton grower in the South still claims he needs DDT to protect his crop, despite the development of newer pesticides.

In fact, the substitution of alternate insecticides has brought new and more serious problems. The organophosphates that the E.P.A. has recommended for use by cotton growers are deadly to humans unless properly used, as well as being more expensive. The carbamates that have been substituted for gypsy moth control and other uses kill bees.

In California's San Joaquin Valley, where bee keepers "rent" portable beehives to farmers to pollinate crops, the devastation caused by the substitutes has been so great that the bee keepers have just petitioned the state to reinstate DDT's use. The Wall Street Journal reported on Aug. 17 that 250,000 bee colonies disappeared last year, that honey is scarce and that its price rose 30 per cent in the last year.

Residents of the Northeast are only too familiar with the heavy infestation of mosquitoes, inchworms and gypsy moths as DDT has been outlawed for forest and garden uses.

Substitutes are slow in being developed. The current issue of the M.I.T. Technology Review says: "The degree of safety and effectiveness that DDT at first apparently gave the world may not be attained before the

end of this century. Meanwhile, the people of the U.S. will have to put up with conditions that many will find barely acceptable."

Perhaps more important to the public generally and to businessmen in particular, however, is the clear implication, as exemplified in the long drawn out DDT case, that despite lip service to the principles of due process, Government actions are going to be based on election year political expediency.

The E.P.A.'s first annual report stated that it had begun "a long hearing process to assess the dangers and effects of pesticides on humans, and, as the law requires, to determine on the basis of the evidence whether they should be banned."

The DDT hearings lasted seven months, 125 witnesses testified and more than 9,300 pages of testimony were taken. At the end, the hearing examiner found that DDT held no threat of cancer or birth defects to man, that the DDT uses in question did not harm fish or wild birds and that the benefits of DDT's continued use outweighed any possible adverse effect. He concluded that "there is a present need for the essential uses of DDT."

Probably, we should not have been surprised that Mr. Ruckelshaus completely ignored the findings of the examiner the E.P.A. assigned to listen to and weigh all the evidence, for another sentence in the same annual report of his agency reads, perhaps prophetically: "Despite (lack of) evidence that any harm had come to humans from direct exposure to these pesticides, the national policy to phase out their use was responsive to public demand."

A question chemical producers might well ask themselves is why spend money on research for new products; would it not make more sense to devote the dollars to public relations?

Whether, as was the case with the prohibition law, our public attitudes will change, only time will tell. They already have changed abroad. Sweden, the first country to ban DDT, promptly reinstated its use to save its pine forests, a major factor in the country's economy, and Canada did the same thing last year when the cutworm threatened to wipe out a \$2-million onion crop in Ontario.

I suspect that some of us in this country may begin to wonder why our corn must have worms, yet costs more than it used to; why our health and comfort must be threatened by mosquitoes; why our gardens must be plagued by inchworms and other pests.

GRIM STORY OF VIETNAM

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. DOW. Mr. Speaker, the following brief history of American involvement in Vietnam was prepared by Dr. Chaplain Morrison of the Congressional Action Fund staff. Dr. Morrison holds a Ph. D. in history from the University of North Carolina.

The point Dr. Morrison makes is clear: The policy of our Government has been to oppose communism wherever it takes root, disregarding the possibility that the alternative may be equally or more freedom-restricting. Moreover, the Vietnam experience teaches us that striking at communism may cause us to trample on national aspirations, doing more damage than any benefit our battle against communism could possibly offset.

I commend Dr. Morrison's comments to the attention of my colleagues:

WHY VIETNAM: A BRIEF HISTORY OF AMERICAN INVOLVEMENT

American involvement in Vietnam began with the decision in May of 1950 to provide direct military assistance to the French effort to crush an indigenous independence movement led by Vietnamese who happened to believe in Communism. The decision was based upon the assumption that the struggle for native independence was part of a world Communist conspiracy. This was the position taken at that time by the Department of State:

"We have not urged the French to negotiate with Ho Chi Minh, even though he is now supported by a considerable majority of the Vietnamese people, because of his record as a Communist and the Communist background of many of the influential figures in and about his government."

Although Ho Chi Minh was the only Asian Communist leader whom American intelligence could not link to Moscow, the government refused to believe in the possibility of an Asian Tito, a second Communist leader not under the control of the Soviet Communist Party. It assumed instead that the magic word "Communist" supplied the missing link and that the word alone made Ho, in the words of Secretary of State Dean Acheson, "the mortal enemy of native independence in Indochina." Once the Korean War began American policy-makers relocated the source of Vietnamese revolution in Peking, but they refused to believe that it was not controlled by a foreign Communist power.

After the Geneva Agreements of 1954 brought to an end the military effort to reimpose French colonialism on Indochina, the United States replaced France as the major Western power working to defeat the independence movement. To do this it was necessary first to undermine the Geneva Accords and eventually to wage a war of unparalleled destructiveness against the peoples of Indochina.

The political terms of the Accords stated that "the military demarcation line" (the 17th parallel) is provisional and should not in any way be considered a political or territorial boundary. Vietnam remained a single country to be reunited by free elections in 1956.

But the leader of the Government of Vietnam in Saigon, Ngo Dinh Diem, whom the United States supported in order to maintain its influence in the southern zone of Vietnam, refused to even discuss the elections because of the certainty that Ho Chi Minh would win them. Years later a State Department official summarized the reports of American military officers in the southern zone of the country: "If free elections were to be held in South Vietnam in 1962, Ho (Chi Minh) would get 70% of the popular vote." The United States was essentially responsible for the failure to hold nationwide elections in 1956. As Secretary of Defense Robert McNamara admitted to President Lyndon Johnson in a secret memo written eight years afterward: "Only the U.S. presence after 1954 . . . enabled Diem to refuse to go through with the 1954 provision calling for nationwide 'free' elections in 1956." Sustained by the American commitment, Diem tried to destroy the elements in the southern zone which had resisted French colonialism and thereby precipitated an indigenous rebellion against his regime.

The leaders of the Democratic Republic of Vietnam in Hanoi did nothing at first to assist the rebellion. As Assistant Secretary of State, William P. Bundy admitted in a paper written in 1965: "the Communists themselves undoubtedly thought that the 1956 elections would give them all of Vietnam and that they could afford to take their time." But after they were frustrated in their efforts to reunite the country via elections, they be-

lately decided to support the resumption of the struggle for independence in the South.

For this decision North Vietnam was attacked by the United States, first clandestinely beginning in 1961 and then openly in 1965, in an effort to force the DRV to "bring about a cessation of the Viet Cong armed insurgency." The American government repeatedly torpedoed efforts to negotiate a peaceful compromise of the conflict. When non-Communist political leaders in Saigon proposed in 1964 to establish a neutralist state of South Vietnam, independent of the Communist North, for example, the American ambassador announced that the United States "firmly rejects the spurious idea of 'neutralizing' South Vietnam since 'neutralization' would simply be another means of Communist take-over."

Equating neutralism with Communism in South Vietnam, President Johnson cabled the ambassador: "your mission is precisely for the purpose of knocking down the idea of neutralization wherever it rears its ugly head, and on this point I think nothing is more important than to stop neutralist talk wherever we can by whatever means we can." Given the loss of any chance for either reunification as promised in the Geneva Accords or a permanent compromise dividing the country, the DRV leaders have finally come to a full commitment of the human and material resources at their disposal to the expulsion of the United States from Indochina.

THE THIEU GOVERNMENT'S POLICY OF REPRESSION

Perhaps the greatest cost of the war to the Vietnamese has been the creation of a dictatorship dedicated to frustrating the overwhelming desire of the Vietnamese people for peace. The March 20 statement of the Catholic Movement to Build Peace sums up the feelings of many Vietnamese:

"All the peoples of Indochina in general, and those of Vietnam in particular, despise and denounce this war and look fervently for peace—literally from one minute, one second to the next.

"There will only be peace in Indochina when the imperialist countries, in particular the United States, stop trying to expand their strength in this area under any guise."

The rising tide of these pleas for peace has corresponded with the growth of autocracy in Vietnam. Last February 23, twenty-four South Vietnamese organizations issued a joint statement attacking as hypocritical the government's offer to talk peace while it was jailing its non-communist opponents:

"No person can believe in words inviting representatives of the North Vietnamese Communists and leaders of the National Liberation Front to meet about peace and neutrality in Saigon while in this same city as well as throughout the south hundreds of thousands of people are still being imprisoned, people almost all of whom love their country and people who have only expressed disapproval of present government policies."

The task of sweeping people indiscriminately into prison is an easy one in South Vietnam since it is presently a crime to advocate neutralism, to hold a demonstration, to go on strike, or simply to be considered by the authorities, "dangerous to the national defense or security."

With the recent intensified fighting and the rumors of a peace settlement, repression in South Vietnam has become even worse. An account by Benjamin Cherry in the *Far Eastern Economic Review* describes the situation:

"Reliable opposition sources estimate that 50,000 people have been arrested throughout the country in the past two months, many of them carted off to the infamous Con Son prison of 'Tiger Cages' fame. There is no

longer enough time or manpower to question all the prisoners; many are packed like sardines into the airless 'cages' and left there.

"A letter smuggled out of Con Son recently told of some 1,500 children and old women who had been thrown together into one of the cells. They had come from the countryside around Hue. The police apparently had entered their villages and told them to report to the authorities with their identity cards prior to being moved elsewhere as refugees. The place of refuge turned out to be South Vietnam's most dreaded prison. . . .

"Guilt is irrelevant. It is a question of helping out of the way anyone who might possibly pose a threat to the Government. And the Government is not in the mood to take any risks. Having opted for the hard line, Thieu has no choice but to carry it through."

In a speech on August 5, Thieu justified his policy of destroying "the enemy within" in which he included not only Vietcong but also "pacifists, Communists, those who start whispering campaigns, spread false news and affect the morale of our soldiers and sow confusion in their ear." "They are everywhere," he continued. "They must be wiped out."

Thieu's past efforts have not succeeded in wiping out the enemy, but they have imposed a reign of terror on the people of South Vietnam. In 1971 American and Vietnamese briefing officers in Saigon informed Representative Paul McCloskey that under Operation Phoenix, designed to eliminate the Vietcong infrastructure, the government was assassinating twice as many citizens as the NLF. But one of America's advisers to the program explained in an issue of the Washington Post why the effort failed:

"We failed to notice that Phung Hoang [the Phoenix Program] was becoming something else—a means for repressive control over the South Vietnamese. VC economy-finance cadres would be captured again and again only to be released. But the 'subversive' nationalist who expressed fatigue with the war, scorn for Thieu and Ky, and enthusiasm for a coalition government, was by definition a threat to public security. He might easily find himself on Con Son Island, his arrest being explained to advisers by ascribing to him a VC title.

"The larger task of neutralizing the Vietcong leadership was obviously considered impossible by South Vietnamese authorities. With self-interest foremost as usual, the Saigon government used the mechanisms of Phung Hoang to intimidate and control more accessible segments of the population."

Not only has Thieu used the Phoenix program to try to destroy his political opponents and to control the people, he has used the pacification program for the same ends. In a secret study done for Presidential Adviser Henry Kissinger in early 1969 the intelligence agency of the State Department explained why it considered the program a failure:

"Despite elaborate planning and creation of machinery to execute and sustain a combined political-military-pacification campaign, few Vietnamese leaders have clearly understood the goals of pacification or have committed themselves to supporting it through the GVN administration apparatus. The majority of the South Vietnamese leaders including President Thieu, have been chronically indifferent to the American ideas of pacification. . . . Thieu is now using the name and assets of pacification to pursue a goal of rapidly expanding the GVN's nominal presence in the countryside. . . . These moves do not suggest that a solid base for pacification is being built. . . .

"Pacification has thus far failed to give the peasant sufficient confidence in the GVN's ability to maintain security or in the longer run to redress basic economic political and social inequities."

Thieu's latest move to silence all criticism in South Vietnam is a new set of laws cracking down on the press. In describing the crackdown the August 21 issue of Newsweek Magazine said that "Thieu demonstrated anew his thirst for total control of thought in South Vietnam." The laws, according to Newsweek "will have the effect of wiping out most of Saigon's newspapers. Those that remain will necessarily be so totally pro-government that Moscow's Pravda may look like an underground sheet by comparison."

ADDITIONAL SOURCES OF INFORMATION

American Friends Service Committee (AFSC) 160 N. 15th St., Phila., Pa., 19102.

American Report Radio (ARR) 1330 Mass. Ave., N.W., Rm 101, Washington, D.C., 20005.

Campaign to End the Air War 339 Lafayette St., NYC, 10012.

Center for the Study of Power and Peace (CSPP) 110 Maryland Ave., N.E., Washington, D.C., 20002.

Clergy and Laymen Concerned (CALC) 637 West 125th St., NYC, 10007.

Committee of Liaison with Families of American Prisoners of War in North Vietnam (COL) 365 West 42nd St., NYC, 10036.

Community Video Center (CVC) 1411 K St., N.W., Washington, D.C.

Computer People for Peace (CPC) The Dolphin Center, 137 A West 14th St., NYC, 10011.

Congressional Hearings (CH) Free upon written request to appropriate committee. Also obtainable through local Congressman or Senator.

Corporate Information Center (CIC) Office of Resource Studies, Division of Christian Life and Mission, National Council of Churches, 475 Riverside Drive, NYC, 10027.

Council on Economic Priorities (CEP) 456 Greenwich Street, NYC.

Dispatch News Service International (DNSI) 1826 R St., N.W., Washington, D.C., 20009.

Earthlight Video (EV) 354 Broadway, Cambridge, Mass., 02139.

Glad Day Press (GDP) 308 Stewart Ave., Ithaca, N.Y., 14850.

Honeywell Project (HP) 529 Cedar Ave. South, Minneapolis, Minn., 55401.

Indochina Resource Center (IRC) 1322 18th St., N.W., Washington, D.C., 20036.

Liberation (L) 339 Lafayette St., NYC, 10012.

National Action Research on the Military Industrial Complex (NARMIC) 160 North 15th St., Phila., Pa., 19102.

New England Action Research on the Military Industrial Complex (NEARMIC) 48 Inman St., Cambridge, Mass., 02139.

New England Free Press (NEFP) 791 Tremont St., Boston, Mass., 02110.

New Hampshire Peace Action Coalition (NHPAC) 28 Profile Ave., Portsmouth, New Hampshire.

Non Violent Action (NVA) 2143 Market St., San Diego, Ca., 92102.

Pacific Studies Center (PSC) 1963 University Ave., East Palo Alto, Ca., 94303.

Project Air War (PAW) 1322 18th St., N.W., Washington, D.C., 20036.

Ramparts (R) 2054 University Ave., Berkeley, Ca., 94704.

Raytheon Project-University Christian Movement (RP-UCM) 474 Center St., Newton, Mass., 02158.

St. Louis Project (SLP) 4372 Westminster Place, St. Louis, Mo., 63108.

Stanford Biology Study Group (SBSG) Box 3724, Stanford, Ca., 94305.

Unsell (U) 637 West 125th St., NYC, 10012.

War Resisters League (WRL) 339 Lafayette St., NYC, 10012.

West Coast Video Project-Cosmic Productions (WCVCP-CP) c/o Ed Rasen, 9 Sutter St., No. 300, San Francisco, Ca., 94104.

INSENSITIVITY TO VIETNAM TRAGEDY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. WALDIE. Mr. Speaker, Martin F. Nolan, an able, perceptive, and sensitive columnist for the Boston Globe, has written a moving column examining the increasing insensitivity of the American public to the horror and devastation our policies are visiting on the peoples of Indochina.

Mr. Nolan does not suggest, though I believe it to be so, that that insensitivity arises from insensitive leadership in this area as it has been exercised by both President Johnson and President Nixon.

Whatever the cause, the tragic fact remains that America stands before the world as an arrogant, wounded giant thrashing its great power about in ways that are unjustified and demeaning.

Mr. Nolan's article follows:

BIBLICAL THOUGHTS FOR VIETNAM

(By Martin F. Nolan)

WASHINGTON.—They were symbols of innocence, slain in the guileless atmosphere of international brotherhood. The grief on this observance of Rosh Hashana is truly of Old Testament dimensions.

The hatred, the mindlessness, the shock of what happened in Munich evokes Cain and Abel, the Lord's trial of Job or His command to Abraham to slay Isaac.

And yet when the shofar's sound summons prayer this Yom Kippur, must it not echo for the faceless dead of Vietnam? No state funerals honor the peasants caught in the path of B52 ordnance, just as no glory greets the innocent killed in Viet Cong's atrocities.

The almost physical revulsion felt by so many Americans over the events in Munich has not gripped the national conscience on Vietnam for months, perhaps years. Ever since the My Lai revelations, a sort of Pepto Bismol of the soul has coated the American conscience.

Every other night on television, those soldiers—then American, now South Vietnamese—run from the helicopter into the tall elephant grass, into the valley of death, searching an unseeable enemy.

Television does not follow the B52s, no more than it can track the terror of the invading North Vietnamese. All that is left is the cold print-outs of statistics and even these are clouded in Pentagon "security" smokescreens.

But diligent reporters have discovered, for instance, that in June 112,460 tons of American bombs were dropped in Vietnam.

An intellectual numbness seizes the figure. Can all of that explosive death have been dropped in the silent jungle with no humans nearby? If one hand grenade held by an Arab terrorist at the Munich airport could inflict so much terror, sorrow and grief, what of this day-by-day, year-by-year terror from the skies?

The bare fact is as well-known as it is numbing: more tonnage has been dropped on Vietnam than was dropped during all of World War II and the Korean War combined. All those John Wayne movies, all that "Twelve O'Clock High" glory, all the destruction of Dresden and the Solomon Islands and the Ruhr—all has been surpassed, but its effect on every American citizen's thought processes is a pop-gun bubble. We have built bunkers of the spirit.

Even politics is impregnable from any common-sense questioning. The attempted

odyssey of Jimmy Hoffa to Hanoi becomes a slight misunderstanding, just as the visit of Ramsey Clark was all-but-seditious adventurism.

There are those in the Nixon administration who worry about attacks on Clark, on Daniel Ellsberg, on the Berrigans. "Do we want the question asked of who is the true patriot? Do we really want to bring out these questions of what really is treason to the American tradition? I think the President should think twice about it," said one of his more loyal servants in a morose moment at Miami Beach.

The House of Representatives—the most loyal backers of the war—occasionally feels uneasy, but gets over it. The human drama of those 435 individual decisions is graphically captured by Ward Just in a short story in the October Atlantic Monthly.

Preachers, editorialists, and even politicians occasionally sit up at night and wonder about the possibility of a future as "Good Germans," of living to the 21st Century as a generation who stood by while in the far-off green jungle, people with yellow faces died for reasons no one could give.

It is a time for such thought in the Judeo-Christian world for such thought and the lamb's blood on the door may not keep that question away forever.

REPORTS ON NURSING HOMES

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. SAYLOR. Mr. Speaker, Members will recall that on March 27 and April 17, I spoke on the general need for the full disclosure of information on the condition of nursing homes which are operated throughout the country. The Social Security Administration has been the main stumbling block to full disclosure relying on an original section of the social security law which had no reference to nursing homes on their operation today.

The Honorable Elliott Richardson, the Secretary of Health, Education, and Welfare and I have had several exchanges of letters and I am happy to note we are making progress as the correspondence which follows clearly shows:

MAY 3, 1972.

HON. JOHN P. SAYLOR,
House of Representatives
Washington, D.C.

DEAR MR. SAYLOR: I deeply regret the delay in responding to your letters requesting survey and inspection reports on certain providers of health care services in Pennsylvania.

You asked to be furnished with copies of the inspection reports on intermediate care facilities, hospitals, and homes health agencies in the Medicaid program in the Commonwealth of Pennsylvania. These reports, prepared by the State Welfare Department, which is the licensing and inspection agency of the State, are not transmitted to this Department. I am advised, however, that such reports are made available to the public in the offices of the Welfare Department.

You also asked for Medicare survey reports. Prior to this time survey reports on health care institutions which participate in Medicare have been released only to Congressional Committees having legislative oversight of the Medicare program. A review of the Department's position on the confidentiality of these reports was underway when your re-

quest was received. Your request, however, has highlighted the issues involved and better enabled us to look at the questions we should be asking ourselves.

The Senate Committee on Finance also is considering whether and in what manner the information requested might be made generally available, consonant with the provisions of section 1106 of the Social Security Act, which is the statutory reference guiding our policy on release of information. We will not relegate what is clearly our responsibility to the Congress, and if I determine that it is desirable and within my authority to release the information requested, our regulations will be changed and information released accordingly.

I want to assure you that I am giving my personal attention to this matter, and that my strong commitment to freedom of information principles will bear considerably on my decision.

Again, thank you for presenting us with a concrete example of how the present policy is applied, and my apologies for the long delay in answering you. I will write you again within the next few weeks with my decision.

With kindest regards.

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

MAY 17, 1972.

HON. ELLIOT RICHARDSON,
Secretary, Department of Health, Education,
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: Thank you for your letter of May 8 in response to my letters of February 3 and March 2.

I very much appreciated the call from the Undersecretary.

I note your reference to the action of the Senate Finance Committee and your decision not to relegate your responsibility in this matter. It is my understanding that the Senate Finance Committee is considering a compromise proposal, suggested by officials under your control in the Social Security Administration, which is supposed to give some 40 items of information from Medicare reports. While this might be construed as progress, I find it unacceptable. I think the average person who would review these survey reports would be able to determine from these reports the matters which I think are pertinent and meaningful, and if I may say so, I fear my objectivity would be greater than some, if not all, of your employees in the Social Security Administration who have clasped the secrecy flag around them as if it were a part of the national insignia.

It is my earnest hope that you will act promptly in this matter, and assert your full authority over the Social Security Administration in this and other important questions, and release these Medicare survey reports.

I would like to be advised of any factual errors in the legislative history of Section 1106 prepared at my request by the Library of Congress under date of March 8.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

JULY 18, 1972.

HON. ELLIOT RICHARDSON,
Secretary, Department of Health, Education,
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: With further reference to our exchange of letters concerning Section 1106 of the Social Security Act, I wonder if there has been any change in the plans of your Department with regard to disclosure of information under this section or other provisions of the law.

I refer of course to the statements contained in the paragraph which began on the first page of your letter of May 8 to me, and I write in view of the delay in the consider-

ation of final action on H.R. 1. Do you plan to take any action prior to the final decision on this bill? If so, would you advise when.

I assume since I have not heard from you with regard to the last paragraph of my letter of May 17 that your staff has not found any factual errors in the legislative history of Section 1106 prepared at my request by the Library of Congress.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

HON. JOHN P. SAYLOR,
House of Representatives,
Washington, D.C.

DEAR MR. SAYLOR: Thank you for your letters of March 1, May 18, and July 18. As I indicated in my previous letter to you, we in the Department have a strong commitment to freedom of information and we do not intend to abdicate our responsibility in carrying out this amendment. I am in full agreement with you that information which results from a finding that a provider of services is deficient in meeting one or more of the standards for participation should be made available to the public. Accordingly, and pending any liberalizations in our disclosure rules that H.R. 1 might bring, I have directed that changes be made in the regulations which will authorize the release of the survey reports and findings on the deficiencies of providers. As soon as these regulations become effective, reports thereafter prepared and issued will be made available for inspection by the public.

You may also be pleased to learn that I have directed that affirmative action be taken simultaneously, by way of additional changes in regulations, to provide for public access to other important Medicare program data. Thus, when the new regulations become effective, there will also be made available to the public (1) the most recent and all future contractor review reports on the performance of intermediaries and carriers; (2) all survey reports, prepared after the adoption of the regulation, by the Social Security Administration on the performance of providers of Medicare services; and (3) the names of providers of services, physicians and other persons who have furnished services to Medicare beneficiaries and who have been convicted in a Federal court of submitting false Medicare claims or have been found, after appropriate professional consultation, to have been engaged in a pattern of furnishing services in excess of the medical needs of such beneficiaries.

Since you asked us to advise you of any factual errors in the legislative history of section 1106 prepared by the Library of Congress, I am including the enclosed technical comments received from the Social Security Administration which, however, deal with another aspect of our disclosure policy under the Social Security Act. Once again, I will have to offer my sincere apologies for not having responded sooner to your inquiries.

With kindest regards.

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

COMMENT FROM THE SOCIAL SECURITY ADMINISTRATION ON LEGISLATIVE HISTORY OF SECTION 1106 OF THE SOCIAL SECURITY ACT

In the last paragraph of his May 18 letter to Secretary Richardson, Representative Saylor asks that he be advised of any factual errors in the legislative history of section 1106 prepared at his request by the Library of Congress.

The second sentence of the second paragraph of the Library of Congress memorandum states, "In addition, it requires the Administrator to furnish wage-record information to the legal representative of an indi-

vidual or to the legal representative of the estate of a deceased individual." This statement is taken from page 120 of the conference report on H.R. 6000, issued August 1, 1950. However, such a provision is not included in section 1106 as amended by Public Law 81-734 approved August 28, 1950.

The original version of Regulation No. 1, published in the Federal Register on June 15, 1937 (2 F.R. 1053) provided for disclosure of information "to any claimant or prospective claimant for benefits under title II of the Social Security Act, or his duly authorized representative, as to matters directly concerning such claimant or prospective claimant," and a subsection was added on December 3, 1940 (5 F.R. 4846) providing that "after death of an individual, information considered not detrimental to him may be given to the representative of his estate or any surviving relative on written request, stating the purpose thereof, when efficient administration permits such disclosure." Such provisions, in substantially similar form, have remained in Regulation No. 1 to this day and form parts of Sections 401.3(a) and (b). While not limited to legal representatives, they certainly encompass requests from court-appointed executors and administrators.

In addition, we believe it would be desirable to correct Representative Saylor's impression that the original objective of Section 1106 of the Social Security Act was "to protect the earnings record of those enrolled." While this certainly was a consideration, the public pledge of confidentiality and subsequent issuance of Regulation No. 1 was given primarily to make certain that employees, employers and others would have no reluctance in submitting complete and accurate information on applications for social security account numbers, employer identification numbers, etc. A secondary purpose was to reassure people who might be concerned lest the collection of such information be the beginning of a system under which the Federal Government would keep track of each individual throughout his life for purposes of control.

In press releases of November 23, 1936, and December 10, 1936, the then Social Security Board pledged that information furnished to it would be used only for social security purposes and otherwise treated as restricted. The press release advised that the application of a social security number did not need to be returned through the employers, but could be returned through the Post Office Department or labor organization of which he was a member.

The concern of the Social Security Administration is, and has been from the beginning, the protection of individual privacy in all its facets rather than protection of the earnings record alone. In fact, on February 26, 1937, the Social Security Board warned employers against distributing unauthorized questionnaires purporting to be required by the Board and intended to disclose union affiliation, religion, or other personal affairs of employees.

In my remarks in the RECORD of April 17, 1972, at page 13061. I inserted the text of a suit brought to compel the furnishing of information on a listed number or nursing homes. On July 17, the District Court for the District of Columbia ordered the release of such information on nursing homes and completely overruled the silly long-time conclusion of the Social Security Administration that such information could not be disclosed. The court said:

The Extended Care Facility Survey Reports, are not specifically exempted from disclosure by virtue of the provisions of 42 USC 1306, and that these sought after documents are therefore not exempt from disclosure

under the provisions of the Freedom of Information Act. . . .

The text of the opinion follows:

[U.S. District Court for the District of Columbia]

MALVIN SCHECTER, PLAINTIFF, VERSUS ELLIOT L. RICHARDSON, DEFENDANT, CIVIL ACTION No. 710-72

ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Upon consideration of the defendant's motion to dismiss or in the alternative for summary judgment, and the points and authorities thereto, and the opposition thereto, and upon consideration of the plaintiff's cross motion for summary judgment, and the points and authorities thereto and the opposition thereto, and the Court being of the opinion that the documents sought to be produced, i.e. the Extended Care Facility Survey Reports, are not specifically exempted from disclosure by virtue of the provisions of 42 USC 1306, and that these sought after documents are therefore not exempt from disclosure under the provisions of the Freedom of Information Act, 5 USC 552(b)(3), and that there is no genuine material issue of fact, and that plaintiff is entitled to a judgment in his favor as a matter of law, it is this 17th day of July, 1972.

Ordered that the defendant's motion to dismiss, or in the alternative, for summary judgment, be and the same hereby is denied, and it is

Ordered that the motion of the plaintiff for summary judgment be and the same hereby is granted, and it is

Ordered that the defendant produce the Extended Care Facility Survey Reports for the plaintiff's inspection and copying, within 20 days from the date of this order or such other time as the parties hereto may agree upon.

JULY 17, 1972.

JOSEPH C. WADDY,
U.S. District Judge.

MAJ. GEN. DANIEL JAMES, JR.

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. SIKES. Mr. Speaker, Florida's First District and his hometown of Pensacola take pride in the outstanding record of Air Force Maj. Gen. Daniel James, Jr., as Deputy Assistant Secretary for Public Affairs, Department of Defense. General James has been outspoken in his support for a strong America. His patriotism is unbounded. In an appearance on the NBC "Today Show," August 18, General James again laid it on the line. He deserves the appreciation and applause of the American public. I submit the interview for reprinting in the RECORD.

The interview follows:

MAJ. GEN. DANIEL JAMES, JR., APPEARANCE ON "TODAY" SHOW, AUGUST 18, 1972

FRANK MCGEE. Former Attorney General Ramsey Clark's account of his talks with American prisoners of war near Hanoi has, of course, focused new attention on captured Americans. Clark indicated the men may have felt the United States government is interfering with prisoners' mail. This morning we will talk about that and other matters with the Defense Department spokesman on this subject of American prisoners.

He is Major General Daniel James, Jr., of the Air Force, who is in our Washington studio with TODAY's Washington Editor Bill Monroe and NBC News Pentagon Correspondent Robert Goralski. Gentlemen.

Mr. MONROE. Good morning, Frank. Bob, why don't you go ahead?

Mr. GORALSKI. General James, I'd like to ask you about the flow of mail to the prisoners. Is the U.S. government in any way hindering the operation as some of the prisoners seem to think, according to former Attorney General Clark?

General JAMES. Absolutely not. Our government has always tried to expedite the flow of the mail both ways, and this has been the subject of many of my talks as I move around the country. We have recommended to the families that they use every channel available to them. Of course, we have emphasized the international mail channels that would be the most expeditious way to get the mail through. Now, Mr. Clark said yesterday several things that were erroneous, and I'd like to set those straight this morning.

One of them was that there seemed to be some competition or rivalry here among people to see who was carrying the mail. There's absolutely no rivalry among government officials. We want the mail to get through.

Mr. GORALSKI: (Inaudible) competition of those peace groups as it were who were delivering . . .

General JAMES. Yes, any private groups that seem to have their own fish to fry. Our government has always tried to get the mail through as fast and as expeditiously as we possibly can. Mail that was sent to the men themselves has been returned to us in large numbers as I will show you some pictures. Another point I want to make: Mr. Clark said yesterday that he carried 102 letters that had been accumulating for some time in the State Department. Mr. Clark was wrong in this. Those letters were solicited from the family members, on a crash basis, to be sent to members of their families in South Vietnam, from which we've received practically no mail at all, when it was learned that Mr. Clark was going and they had not been accumulating in the State Department. Of course, the State Department, too, has tried to take advantage of any vehicles going that way to send the mail. We've proof of how the mail has been coming back to us from the other side as shown in these photos I have here. It shows stacks of mail marked "Refuse par Vietnam"—Refused by Vietnam—Packages and letters by the scores of hundreds during the Christmas time even when most men would like to get mail.

This government has never refused to receive and has expedited—we never get a chance to move the mail at all until it has gotten back here and into normal government channels, and then it goes as fast and as expeditiously as any mail could possibly go.

I think it is the height of naivety for people who are as sophisticated as some of the people who are getting in there to buy the stories of the other side. One point that I really wanted to make; Mr. Clark kept referring to the fact that they seemed to believe, speaking about the prisoners, the prisoners seemed to believe this and they seemed to believe that. I would think that I would be very strong in letting the prisoners know, rather than saying "I do not wish to believe." I know my government well enough, and I know those with the expertise of a former Cabinet member probably do too to know that we would never stand in the way of mail to our men. We have to reassure them. If I had a chance on a face-to-face basis, would have given them some peace of mind by reassuring them because you see their beliefs are based on the limited information that

they get in captivity. I'm not surprised at their believing most anything that they say they believe because the facts are strained for them and the things that they are allowed to say are very carefully screened also.

Mr. McGEE. Mr. Clark also said that it was his belief that we could have a man in the prison camps to expedite mail if we would only try. Have we ever made such an attempt and, if not, why not?

General JAMES. We have tried everything that we possibly could, Mr. McGEE.

Mr. McGEE. Have you tried that specifically?

General JAMES. Trying to get a man into the prison camp? Certainly, we have tried to get Red Cross representatives into all of the prison camps, impartial peace teams to go and inspect all of the prison camps. Another thing that we're worried about, is we see the same faces all the time, the same men that I heard on the limited number of tapes that I've been able to listen to; they're so familiar to me I could call their names off without looking at a list. But I wonder what about the Robby Risner's, about Julius Jayroe and the others. This is the reason that we have consistently asked that impartial, international teams and the International Red Cross be allowed to look at all of the camps, and not just one, because that causes us to wonder what do they have to hide in the others, especially, at this time when they seem to be trying to put their best foot forward, why don't they let impartial teams. The Red Cross is ready, willing and able to go in there at any time and not only help facilitate mail, but to assure the loved ones of these men that they are all right—not just a few.

Mr. MONROE. General James, I believe you're indicating that Ramsey Clark talked to a special group of prisoners near Hanoi apparently, a group that is made available frequently for interviews. What is special about this group? Do you have a feeling that perhaps they're treated differently from the others or perhaps this group has different attitudes than the others?

General JAMES. Let me hasten to assure you that I'm not casting any aspersions on these men. These men are in a situation of captivity. I am just referring to the fact that these are the men that we see most often, and that these expressions by them are most consistent with this group of men. This assures us of only one thing, that just ten men are all right and are well treated, and are having humane treatment. But some of the treatment that we have had related to us from other prisoners of war that have been released, such as the tortures and the isolation that they went through and their restrictions, well, if this is humane treatment then I don't know the meaning of the word.

Mr. McGEE. General, let me follow up on Bill's question. It seemed to me the suggestion he was underlining, thought that he had there, was that this might be a group of what might be called "show prisoners" who are put on display for persons such as Ramsey Clark and others who go over there. Do you have that feeling, that these are show prisoners?

General JAMES. I have that feeling, but I want to make sure that you understand that I have the feeling that it is no fault of the men. I am not trying to apply any judgment or imply any guilt on their part. I do have the feeling that they are a special group and that their surroundings are specially prepared for people who come there.

Mr. MONROE. Then you are suggesting that what these men say would not necessarily be typical of what might be heard from the other prisoners if we could talk to them?

General JAMES. That is right and you used the selection of words that I would use, it would not necessarily be.

Mr. GORALSKI. One question, General James, about the flow of mail again. Don't

International Red Cross requirements indicate the number of letters and postcards and packages prisoners can and should receive?

General JAMES. Yes, the Geneva Conventions spell this out very clearly—two letters and four postcards. They say they set no minimums, but if a minimum is set it should not be less than two letters and four postcards. If that number were carried out, then we would have had more than 5,500 letters from the first of the year to July.

Mr. GORALSKI. How many have been received?

General JAMES. 4,000 less than that number. I would like to make one other point about Mr. Clark and that is that he only brought back 17 letters. It would seem to me that the length of time that he was there, he could have brought back at least 500.

Mr. MONROE. Thank you very much, General James. General Daniel James of the Air Force.

U.S.S. "LIBERTY"—THE FORGOTTEN MASSACRE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. RARICK. Mr. Speaker, on June 8, 1967, in international waters of the Mediterranean Sea, the U.S.S. *Liberty* was engaged in an unprovoked attack by Israeli military forces which resulted in 34 of the ship's company being killed and another 75 wounded. The U.S.S. *Liberty* sustained 821 separate hits by bombs, rockets, and machinegun bullets.

Unique to the point of being bizarre in American history is the way this tragic murder of American seamen was hushed up by the news media of the United States. There were no demonstrations, no thought-molding communications commentaries, and no condemnations by Congress—not even an investigation by the United Nations. No so-called "responsible" American even dared label the tragic killing of 34 of his fellow countrymen as a barbaric massacre.

The *Liberty* massacre has been buried and the findings of the Naval Court of Inquiry seemingly forgotten. Convened by Adm. John S. McCain, USN, Commander in Chief of the U.S. Naval forces in Europe, the Court of Inquiry sat in London and aboard the *Liberty* from June 11 to 17, 1967. Serving on the Court of Inquiry were Rear Adm. Issac C. Kidd, USN, and naval Capt. Bert M. Atkinson and Bernard J. Lauff. The findings of the court were approved by Adm. McCain on June 18, 1967.

The court found that there was significant surveillance of the U.S.S. *Liberty* on three separate occasions, 5 hours and 13 minutes before the attack, 3 hours and 13 minutes before the attack, and 2 hours and 37 minutes before the attack; that there were five to six separate air attacks on the U.S.S. *Liberty* with at least two or more planes participating in each attack; that at 8:50 a.m. a single unidentified jet crossed her wake at an estimated 3 to 5 miles astern, then circled the ship and returned to the mainland; that the *Liberty* was flying the normal American flag, 5 by 8 feet; that jet and propeller aircraft circled the ship at

10:56 a.m.; that at that time the *Liberty* was steaming at only 5 knots; that at 2 p.m. the ship's captain, Comdr. William L. McGonagle, of Norfolk, Va., fixed her position by radar as 25.5 nautical miles from the minaret of El Arish which was to the southeast bearing 152 degrees true.

I include selected portions of relevant material at this point:

[From the National Review, Sept. 5, 1967]

JUNE 8, AT 1400 HOURS

(By James Jackson Kilpatrick)

The USS *Liberty*, a communications vessel attached to the Sixth Fleet, took on fuel and provisions at Rota, Spain, on June 2, 1967. She left that same day, under orders to proceed at top speed to an assigned position off the Sinal coast 800 miles to the east. She carried a crew of fifteen officers and 279 men. Three civilians identified cryptically as "technical representatives" from the Department of Defense (DOD), also were aboard. She arrived on station early on the morning of Thursday, the 8th. It was the fourth day of the six-day war between Israel and the Arab nations. That afternoon the *Liberty* was to undergo an attack without precedent in modern naval history. Thirty-four men would die, among them one of the DOD technicians; another 75 would be wounded. Well over a third of her total company would be casualties of an unprovoked assault in an undeclared war, victims of an inexplicable "mistake" on the Israelis' part. Or so the incident is described.

What follows here is neither an expose of the *Liberty's* clandestine role in the Mediterranean nor an explanation of the Israelis' trigger-happy attack; these aspects of the affair are at present unknowable. What follows is no more than an account, drawn largely from official records, of what happened. This is, in brief, a sea story; nothing more.

In April of 1966, Commander William Loren McGonagle, USN, had assumed command of *Liberty*.

So he brought the *Liberty* to her assigned position early on the morning of June 8, a hot day, the sun bright, the sea calm. His orders were to maintain patrol from "a point thirteen nautical miles from the coast of the United Arab Republic at 31 27.2N and 34-00E (point Alpha), thence to 31-22.3N and 33-42E (point Bravo), thence to 31-31N and 33-00E (point Charlie), retracing this track until new orders might be received." As events were to turn out, some new orders were in fact dispatched that very morning, but these messages strangely were "mis-routed, delayed, and not timely received."

Liberty steamed methodically along her southeastern course until she reached point Alpha at 8:49. The ship's normal American ensign, a flag 5 x 8 feet, fluttered loosely in the torpid air. Then she turned to the southwestern leg. At about that moment, an unidentified jet aircraft approached and circled the ship. This was at 8:50 by the log. Some forty minutes later, the tall minaret at El Arish became visible, thirteen miles away. McGonagle asked for a bearing on the minaret, in order to make certain of his position within the established operating area. Everything checked out nicely. An hour later at 10:26, with the *Liberty* nudging along at five knots, two unidentified aircraft again orbited the ship. The presumption is strong—indeed, the presumption is inescapable—that these were Israeli reconnaissance planes. They circled the ship three times at a distance of approximately two miles. At 10:56, another aerial visitor turned up—"an aircraft similar to an American flying boxcar," which passed astern at a distance of three to five miles. "The plane circled the ship

around the starboard side, proceeded forward of the ship, and headed back toward the Sinal peninsula." Visibility was perfect.

THE UNMARKED PLANE

"This aircraft," McGonagle was to testify at the Navy Court of Inquiry, "continued to return in a somewhat similar fashion approximately at thirty-minute intervals. It was not possible to see any markings on the aircraft, and the identity of this aircraft remains unknown."

McGonagle was not greatly worried by the surveillance. He was clearly within international waters, by anyone's international law. At 11:32, passing point Bravo, he altered course to 283 true, and plodded along his westward leg.

"He lingered on the bridge, chatting casually with his executive officer, Lieutenant Commander Philip McCutcheon Armstrong Jr. A few other officers were there—Lieutenant Maurice H. Bennett of Pittsburgh, Lieutenant James M. Ennis Jr. of Norfolk, and Lieutenant Stephen Spencer Toth, the son of retired naval Captain Joseph C. Toth of Virginia Beach. Lieutenant James G. O'Connor, who had served as officer of the deck during the general quarters drill, was ready to go off duty for lunch. Lieutenant (j.g.) Lloyd Clyde Painter climbed up the ladder to replace him.

For no particular reason, except that such reasons always stir in a naval captain's head, McGonagle put his own eyes to the radar screen for one more bearing on the minaret at El Arish. The landmark was then 25.5 miles distant; the bearing was 142, comfortably within the bearing he had established earlier as a danger point against shoal waters. It was 1:55. Painter had officially relieved O'Connor as officer of the deck. Ensign Malcolm Pat O'Malley of Minneapolis had just assumed the conn. McGonagle was ready to go below. Still he lingered.

At 2 o'clock, lookouts just above the bridge reported jet aircraft approaching. McGonagle moved to the starboard wing of the bridge to have a look at them with binoculars. He was able to observe one aircraft "of similar characteristics, if not identical, to the two aircraft which were sighted earlier in the day." The plane was about five or six miles away, at an altitude of perhaps 7,000 feet. It appeared to be traveling on a parallel course with the ship. There was no evidence of a hostile attitude. McGonagle put down the binoculars and again turned away.

The first explosion came, as best he can recall, within a couple of minutes. He sounded a general alarm, and dashed to the port wing of the bridge. Two 55-gallon gasoline drums, stored amidships on the main deck, were burning furiously. The outside port ladders were blocked. He ordered Armstrong to go down the starboard side and get the drums pushed overboard. O'Connor, who also had lingered on the bridge, moved to go with him. The two men had just reached the top of the starboard ladder, when a second bomb struck, this one near a whaleboat stowed just aft of the bridge. The explosion killed Armstrong outright and flung the others back into the crowded room. Suddenly the whole of the tidy bridge was a mass of blood and debris.

He ordered a message sent by the high command radio to the Chief of Naval Operations, advising that *Liberty* was under attack. He glanced at the helm and saw that his helmsman had been seriously injured by the second bomb blast. Quartermaster Third Class Francis Brown, of Troy, N.Y., had leaped to the helm in his place. In less than half an hour, Brown himself was to die.

The strafing attack continued. Whether there were two planes or three, McGonagle cannot recall. They came over the *Liberty*

in criss-cross runs a minute or so apart, punishing the ship with machine guns, rockets, and fragmentation bombs. After the first or second run, McGonagle reached for a phone to relay some command, but the phone circuits had been destroyed. The public address system went out. Shouting through the smoke, he saw that Ensign John D. Scott of Charlotte, N.C. was rallying damage control parties to fight a raging fire in the vicinity of the whaleboat. Ensign David G. Lucas managed to make his way to the bridge, stepping over the bodies of the dead and wounded men. Together, they assigned runners to relay orders to the repair parties and to other vital stations.

The hostile planes kept boring in. A moment or so later, Ensign Lucas staggered in painful surprise; He had taken a piece of shrapnel in his forehead. McGonagle opened the bridge safe, got out a camera, and struggled to the port wing in order to take pictures of the attackers. For the remainder of the assault, he kept the camera close at hand.

It was now about 2:20. The *Liberty* was still on her course of 283 true, plodding toward point Charlie. She was still moving along at something in excess of five knots. The attacking planes, abruptly wheeled off. Through the smoke, McGonagle caught a glimpse of three high-speed torpedo boats approaching from the northeast at 27 to thirty knots.

From the transcript:

"It appeared that they were approaching the ship in a torpedo launch attitude, and since I did not have direct communication with the gun control or the gun mounts, I told a man from the bridge, whose identity I do not recall, to proceed to mount 51 and take the boats under fire. The boats continued to approach the ship at high speed and on a constant bearing with decreasing range.

"About this time, I noticed that our ensign had been shot away during the air attack, and ordered Signalman [Russell O'Neal] David to hoist the largest ensign we had in the locker. He ran up the holiday ensign [7 x 13 feet]. It was flying before the boats attack."

From the transcript:

"When the boats reached an approximate range of 2,000 yards, the center boat of the formation was signaling to us. Also, at this range, it appeared that they were flying an Israeli flag. This was later verified. It was not possible to read the signals from the center torpedo boat because of the intermittent blocking of view by smoke and flames. At this time I yelled to machine gun 51 to hold fire. I realized that there was a possibility of the air attack having been conducted in error. I wanted to hold fire to see if we could read the signal from the torpedo boat and perhaps avoid additional damage and personnel injuries. The man on machine gun 51 fired a short burst at the boat before he was able to understand what I was attempting to have him do."

From the transcript of Lucas's testimony:

"The first thing I noticed was that the mount 54 [on the port side] was vacant. Flames had reached it and chased everyone out of there. I ran toward the gun mount, and looked over the skylight from the engineering spaces. I had a clear view of mount 53 [the starboard mount, which was firing] from, say, the waist up, and there was no one on mount 53. The flames from the motor whaleboat were coming over the lip of the mount. I assume that the bullets that were in the gun, or bullets that were in the ready service ammunition box, very near there, were cooking off and firing."

At 2:34, the torpedo boats opened fire with their own guns. A cannon shot caught Quartermaster Brown. Mortally wounded, he fell from the helm. Seconds later, three torpedoes sped toward the *Liberty*. One passed astern

by 25 yards. A second may have passed beneath the ship. The third struck the *Liberty*, forward, on her starboard side, immediately below the waterline. In the instant of the explosion, 25 men died—most of them highly skilled technicians. The ship went dead in the water, her steering control and all power lost. But there was no additional fire, and a nine-degree list to starboard presented no immediate danger of sinking.

It was 2:40. In the midst of this bizarre nightmare, it seemed not at all surprising that the commanding torpedo boat made a swift turn, stopped dead some 500 yards astern, and began signaling in English: "Do you require assistance?" McGonagle had no light left to return the signal. He ordered the flags "Lima India" hoisted, signifying that "I am not under control." (Somewhat later, an Israeli sailor was to say that "an officer appeared and shouted 'go to hell!'" After a moment or two—long enough for McGonagle to attempt a photograph of the vessel—the torpedo boat moved away from shore. Two minutes later, two helicopters, bearing Star of David markings, appeared. They hovered about the smoking ship, circled her repeatedly, flew off for about five miles, returned once more, and vanished.

McGonagle's mind turned to the dead, the wounded, the problems of regaining steerage. Scott's damage control parties were working at fever pitch, the sailors stripped to the waist, the deck a mass of twisted metal and burning gear. But the watertight bulkheads were holding, the starboard list was no worse, and Lieutenant Richard H. Klepfer of Brooklyn, a Navy doctor, had done a superb job of organizing a main battle dressing station in the mess hall. Most of the slain men were trapped in the forward compartments, but three or four mutilated bodies, streaming blood, were still on deck. They were in plain view of the inspecting helicopters. By this time, McGonagle's wounded leg was giving increasing pain. He stretched out and tried to keep the limb elevated. Then, to his horror, he looked up: The two jets were coming back from the starboard side, "in similar fashion to that which preceded the initial attack." He called an alert to the possibility of renewed assault, but the jets disappeared.

It was 4:15. McGonagle ordered the ship's international call sign hoisted, and turned again to the problems of getting the *Liberty* back under steam. Both boilers came briefly back on the line, but lost their fuel oil suction almost at once. The gyro compass was a wreck. It was impossible to learn the ship's heading. The ship's surviving communications technicians, however, were able to manage the impossible: They rigged some emergency radio-telephone circuits, and restored communications with the Sixth Fleet.

At 6:45, a lookout sent word to the bridge that another Israeli helicopter was approaching.

"What do they want?" asked McGonagle. "Sir, they're trying to land a man aboard." McGonagle was in no mood for social visitors or for boarding parties. He thought of the dangerous clutter on the foremast, and ordered a wave-off. The helicopter then dropped a message to the deck. Written on the back of the calling card of Commander Ernest Carl Castle, Naval Attaché for Air, U.S. Embassy, Tel Aviv, it read: "Have you casualties?"

From the transcript:

"We attempted to advise them by flashing light with an Aldis lamp that 'affirmative,' we did have casualties. I'm not sure that wounded men were still lying around the deck, as such. By that time, most of our wounded had been taken to the casualty collection stations."

"COUNSEL FOR THE COURT. In amplifica-

tion of the Admiral's question, was there not a considerable amount of blood on the decks that would be obvious from a reasonable distance?"

"The WITNESS. That is correct. There were numerous blood streams the full length from the foremast to the main deck at machine gun mount 51, where one body was still lying. I do recall that now. There was also another body in the vicinity of mount 51."

After ten or fifteen minutes of unsuccessful attempts at communication, the helicopter buzzed off. And darkness fell.

During the night, McGonagle ordered three musters to identify the dead. He and his remaining officers bent to the task of preparing casualty messages. He winced at the first of these, to Mrs. Philip McC. Armstrong Jr., of 433 West Main Street, Dalton, Pennsylvania. His executive officer, a 38-year-old graduate of the Naval Academy, had left a young widow and five children behind. Lieutenant James C. Pierce had died, and Lieutenant Stephen Toth. The list included Allen M. Blue, one of the DOD specialists. And the sailors: Allenbaugh, Blanchard, Brown (he would recommend Brown for posthumous commendation), Campbell, Converse, Elsenberg, Goss, Graves, Hayden, Hersey, Higgins, Hoar, Keene, Lenau, Linn, Lupton, Marggraf, Marlborough, Mendle, Nygren, Raper, Reh-meyer, Skolak, John C. Smith and Melvin D. Smith, Spicher, Thompson, Thornton, Tled-tke, Walton. . . . Most of them were naval communications technicians, stationed in the forward compartments, who died in the torpedo's explosion.

Early on the morning of June 9, a lookout sent word that the U.S. destroyer *Davis* was in sight, ready for escort duty. Helicopters arrived from the carrier *America*, to transfer the wounded. During the morning, the fleet tug *Papago* also arrived. The heavy cruiser *Little Rock* joined the parade. The little convoy moved slowly off to Malta, the *Liberty* still listing badly and 25 bodies still entombed in the flooded wreckage of the communications rooms. She arrived at Veletta on the 14th. Aired workers in the shipyard counted 821 separate hits upon the hull and superstructure by bombs, rockets, and machine gun bullets. The teardrop hole left by the torpedo explosion measured 39 feet across.

II

A Navy Court of Inquiry opened its hearings in London on June 11, and continued them aboard the *Liberty* at Malta through June 17. Admiral I. C. Kidd served as President of the Court; other members were Captains Bernard J. Lauff and Bert M. Atkinson, both attached to headquarters of Admiral John S. McCain Jr., commander in chief of U.S. Naval Forces in Europe.

Almost all of the testimony taken by the court remains in classified status. Some excerpts have been released from McGonagle's transcript. A few quotations from the evidence supplied by Ensign Lucas and Dr. Klepfer also have been made public. No supporting material whatever, having to do either with *Liberty's* mission or with the Israeli "mistake," has been released. For the time being, there is no way for the outside observer to form an independent judgment, from the record, upon the Court's conclusions.

We are told that the Court determined that "USS *Liberty* was in international waters, properly marked as to her identity and nationality," at the time the attack occurred. The Court produced evidence "that the Israeli armed forces had ample opportunity to identify *Liberty* correctly," but the Court "had insufficient information before it to make a judgment on the reasons for the decision by Israeli aircraft and motor torpedo boats to attack."

In a statement on June 10, the Pentagon coldly rejected published reports that some unidentified Pentagon spokesmen believed that "a plausible explanation" could be found in human error. Assistant Secretary for Defense Phil G. Goulding said that "we in the department cannot accept an attack upon a clearly marked noncombatant U.S. naval ship in international waters as 'plausible' under any circumstances whatsoever. The suggestion that the United States flag was not visible and the implication that the identification markings were in any way inadequate are both unrealistic and inaccurate. The identification markings of U.S. naval vessels have proven satisfactory for international recognition for nearly 200 years."

During the past month, press service interviews with survivors of the attack have turned up a uniform conviction that the attack was deliberate. Sailors point to the morning-long aerial surveillance; the presence of the flag; the known configuration of the *Liberty*; her name in English on the stern (Egyptian naval ships carry their names in the cursive Arabic script); her slow progression in international waters. All these factors support the crew's conclusion that the assault was no accident.

[From the Zarephath (N.J.) Herald of Freedom, July 28, 1967]

THE RAPE OF THE U.S.S. "LIBERTY"

There have been some strange activities on the part of the Department of Defense in connection with this case. The attack occurred on June 8 yet parents of wounded sailors did not know whether their sons were alive or dead until they finally received telegrams on June 11. The wounded were taken by helicopter from the U.S.S. *Liberty* to the aircraft carrier U.S.S. *America*, and, on arrival, were warned by a representative of the C.I.A. not to talk to anyone about what had happened. Those with head wounds were taken to a U.S. Army hospital at Landstuhl, Germany, and, while there, were kept under guard with tight security. Reliable sources have advised that the many communication technicians who were aboard the *Liberty* have been dispersed to other assignments separately in different parts of the world.

MISS INDIAN UTAH

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. McKAY. Mr. Speaker, this past weekend I had the opportunity to be the guest of the Robert Redford family at their Sundance resort in Provo, Utah. The occasion was the Third Annual Miss Indian Utah pageant, and there are few experiences in my recollection that were more rewarding.

This is not a typical beauty contest. In fact, beauty does not enter into the judging. This is a contest to determine which of the proud young Indian women competing have the best knowledge of their history, their tribal customs and their heritage.

Five Indian judges officiated the pageant, judging the contestants in basic categories of native dress, Indian skills in arts, crafts, knowledge of Indian heritage and tribal talents. The winners received scholarships to the educational institutions of their choice.

Mr. Speaker, this was a great event, an

event promoting Indian pride and respect for the Indian heritage not only among the Indian people but for the entire State.

EMERGENCY MEDICAL SERVICES

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. ROGERS. Mr. Speaker, our Public Health and Environment Subcommittee and the full Interstate and Foreign Commerce Committee have recently approved the Emergency Medical Services Act of 1972. It is my hope that the House will pass this measure in the near future, as it could well become one of the most important pieces of health legislation passed during the 92d Congress. It would authorize funds for the establishment and improvement of emergency medical services systems for life-saving projects, personnel and vehicles.

A few weeks ago Congressman JIM SYMINGTON and I visited Survival Technology, Inc. near Washington and witnessed an example of recent innovations in emergency medical treatment. A plan developed by Survival Technology would equip high-risk heart patients with a survival kit whereby a heart attack victim can administer self-treatment before he can get to a hospital. I thought my colleagues would be interested in the following article from Scientific American which details this remarkable new method of health care delivery:

[From the Scientific American, August 1972]

SURVIVAL KIT

Some two-thirds of the Americans who die as a result of acute myocardial infarctions (coronary heart attacks) do so before they reach a hospital, many of them in the first hour after the onset of the attack. The incidence of such sudden deaths in the U.S. alone is estimated at more than 300,000 per year, or almost 1,000 per day.

The feasibility of a novel plan to substantially reduce the prehospital mortality rate resulting from these acute heart attacks is now under study at a number of medical-research facilities in this country and abroad, under the general sponsorship of the National Institutes of Health. The essence of the plan is to make available to identifiable "coronary-prone" individuals the means for automatically self-injecting a drug or drugs capable of promptly suppressing the irregularities in cardiac rhythm that are often the prelude to sudden death in the period after an acute heart attack. The basic idea of the plan was originally put forward two years ago by Stanley J. Sarnoff, a former surgeon, medical-school professor and director of research in the Laboratory of Cardiovascular Physiology at the N.I.H.; Sarnoff is now president of Survival Technology, Inc., a Bethesda, Md., company engaged in the development of new medical devices.

As Sarnoff points out in his plan, the immediate precedent of death in many if not most patients who die of coronary heart attacks is ventricular fibrillation, the chaotic and uncoordinated "quivering" contraction of the muscle fibers of the heart's large blood chambers. When a patient goes into ventricular fibrillation in a coronary intensive-care unit in a hospital, he can usually be "defibrillated" promptly by a suitably applied electric shock. When an unattended person

outside a hospital suffers ventricular fibrillation, death almost invariably ensues. In most cases ventricular fibrillation is triggered by ectopic, or abnormal, electrical signals originating in the ventricles. The object of the Sarnoff plan is to provide an appropriate procedure for diminishing or abolishing such ectopic beats in coronary-prone patients as soon as possible after the onset of a heart attack.

Drugs that will diminish ectopic heartbeats are readily available. For example, atropine, a drug that increases the heart rate, thereby diminishing ectopic beats, is now frequently administered to heart-attack patients afflicted with bradycardia (an abnormally slow heart rate). In addition to increasing the heart rate, atropine also helps to maintain the blood pressure, which tends to fall dangerously in many heart-attack patients with bradycardia. For heart-attack patients with normal or higher-than-normal heart rates lidocaine (a drug without any influence on the heart rate) is given intravenously almost universally in coronary-care units to suppress ventricular ectopic activity.

What Sarnoff and his colleagues at Survival Technology propose to do is to equip coronary-prone individuals with a "Patient Technology Packet," a kind of cardiac survival kit containing three components, all developed in their company's research laboratory. The components are (1) an "AtroPen," an automatic injector containing atropine, (2) a "LidoPen," an automatic injector containing lidocaine, and (3) a "CardioBeeper," a small electronic device enabling the heart-attack victim to transmit the rate and rhythm of his heartbeat and his electrocardiogram by telephone to his physician or to a central emergency cardiac service. The physician could then have the patient self-administer the appropriate treatment, thereby diminishing the ectopic beats and hence lessening the chance of ventricular fibrillation prior to the patient's arrival at the hospital. The injected drug would also help to maintain cardiac output and arterial pressure while the patient is in transit.

The effectiveness of the AtroPen device for the emergency administration of atropine has already been extensively demonstrated. This particular type of spring-loaded automatic atropine injector was originally designed by Sarnoff and has been widely adopted by the armed forces of several countries, including the U.S., as a defense in chemical warfare against organophosphorus agents (nerve gases). More recently the same device with the same dose of the same drug has been approved by the World Health Organization as an emergency means of treating intoxication with organophosphorus insecticides. A new-drug application for the use of the AtroPen for this purpose has been filed with the Food and Drug Administration. The increased use of organophosphorus insecticides expected to result from the ban on compounds of the DDT type greatly enhances the need for an automatic atropine injector such as the AtroPen in this field.

A cooperative study designed to develop information about the effects of atropine and lidocaine when administered with automatic injectors early in acute heart attack was recently launched by the National Heart and Lung Institute. The participating laboratories include, besides Survival Technology, the Yale University School of Medicine, the University of Pennsylvania School of Medicine, the Binnengathuis Hospital in Amsterdam, the Nassau County (N.Y.) Medical Center and the Montgomery County (Md.) Heartmobile. Meanwhile studies are under way elsewhere to document the role of the CardioBeeper in providing accurate and reliable telephoned information on the basis of which a physician can confidently prescribe the correct drug for the heart-attack victim to self-administer.

F.D.A. approval must be received before the

Survival Technology plan can be implemented. Nonetheless, Sarnoff and his colleagues believe their plan is "fundamentally sound" and report that they are increasingly confident that "the time is approaching when we will have the opportunity to participate effectively in a program that will save many human lives."

TESTIMONY BY SECRETARY OF TRANSPORTATION JOHN A. VOLPE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HORTON. Mr. Speaker, both our House and Senate committees are proceeding with their deliberations on the Federal aid highway legislation of 1972. Congress has, in this legislation, an opportunity to make a significant and needed break with the past by opening up the highway trust funds to public transportation projects. Whether Congress accomplishes that end will be a key test of our commitment to deal realistically with the transportation crisis in America and related environmental concerns.

The administration, and Transportation Secretary John Volpe in particular, have set the stage for a positive congressional response. On September 7, in testimony before the Senate Subcommittee on Housing and Urban Affairs, Secretary Volpe recommended specific steps that must be incorporated in the Federal Aid Highway Act if that legislation is to become a truly balanced transportation bill. The Secretary called for a flexible Federal program that would permit State and local governments to determine their most pressing transportation needs and to apportion their Federal share directly to those needs, be they highway, rail, or bus transit. In addition to requesting a \$3 billion authorization for additional contract authority for the urban mass transportation program, Secretary Volpe asked that the Federal share for UMTA projects be raised to 70 percent, equal to the Federal support of noninterstate highway projects. With parity, we could effectively remove the bias toward one transportation mode over another.

Mr. Speaker, we are not going to solve our transportation problems until, as Secretary Volpe pointed out, our local officials are "freed from the compulsion to simply build highways based on the old principle of 'use it or lose it.'" I commend the Secretary's testimony to the review of each of my colleagues in hopes that it will influence our actions within committee and on the floor.

The article follows:

Mr. Chairman and Members of the Committee:

I am very pleased to have the opportunity to testify before you regarding the public transportation provisions of the Federal-Aid Highway Act of 1972 (S. 3939), which has been referred to your Committee from the Committee on Public Works.

Today, Mr. Chairman, I am here to discuss with you some of the fundamental issues affecting transportation primarily in our

urban areas. In the last several years we have taken many significant steps together. In 1969, the Administration proposed, and through the instrumental support of this Committee, the Congress enacted the far-reaching Urban Mass Transportation Act of 1970. Subsequently, we discussed the concept of a single transportation trust fund, and the Administration proposed Special Transportation Revenue Sharing and the Highway and Mass Transportation Act of 1972 which contained the Single Urban Fund proposal. Underlying all these proposals, and confirmed by our analytical studies, especially the 1970 Statement on National Transportation Policy and the 1972 National Transportation Report, were two recurring objectives. First, current Federal-aid programs should be made more flexible to permit State and local governments to determine their transportation priorities and to use Federal funds accordingly. Second, the greatest transportation needs exist in our major urban areas.

At this time, we have an opportunity to address these points head-on to take a truly fundamental step forward and enact a landmark piece of transportation legislation.

I am pleased that the bill reported by the Public Works Committee (S. 3939) incorporates several of the Administration's recommendations. However, we do not feel that the bill now meets the critical need to achieve efficient urban mobility through balanced transportation brought about by real flexibility of modal choices.

There are a number of features of the bill which are most undesirable from the Administration's standpoint. However, since they are primarily in areas not of immediate concern to this Committee, I plan today to concentrate on those features which are critical to this Committee's interests and an efficient urban transportation system. To this end, I will be requesting that this Committee prepare a report on S. 3939 in which you endorse certain amendments proposed by Senators Cooper and Muskie. These amendments will (1) allow rail transit projects as well as bus purchases to be funded out of the Highway Trust Fund; and (2) set the Federal share for public transportation projects at the same level as provided for all highway projects, other than the Interstate, namely 70 percent. Second, I recommend as part of the total program that you subsequently amend the Urban Mass Transportation Act to provide \$3 billion in additional contract authority to sustain this program through 1977 and raise the Federal share from 66 2/3 percent to 70 percent. While the Administration continues to believe strongly in the Single Urban Fund concept which we recommended to the Congress, we also recognize that there are more than one means to reach the ultimate objective which I believe we share in common—a balanced urban and rural transportation system with flexibility for local choice.

When the Department proposed its Federal-Aid Highway and Mass Transportation Act of 1972, we recognize the urgency of the transportation problem in our urban centers and the lack of a single simple solution. We felt the first objective must be to increase the flexibility that State and local governments have in determining how Federal transportation dollars would be used in metropolitan areas. It is essential that the officials responsible for local transportation be freed from the compulsion to simply build highways based on the old principle of "use it or lose it." Our other principal objective was to provide an assured pattern of program growth for both highway and mass transit projects in our metropolitan areas. We felt the appropriate mechanism to satisfy these objectives was the creation of a new urban transportation program, which we referred to as the Single Urban Fund. Under that proposal the Highway Trust Fund would

have become the sole source of Federal financing for both highway and mass transit programs.

As I previously indicated to you, Mr. Chairman, in an exchange of correspondence, the fact that the Department was not requesting the additional authorizations for capital grants under the Urban Mass Transportation Act by no means indicated a lack of commitment by the Administration for funding mass transportation programs. We were awaiting congressional action on our Single Urban Fund proposal. Now that we have an indication of the apparent unwillingness of the Congress to adopt our Single Urban Fund in total, we are recommending that the Urban Mass Transportation Act be amended to provide an additional \$3 billion in contract authority to sustain the program through fiscal year 1977. We feel that this funding will satisfy our objective of assuring the continued progress and the guaranty of financing for the urban mass transportation program.

As I have indicated, the other major objective of our original proposal was to provide for flexibility which would enable local officials to best satisfy their transportation needs. The Public Works Committee has taken a positive step in this direction by its proposed amendments to section 142 of title 23, which are presently contained in section 128 of S. 3939. These proposed amendments would authorize the use of all Federal-aid highway funds apportioned to a State for use within urban areas and in certain rural areas for the financing of highway public transportation projects, which include exclusive bus lanes, traffic control devices, passenger loading areas and facilities and the purchase of buses. By these amendments to section 142 the Public Works Committee has proposed, for the first time, that Highway Trust Fund monies be made available for the purchase of buses both in urban and rural areas. However, it is important that this proposal be broadened further if we are to provide meaningful alternatives to our local officials. Amendments to section 142 should provide that funds authorized for the Federal-aid urban system be available for the acquisition and construction of rail transit facilities and equipment, as well as the highway public transportation projects currently contained in S. 3939.

This approach was suggested in the Public Works Committee by Senator Cooper, and with the support of Senator Muskie it gained the vote of seven of the fifteen members of that Committee. The so-called Cooper-Muskie amendment would allow urbanized areas to use their share of the \$800 million authorization for the Federal-aid urban highway system for whatever urban transportation capital projects they deem necessary to meet the needs of their communities. Some communities might choose to use their entire allotment for mass transportation; others all for highway construction; and some would obviously provide for both mass transit and highway projects. In any case, the important point is that each community would have the flexibility to program funds to meet its identified transportation priorities. The option will be theirs.

Mr. Chairman, the Administration fully supports the Cooper-Muskie amendment and recommends that this Committee join in support of such a proposal when it is offered as an amendment on the Senate floor. At this time, let me assure this Committee that utilizing Highway Trust funds for urban mass transportation projects will in no way diminish the current responsibilities of the Urban Mass Transportation Administration. If the proposed amendments to section 142 are enacted, mass transportation projects selected locally for funding under that section will be referred to UMTA for administrative and program review and supervision. In a real sense, their current respon-

sibilities will be increased. For these reasons, I strongly urge this Committee to endorse this amendment in its report on S. 3939.

In addition, we feel that section 142 should be modified in another important respect. S. 3939 presently provides for 100 percent Federal financing of bus purchases from the Highway Trust Fund. Our experience gained from Federal grant programs shows that provision for 100 percent Federal financing is most undesirable. The lack of some degree of local contribution detracts from the responsibility and accountability which ordinarily is applied to investments of local revenues. In addition, our objective in supporting a broadened urban transportation program is to provide for complete flexibility of transportation choices by local officials and not to create a bias of one mode over another. A provision of 100 percent Federal financing for buses would create such a bias and should be avoided. We believe there should be a parity between transportation projects eligible for financing under this section, and we believe that the appropriate Federal share of the cost of such projects should be the same whether it be a highway project or a transit project. We understand that Senator Cooper will include such a provision in his amendment to section 142, and we strongly urge that this Committee also support this position in its report.

Further, to provide the parity between transportation projects we recommend that the maximum allowable Federal share of transit projects funded under the UMTA program be raised to 70 percent, which is the Federal share for non-Interstate highway projects. The additional funding for the UMTA program, together with the amendments to section 142 proposed by Senators Cooper and Muskie, would provide a total transportation package well designed and adequately funded to meet our urban transportation needs while at the same time being fully cognizant and supportive of our rural road programs.

I am hopeful that this total transportation package will have the full support and backing of this Committee.

Mr. Chairman, I sincerely hope that this Committee will take the actions we have requested to advance the Administration's revised urban transportation program.

In summary, we seek your support on two counts. First, we wish you to support amendments to section 142 which will be offered on the Senate floor to provide meaningful flexibility of modal choices for our metropolitan centers by allowing local officials to determine the proper balance of highway, rail, and bus transit best suited for their needs. In developing this balance, it will not create a new bias by favoring the selection of the bus mode through the imbalance of 100 percent Federal funding.

Second, we wish you to act favorably upon our recommendations for a \$3 billion authorization for additional contract authority for UMTA with the ceiling on the Federal share for such projects being raised to 70 percent from the present 66-2/3 percent.

Enactment of a proposal along these lines will be the culmination of our mutual efforts to meet our urban transportation needs. The new resources coming from the Highway Trust Fund, together with true flexibility for local officials to design their own programs, as well as the assurances to State and local governments and the transit industry that we are committed to the continuation of a vital UMTA program, will be the most purposeful steps we can take. By this action we will do much to relieve the traffic congestion of our cities, to preserve our environment and energy sources, and to provide a balanced transportation system for the movement of people and goods which is so essential for the quality of life in our cities.

In conclusion, Mr. Chairman, let me express my hope that the positions I put before

you today can gain the enthusiastic support of this entire Committee. Need for improved and efficient public transportation for our urban areas is recognized as a must by all concerned citizens. I know that this Committee recognizes this need, and I am hopeful that we will be working together to meet it. It is my hope that we can go forward together in 1972 in the same spirit that we shared in 1970 in enacting that year's landmark urban mass transportation legislation.

That concludes my statement, Mr. Chairman. At this time I will be happy to answer any questions you or members of the Committee may have.

THE SEA IS OUR PLANET'S BLOOD

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. KEITH. Mr. Speaker, probably the most famous name in oceanography today is that of the Cousteau family. Certainly no other family has done more to popularize the potential and problems of the sea.

The Dartmouth Historical Society, of New Bedford, Mass., was fortunate enough to get one of the Cousteaus to speak at the dedication of a new wing at the Whaling Museum there. Jean Michel Cousteau not only carried his father's name, but his father's work, as president of California's Living Sea Corp.

It was my pleasure to be present at the dedication ceremonies, and to hear this thoughtful and provocative man speak. His words were both stirring and disturbing, and I believe they are worth sharing with the readers of the RECORD. His remarks follow:

As recently as five years ago the mass media was still spreading to the public the belief that the resources of the ocean were soon going to be tapped, that these resources were virtually without limit, that they would deliver as much food as a hungry expanding population would need, would ever need. In brief, oceanography would be the answer to all our problems; we had nothing to fear. And eventually, if the world were destroyed by a nuclear holocaust we would just have to step down to the bottom of the sea and live there forever in underwater cities.

Today, fortunately, all that nonsense is reluctantly withdrawn from television and from newspapers because increased knowledge of the sea as well as space exploration and the Apollo program has helped tremendously to reveal the truth about the oceans, the Earth and the truth of ourselves. The truth which is frightening and comforting at the same time, discouraging and stimulating.

There is a vast series of concepts which we are being aware of today. In the Universe the liquid state is scarce. Of all scarce liquids, water is extremely rare and the Earth is the only planet of our solar system to be gifted with an appreciable quantity of water. There is not much water on board our space ship Earth. A very small quantity indeed when you compare the volume of the oceans with the volume of the Earth itself, but water is essential to life as we know it.

Alone. We are alone on this earth. Our water, our fragile blood, is contaminated. No help will come from other planets. There is no other planet to retreat to in emergency. We have no choice but to engineer ourselves to survival of our children, how-

ever difficult or painful the job may be. And we have but a very few years to perform such a herculean task. Bad news from the environmental battlefield fill the daily newspapers. In September only, last September, we clipped 256 such bad news from the Los Angeles Times alone.

The sea has become the universal sewer where all pollutions end up and hide out as rainfalls wash the air and the continents. Tankers, oil tankers, collide, blow up, sink. Oil drilling platforms capsizes. Lakes and rivers are poisoned. Whalers, hunters, exterminate many species, wiping out entire sections of the biosphere.

Since 1900 more than 1,000 species have been eliminated. Birds, mammals, plants. It is estimated that today 280 mammals, 350 birds, and over 20,000 plant species are seriously endangered. Coral reefs and their fabulous beauty are disappearing rapidly all around the world.

Pesticides interfere with reproduction of various birds including the Antarctic penguin. Tons of canned seafood are destroyed because they are already found to be too radioactive for human consumption. Swimmers get skin infections or even hepatitis from a single swim in the North Sea or even in the Mediterranean.

And there is not one single white sand beach left in the entire world that is not more or less stained by crude oil or by tar.

This is today's situation only to become worse tomorrow.

It is evident to a space-age man, when he has time to think, that such a situation is an urgent global affair. Unfortunately, we are tempted to deal with inconvenient things one case at a time, day by day, with little concern about long-range consequences, especially when they are not obvious. We should realize there is only one problem—that of survival.

We forget that all life cycles are one. Environment is one too. There is no such thing as the environment, of a single species, of man for example. Or of a town, a locality. The only environment is the environment of life. Pollution must not be over-analyzed. They all end up in the oceans, and thus pollution problems also are one.

The survived man must steadily forget he was the traditional enemy of nature to become, at once, nature's protector. This radical change of alliance is so rapid, so abrupt, that we have not yet fully realized it. To succeed, a strategy of survival calls for all the courage mankind can mobilize. This race against time for the very life of our grandchildren—we can and we must win it.

PRICE'S WASHINGTON REPORT AND NEWS REPORT

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. PRICE of Texas. Mr. Speaker, as part of my continuing effort to keep the residents of Northwest Texas informed about my activities in the Congress, I am inserting in the RECORD at this time, the text of the Washington report for August 7 and September 7 and the text of my latest news report:

NEWS REPORT FROM CONGRESSMAN BOB PRICE
ASSISTANT SECRETARY OF THE AIR FORCE SPENCER J. SCHEDLER ATTENDS SHEPPARD DISCUSSIONS

The assistant secretary met with Wichita Falls businessmen and outlined Sheppard Air Force Base's future. Schedler arrived

from Amarillo Air Force Base where a new Strategic Air Command Satellite Base is being established.

Price stated the proposal to close 500 military bases would be economically disastrous. Amarillo Air Force Base was closed prior to Price's election to Congress. Congressman Price stated to the assistant secretary that when he was elected to Congress Amarillo was suffering the economic burden of the base closing, but that with the cooperation of the Defense Department and other federal agencies the base now contains an industrial area with such high employment tenants as Levi Strauss and Bell Helicopter in addition to Texas State Technical Institute, a vocational training school designed to create new jobs, job opportunities and better wages.

LUNAR VEHICLE INSPECTED BY SPACE COMMITTEE

Rover, the lunar vehicle that carries astronauts on their tours of the moon, was shown to members of the House Space Committee. Price, ranking minority chairman of the Space Science and Application Subcommittee, is one of Congress' most staunch and determined supporters of this country's technical superiority and the utilization of this technical knowledge for day-to-day living. Price's theory, like that of Teddy Roosevelt, is to "speak softly and carry a big stick."

SUPPORT FOR POW AND MIA BRACELET SALES

Congressman Bob Price was on hand at Midwestern University in Wichita Falls to join Vets and Campus leaders in urging continued public interest in the purchase of metal bracelets honoring American prisoners of war and missing in action. Congressman Price, a Korean jet pilot, has long been a wearer of the POW bracelets as a constant reminder that five of his close friends who flew combat with the congressman in Korea continue to be prisoners of the North Vietnamese.

CATTLE CALLING CONGRESSMAN CONGENIAL CONTESTANT

The 24th annual National Cow Calling Contest held in Miami, Texas drew contestants and spectators from various parts of the southwest, including Congressman Bob Price. A rancher-farmer, Price congratulated the winners in both the men's and women's divisions. The contest is a part of the Pioneer Roundup weekend held annually in Miami. The weekend closed with the judging of the "Miss Miami" contest.

A TIME TO LISTEN—A TIME TO LEARN

When two cowboys get together you can count on a lot of swapping of tales; however, the one with the greatest years of experience generally has the last word . . . the younger listens and learns. Congressman Price practiced this "cowboy philosophy" when he first went to Washington; he listened and learned. Now, as a Congressman with experience, he has become a congressional leader on agriculture and defense matters. Bob Price is one of the very few congressmen with an actual working knowledge of agriculture and is one of only three congressmen qualified to fly and evaluate today's sophisticated aircraft. As a result of his years of experience Congressman Price has become an unofficial advisor to a number of federal agencies and administration officials.

PRICE KNOWS ABOUT WAR—HE HAS BEEN THERE

There's no substitute for experience. Price's determined position to maintain a strong military posture for this nation comes from his personal experience. As an F-86 Sabre jet pilot, he flew combat missions in Korea and daily ran the risk of being shot down over enemy territory. Surrendering to Hanoi is inconceivable to those who have family members as well as close friends behind North Vietnamese barbed wire.

AGRICULTURE SECRETARY EARL BUTZ AND CONGRESSMAN BOB PRICE CHECK WHEAT GRAIN

Secretary Butz and Congressman Price met in Galveston, Texas to examine the wheat being sent to the starving refugees in Bangladesh. Price, a practicing rancher, lends practical experience to the House Agriculture Committee and is one of only a few members of the Committee with any actual first-hand experience in agriculture.

HIGH ATTENDANCE RECORD YEAR AFTER YEAR
EARNS PRAISE

Congressman Price during his entire career in Congress has earned one of the highest attendance records in Congress. In spite of losing several days while hospitalized with two major operations, Price has chalked up a 90.4% attendance record. Price also has been cited for his outstanding voting record by the National Associated Businessmen and the United States Chamber of Commerce.

Attendance record

	Percent
Price	90.4

Source: Congressional Quarterly 1967-71.

WASHINGTON REPORT FROM YOUR CONGRESSMAN BOB PRICE, AUGUST 7, 1972

BUSING VOTE

The House Rules Committee has voted to bring the proposed Constitutional Amendment, which prohibits forced busing, to the House floor for a vote.

I strongly support this amendment which is similar to one I have sponsored. I am opposed to busing of school children just for the sake of a numerical balance dreamed up by some statistician.

Quality education took a back seat on the bus under this program and it is now evident that such a program destroys the concept of the neighborhood school and parental support for that school.

It has also become evident that using the color of a person's skin to determine assignment to a particular school is in itself discrimination.

There are those who argue that it takes too long to get two-thirds of the Congress to approve such a measure . . . too long to get three-fourths of the States to ratify. However, I feel as other parents do, that an amendment is the only guarantee we have that the courts will not be running our schools.

This issue will come up for a vote within the next week . . . it is imperative that it pass.

FEDERAL BUREAUCRACY DECREASES

The number of persons on the Federal payroll is gradually decreasing under the Nixon administration. At a high of 2.6 million in 1969, the number of government employees now stands at 2.5 million.

This figure would decrease even more when the Nixon plan for reorganization to cut out duplication and overlapping is put into effect.

Thus far, however, the President has been stymied in this effort by an opposition-controlled Congress which continues to implement more federal agencies.

WASHINGTON REPORT FROM CONGRESSMAN BOB PRICE
TOXOPHENE

The Food and Drug Administration is currently investigating the chemical, toxophene, for possible elimination as a pesticide for spraying cotton and for use as a dip for cattle with scabies.

FDA is consulting with the Department of Agriculture and information has been sent to all state Veterinarians in the Southwest along with a request for an opinion.

This chemical is permeating the soil according to FDA reports and has residual qualities similar to those of DDT. Because of

this quality, the ban would be especially important to the cotton industry. And for the dipping of cattle, only lime and sulphur would remain as an acceptable substitute.

RED RIVER BASIN

On September 25 I will be meeting in Wichita Falls with the District Engineer of the Corps of Engineers from Tulsa, for the purpose of establishing priorities in relation to the continuing efforts to improve our water supply.

We have been working with the Red River Authority to hasten this project and this past week Senator Tower and I have succeeded in getting the Department of the Army to make an official request for getting necessary funds released by the Office of Management and Budget so construction of Phase I can get underway.

Twenty one Northwest Texas counties are directly affected by this project.

PANHANDLE RECREATION AREA

I am working with the U.S. Forest Service to search for a way to return control of Lake Marvin in Hemphill County back into the hands of the local residents.

This recreation area has been neglected in recent years and the Commissioners of Hemphill county had attempted to buy it back from the government and restore it to a useful facility.

Because Lake Marvin is part of the Black Cattle National Grasslands, it cannot be purchased outright, but the Forest Service informs us that it feels a deal can be arranged to swap land with the County so that the Lake would be back under local control.

IF BENJAMIN FRANKLIN HAD INVENTED TELEVISION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. JACOBS. Mr. Speaker, I place in the RECORD an address by Mr. Reuven Frank, president, NBC News. The address was delivered at the Conference on Electronic Journalism, Herbert Hoover Presidential Library Association in Warrenton, Va., on June 22 of this year.

As can easily be told by reading, it is excellent.

The address follows:

IF BENJAMIN FRANKLIN HAD INVENTED TELEVISION

(By Reuven Frank)

There is too much detailed discussion these days about the regulations which govern television reporting, and not enough general discussion about the principles which underlie them.

Thus we wonder how the Fairness Doctrine applies to letting this candidate speak so many times, and that one not so many. To which news programs does the legislated requirement of equal time apply, and how does a journalist on deadline pick his way among the distinctions? What is the proper role of the legislature in protecting the audience from news presentation which is not totally factual? How much must an audience be told about what went into a piece of news before it was put together, and about how it was put together?

There are all specific, recent considerations, governing the details of laws affecting how news is presented on television and how those laws are administered, and whether there are too many such laws or too few. The number of such areas of involvement in television reporting is approaching the dozens, and the

individual instances of suggestions for new regulations is into the hundreds. And rising.

The least of these, were it applied to a newspaper, would be thrown out of any American court as a violation of the Constitution, as a direct contravention of the Bill of Rights.

I submit that as a simple fact.

Whether Section 315 of the Federal Communications Act—equal time—is being applied the way those who wrote it intended, whether the doctrine called Fairness requires presenting views no one seems to want to hear—no one even discusses such matters with respect to a newspaper. It is widely understood that the First Amendment forbids legislating changes, even improvements, in newspapers and how they do what they do.

The two media are governed differently because of the physical differences between them. That is the accepted wisdom. It is honestly believed by most people who concern themselves with such matters that the physical properties and conditions of broadcasting make regulation of them inescapable. The need for the orderly allocation of broadcasting frequencies is said to make regulation of their news presentation permissible, and even desirable.

First of all, there is a logical hole in that last sentence which you could drive a newspaper delivery truck through.

Second, and much more important, there is no reference in such discussion to what the First Amendment was intended to achieve. It is my understanding that the purpose of the First Amendment was not to achieve freedom to print; that was its method. Its purpose was to keep all government out of all news.

If I am right, then the purpose of the First Amendment, the first clause of the American Bill of Rights, is being violated thousands of times a day, including today. We who are employed in television justify and defend and explain what we do to people who either have no right to ask or ought to have no right to ask.

Matters have come so far that this simple position sounds like an extreme position. But is it?

Not very often, but sometimes, newspaper people are asked the sort of question we are asked. The essence of their answer tends to be None of your business. Their language may be politer than that, but that is what they mean. And it is indeed none of your business, if you are a judge, or an elected legislator, or an appointed official. The First Amendment says it is none of your business whether a newspaper is fair, or presents candidates equally, or displays bias. Nor does anyone assume that when a newspaperman tells a legislator or a judge these actions of his are none of their business that he is tacitly admitting unfairness or bias or inequality. On the contrary, he is seen as exercising his right, indeed his duty, under the First Amendment. As I put the proposition it sounds harsh because the First Amendment freedoms of newspapers are so widely taken for granted that I venture no one in this room has thought about them in this sense for years.

Ask yourself: When is the last time you read a newspaper report you thought unfair? Or an incident of which you had personal knowledge was described in a way you considered incomplete? Or biased? There must have been some such recent occasion. You may have written sharply to the editor, or thought about it for a moment or two. And given up the thought, because what's the use?

But, even for an instant, did it occur to you there ought to be a law? Or a hearing by a committee of Congress? After eighteen decades of life under the Constitution, the impulses and brain paths for such thoughts do not exist in the American mind. We do not challenge the rights of newspapers to be

newspapers, even those newspapers we dislike or hold in contempt. Any such thoughts are unthinkable thoughts.

Think them. The Constitution is, after all, not an immutable document. It changes slowly but it changes. It has changed. It will change. You can change it. Wouldn't you like to change the First Amendment? Shouldn't newspapers be obliged to be fair? Shouldn't wise and impartial men, the public weal uppermost in their minds, set standards for such fairness? Standards we may all refer to, publishers and readers alike? Doesn't the American public deserve the fairest and best? Is there a lawyer in the house? Is there a Constitutional lawyer in the house? Is George III in the house?

I put it to you that you think I am making my point by reducing it to an absurdity, that your thought processes are so conditioned that a Constitutional amendment to allow regulating newspapers strikes you as absurd.

What makes it absurd?

It is not considered absurd in most of the countries of the world. It has not been thought absurd through most of history. It is not absurd in the United States, if it is news we are talking about rather than newspapers. At that time of our history when all news was printed news, all news was free of Government control, regulation and intrusion. Now that only a part of news is printed news, most news is subject to Government control, regulation and intrusion.

We discuss the doctrine of legislated fairness which is applied to television and whether it goes too far or not far enough. We do not discuss whether it is a violation of the purposes of the Bill of Rights and the almost religious belief of most Americans in those purposes that such a doctrine should exist at all.

There are, it is true, current discussions of the First Amendment as it applies to newspapers. It has over the years been extended far beyond keeping the Government out of publishing the news to keeping it out of the process of gathering the news. Now the Supreme Court is considering whether making a reporter enter a grand jury room violates the First Amendment. But I am not talking about these expansions of First Amendment rights. I am talking about its simplest, smallest original frame.

If the First Amendment does not apply to news on television in the same way that it applies to news in print this year in this country it does not apply to most news. That is a fact. It can be expressed in statistics. If you do not believe it ought to apply to news on television, you do not believe that it is an absolute need that news be free of Government regulation and intrusion. You merely think you do. You believe there is nothing wrong with Government intrusion in news if the news is not printed. That is not the way you express your belief, but that is what you believe.

This belief, to go back, is said to be based on the physical difference between print and broadcasting, between wood pulp and radio waves, not between what they carry. The rationalizations supporting this are a Tower of Babel ascending to the sky. But the First Amendment applies only to the products of pine trees. It is not a belief about free human beings at all. The airwaves belong to the people; the pine trees belong to somebody up in Canada.

The physical difference between two media is the only reason formally cited, in places like legislatures and courts of law, for withholding from television the full application of the First Amendment as it applies to newspapers. I find the reason unconvincing and I consider it unrealistic. People in broadcasting often counter in some manner like this: It is true broadcasting channels

are a finite number, but it is a very large number, while print whose outlets are theoretically unlimited does not in present fact boast that many outlets. To me a fact rarely if ever brought up seems much more to the point: Print still exists. However finite is the number of broadcasting channels, they are additional to the theoretically infinite number of vehicles of access through print. Infinity plus seven thousand should be sufficient for anyone to speak out and try to make himself heard. It is not a condition of access that all access be identical, only that he seeking access be not stifled.

There are less formal arguments not only about the number of broadcasting channels, especially television channels, but about their impact. Being on television is so important, to a political candidate, say, that all other candidates must appear on the same television or be badly done by. And if the First Amendment applies to television, the branches of Government will not be able to assure this access. Or, you might say, television is too successful to fall within the Bill of Rights.

First of all, the branches of Government cannot make people listen equally, and eyes and ears are as important to access and the spread of ideas as are the various media. Second, there was never a time when some media did not have more impact than others, some organs did not reach more people than others. The same reasoning which denies the full meaning of the First Amendment to television could have been used in that recently past time when there were only newspapers to deny it to all newspapers with more than 50,000 circulation. By the same reasoning, had I the power to do so in Chicago in 1924, I should have let the Daily News print freely and made the Tribune adhere to a Fairness Doctrine. But the First Amendment is held to apply as much to newspapers and magazines which a great many people read as to those which very few people read.

If it applied only to newspapers and magazines very few people read, it would not be a right of citizens, but the right of an elite. No serious thought was given to denying the First Amendment to what was nobly called "the yellow press" even though most people read it. It makes no sense, therefore, to say or even secretly to think that because a television station or network reaches a great many people its news functions fall outside the First Amendment. It makes no sense, but it is said or secretly thought all the time, not only by petitioners who want to get on television, but by officials who see to it that they do get on.

So I am not convinced by the argument about the difference between media. I cannot see how anyone can be convinced by it. The biggest difference between newspapers and television which I can see is that newspapers existed at a time when adventurous men with faith in their fellow-citizens laid down principles for a new society to live by. Television exists in a frightened time when this faith is honored either by lip-service or by a frantic determination that freedom must be enforced. I think if Benjamin Franklin had invented television its informing functions would have been included in the First Amendment.

Too often I am oppressed by the feeling that there are those among us who regret that there were foolish men in the Eighteenth Century who forbade well-meaning officers from imposing rules of constructive and ethical behavior on publishers. And they dread lest the same mistake be made about television.

So far they have succeeded. Television news has been held not to fall within all the protections of the First Amendment. If this were not so, we should not be here today; there

would be nothing for us to talk about. There could be no Fairness Doctrine within the First Amendment. As it is, representatives of all three branches of Government intrude into the news most Americans get, television news.

Congress shall make no law prohibiting the free exercise of some religions; or abridging the freedom of some speech, or of some of the press; or the right of some of the people peaceably to assemble, and to petition the Government for a redress of some grievances. Do we dare admit that is what we really believe?

I consider it so self-evident that the First Amendment deals with the Government and news and not with the Government and one news medium that I hesitate to support my position with reciting specific events. A principle is a principle. But one event so recent and so well-publicized that everyone in this room has heard about it can serve as a strong and useful illustration of what happens because television news is not free of Government intrusion. You may consider this in the light of simple, general principles of our law and what can happen if one of them is abandoned. Or, if you prefer, you might think of this incident in terms of your own private views of what the public wants and needs, in this case the voting public of one state and of the entire country.

In the middle of May, in the presence of television newsfilm cameras, Senator Humphrey challenged Senator McGovern to meet him on television to debate. At that time whatever information was available, and there was a lot—polls, the observations of reporters, and the off-the-record judgments of the staff members of these and other candidates—indicated that only these two men had a reasonable chance of winning the Democratic Party's presidential primary in California.

Now there is a lot of law about candidates appearing on television. Most of it hinges on Section 315 of the Federal Communications Act which used to mean that if a station sold or gave time for a political message to a candidate for elective office it might not refuse his opponent the same opportunity. It has since been interpreted and amended and it now means a great deal more than that. Among other things it means that no television station may present a debate between two candidates if it does not do about as much for other candidates running in the same election. In practical fact it means there can be no television debates. As in most such nice legal situations, one could postulate conditions where there might be debates, but for most of them one could not postulate why anyone should listen. People watch what they care about. If we had proved that the voters of California cared only about Humphrey and McGovern, it would have been absolutely beside the point. This would have been what is called in my business a news judgment and there are no news judgments without a First Amendment.

But the original Section 315 has been amended, to exempt regular news programs and regular interview programs. Each major network has such a regular interview program. So the three major networks invited Humphrey and McGovern to be interviewed on these programs, CBS nine days before the California primary election day, NBC seven days before, and ABC the preceding Sunday, June 4, two days before election day. I speak now only for NBC: our arrangements were made after the other two were announced; we dealt only with the candidates and their representatives; we did not deviate one iota from the established format of "Meet The Press." The candidates had no say in the questions, the format, or the participants.

It might be argued that a real debate

might have been of more use to the voters, but a real debate is against the law unless you satisfy the law with extra candidates or extra programs—not for the public, for the law. It might be argued that a true debate might be more interesting and exciting, so that more voters would watch it than some other things which are on television. But a true debate on that date would have made us vulnerable under the law. This law applied to newspapers would be unconstitutional. Those who hold the First Amendment does not cover television say among other things that they are promoting more political discussion for the benefit of more citizens. On at least that day, May 30, they did the opposite.

On the first of these pseudo-debates, the CBS one, May 28, the two men were allowed to contradict each other a little bit, which was a little different from the usual practice of that program—although I don't know how you make a United States Senator speak only when spoken to while on live television. But that may have triggered the ludicrous sequence which was to follow.

Two other candidates, Congresswoman Chisholm and Mayor Yorty, petitioned the Federal Communications Commission for equal access to the networks before the California primary June 6. The polls were showing Mrs. Chisholm at two per cent of the vote, and at that she was ahead of Mayor Yorty. Both had already been on television often and neither seriously claimed to be able to win. But that is the way a newspaper is allowed to think; not a television network. The FCC told the two petitioners the networks were acting legally under the amended Section 315. So Mrs. Chisholm went to Federal Court.

In an "interim" judgment the U.S. Circuit Court of Appeals ordered ABC to include her in its program and CBS to give her time to make up for her absence from its program. (She did not move against NBC because we had already scheduled her for Monday morning.) The court's decision came Friday evening, two days before the ABC program, four days before the primary election. The court ordered action by Monday.

On Sunday, the ABC program was hastily changed so three reporters could interview four candidates—Humphrey, McGovern, Chisholm and Yorty—and a representative of Governor Wallace, five people. CBS gave Mrs. Chisholm a half-hour to fill however she pleased, and she recruited three reporters to interview her. NBC presented Mrs. Chisholm speaking into the camera for 15 minutes and Mayor Yorty speaking into the camera for 15 minutes. (We were not under court order, but we thought we might prevent one.) Mrs. Chisholm and Yorty also appeared, separately, on the "Today" program Monday morning. Minutes after the "Today" program was shown in California, Yorty announced he was withdrawing from the race and asked his supporters to vote for Humphrey. Mrs. Chisholm got twice as many votes as the polls said she would, four per cent.

This has nothing to do with what I or anyone else in television thinks of the ideas or candidacy of any of the protagonists. Nor do I mean to imply criticism of Mrs. Chisholm in going to court. Anyone who fails to take advantage of a foolish law is himself foolish. But, after all, what was accomplished? Was the American voter, for whose benefit this charade was supposed to be taking place, enlightened? Is it hard to imagine that there were many California voters who were looking to that last program to help them decide between Humphrey and McGovern? Were they not in fact coerced into watching people they didn't care about?

Whenever we leave the Bill of Rights, for even the noblest motives, we embark upon the lexicography of coercion. On that very ABC program one of the reporters asked the

two main candidates what they thought of the arrangement whereby five appeared where they had expected two. And Senator Humphrey spoke those words I have learned to dread, words I caution you against. Mrs. Chisholm, he said, had a right to be heard. There is no right to be heard. There is only a right to speak. If there is a right to be heard, it must by definition be a right to force someone to listen. But we say things like "right to be heard" because they sound as though they ought to mean something. They have that ring to them.

The FCC and the networks are now wondering whether to try to overturn the interim decision of the U.S. Circuit Court of Appeals. What happened on June 4 is of course now moot. But if it seems likely to happen again there will be an understandable reluctance to present candidates for office in a program form which merely seems sensible and valuable. To put it at its extreme, if the courts can order some political appearances, why not let them order all political appearances? There could be a special court. Whatever the deficiencies of such a plan, it is apparently not prohibited by the First Amendment. And learned jurist in rolling periods could explain how this enhances freedom.

There is the argument that without the court-ordered arrangements of June 4 minority candidates would be stifled. I think I have answered that, but if my answer has been insufficient or too abstract, I beg leave to point out that Senator McGovern and his staff were making the same argument less than a year ago. The media were ignoring him and thereby ignoring their law-specified responsibilities. We heard that a lot.

The media were in fact reporting what our best though fallible judgments told us interested people. A few weeks before the New Hampshire primary our reporters said the McGovern campaign was more interesting to the voters than it had been—not more interesting than we had said it had been; more interesting than it had been. So we reported it more. Now there are those who say McGovern profited from that original lack of attention. There may even be somebody out there preparing to accuse us of ignoring him so he might succeed. All we do, in our simple-minded way, is try to proceed according to our news judgment, the judgment which needs protection by the First Amendment.

I am not a lawyer. Long ago I decided not to be a lawyer. I have never regretted that decision. To me the Fairness Doctrine, and equal time, and the right of reply, and the Commissioners and the judges, the good ones and bad ones, the sympathetic ones and hostile ones, the conservative ones and liberal ones, the Congressmen and their new bills, the executive assistants and their new schemes, are all one jump. They are the Government in news, the Government in my business. I began on a newspaper. There I learned the Government had no business in my business. I am still in the same business, but now it's O.K. for the Government to interfere. It is not easy to understand or to follow.

If the Government should not be in news, it should not be in television news. If for one reason or another now is a tactless time to bring this up, this is the best time to bring it up.

JOHN PENA

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. KEITH. Mr. Speaker, one of the greatest strengths of democracy is the

willingness of our citizens to devote their time, energy, and interest to the good of the community. Not for money, or for personal gain, or for prestige, but because they care about their fellow man.

The town of Falmouth lost such a citizen last month. His name was John Pena, and I, along with hundreds of others who knew him, felt privileged to call him a friend. He was never on a public payroll, but his life was devoted to the public interest. In the course of that life, he managed to develop a knowledgeability and expertise in civic affairs that few could match.

In his private life, John was many things—a farmer, a landscaper, a bus driver. He retailed ice and fuel oil, he held the town's rubbish and garbage contract for a time. He made his living in a typical Cape Cod manner, accumulating small and varied enterprises as the need arose.

John's real love, however, was for his public pursuits and they were many and varied too. He was an energetic and loyal Democrat, though he never let that hamper his friendly relationship to his Republican Congressman. He was a zealous sportsman, leading several baseball organizations and spearheading a successful effort to build a new fieldhouse at the town football field.

He served for many years as town meeting member, and for the past several years as public works commissioner. It was in this post that his expertise became most developed, as the question arose of what kind of sewer treatment system was best for Falmouth.

John was convinced that a sea outfall system, while not perfect, was the most effective and economical way to dispose of the town's wastes. He immersed himself in information on the question, spending countless hours in research and discussion into the matter. The result was that he could match facts and figures with the most knowledgeable experts in the field, and he helped to educate the entire town in this complicated issue.

Town meeting in Falmouth this year will be very different, without the voice of John Pena on hand to bring rhetorical discussions down to earth. Others will succeed him, as spokesman for various public causes, but they will have to go quite a distance to bring to the public dialog the kind of knowledge, warmth, sincerity, and enthusiasm that John Pena had. He will be missed.

A pertinent newspaper article follows:
[From the Falmouth Enterprise, Aug. 29, 1972]

JOHN PENA

"Few of our citizens are more civic minded," this newspaper said at one point in John Pena's pursuit of public service. It is too bad he had to go before the present controversy over the sewer was resolved. The tenacity with which he held to his view and the intensity of conviction on the other side evoked extreme feelings. The other man was obscured. John Pena was a friendly and gentle man. His interests were wholesome and aimed at helping people and causes and institutions. It was a small town's way of life into which he grew naturally. Part of this way of life was a proprietary interest in the town government and all its doings, an in-

terest of the sort more often reserved by businessmen for their businesses. We don't mean to say that he was alone in this or that he wasn't one of many. But in his universal, active interest in town affairs he was the sort of person who can make participatory self-government work.

LIST OF MASSACHUSETTS RESIDENTS OPPOSING U.S. INVOLVEMENT IN INDOCHINA

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. HARRINGTON. Mr. Speaker, on August 18, 1972 I submitted a list of names of 500 residents from Massachusetts who strongly oppose American involvement in Indochina. As a proud sponsor of the peace alert effort, a bipartisan organization with the support of 72 Members of Congress, I wish to insert an additional list of names of citizens who have voted to terminate all military operations in Southeast Asia.

These names are being inserted as a symbolic gesture. Many more Massachusetts residents share the same views toward the war in Indochina, joined by thousands of others across the Nation. I implore my colleagues not to ignore the opinions of these citizens who have expressed their heartfelt feelings about our misadventure in Southeastern Asia, and who urge Congress to cut off all funds which support the war.

The list of Massachusetts residents follows:

Melody Gagne, Chilmark.
Phyllis Marsey, St. Clair Shores.
Canren de Carlo, Springfield.
Alice Singer, Cambridge.
Albie Ferullo, Framingham.
Nancy Meadow, Longmeadow.
Emily Kinnel, Hadley.
Calvin Johnson, Cambridge.
Eleanor Pavia, Framingham.
Nancy Powell, Hayward.
Kennett Cohoon, Readville.
Karen Radford, Waltham.
Mrs. Karl Klanseen, Brookline.
Dr. Patricia Temple, Boston.
Paul Sullivan, Grafton.
Nancy Rickardson, Cambridge.
Larry Bell, Yazoo City.
Margaret Robinson, Cambridge.
Gustly Wilson, Falmouth.
Jean Harper, Boston.
Dr. Edward Gordy, Newton.
Timothy Lincoln, Ware.
Roger Matney, Newton.
Sally Mc Garigal, Duxbury.
Elaine Remuano, W. Newton.
Hugh O' Brien, Nedway.
Mrs. George Bennett, Newton.
Chely Whidney, Plymouth.
Selma Greenberg, Cambridge.
Emma Gilbert, Cambridge.
Catherine Bushueff, Wellesley.
Sr. Kathleen Martin, Hingham.
Dorily Prence, Brookline.
Mrs. Ben Katzman, Exidour.
Genevieve Winston, Cambridge.
D. Hane, Sharon.
Victor Gazall, Springfield.
Carmen Forte, Cambridge.
Wanda Humphrey, Newton.
Jane Couaro, Jamaica Plains.
Max Chellton, Waltman.

Rev. Kevin Kerk, Springfield.
Paul Ahearn, Milton.
Susan Carmen, Lexington.
Steve Weiss, Allston.
Carlyn Colwell, Cambridge.
Frank Adrance, Dorchester.
Robert Smith, Weston.
Lillian Horvitz, Somerset.
Ben Kessler, Malden.
Vincent Piccolo, Worcester.
Tom Galt, Wellfleet.
Florella Galt, Wellfleet.
Nancy Segal, Wellesley.
Mrs. Edward Nathanson, Brookline.
Fena Kinsten, Brookline.
Burton Malvry, Boston.
Mrs. Beatrice Carlson, Winthrop.
Gall Sylvester, Edgartown.
Henry Sallagort, Newton.
Patricia Lamey, Jamaica Plain.
Edward Leonard, Holden.
Adele Shembart, Newton.
Mrs. Helen Adams, Chestnut Hill.
Joseph White, Chelsea.
Richard Burlan, W. Newton.
Linda Burican, W. Newton.
Linda Kucera, Waban.
Carol Nadelson, M.D., Brookline.
Ellen A. Lewis, Brookline.
Martha O'Connor, Wellesley.
Carla Van Bennekum, Lynnfield.
Lavrel Hayeor, Concord.
Terry Helberg, Boston.
C. S. Miller, Wellesley.
Mr. George Kaifeld, Greenfield.
Louise Gobert, Wellesley.
Belle Haughton, Bernardston.
Jane Goffey, Greenfield.
Robert Hilbard, Hadley.
Jeffrey Sinclair, Bernardston.
Sam Judson, Amherst.
Helen Curtis, Amherst.
Rosen, Brookline.
Joseph Ballin, Boston.
Elfriede Kayser, Brookline.
Barbara de Zengottia, Columbia.
Roberta Carroll, Arlington.
Joyce Ellis, Brighton.
Mrs. Wendy Sweeney, Boston.
B. M. Milandey, Quincy.
Degerah Hoey, Melrose.
Roberta Ruderman, Brookline.
Rimit Bermain, Gloucester.
Connie Stubbs, Boston.
Margeny Sacks, Boston.
Donna Zoswityz, Brighton.
Sherry Ackland, Cambridge.
Mrs. Shirley Foster, Boston.
Linda Palari, Allston.
Maurene Tsimotos, So. Bellingham.
Maxine Garber, Springfield.
David Garber, Springfield.
Jay Frolick, E. Boston.
Naller Foster, Springfield.
Clara R. Stone, Newton Center.
Louis Segel, Newton.
Dave Natham, Boston.
Joy C. Quay, Duxbury.
Mrs. Dorothy Atkenson, So. Hadley.
Peter Stone, Newton.
Mr. A. Cromin, W. Roxbury.
Mrs. A. Cromin, W. Roxbury.
Robert Hoeh, Newton Highlands.
Pauline E. Swift, Cambridge.
James Petcoff, Duxbury.
Sessie Petcoff, Duxbury.
Mary C. Cadigan, Duxbury.
R. A. Rtiz, Brookline.
Theodore Juallo, Medford.
Stanley S. Treitman, Wellesley.
Wilfred V. Rownseville M. J., Newton Center.
Richard Gold, Newton.
Dorothy King, Boston.
Kent Rogers, Watertown.
Donna Rogers, Watertown.
Mrs. Lawrence Peterson, Wellesley.
Vicki Citorn, Newton Centre.
Charles Ellis, Jr., Lynn.

Mrs. Frederic Parker, Cambridge.
Frances Hobofram, Franklin.
Dorothy Losh, Concord.
Albert S. Vigna II, Brighton.
Sydna White, Vineyard Haven.
Phyllis Trigble, Waltham.
Judith Moors, Brookline.
Nancy Baldoni, Wore.
Lucy Harriman, Springfield.
John Bush, Brightwater.
L. Gardner, Sudbury.
Helen Caiffier, Cambridge.
Priscilla Hoeh, Newton Highlands.
Charles Barr, Waltham.
Jules Simmean S.S.S., Barre.
P. D. Woodbridge, Greenfield.
Mrs. Charles Kubik, So. Lincoln.
Guthchen Butcher, Cambridge.
Alan Morse, Cambridge.
Mr. Louis Elias, Lexington.
Mrs. Louis Elias, Lexington.
Samuel Kinsten, Brookline.
William Wallace Ford, Amherst.
Mrs. Ethel Ackley, Weston.
Anna Alden, Concord.
Dr. Thomas Wilson, Shelburne Falls.
Yvonne Rosseau, East Sandwich.
Harold V. Jensen, Buzzards Bay.
Mrs. F. A. Saunders, So. Hadley.
Kathleen O'Day, Leominster.
Francis Davis, Brookline.
Richard Talkowsky, Boston.
Alice Rome, Somerville.
Jerome Preston, Hingham.
Mrs. Rite M. Couming, Dorchester.
Paul Rogers, Amherst.
Mary Glickman, W. Newton.
Fred Raboin, Leominster.
Joseph Albano, Pittsfield.
Mrs. Ralph A. Stout, Longmeadow.
Francis Cloherty, Duxbury.
Mrs. Patricia Hay, Waltham.
Larry Laughlin, Leominster.
Daniel Hellerstein, W. Newton.
Porter Elliott, Fitchburg.
Mrs. Paul Palermino, Framingham.
Mrs. H. C. Janson, Buzzards Bay.
Earnest Weed, Boston.
Donald Miller, Winthrop.
J. L. Benson, Montague.
Leslie Lipkind, Pittsfield.
Linda Commer, Stockbridge.
Helen Dempsey, Waltham.
Stanley Paulson, Cambridge.
David Litwack, Boston.
Jane Steinberg, W. Newton.
John Sallo, Adams.
Mary Behn, Duxbury.
G. M. Travers, Natick.
Margery Geddes, Montague.
Dr. Lynwood Kenin, Norwood.
Alice Lee, Concord.
Michael Steinberg, W. Newton.
June Hamilton Leacock, Brookline.
Mrs. Lynwood Kenin, Norwood.
Mrs. William McKennan, Lincoln.
John O'Day, Leominster.
Howard P. Smith, Sudbury.
Mary Ellen Curtin, Chicopee.
Anna Mae Blissonette, Boston.
Ed Curtin, Chicopee.
Mrs. H. P. Smith, Sudbury.
Mrs. J. Chrysakakis, Winchester.
Bonnie Worhten, Woburn.
Marian Tarbox, Winchester.
Ann Hedison, Woburn.
Carol McCarthy, Woburn.
Vernigne Sharma, Winchester.
Barbara Dempsey, Boston.
Bob Sylvester, Somerville.
Tina Corsilla, Boston.
Mrs. Salvatore Datilo, Winchester.
Susan Thomashow, Waltham.
Helen Cappello, Berl.
Theresa Cincatta, Malden.
Sarah R. Cincotta, Winchester.
Carmen Colon, Winchester.
Harold Crisnell Jr., Arlington.
Kai-May Yuen, Cambridge.
Helen Ross, Framingham.

Dwight Caurall, Winchester.
 Mrs. Enid Shapior, Belmont.
 Barbara Epstein, Brighton.
 Mr. Harold Corral, Boston.
 Herbert R. Haber, Winchester.
 Joseph Prince, Arlington.
 James A. Kaop, Somerville.
 Peter J. Toland, Arlington.
 Ruth A. Kaup, Somerville.
 Pamela L. Gast, Brookline.
 Florence Connolly, Somerville.
 Marjorie B. Swett, Cambridge.
 Nancy L. Politzer, Arlington.
 John N. Mongiello Jr., Winchester.
 Michael D. Donovan, Somerville.
 Peter A. Toland, Arlington.
 Susan Willand, Worcester.
 Kenneth P. Trevett, Winchester.
 Wayne Miller, Wakefield.
 Joseph DeCoursey, Arlington.
 Charles P. Harris, Winchester.
 Bonnie McClean, Holyoke.
 Carol Laudedipe, Arlington.
 James Klong, Winchester.
 Mrs. Gerald H. Oganosky, Medford.
 Jane A. Klorer, Winchester.
 William H. Buchan, Saugus.
 Mrs. Nancy Gauveia, Arlington.
 Eva A. Medzorlan, Winchester.
 Dan Webse, Waltham.
 Gordon Trevett, Winchester.
 Virginia H. Nevraeth, Winchester.
 Leonard Lankin, Mattapan.
 James Hillerman, Longmeadow.
 Mitch Bornstein, Newton.
 Thomas R. King, Pittsfield.
 Mrs. James A. Silui, Mansfield.
 Alexander Bock, Sharon.
 Ernest Wisnor, Chestnut Hill.
 Janis Ekarfield, Watertown.
 Vincent J. Duquette, Duxbury.
 G. Gibson, Gloucester.
 Ethel L. Margulies, Sharon.
 Stephen M. Weltzman, New Bedford.
 Cathy Garry, Beverly.
 Mrs. E. Winsor, Chestnut Hill.
 Ann Troy, Dartmouth.
 Phillip Barner, Dedham.
 Norma Brown, Amherst.
 Rev. E. William Mathews, Lunenburg.
 Connie Griffith, So. Deerfield.
 Alan Leland, Jr., Winchester.
 Judith Marcy, Kingston.
 Helene Harley, Duxbury.
 Mrs. S. Bornstein, Newton.
 Robert D. Feld, Cambridge.
 Beth MacDonald, Needham.
 Rev. Fred, Cartier, Woburn.
 Wilfred Sheehan, Duxbury.
 Norris Woodbury, Plymouth.
 Erika Ziesel, Amherst.
 Kenneth Gritter, Boston.
 Helen M. Hillier, Watertown.
 Marcus Rector, Newton.
 James D. McNeely, Boston.
 Edward Jardin, Georgetown.
 Phil Loheed, Watertown.
 Afnete Kalekar, Cambridge.
 Mac Gregor Freeman, Hingham.
 Charles Izzo, Charlestown.
 Peter W. Nevraeth, Winchester.
 Mrs. Elaine R. Bova, Stoughton.
 Nancy Stark, Cambridge.
 Edith Wagner, Brookline.
 Arline Morrison, Lexington.
 Edna Lyons, Stoughton.
 Elizabeth Tobin, Vineyard Haven.
 Bruno V. D'Agostino, Cambridge.
 Lorraine Rollo, Duxbury.
 Harry Wagner, Brookline.
 Eugene Jackson, Truro.
 Rev. Ernst Klein, Cambridge.
 Albert K. Rodman, Amherst.
 Waldo Freeding, Newton.
 Alice Levenson, Leverett.
 Rex B. Jarrell Jr., Edgartown.
 Hillary Wallis, Boston.
 Ruth G. Richards, West Tisbury.
 Susan Bolger Foerster, Brighton.
 Maynard Mack, Jr., Cambridge.

Stephen J. Whitfield, Newton.
 Ronald Dunlap, Somerville.
 Barbara Rossmore, Provincetown.
 Debbie Guild, Lexington.
 Janet Mindes, Cambridge.
 Mary Lew Pauli, Brookline.
 Harriet Hiram, Canton.
 Carla Dunlap, Somerville.
 Brent Brown, Gill.
 Christine M. Annatuonio, Weymouth.
 Richard J. Warye, Bridgewater.
 Beatrice G. Jeraold, Sharon.
 Janet Donohoe, Winchester.
 Mavrie, Davidson, W. Roxbury.
 Mathew Annatuonio, Weymouth.
 Ruth Steele, Chicopee Falls.
 Jay H. Gold, Brookline.
 Jim Weader, Winchester.
 Elma Gleordanetti, Amherst.
 Robert W. Cox, Newton.
 Sarah Richards, W. Tisbury.
 Mrs. Genevieve Tusinski, Greenfield.
 Susan McCourt, Natick.
 Mrs. J. H. Gold, Brookline.
 Andrew Mountain, Winchester.
 Dottie Leevitt, Natick.
 Elspeth F. Milmore, Cambridge.
 Kay Smith, Brookline.
 Kenneth Warren, Barnstable.
 Gail Breeze, Newton.
 Patrick Fairbairn, Amherst.
 H. W. Fairbairn, Watertown.
 Virginia Nevraeth, Winchester.
 Dr. George Hauser, Auburndale.
 Jack Curtis, Fitchburg.
 Susan Curtis, Fitchburg.
 Janet Albera, Marblehead.
 Mrs. G. Breeze, Newton.
 Mrs. George Hauser, Auburndale.
 Walter Annelin, Worcester.
 Laie Annelin, Oakdale.
 Vennie Makie, Shrewsbury.
 Judith Phippen, Everett.
 Mrs. J. Aronowitz, Belmont.
 Walter Bilbert, Cambridge.
 Paul Makie, Grafton.
 Linda Manning, West Boylston.
 Ron Marstin, Somerville.
 Elsie V. Mekie, Shrewsbury.
 R. Alexandrovich, Worcester.
 Mary Vaughn Balke, Ashfield.
 Mrs. D. J. O'Brien, Auburn.
 Constance Hutton, Westfield.
 Julianne Sheehen, Duxbury.
 Ruth Pollard, Somerset.
 Hope Pobst, Newton.
 Ruth H. Churchill, Charlemont.
 Hilred Reid, Plainville.
 Rev. David Miller, Holden.
 Wallace Jones, Greenfield.
 Alden S. Foss, Cambridge.
 James Meehan, Somerville.
 John Isakson, Shrewsbury.
 Carolyn Shaw, Holyoke.
 Cecilia V. Zenaty, Longmeadow.
 Susan Jo Harwitz, Allston.
 J. H. Pratt, Wellesley.
 Mrs. A. Cronin, W. Roxbury.
 Calrie Montaigne, Mt. Hermon.
 Mildred Grossner, Cambridge.
 William Leonard, Somerville.
 Paul Zenaty, Longmeadow.
 Mr. A. Cronin, W. Roxbury.
 William Hefner, Shellburne Falls.
 Ms. Linda Robinson, Meridian.
 V. A. Schraga, Brewster.
 Wassily Leontid, Cambridge.
 E. B. McCue, Millers Falls.
 Duane Estes, Mt. Hermon.
 Mrs. W. Hefner, Shelburne Falls.
 Joseph M. Carlin, Brookfield.
 Forrest Briggs, Montague.
 Margaret French Cresson, Stockbridge.
 Patricia Spiller, Warwick.
 Fritz Kaufhold, Gill.
 Sidney McKee, Great Barrington.
 Mrs. D. J. Estes, Mt. Hermon.
 Mrs. J. M. Carlin, Brookfield.
 Bernard Rierro, Vineyard Haven.
 Teresa Chopourain, Watertown.

Fania Lurie, Brighton.
 Flora Haas, Arlington.
 Sara Posner, Marblehead.
 Luarel Drake, Somerville.
 Vladimir Zdrok, Chestnut Hill.
 Isabel Wight, Wayland.
 Jonathan Spencer, Cambridge.
 Elliot Stone, Randolph.
 P. R. Turnbull, Chelmsford.
 Nancy Hall, Carlisle.
 George O. Shaw, Marblehead.
 Michael Denihan, Watertown.
 A. C. Corry, Cambridge.
 Phoebe Fine, Chestnut Hill.
 Proctor Houghton, W. Newton.
 Phyllis Simkins, Brighton.
 Charles Stanton, Brookline.
 Scott Sumner, Marblehead.
 Libby Leyrer, Boston.
 Anton Morton, Lexington.
 Frank Ronan, Jr., Arlington.
 Dr. Richard Frost, Brookline.
 Mary Salisbury, Wellesley Hills.
 Donald Maruska, Cambridge.
 Mary Hone, Nantucket.
 Mary Talbot, Everett.
 Don Lawrence, Spencer.
 Jean Murray, Cambridge.
 Cathie McDonough, Boston.
 Emery Lincoln Wallace, Ludlow.
 Dr. H. B. Steller, Chelsea.
 Midrea Sterin, Lexington.
 Dorothy Knowthon, Worcester.
 Ethel Sollogub, Newton.
 Rev. William Leonard, S.J., Weston.
 Robert Fisher, Revere.
 Aida Blender, Brookline.
 Stephan Trishram, Boston.
 R. Kevin Dearney, Wakefield.
 Dr. Jules Baum, W. Newton.
 Ethel Halladay, Cambridge.
 L. Golgurgh, Brookline.
 Joseph Wetmore, Jr., Framingham.
 Anna Judson, Amherst.
 Mrs. James Hunler, Auburndale.
 Mary Marsh, Stoneham.
 Frances Nadeau, Marblehead.
 Dr. L. Hartmann, Boston.
 Jeremy Thorne, Brookline.
 Janet Sharp, Vineyard Haven.
 Mrs. Roger Putnam, Springfield.
 Erlene Rosocovsky, Needham.
 Geoffrey Taylor, Cambridge.
 Nancy S. Hamilton, Stow.
 Roger Woodruff, Vineyard Haven.
 Timothy Ashton, Brockton.
 Constance Pantel, Marlboro.
 Ralph Graham, Brookline.
 Lloyd F. Schultz, Watertown.
 Joseph P. Prieve, Maynard.
 Howard Gorney, Acton.
 Dr. Thomas Reiger, Billerica.
 Frances Mesher, Arlington.
 Mrs. R. E. Woodruff, Vineyard Haven.
 Rosalind Schultz, Watertown.
 Benedict Alper, Brookline.
 Elena Tryar, Westboro.
 Roy Pearson, Spokane.
 Elizabeth Nale, Wayland.
 Margaret Freyberg, Chilmark.
 Mrs. Samuel Clint, Newton.
 Roslele Marson, Chestnut Hill.
 Robert Teudesman, Hadley.
 Phillipe Villers, Cambridge.
 Michael Billings, Vineyard Haven.
 Amber Hollibaugh, Somerville.
 Everett Swift, Falmouth.
 Lynn Stuart, Cambridge.
 Dr. E. M. Cole, Lincoln.
 Janet Fish, Frowley.
 William Bourl, Edgartown.
 Dr. Allen Butler, Vineyard Haven.
 Mrs. W. Everett Swift, Falmouth.
 Nicholas Freyberg, Chilmark.
 Mrs. William C. Bowle, Edgartown.
 Mrs. Edwin Cole, Lincoln.
 Rubin Russell, Brookline.
 Rev. Lynn Illingworth, Needham.
 Mrs. Greta Snider, Lincoln Center.
 Benjamin Goldberg, Chestnut Hill.
 Dr. A. C. Barger, Brookline.

Virginia Bate, Rockport.
 Ardis Judson, Amherst.
 Francis Remsdy, Jr., Milton.
 Mrs. E. S. Welch, Boston.
 Northa Jean Bustin, Weston.
 Beth Gamel, Leominster.
 Mark Gordon Street, Stockbridge.
 Philip Trapari, Somerville.

SUPPORT FOR THE HEALTH SECURITY ACT

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mrs. GRIFFITHS. Mr. Speaker, I am pleased to include in the RECORD the text of the Labor Day radio speech of Mr. Lane Kirkland, secretary-treasurer of the AFL-CIO. Mr. Kirkland's speech is devoted entirely to the present health care crisis in the United States, and the only solution to that crisis now in sight—the enactment of the Health Security Act, H.R. 22, which I have introduced in the House of Representatives with 86 co-sponsors.

The text of the speech follows:

SPEECH OF LANE KIRKLAND, SECRETARY-
 TREASURER OF AFL-CIO

It is a pleasure on this uniquely American holiday to extend the greetings of America's organized workers to their fellow citizens. It is a good day to look at the facts about our country and our lives, to measure what progress has been made and what remains to be done to build the free, just and democratic society America aims at.

In striving toward that goal over the years, the American labor movement has fought many legislative battles. Few of them were confined to issues that affected only workers. Most of them have involved the interests and welfare of all the American people. Time after time, at every legislative level, unions have fought to build and strengthen public education programs, to extend civil rights and civil liberties, to improve social services, to protect consumers and in general to make life in America more worth living.

On this Labor Day, I would like to discuss one of the battles we have been waging for a long time, and in which victory is now in sight. I mean the battle to establish—for the first time—a national Health Security program that will guarantee to every citizen, as a matter of right, the best health care available, at a price all can afford.

There is no doubt that America is facing a crisis in health care. Millions of Americans are deprived of the most basic health services. Health care is fragmented, disorganized, inadequate and, for too many Americans, completely out of reach.

The United States ranks 13th among the advanced, industrial nations of the world in infant mortality—and the death rate for nonwhite babies is double that of whites. America ranks seventh in the world in maternal death rates. In life expectancy, American men rank 17th on the list and American women 10th.

At the same time, the cost of health care is completely out of control. Since 1950 it has risen 600 percent. Until recently it has been rising twice as fast as all the other items in the Consumer Price Index.

Last year Americans spent \$75 billion for health care—more than \$350 per person for every man, woman and child in the United States—and they didn't get their money's worth.

Private insurance programs have failed completely to do the job. Those lucky enough to be covered by some kind of private health insurance—and that includes most union members—find, in many cases only a fraction of their bills covered. The rest just come—somehow—out of their pockets. Only a quarter of America's health-care bills are paid by insurance companies.

It is clear that action must be taken to prevent the health-care crisis from becoming a national disaster. There are several bills before Congress that promise remedies.

The trade-union movement is solidly united behind the National Health Security Bill introduced by Congresswoman Martha Griffiths and Senator Edward Kennedy.

It is the only bill that meets these tests: It provides quality health care for all Americans as a right.

It provides cost controls.

It emphasizes preventive care to keep people well, instead of just treating them when they're sick.

It would transform the nation's health resources from an uncoordinated, wasteful "nonsystem" into a system that works for the benefit of all Americans.

It relies on proven ways of providing better care for more people, such as prepaid group practice plans.

It eliminates the expensive "middlemen," the profit-hungry insurance companies.

We in labor are very proud of this bill and of the way it is designed to meet the needs of all Americans, without any exceptions or exclusions, and without lowering standards, regimenting doctors or patients or damaging the legitimate interests of any citizen.

Congress has before it another bill, submitted by the present Administration but drafted by and for the commercial insurance industry.

The bill itself reads like an insurance policy. It's full of fine-print deductibles, exclusions, limitations, high-risk and low-risk schedules, co-insurance and so on. It sets up 30 categories of health benefits and requires elaborate means tests every six months to decide which category each patient would fit in. There would be 1,500 participating insurance companies, each with different forms, different programs, different coverage. The paper work alone would be a nightmare.

The insurance industry has drafted still another bill that is even worse than the Administration bill. It would allocate all the so-called "good risks" to private insurance—all the young, healthy, middle-class people. It would leave all the others—the poor, the old, minorities, the chronically sick—to the government. That is just the opposite of the way national health insurance should work. The element of risk should be spread as widely as possible to reduce risks.

Commercial insurance companies pay out only 80 cents of every premium dollar for health care. The rest goes for profit, overhead, advertising, salesmen's commissions and other things—all items that would be eliminated by national health security.

But beyond that, Congressional investigation of the way commercial insurance companies have mismanaged their part of the Medicare program, and overcharges they have made on government employees' insurance programs, show that the insurance companies are completely unfit to administer a national insurance program.

The Senate Antitrust and Monopoly subcommittee has uncovered fraud and deception, padded expenses and payrolls, overcharges, kickbacks and cost overruns that have cost American taxpayers millions of dollars. Investigations are still going on and more disclosures are expected.

But we know enough already to convince us that both the Administration's bill and the industry's bill should be rejected.

The American Medical Association is

pushing a bill it calls "Medicredit." It would use income tax credits to offset part of the cost of premiums paid to insurance companies. Those who don't pay taxes would have their premiums paid in full.

The concept would provide no help whatever toward producing more and better health care. It would encourage higher costs. And it would open another tax loophole through which millionaires, who use other loopholes to avoid paying taxes, would be given federal money to buy insurance.

There are other bills involving so-called "catastrophic insurance," designed to help out with unusually expensive illnesses.

Catastrophic insurance is a rich man's program. First, there is a large deductible before it takes effect. Then the patient has to pay a large part—usually 20 percent—of the balance.

A \$1,000 medical bill is not a catastrophe to an executive making \$50,000 a year. It is a catastrophe to a worker struggling to support a family on \$100 a week.

Many people with low incomes would get little benefit from such a program. But they would still have to pay for it through payroll deductions. In effect, poor people would be contributing to a system that would largely benefit people with larger incomes.

All of these are special-interest bills, designed to benefit some Americans at the expense of all the others. America cannot afford a special-interest approach to health. America needs the Health Security program.

Some critics charge that Health Security is a "monolith" that would take away the patient's right to choose his doctors and the doctor's right to decide how he wants to practice medicine.

Well, that is a lie. There is room under this program for every kind of health-care delivery system that exists—group practice, fee-for-service or anything else.

Health security wouldn't interfere with the rights of either doctors or patients. But it would eliminate the gravy train. It would, for the first time, give Americans full value for the \$75 billion a year they spend for health care.

America should have adopted Health Security long ago. The AFL-CIO is going to do everything in its power to see that America has Health Security as soon as is humanely possible.

And that's labor's pledge to its fellow Americans on Labor Day 1972.

EDUCATING THE RETARDED AND HANDICAPPED

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. VANIK. Mr. Speaker, millions of American children are excluded from our public schools, schools which receive Federal assistance from all taxpayers including the parents of children excluded from these schools. Over 4 million handicapped and retarded children are excluded from all facilities and do not receive any training at all. I have introduced legislation that would provide increased guarantees of the rights of handicapped children and their parents to participate in these federally assisted programs, including Federal education programs. It is vital that this legislation be considered in the 93d Congress.

The Internal Revenue Service has ruled that:

While ordinary education is not medical care, the cost of medical care includes the cost of attending a special school for a mentally or physically handicapped individual if his condition is such that the resources of the institution for alleviating such mental or physical handicap is a principal reason for his presence there. In such a case, the cost of attending such a special school will include the costs of meals and lodging, if supplied, and the cost of ordinary education furnished which is incidental to the special services furnished by the school.

While the Internal Revenue ruling is helpful, it still leaves out many legitimate and necessary expenses. For several years now, I have introduced legislation to allow a tax credit for such expenses. It was a great disappointment that the Tax Reform Act of 1969 did not incorporate this idea. I will continue my efforts to obtain these tax credits in the next Congress.

The President asking for information on existing programs for handicapped children, should contact the State Plan Officer for Ohio in the Department of Health, Education, and Welfare: Mr. Paul Thompson, Department of Health, Education, and Welfare, Seventh and D Streets SW.; R.O.B. Building, room 2015, Washington, D.C. 20202.

PAROLE, PROBATION, AND CLEMENCY ABUSES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. ASHBROOK. Mr. Speaker, in 1973 the FBI began its "Careers in Crime Program" under which is compiled the records of criminal repeaters released since 1963 from the Federal criminal justice system. In describing the program's findings, the late FBI Director, J. Edgar Hoover, stated in March 1971, before a House Appropriations Subcommittee, that 65 percent of those released from the Federal system in 1963 turned up rearrested by local, State or Federal authorities during the next 6 calendar years. As he had repeatedly pointed out year after year, the abuses of parole, probation and clemency were cited by Mr. Hoover as sharing part of the blame for the increased crime.

Apparently, the historic city of Philadelphia, Pa., is no exception to this new trend of leniency on the part of some judges, parole officers and others. In a recent issue of the Philadelphia Inquirer, Police Commissioner Joseph F. O'Neill shared his views on this issue with Inquirer readers via a letter to the editor. Here, as in other cases involving official judgments, the question of which will receive the higher priority, the individual right or the community welfare, again arose. Commissioner O'Neill, like all law enforcement officers has a wider view in that he deals with both the criminal and the victim. His view is more likely to be better balanced than that of some unrealistic judges and parole officials whose background experience should include the viewing of victims at the city morgue

or the terror-stricken demeanor of an assault victim.

I insert at this point the knowledgeable views of Commissioner O'Neill as stated in his letter to the editor of the Philadelphia Inquirer recently, followed by an article entitled "The Ultimate Victim," by the late FBI Director, J. Edgar Hoover, from the FBI Law Enforcement Bulletin of January 1971.

The material follows:

JUDGES GAMBLE WITH PUBLIC SAFETY

(By Joseph F. O'Neill)

TO THE EDITOR:

In your editorial "Not to be treated lightly" concerning the rapist who was placed on probation, I was disturbed by some of the editorial comments. The editorial writer stated: "We do not subscribe to the theory that lenient judges are responsible for the high crime rate. Nor do we believe it is often constructive to second guess judges on the basis of subsequent acts by defendants."

As police commissioner, I am daily faced with clear choices and options, I must decide quickly on what will produce the highest degree of crime protection and criminal apprehension for our city. My decisions are matters of public scrutiny.

A judge faces options too—an opportunity to apply rehabilitation measures to the defendant before him, or an opportunity to safeguard the total community against future crimes committed by that same individual. Too often they sentimentally gamble on the man. In my opinion, some of these gambles have little or no chance of success. The judge therefore is substituting the rights and safety of friends, neighbors, and fellow citizens for an "Impossible Dream."

Every morning I see this choice dramatically and emphatically illustrated. The criminal extracts of those who have been arrested for serious crime in the past 24 hours are placed on my desk for my information.

Today (Aug. 30), which is a routine one, the group of defendants included a young man who at 15 began his crime career with a criminal rape. In the intervening seven years he's been arrested 11 times ranging from larceny, threats, burglary, carrying concealed weapons, assault on a policeman, drunken driving, highway robbery and aggravated robbery. With five convictions and awaiting trial on two separate robbery offenses, I ask—who should be considered by the judge, the felon or the public on whom he preys?

Another young man received five days for disorderly conduct in 1965. Since then he's added nine more arrests—burglary, aggravated robbery, shoplifting and murder. With four convictions he's awaiting trial for three arrests—larceny by purse snatch, possession of narcotics, and aggravated robbery. Don't you think the public's safety should get priority when the judges try this man?

The third man was sent to Camp Hill for rehabilitation in 1963. He had been charged with robbery, larceny and aggravated assault and battery by cutting. In 1967 he received two years probation for burglary and resisting arrest.

In 1969 he was arrested for robbery but found not guilty. The next three years have produced eight arrests—one for larceny, one for assault with intent to kill and six for aggravated robbery. On the last three he used firearms. Our records indicate that each of the latter four times he committed crimes, he was awaiting trial. Indicted, this man was out on bail pointing loaded guns at citizens.

What option should judges use on this man—the individual welfare or the public welfare?

I believe the safety of the community must be paramount. Records like these are repeated many times over every day of the year. They reflect only the times the law-

breakers were arrested, without consideration of other crimes they perpetrated unlearned by apprehension. These are hard facts to be faced—not idealistic dreams to be coddled.

I, too, will lend my voice to the call for criminal justice reforms as stated in the editorial. I, too, want to see adequate penal, ideal parole, strong probation and outstanding correctional systems. But we don't have them now and they're not on the immediate horizon. We've got to work with the tools at hand.

The basic fact is that hardened, vicious recidivistic criminals are waiting in the shadows of our streets to victimize our citizens. Many felons are on hard drugs which complicates and enlarges the problem of crime. While all segments of society make speeches, theorize, pen articles, talk, lament, create dreams, and complain about the police, our officers are daily risking their lives to apprehend these felons and they must do the job over and over again on the same defendants who magically reappear on our streets.

The least judges can do is to give fuller consideration to the public's safety when making decisions about hardened criminals.

JOSEPH F. O'NEILL,

Commissioner, Police Department.

[From the FBI Law Enforcement Bulletin, January 1971]

THE ULTIMATE VICTIM

(By J. Edgar Hoover)

"While subscribing wholeheartedly to the humanitarian principles of parole, probation, and related leniency, I suggest the possibility that you might be the next victim of someone's misguided and overindulgent leniency—their fatal mistake perhaps, but with you as the ultimate victim."

When we recall the horrifying scourge of the Black Plague of the 14th century, and then contemplate the wondrous scientific achievements of our own age in conquering crippling diseases, we are struck by the great advances civilization has made in protecting the physical well-being of man.

Tragically, however, progress in safeguarding the personal security of the individual citizen seems to be reversing itself, in some cases, back to the stone age where brute force reigned supreme. We have sunk into this morass through a distortion of human values. We have forgotten history's lesson that law, order, and justice exist only when personal liberty is balanced with individual responsibility. We have somehow lost a concept as old as the Magna Carta—that the public welfare must take precedence over private privilege.

In today's society, one of the most privileged of creatures is the unrehabilitated, repeating offender, prematurely released time and again, free to abuse parole, probation, and bail privileges while wreaking havoc upon law-abiding citizens. This offender is often the beneficiary of outlandish technical legal evasions and a misguided sense of charity. This even includes repeated examples in which dangerously mentally ill persons are released without adequate supervision.

A CASE IN POINT

After a recent gun battle, one suspect was arrested for two murders, a kidnapping, and the gunpoint robbery of his own mother. Citizens learned in disbelief that he had been freed from a mental hospital just a few months before, after six court-appointed psychiatrists had testified he had regained his sanity. In 1967 he had been found insane after the strangulation murder of a woman whose body was found with candles burning at her feet and head, with a Bible on her chest, while the man in question sat in a nearby chair strumming a guitar.

This is the kind of example that cries out for greater and more responsible safeguards

in the handling of the severely emotionally disturbed so they are not in a position to do harm to themselves or others.

Equally startling is the judicial juggling by which convicted felons may be freed or given light sentences.

In a major metropolitan city in the spring of 1970, a man, recently released from a mental hospital, plunged a knife into a policeman's heart. This murderous response resulted from the officer's polite inquiry, "Can I help you, sir?"

In another instance, a man was arrested after an unsuccessful attempt to hijack a southern-bound airliner. Because he had a background of psychiatric problems and was ruled insane at the time the offense occurred (but sane at the time of the trial), he was awarded a directed verdict of not guilty and granted an immediate release from custody.

A young midwestern criminal who confessed beating to death a 75-year-old woman in a \$5 street robbery was granted a 7- to 10-year term. Offered as an excuse for the light sentence was the advanced age of the victim, on the fanciful theory that, if the murdered woman had been younger, she might not have died from the brutal assault.

LIGHT SENTENCES

The same jurist who rendered the foregoing opinion also astounded fearful citizens not long ago with the proclamation that he would deliver light sentences to anyone claiming mistreatment by police. He thereupon bestowed his personal policy of benevolence on one young thug, previously convicted of aggravated assault, interstate transportation of a stolen motor vehicle, and assault with intent to rape a female minor under 16. The offender was captured by police after a gun battle which broke out as he fled from a jewelry store holdup and stole a police car to aid his flight. Although three police officers were treated for injuries received in the capture of this criminal, the judge accepted the defendant's claim that he had been beaten by the police, reduced the charge to assault with intent to rob while armed, and sentenced him to 2 years' probation conditional on his surrendering to Federal authorities for treatment as a drug addict. When the narcotics institution rejected the criminal on the grounds he could not be rehabilitated, he was given 3 years' probation by the sympathetic judge and promptly freed to again stalk the streets.

RECIDIVISM

The speed and ease with which many convicted felons return to the streets through faulty parole policies were demonstrated in an eastern metropolitan area in early 1970, when four men kidnaped a banker to facilitate robbing his bank and two of them later engaged in a gun battle with arresting FBI Agents. One of the four robbers had been paroled in 1966 after serving 3 years of two 20-year concurrent sentences for a pair of earlier gunpoint robberies. Another of his accomplices had been paroled less than 2 weeks before the latest offense after serving sentences of less than 2 years for house-breaking and burglary.

In the same locality in March 1970, another individual charged with a bank robbery was identified as having received a 10-year sentence in 1968, after a guilty plea—yet he secured release on parole in less than a year.

And, in the Southwest in the summer of 1969, a State trooper was approached from behind and shot in the head by a parolee who boasted a 15-year criminal record and had been paroled but 8 months before, after serving some 4 years of a 21-year sentence for another murder.

Our society rightly prides itself on giving an offender another chance. But the rights of innocent, law-abiding citizens were badly protected in the case of a young repeating offender in an eastern city who, despite six criminal convictions over a 17-year span,

with accumulated sentences totaling almost 30 years' confinement, was released in June 1970 with a 5-year probationary sentence for second-degree burglary.

Gratitude for "another chance" was also mocked in a southern city in June 1969, when a man paroled just 6 months before, after serving only 26 months of a 10-year sentence for bank robbery, shot to death a police officer during an armed robbery spree.

The wisdom of judicial discretion was also questioned in the spring of 1969, when a man charged with four bank robberies the previous year appeared in a western court and pleaded guilty to two of the holdups. The other two charges were dismissed, and the confessed robber was given a term of 5 months and 5 days for one of the holdups, which was the exact time he had been incarcerated in jail, and was placed on 5 years' probation for the other bank robbery, thus resulting in his immediate release. It was not surprising that, 8 months later, a bank robbery demand note in a southern holdup was identified by the FBI Laboratory as having been written by this same man.

BAIL BOND ABUSE

The disgusting abuse of bail bonds is another festering social ill crying for a cure, as was highlighted in November 1969 in the brutal ambush killing of a southwestern police officer as he surprised a chronic criminal offender at a burglary scene. The officer's slayer, who had compiled a 14-year criminal record which had once featured a 99-year prison term, was at the time free on \$10,000 bond on criminal charges placed against him just 2 months before.

And citizens of a western State were perplexed with the considerate treatment afforded a man with a 40-year criminal record who had been sentenced to prison as a habitual criminal for the rest of his natural life in 1959. Released after serving only 8 years, he was soon arrested for a hit-and-run accident and shoplifting and given a sentence of 30 days. A few months later, while free on a \$15,000 appeal bond following an armed robbery charge, he was arrested for an armed robbery in which a police officer was killed. This hardened criminal's subsequent sentence was 20 years, notably less severe than the original sentence he had received in 1959.

No strangers to crime, or to the lax procedures which permitted them to commit yet another criminal depredation while awaiting trial on earlier offenses, were four armed youths who robbed a southern bank in June 1970. In this incident they kidnaped hostages, wounding one, and surrendered only after a highway roadblock ended a high-speed chase. Two of the robbers had escaped from a juvenile home, one of them having been arrested in February 1970 for a bank robbery in which he menacingly waved a shotgun. Set free without bond on this charge, he had been rearrested in less than a month for another holdup while armed with a shotgun. Thereafter he wasted little time, following his escape, in becoming involved in yet another violent escapade.

WARNINGS UNHEEDED

As bitter experience has shown, warnings presented before courts of possible habitual criminal tendencies are often ignored or completely disregarded. In one midwestern city, for example, one off-duty police officer was shot and killed and another seriously wounded in a gun battle with a suspected shoplifter. The gunman was later found to have been arrested 32 times previously and had been released on bond twice during the preceding month—one offense involving an armed robbery in which he had also reportedly shot it out with police.

The seizure of every imaginable legal technicality and evasion likewise makes a mockery of the legitimate aims of judicial leniency. Though such manipulations are in-

creasingly common, their novelty is limitless. An alleged housebreaker in an eastern city was freed by an appeals court, which held that a lower court had erred in not telling the defendant that his trial could proceed without him. The defendant, whose record featured 20 convictions dating back 33 years, failed twice to show up for trial, after promising to attend. His only excuse was that he became depressed for personal reasons and got drunk.

MAUDLIN SYMPATHY

The maudlin sympathy lavished for technical reasons on another young thug further illustrates why law-abiding citizens fear to venture forth on the streets of many communities. In addition to a record of crimes of increasing severity, uncorrected by frequent return to his mother's control, this young hoodlum robbed and savagely raped a young office worker while threatening to kill her with a pistol. He also robbed, forced to disrobe, and threatened with death three of her fellow employees. Less than 2 weeks later he was captured while attempting another vicious gunpoint sex assault on another young office worker.

Although the charges against this dangerous predator included assault with a dangerous weapon, carrying a deadly weapon, and two counts of assaulting arresting police officers, and despite the fact he was 6 feet 2 inches tall and weighed 185 pounds, it was decided to try him as a juvenile since he was but 16 years old when the cited crimes occurred.

While hope for rehabilitation springs eternal, the criminal's suitability for this lenience appears highly questionable, considering his past record and the record of others of similar ilk. This is well illustrated in a comprehensive survey made by the FBI during a 6-year period of almost 19,000 offenders released from the Federal criminal justice system in 1963. Of these, 65 percent had been rearrested by the end of the 6th calendar year after release. Of those who had been acquitted or had their cases dismissed in 1963, 92 percent had been rearrested for new offenses. Of those released on probation, 57 percent repeated; 63 percent of those released on parole repeated; and of those given a mandatory release after serving prison time, 76 percent repeated.

Indicative of the type of offenders repeating during this period, 79 percent of the burglars were rearrested within 6 years, 76 percent of assault offenders, 66 percent of robbers and 72 percent of narcotic offenders who were frequent users.

HARD FACTS

Tragically, these hard facts document that the younger the age group the higher the repeating rate, confirming the urgent need for more realistic and meaningful rehabilitation procedures. Of significance in this regard is the record that, of offenders under 20 released in 1963, 74 percent were rearrested by 1969, while 72 percent of those 20 to 24 years old were rearrested, and 69 percent of the offenders 25 to 29 were again taken into custody on criminal charges.

It has been charged that an unduly harsh attitude is being manifested toward unreformed, repeating offenders. But even though the law officer, the individual citizen's personal representative of authority, is becoming increasingly the target of cowardly ambush assaults, it is still Mr. Law-Abiding Average Citizen who is being primarily victimized, personally and financially, by the horrifying upward spiral of lawlessness.

Whether it is your personal safety that is jeopardized, your tax dollars that are being diverted to fighting the crime blight, or the gnawing fear that robs you of the right of walking your neighborhood street in safety, you are a direct victim of this terror.

Commonsense alone demands a realistic approach to this crisis of our time. Unbiased

consideration must be given to the time-proven crime deterrents of swift detection, prompt prosecution, and realistic sentencing.

While subscribing wholeheartedly to the humanitarian principles of parole, probation, and related leniency, I suggest the possibility that you might be the next victim of someone's misguided and overindulgent leniency—their fatal mistake perhaps, but with you as the ultimate victim.

THE BLUE RIDGE POWER PROJECT

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. MIZELL. Mr. Speaker, I rise at this time to introduce legislation to prohibit the Federal Power Commission or any other Federal agency from licensing the proposed Blue Ridge power project on the New River in North Carolina and Virginia.

The legislation states simply that:

No federal agency shall license or otherwise give permission, either under the Federal Power Act or any other act of Congress, to the construction of any dam or reservoir on or directly affecting the New River from the headwaters of its South and North Forks to the town of Fries, Virginia.

The purpose of this legislation is to aid the conservation of natural water resources and protect the scenic New River, and to guard against setting a national precedent for accepting an unwise pollution abatement procedure that might eventually drown half of America.

This Blue Ridge project was first proposed 10 years ago, Mr. Speaker, and it has been surrounded by controversy and confusion almost from the outset.

The legislation I am introducing today, the strongest yet introduced on this subject, is designed to eliminate the controversy and the confusion—and the danger inherent in this project—by prohibiting construction of the project altogether.

My colleagues know that I have opposed this project since early 1969, when I first came to Congress, and have spoken and acted in opposition to the project on numerous occasions, in this Chamber, in testimony before the Federal Power Commission, in extensive negotiations with the Environmental Protection Agency, in discussions with affected residents, and in other ways.

The complexity of this case requires that I give my colleagues a rather extensive background of the case.

Two years ago, the Appalachian Power Co. of Roanoke, Va., filed an application with the Federal Power Commission for a license to construct what is known as the Blue Ridge power project, consisting of an 1,800-megawatt two-dam combination pumped storage and hydroelectric installation on the New River in Grayson County, Va., with impoundments extending into Ashe and Alleghany Counties in North Carolina.

The project originally called for the flooding of 18,600 acres of land to provide space for a 250,000 acre-foot reservoir, which would feed the hydroelectric installation and provide power for the

northeast and midwest sections of the United States.

The original project, as proposed in 1962, would have cost an estimated \$175 million.

The project as originally proposed did not raise great alarm or opposition among the people of Ashe and Alleghany Counties. But then, in 1968, the Department of the Interior stepped in, and radically altered the character of the project.

Four years ago, the Interior Department demanded that the Appalachian Power Co. double the size and the cost of the project, insisting that 40,000 acres of land in Ashe and Alleghany Counties be flooded for the purpose of storing water, not only for power, but also to flush away industrial pollution 250 miles downstream in Charleston, W. Va., where several chemical plants pump their waste into the Kanawha River, which flows from the New River.

Interior insisted on this pollution-dilution provision, despite the fact that "pollution dilution" had never been actually tested and was thus totally unproved, and despite the fact that not once had officials of the Interior Department consulted with the people of Ashe and Alleghany Counties about this demand for a greatly enlarged—and vastly more destructive—project.

The Interior Department seemed not to blink a bureaucratic eye at the prospect of disrupting a way of life for thousands of people and destroying the incredible scenic beauty of the New River Valley, one of the oldest and most beautiful valleys on the face of the earth.

Instead, Interior seemed intent on helping the chemical plants in West Virginia clean up their own pollution at the expense of a lot of innocent people 250 miles upstream. And the department was going to bat for these companies despite the widely held belief that these chemical companies were not doing very much at all in the way of at-source treatment.

So this was the situation at the beginning of 1969: thousands of acres of beautiful land were imperiled; no provision had been made for helping the people who lived on that land adjust to a new way of life—they had not been consulted at all; and the Department of Interior, which then served as the Government's top environmental protection unit, was insistent on letting a lot of West Virginia chemical plants continue to pollute the Kanawha River at the expense of a lot of good North Carolinians and Virginians.

The year 1969 was a significant year in the long history of the Blue Ridge controversy.

In February of that year, within weeks after I began my first term of service in the Congress, I testified in opposition to the Blue Ridge project before the Federal Power Commission. That testimony was the first by any public official to bring to light the deep dissatisfaction of the people affected by the project, and to call for extensive revisions in the proposed project.

Then in March, the Congress passed a National Environmental Policy Act,

which declared that reclaiming and protecting our environment would be a matter of the highest national priority, and created an Environmental Protection Agency to oversee our accelerated pollution abatement efforts.

With this act, one of the first bills I voted for after being elected to Congress, we took away from the Department of Interior most of its environmental duties and gave them to the new independent agency with instructions that they be fairly but vigorously carried out.

I was confident that the Environmental Protection Agency would assume jurisdiction over the "pollution-dilution" provision demanded by the Interior Department, and decide whether the theory was a sound one or whether it should be scrapped.

The new agency was reluctant to tackle this case at first, stating that it had gone on so long that the Interior Department was far more well equipped to handle it, since Interior was so familiar with its history.

I was not satisfied with this initial response, and later took steps—which I will enumerate in a moment—to get EPA to play a more independent and aggressive role in the case.

In October of 1970, the Senate Public Works Committee announced it would hold hearings on matters related to the Blue Ridge case.

I announced immediately my intention to testify at those hearings, and to arrange for representatives of both Ashe and Alleghany Counties to testify as well.

The hearings were begun in late November 1970, and were to be held in two phases—the first involving witnesses who were official parties to the case, and the second involving interested public officials and local citizens.

This second phase of the hearings was never held.

Then in May of 1971, the Federal Power Commission reopened the Blue Ridge hearings, and the Environmental Protection Agency designated an official of the Department of Interior to serve as EPA's spokesman in the hearing procedure. This official was one of the chief proponents of the "pollution-dilution" theory, and I was not happy with that turn of events.

I wrote a letter to the Administrator of EPA, requesting the reasons behind the Agency's decision to allow the Interior Department to represent it in the FPC's Blue Ridge hearings.

With no reply forthcoming for over 6 weeks, I wrote the Administrator another letter, stating:

Tens of thousands of acres are scheduled to be inundated in Ashe and Alleghany counties. To the detached observer, these are only so many acres, but to the people who live in those counties, they are homes and farms and stores and ways of life.

These people and their property deserve a great deal more consideration than they have received thus far from your agency.

Many experts in the ecology field have expressed grave concern over the environmental aspects of this proposed project and their reservations have not been satisfactorily set aside, not in their estimation and not in mine.

If letting the Department of Interior fight your battles is the precedent to be followed

by your agency in other cases of complexity and controversy, then your agency's existence will be a very difficult thing to justify, especially to the people of Ashe and Alleghany counties.

In July, the EPA announced it would make an independent review of the case and asked the Federal Power Commission to give them time to prepare a brief on the environmental aspects of the case.

I was happy to see that EPA was now at least in the same ball park with us, so I immediately urged the agency to convene an interstate enforcement conference on water quality control, with the aim of requiring full compliance with existing environmental guidelines by each of the industries operating on the Kanawha.

A short time later, EPA, together with the Attorney General of West Virginia and several environmental groups, raised some serious environmental objections to the project, and asked the Federal Power Commission to give EPA responsibility for resolving those objections, especially those related to "pollution-dilution," before the project went forward.

To help matters along, I proposed an amendment to the House water pollution control bill, which would specifically re-

quire EPA approval for any hydroelectric power project involving "pollution-dilution" and would also set strict limitations on the amount of water that could be stored for this purpose in the event it was approved.

That amendment was included in the House version of the water pollution bill, and it is now being considered in the House-Senate conference committee.

My argument in this Blue Ridge case is not with the Appalachian Power Co. so much as it is with the way the people of Ashe and Alleghany counties have been ignored and maligned and, I think, needlessly endangered by proponents of this project.

As I told the Federal Power Commission in testimony last September, protecting the rights of the citizens of Ashe and Alleghany counties is my principal concern.

Their rights, as I have mentioned earlier, have been neglected by almost every party to this controversy, and their traditional and future ways of life have been endangered in the course of that neglect.

With only the most begrudging exceptions, none of these parties has shown any concern whatsoever for the welfare

or the wishes of these good people who, it should be noted, will receive absolutely no benefit from this project at all.

They are being made to bear the brunt of a mammoth rearrangement of their homeland, and still they are subjected to callous disregard.

After 4 years of struggling with a massive and insensitive bureaucracy, I have concluded that the only real way to protect the people and property of Ashe and Alleghany counties is to flatly prohibit construction of the Blue Ridge project.

That is the purpose of the legislation I introduce today.

The Federal Power Commission is expected to issue its decision on licensing the Blue Ridge project within a very short time.

Thus it is imperative that all appropriate steps be taken immediately to avert a natural and personal disaster that, if allowed in this instance, may set a precedent of destruction and governmental disregard that could imperil the entire Nation.

I urge immediate consideration of this legislation in the appropriate committee, and strongly request a vote on this measure at the earliest possible date.

SENATE—Wednesday, September 13, 1972

(Legislative day of Tuesday, September 12, 1972)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by Hon. HAROLD E. HUGHES, a Senator from the State of Iowa.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, in the morning and every hour we acknowledge that Thou art the ruler of men and of nations. As here the statutes of the Nation are formed and sent forth, help us to keep ever before us the divine statutes—"Love the Lord your God with all your heart, soul, and mind. This is the first and greatest commandment. The second most important is similar: Love your neighbor as much as you love yourself. All the other commandments and all the demands of the prophets stem from these two laws and are fulfilled if you obey them. Keep these and you will find you are obeying all the others." Thus may we believe and thus may we labor as a country which proclaims "Blessed is the nation whose God is the Lord." Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, D.C., September 13, 1972.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HAROLD E.

HUGHES, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HUGHES thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, September 12, 1972, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Armed Services; the Committee on Commerce; the Committee on Interior and Insular Affairs; the Committee on Rules and Administration; the Subcommittee on Internal Security of the Committee on the Judiciary; the Subcommittee To Investigate Juvenile Delinquency of the Committee on the Judiciary; the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary; the Subcommittee on Compensation and Employment Benefits of the Committee on Post Office and Civil Service; the Subcommittee on Flood Control, Rivers and Harbors of the Committee on Public Works; and the Subcommittee on Labor of the Committee on Labor and Public Welfare may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

H.R. 13915—THE EDUCATION BILL

Mr. MANSFIELD. Mr. President, I am delighted that, as always, the distinguished Senator from Alabama (Mr. ALLEN) is in the Chamber. Rather than have him ask questions this time, I think that I will make a report, tentative though it may be, as to what the joint leadership has been attempting to do insofar as the education bill, H.R. 13915, is concerned.

The joint leadership had a number of meetings on yesterday, seeking to arrive at some agreement or accommodation on both the interim agreement on offensive weapons, which is the pending business, and the education bill which was passed by the House several weeks ago, was held at the door, and is now on the calendar.

Unfortunately, we were not able to reach any solution on either of these two legislative matters, with the result that, with great reluctance, the joint leadership filed a cloture motion on the interim agreement in an attempt to bring this matter to a head.

Our only desire is to see that the interim agreement, which has been before the Senate for well over a month, is decided one way or the other and, in that manner, give the Senate a chance to work its will.

So far as the education bill is concerned, we not only met among ourselves but also with various members of the Committee on Labor and Public Welfare.

We intend to meet again today, and every day, to see whether we cannot arrive at some agreement or some accommodation.

I want to thank the distinguished assistant majority leader, the Senator from West Virginia (Mr. ROBERT C. BYRD), for