

DERWINSKI, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. GUBSER, Mr. HARRINGTON, Mrs. HICKS of Massachusetts, Mr. HOGAN, Mr. KEATING, Mr. JONES of North Carolina, Mr. KYROS, Mr. McCLOSKEY, Mr. MIKVA, Mr. REUSS, Mr. ROBINSON of Virginia, Mr. STOKES, and Mr. THONE):

H.R. 16649. A bill to amend title 38 of the United States Code to provide that one-half of any social security benefit increases provided for by Public Law 92-336 be disregarded in determining eligibility for pension or compensation under such title; to the Committee on Veterans' Affairs.

By Mr. MALLARY (for himself, Mr. ALEXANDER, Mr. ANDERSON of Tennessee, Mr. BAKER, Mr. BEVILL, Mr. BIESTER, Mr. BRINKLEY, Mr. CONOVER, Mr. DENT, Mr. DERWINSKI, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. GUBSER, Mr. HARRINGTON, Mrs. HICKS of Massachusetts, Mr. HOGAN, Mr. KEATING, Mr. JONES of North Carolina, Mr. KYROS, Mr. McCLOSKEY, Mr. MIKVA, Mr. ROBINSON of Virginia, Mr. STOKES, and Mr. THONE):

H.R. 16650. A bill to require States to pass along to public assistance recipients who are

entitled to social security benefits at least half of the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. LUJAN:

H. Con. Res. 703. Concurrent resolution expressing the sense of the Congress that the Soviet Union should be condemned for its policy of demanding a ransom from educated Jews who want to emigrate to Israel; to the Committee on Foreign Affairs.

By Mr. WYDLER:

H. Res. 1117. Resolution expressing the support of the House of Representatives for the veto by the United States of the United Nations resolution on military operations in the Middle East; to the Committee on Foreign Affairs.

By Mr. DOW:

H. Res. 1118. Resolution to authorize the Judiciary Committee to conduct an investigation and study of Federal grand jury practices; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FISHER:

H.R. 16651. A bill for the relief of M. Sgt. Ronald J. Hodgkinson, U.S. Army (retired); to the Committee on the Judiciary.

By Mr. HICKS of Washington:

H.R. 16652. A bill for the relief of Rene Huhr Allen, Roger Huhr Allen, and Chong Suk Kim; to the Committee on the Judiciary.

By Mr. LUJAN:

H.R. 16653. A bill for the relief of Samuel T. Ansley; to the Committee on the Judiciary.

By Mr. BRASCO:

H. Con. Res. 704. Concurrent resolution expressing the sense of the Congress that the Soviet Union should permit Gavriel Yakovlevich Shapiro to travel to the United States to be with his wife, the former Judith Beth Silver; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, 282. The SPEAKER presented a petition of the Military Order of the World Wars, Washington, D.C., relative to summer encampments for qualified Junior ROTC cadets, which was referred to the Committee on Armed Services.

EXTENSIONS OF REMARKS

REFUGEE PROBLEMS INTENSIFY IN CAMBODIA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 1972

Mr. FRASER. Mr. Speaker, the plight of refugees in Cambodia has concerned a number of us in Congress for some time.

This concern has persisted despite efforts by executive branch officials, particularly in the Department of State, to play down the refugee situation in war-torn Cambodia and to disavow any responsibility on the part of the United States to assist directly Khmer war victims.

Reports on the situation have been developed by the Government Accounting Office, by the Senate Judiciary Subcommittee on Refugees and Escapees, and by investigators for the House Committee on Foreign Affairs. These reports portray a different picture of the Cambodian refugee situation than that described by U.S. officials.

These congressionally sponsored studies have indicated that large numbers of refugees in Cambodia are living in extremely undesirable circumstances and are suffering, because of inadequate nutrition, miserable living quarters, and insufficient medical attention.

Believing that the United States bears some responsibility for the plight of these war victims, I sponsored an amendment to the Foreign Assistance Act of 1972 earmarking \$2 million for their assistance. The amendment was accepted by the committee and ultimately passed by the House. On the Senate side, Senator Kennedy was successful in having a similar amendment adopted as part of the Senate foreign aid measure which ultimately was defeated.

The necessity of aiding these refugees

recently has been emphasized by the Cambodian Government itself after a long period of relative silence by them on the subject. Following these remarks I will insert several recent statements by the Cambodian Government on the subject.

The clear indication is that the situation of the refugees and other war victims in Cambodia has deteriorated considerably in recent weeks and that the need for assistance has intensified.

It is my hope that the U.S. Government, heeding the will of Congress, will provide direct aid to Cambodian refugees despite the delay in enacting the foreign aid bill with its \$2 million fund for Cambodian refugees.

The items follow:

LON NOL DISCUSSES PROBLEMS OF WAR REFUGEES [EDITED]

At the Chamcarmon Republican City Hall at 1000 hours on 10 August, Marshal Lon Nol opened an important work session to discuss war refugee problems, land on which to construct refugee camps, and construction of a new road from Stung Meanchey to Prey Sor. Present were high-ranking ministers, government functionaries and officers from all departments. . . .

The president briefed the meeting on refugee problems, especially those concerning refugees from Svay Rieng town, whose evacuation to Phnom Penh will be immediately entrusted to Lt. Gen. Mao Sikhem. The president then drew the attention of the authorities in charge of the refugees and governors of each zone to the necessity for housing, feeding and clothing these brothers. The president also raised the issue of rice, a problem which he has taken necessary measures, including the founding of a committee to import rice.

Following the discussion, the president and all participants visited construction sites of refugee camps located west of Stung Meanchey. At the building sites, the president showed his colleagues the projects drawn on a map and explained various plans of the responsible authorities. A high-ranking engineering officer constructing the camps gave a detailed report on the materialization of the projects. . . .

DEPUTY HIGH COMMAND SPOKESMAN ON MILITARY SITUATION [EDITED]

Deputy High Command spokesman Maj. Chhang Song stated this morning that at 0230 hours this morning the Viet Cong-North Vietnamese attacked our position at Phnom Bakheng hill, northwest of Angkor Wat temple, where furious combat between our troops and the communist attackers took place. Communist pressure forced our forces to withdraw from the position at 0500 hours.

. . . Cambodian nationals forced to serve the enemy continued to rally our authorities. Recently three Khmer nationals were reported to have joined the national community in the Rumduol town of Svay Rieng Province, bringing with them a Chinese-made PM machinepistol. An increasing number of refugees has fled to Svay Rieng town to escape communist barbarism. On 9 August, several refugee families—six men, six women and 18 children—arrived in Svay Rieng town for help and protection from our authorities. On 27 July several families from Svay Donkeo town in Pursat Province staged a demonstration against the communists for kidnapping an abbot and forcing the inhabitants to fly the communist red flag.

CAMBODIAN GOVERNMENT ON REFUGEES, ENEMY USE OF TANKS [EDITED]

(Statement of the Government of the Khmer Republic)

The Government of the Khmer Republic would like to draw the attention of the governments of friendly countries and world public opinion to two serious developments in the current war imposed by North Vietnam on the Khmer Republic, an independent and peace-loving country.

Recently we have been faced with a growing number of refugees who have escaped from the enemy-controlled regions. At the same time, we have been witnessing the extensive use of sophisticated weapons and heavy tanks by the invading forces of North Vietnam in their aggression against our national defense forces. These two new developments in the flagrant war of aggression perpetrated by North Vietnam against the Khmer Republic are the reasons for this statement. The Cambodian Government believes it is imperative to inform world public opinion about a situation that is no longer tolerable.

The problem of refugees: The number of the refugees has been growing in the past few months since the start of the North Vietnamese offensive in South Vietnam. The regions most affected are located in the south and southeastern parts of Cambodia adjacent to the South Vietnamese frontier, that is, the provinces of Svay Rieng, Prey Veng, Kandal, Takeo and Kampot. In these regions, the North Vietnamese forces and their allies the Viet Cong have forced people from several villages to follow them and live in various forested zones. Their aim is to depopulate these regions and consolidate their rule over the captive population. The North Vietnamese forces intend to continue to use Cambodian territory for military purposes in their operations against South Vietnam. They have inhumanly recruited thousands of Cambodian citizens. Thousands of other citizens have succeeded in escaping from the invaders and thus have escaped oppression. This is the case especially in Svay Rieng Province, where the number of refugees since the beginning of the general offensive of the North Vietnamese forces has reached over 47,000. The offensive of the North Vietnamese is not confined only to South Vietnam but has also affected Svay Rieng Province and other neighboring provinces. At present the situation of the refugees in Svay Rieng has deteriorated dramatically, because Svay Rieng town is experiencing increasing supply difficulties following the cutting of a highway at a point where the invaders are launching heavy attacks.

In addition, the evacuation of these refugees by helicopter has become another grave problem, since the invaders do not hesitate to fire at these helicopters. On 8 August they shot down one of our helicopters. This new criminal act of war of the communist Vietnamese caused the death of 20 refugees, consisting mostly of women and children who are being evacuated to Neak Luong, as well as the loss of four crewmen.

It is not only in Svay Rieng Province that the number of refugees is growing every day. This problem is also reported in Phnom Penh and other towns. The refugees have left their property behind and fled from the invaders. This exodus of refugees has created more serious problems.

At the same time, it is clear that the war aggression of North Vietnam is being waged against the whole Cambodian people and is aimed at completely annihilating the Cambodian people.

In conclusion, the Government of the Khmer Republic would like to inform the world, on the one hand, about the tragedy of the Cambodian refugees, who are direct victims of the war of aggression of North Vietnam and the general offensive of the Hanoi forces at present, and on the other hand, about the expansion of the war of aggression with the use of heavy tanks by North Vietnam against our national defense armed forces, who at present have no weapons that can match such tanks. Moreover, the Government of the Khmer Republic would like to humbly appeal to peace-loving international public opinion and to international cooperation to exert pressure on the Hanoi Government to halt the unreasonable expansionist aggression of North Vietnam against the Khmer Republic.

U.N., RED CROSS ACTION SAID NECESSARY IN CAMBODIA [EDITED]

On 13 August the Cambodian Government issued a statement calling on the governments of friendly countries and world public opinion to witness the expansion of this war that Hanoi has waged with the aim of swallowing up Cambodian territory. In the statement the Cambodian Government charged Hanoi with being the aggressor and pointed out that the offensive of the Hanoi forces following the general offensive in Vietnam has greatly endangered Svay Rieng, Prey Veng,

Kandal, Takeo and Kampot provinces. This statement emphasized the growing number of refugees, citing the example of Svay Rieng town where the number of refugees has now passed 47,000 and where the supply and housing problems have been aggravated by the cutting of communications lines by the enemy and because of evacuation difficulties. The latter was pointed up when 20 refugees, mostly children and women, were killed on their way to Neak Luong when their helicopter was shot down by the enemy.

The Cambodian Government appealed to all international organizations to help ease the suffering and misery of the refugees whose number has grown daily since the war erupted 2 years ago. Refugees are not confined to Svay Rieng Province alone but are everywhere. It is high time for the International Red Cross to take action. Now that the enemy has kidnapped thousands of families and held them captive the International Red Cross should help to contact and rescue these victims who, according to reports gathered from refugees, are being massacred by the Hanoi forces together with prisoners of war—an act which is counter to international law.

GAVRIEL YAKOVIEVITCH SHAPIRO

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. BRASCO. Mr. Speaker, these are times in which no petty evil is too nasty for some regimes to inflict upon innocent people. These days, the title of chief persecutor must go to the Soviet Union.

Not content with roiling the waters wherever it profits her politically, Russia uses the full might of the state to crush those who will not conform to her demands.

Today, that unequal struggle continues to rage between 3½ million Russian Jews and the Soviet authorities. A significant number of these people, perhaps even a majority, seek to leave that country permanently. Most of them certainly wish to be allowed to practice their religion in peace. All such efforts, from printing prayer books and educating children to living as Jews and leaving Russia, are looked upon by the Soviet authorities as criminal acts against their oppressive despotism.

One such individual who wishes to leave is Gavriel Yakovievitch Shapiro. On June 8, 1972, he was married in a religious ceremony in Moscow to Judith Beth Silver. As religious ceremonies are not recognized in the Soviet Union, application was made for a civil ceremony at the Moscow Palace of Marriages. The date scheduled by Soviet authorities for this civil ceremony was August 30, 1972, after Miss Silver's visa would expire. Her efforts to obtain a new visa have been futile.

On June 29, 1972, Gavriel contracted a civil marriage with Miss Silver by proxy, in the District of Columbia. This marriage is recognized as valid here in the United States.

Yet the Soviet Government sees fit to prevent this man from leaving Russia in order to be reunited with his wife. I am pleased to sponsor a resolution on the part of the Congress, with 24 of my col-

leagues, to accomplish this end, which is long overdue.

These are the Jewish high holidays, already splattered with the newly shed blood of 11 innocent Israeli athletes at the Olympic games by Arab assassins. The Russians did not attend any of the memorial services. This is easy to understand. They are today's pharaohs.

Such happenings are not new in Jewish history. Such forced separations are familiar events in the chronicle of that people. What is new is that there are voices in the world that will speak out against such oppression.

It is my hope that for once, a modern despot will see fit to let go of his captive. Surely the Russians have little to lose and everything to gain by showing compassion to this one man, an emotion they have been so singularly lacking in in recent weeks.

HOIST WITH OUR OWN PETARD

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. DERWINSKI. Mr. Speaker, a necessarily hard-hitting editorial in the Chicago Tribune of Sunday, September 10, commented on some of the recent developments at the United Nations.

We should be especially alert to the determination of Communist and other misguided nations in the U.N. to abuse the United States on the subject of Puerto Rico, whereas our record in that regard is, in my judgment, excellent.

The editorial follows:

HOIST WITH OUR OWN PETARD

One thing in common between the United Nations and the United States is that they are not good at minding their own business. We have been dragged into a number of U.N. follies, such as ostracizing Rhodesia and South Africa and demanding that South Africa confer independence on the mandated territory of South West Africa, which was consigned to its trust by the old League of Nations half a century ago.

What concern such matters are to us is not readily apparent, but on the recent 25th anniversary of U.N. Charles W. Yost, the American delegate, gratuitously informed that body that South West Africa may expect no American financial aid as long as it remains under the tutelage of South Africa.

Now the U.N. Colonialism Committee has repaid Mr. Yost's expression of loyalty by voting 12 to 0, with 10 abstentions, that the former American territory of Puerto Rico, now a free commonwealth associated with the United States, is being repressed by American "colonialism."

The resolution recognized the "inalienable right of the people of Puerto Rico to self-determination and independence." It commissioned an inquiry into the status of the commonwealth, which has never shown any inclination to cut loose from the United States. In a referendum in 1967, Puerto Ricans strongly favored continuation of commonwealth status. The vote was: commonwealth, 425,081; statehood (with the United States), 273,315; independence, 4,205.

The least the U.N. could have done before going off half-cocked was to consult the Puerto Ricans themselves, but the lordly assumption that guides the busybodies in the glass crypt on the East River in New York is

that everybody's business is their business.

Fortunately, Gov. Luis A. Ferré of Puerto Rico will have no part of this nonsense. He announced, "The vote of the Colonialism Committee doesn't mean a thing." Puerto Rico, he said, will "refuse to cooperate" with any U.N. committee poking its nose into Puerto Rico's affairs. Any attempt by the U.N. to hold hearings in Puerto Rico, he added, "would be completely out of place" and "we will refuse to have them."

So, if Mr. Yost has not much sense, Gov. Ferré has it in abundance. The U.N. attempt to meddle is a direct product of our own silliness in going along with its past meddling. South West Africa has been given a U.N. designation as "Namibia" and the U.N. has created a paper commission to run it.

The South Africans simply ignore the hollow U.N. command. South West Africa is principally a burden on them. It is composed of disparate tribes, 19 in number, with little in common except for the seven tribes of Ovambo. South Africa plows back any revenue the territory produces and its principal concern is to keep the lengthy coastal stretch from falling to a Soviet navy on the prowl in all waters. The Communists have agitated behind the scenes to get the Afro-Asian bloc in U.N. to press action for divestiture.

Our only interest in South West Africa is the annual importation of \$11 million worth of frozen rock lobster. For such stakes as this are we to lower the boom on South Africa?

REMARKS OF THE HONORABLE JOHN W. BYRNES ON INTRODUCING THREE BILLS AMENDING CUSTOMS LAW

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing three bills at the request of the administration which amend the customs laws in several respects. The bills incorporate administrative changes in our customs laws that the administration feels are desirable on the basis of experience and study.

In view of the limited time remaining in the 92d Congress, it is not expected that there will be time to formally consider these measures during the present session of Congress. However, I am introducing them on behalf of the administration so that interested members of the public will have them available for study and comment.

I am attaching to my remarks a brief description of each bill and where it will facilitate understanding, a more detailed analysis:

BRIEF DESCRIPTION OF H.R. 16600, TO AMEND THE TARIFF ACT OF 1930 TO PROVIDE AN EXEMPTION FROM THE RESTRICTIONS OF THE TRADEMARK LAWS, AND FOR OTHER PURPOSES

Under existing law, trade-mark owners may absolutely prohibit the importation of items bearing the trade-marks which they control. Many of the kinds of things which American tourists normally buy abroad, for example, perfumes, watches, and cameras, are subject to these restrictions by trade-mark owners. Customs is therefore required to interfere with thousands of returning American tourists annually. This provision serves little or no useful purpose, is expensive for Customs to administer, and is a con-

stant source of irritation to tourists. The proposed legislation would remove these restrictions in the case of persons entering the United States with goods which they purchased abroad for personal purposes and not for resale. The types and quantities of such goods would be determined by the Secretary of the Treasury and published in the Federal Register. In all other instances, trade-mark owners will continue to have procedural remedies presently found in existing law.

ANALYSIS OF H.R. 16600, TO AMEND THE TARIFF ACT OF 1930 TO PROVIDE AN EXEMPTION FROM THE RESTRICTIONS OF THE TRADEMARK LAWS, AND FOR OTHER PURPOSES

Section 42 of the Act of July 1946 (15 U.S.C. 1124) hereinafter called "the 1946 Act", which reenacted without change the provisions of section 27 of the Act of February 20, 1905 (33 Stat. 730), prohibits the importation of merchandise that copies or simulates the name of any domestic manufacture, manufacturer or trader, or of any manufacturer or trader located in a foreign country which affords similar privileges to United States citizens, or which copies or simulates a trade-mark registered in accordance with the 1946 Act or which bears any mark or name calculated to induce belief that the merchandise is manufactured in the United States. Section 42 of the 1946 Act also authorizes a procedure pursuant to which manufacturers or traders may record their names and registered trade-marks with the Department of the Treasury and provide identifying facsimiles for its use as an aid to enforcement.

Section 526 of the Tariff Act of 1930, as amended (19 U.S.C. 1526), makes it unlawful to import any merchandise of foreign manufacture if such merchandise, or its label or wrapper, bears a trade-mark owned by a corporate or real citizen of the United States and registered in accordance with the 1946 Act, unless written consent of such owner to its importation is produced at the time of making customs entry of the marked merchandise. This section has been consistently interpreted by the Bureau of Customs for the past 20 years as excluding from protection foreign-produced merchandise bearing a genuine trade-mark created, owned, and registered by a citizen of the United States if the foreign producer has been authorized by the American trademark owner to produce and sell abroad goods bearing the recorded trade-mark. Protection is accorded under section 526 to trade-mark owners if an attempt is made to import such merchandise in violation of an agreement authorizing the foreign producers to sell only to the trade-mark owner. In addition, if merchandise bears a genuine trade-mark created outside the United States the rights to which have been assigned to and recorded by a United States citizen, protection is also granted. Section 526 also provides specific remedies to enforce compliance with its provisions.

The continued automatic exclusion under section 526 of most merchandise bearing a genuine trade-mark, without distinguishing between merchandise arriving in commercial quantities and merchandise accompanying a person arriving in the United States and intended for personal use, has generated substantial controversy in regard to the impact of this policy on Americans traveling abroad and purchasing, in good faith, articles bearing a genuine mark.

Frequent complaints are received from these persons when they find on their return to the United States that such articles are prohibited importation under the trade-mark laws unless the written consent of the trade-mark owner is obtained or the offending trade-mark is obliterated or removed from the articles. Although Customs expends a

great deal of time, talent, and money to put the traveling public on notice as to these restrictions, experience has shown that the vast majority of violations occur because the returning traveler is unaware of the law. This situation creates a great deal of ill will not only for Customs but for the trade-mark owner as well.

The draft bill would grant a limited exemption from such trademark restrictions by permitting the Secretary of the Treasury to authorize the importation of limited quantities of trade-mark merchandise accompanying persons arriving in the United States, if such merchandise is intended for personal use and not for resale.

The first section of the bill would amend section 526 of the Tariff Act of 1930 by adding thereto a new subsection (d) dealing with the personal exemption, and adding language at the beginning of subsection (e) to except merchandise entered under new subsection (d) from the trade-mark restrictions of section 526.

New subsection (d) would establish an exemption for imported merchandise accompanying persons arriving in the United States, for their personal use, within limitations of type and quantity to be specified by the Secretary of the Treasury in regulations, provided that such an exemption has not been claimed by the same person within the preceding 30 days. If any article exempted under the subsection is sold within one year following its importation, the article or its value (to be recovered from the importer) is subject to forfeiture.

In establishing the quantitative limits, it is contemplated that the Secretary, through the Bureau of Customs, would conduct a survey to determine the quantities in which particular types of articles are usually purchased at retail for personal use. The inquiry would be directed to types of articles rather than individual trade-marks. For example, if the type of article were cameras, it is believed that a study would show that such articles, if for personal use, are usually purchased singly. Therefore, the Secretary would probably establish the quantitative limits for cameras at one. Also, it is contemplated that before any list of such types of articles is given effect, a list giving tentative determinations with respect to quantitative limits for each type of article would be published in the Federal Register and all interested persons given an opportunity to state their views in writing.

The draft bill would limit this privilege to articles accompanying persons arriving in the United States. This will eliminate a burdensome administrative problem and is in keeping with the practice at the present time since trade-mark owners granting consents to the importation of limited numbers of articles bearing their trade-marks generally do not extend such consent to include "articles to follow."

The provisions of the present law which require Customs to apply the restrictions on importation against articles for personal use acquired abroad by tourists and other travelers impose an inordinate administrative burden upon the Bureau of Customs.

Section 2 of the bill would amend section 42 of the Act of July 5, 1946, by adding at the beginning of that section language which excepts from the general trade-mark restrictions merchandise which falls within new subsection (d) of section 526 of the Tariff Act of 1930.

Section 3 of the draft bill would amend sections 4 and 7 of the Anti-Smuggling Act of 1935 (49 Stat. 519 and 520; 19 U.S.C. 1704 and 1707) to substitute the terms "appropriate customs officer" or "customs officer" for the terms "collector of customs" or "collector." This section would also amend section 401(b) of the Anti-Smuggling Act (49 Stat. 529; 19 U.S.C. 1709(b)) to redefine "of-

ficer of the customs" and "customs officer" to eliminate the reference to appointment by a collector. The Tariff Act of 1930 was similarly amended in Title III of Public Law 91-271, but through oversight the Anti-Smuggling Act was not included. This section would implement the authority granted to the Secretary of the Treasury under Reorganization Plan No. 1 (1965) and No. 26 (1950).

Section 4 of the draft bill would amend the Tariff Classification Act of 1962 (76 Stat. 72) to permit the Tariff Schedules of the United States to be cited as TSUS, which has become the standard reference to the tariff schedules.

BRIEF DESCRIPTION OF H.R. 16601, TO MODERNIZE THE PROCEDURES FOR LICENSING AND DISCIPLINING CUSTOMS BROKERS, AND FOR OTHER PURPOSES

The Customs Brokers' legislation would modernize procedures for licensing and disciplining customs brokers. The proposed bill is designed to (1) improve the quality of supervision exercised by the customs broker over his business; (2) to protect the importer by requiring the broker to post a performance bond; and (3) to provide the Bureau of Customs with greater supervisory control over the activities of customs brokers. The disciplinary hearing procedure would also be modernized by substituting an independent hearing examiner for the customs officer who now presides over such hearings.

ANALYSIS OF H.R. 16601, TO MODERNIZE THE PROCEDURES FOR LICENSING AND DISCIPLINING CUSTOMS BROKERS, AND FOR OTHER PURPOSES

The proposed bill would amend section 641 of the Tariff Act of 1930, as amended (19 U.S.C. 1641), to modernize the procedures for the licensing and disciplining of customhouse brokers. The existing statute is substantially a reenactment of the original statute authorizing the licensing of customhouse brokers (Act of June 10, 1910, 36 Stat. 464), and continues the basic licensing and disciplinary scheme developed in that act with the addition of provisions to regulate the licensing of partnerships, corporations, and associations. Thus, for 60 years the law regulating customhouse brokers has been almost unchanged.

The same cannot be said for the Bureau of Customs or the customs brokerage business. Pursuant to Reorganization Plan No. 1 of 1965 (30 F.R. 7035), Reorganization Plan No. 26 of 1950 (3 CFR ch. III), section 1 of the Act of August 1, 1914, as amended, 38 Stat. 623 (19 U.S.C. 2), and Executive Order No. 10289, September 17, 1951 (3 CFR ch. III), the operational and administrative organization of the Bureau of Customs was modernized by abolishing customs-collection districts and by creating fewer and more manageable customs regions and districts. In 1968, the Secretary of the Treasury issued a revised Part 31 of the Customs Regulations (19 CFR Part 31) to reflect the changes made necessary by this reorganization, but the Department has found that many problems still exist in certain areas of customhouse brokers' activities. This is due in large part to the fact that the customs brokerage business has not remained static since 1910. From small one-man businesses operating exclusively at the customhouse, the average, modern customs brokerage firm is a corporation employing people to deal with customs at piers, container stations, warehouses, airports and truck terminals among other places, and frequently carrying on multi-district operations. The supervisory responsibility over many employees and the requirement that all customs transactions be accurately accounted for has become extremely difficult for the broker and for the Bureau of Customs which under existing law is responsible to the public for supervising

and disciplining brokers who fail to perform their duties and responsibilities adequately.

Accordingly, a Bureau of Customs task force was established to make a comprehensive review of all activities, laws and regulations relating to licensed customhouse brokers, and to make such recommendations as might be appropriate for the revision of the existing statute and regulations. The recommendations of the task force are reflected in the proposed bill.

The proposed bill substitutes the term "customs broker" for the term "customhouse broker" wherever it appears in section 641. This amendment reflects the changing character of the industry; brokers no longer conduct business exclusively from offices at customhouses, but now deal with Customs wherever imported cargo is handled.

The first section revises the requirement for securing customs broker's licenses by corporations, associations or partnerships by reducing the number of licensed officers or members; limits to five years the period for which a license is valid without being renewed; and eliminates the requirement that a license be obtained by a customs broker for every district in which he wishes to transact business by substituting a simpler, more manageable system of permits.

As under existing law, licenses would be granted only where an applicant clearly demonstrates his knowledge of Customs and related laws, regulations and procedures, as well as an awareness of his obligation to perform his services for his clients in accordance with the standards of conduct imposed under applicable laws and regulations.

Under existing law, a customs broker's license cannot be granted to a corporation, association, or partnership unless individual licenses as customs brokers have been issued to at least two of the members of such partnership or two of the officers of such corporation or association. The proposed bill reduces to one the number of officers or members who must hold a customs broker's license for such purpose. To require two individually licensed officers deprives a small businessman of tax advantages which may be gained from incorporating his business. Existing law may also require some businesses to secure the services of a licensed broker solely to qualify the entity without the licensee ever assuming any real role of responsible supervision. In such cases the licensees serve only as figureheads in order that partnerships, corporations or associations can comply with existing law. Such a requirement is not meaningful in terms of assuring responsible supervision of the customs business of a corporation, association or partnership by a licensed officer or member.

The proposed bill further provides that a customs broker's license shall be valid for five years from the date of issuance and shall be automatically renewable upon application therefor in accordance with regulations prescribed by the Secretary of the Treasury. It is intended that the implementing regulations will provide that the renewal application may not be filed prior to the last six months of the license period, but may be filed within one year following the date of expiration of such license. However, no person shall be permitted to transact business as a customs broker without a valid license, unless a renewal application filed prior to the date of expiration is pending. These provisions would replace the provisions under the present law providing for the issuance of licenses without any expiration date. The present provision has resulted in a situation in which there are an unknown number of dormant licenses outstanding because brokers have died or gone out of business and the Bureau of Customs has not been advised of these facts. Consequently, it has not been possible to maintain an up-to-date roster of licensed brokers who are actively engaged in the custom brokerage business. This greatly in-

creases the work necessary by the Bureau of Customs to supervise customs broker's activities.

Another major feature of the revised licensing procedures is the elimination of the requirement of present law and regulations that an individual, partnership, corporation or association seeking to transact business in more than one customs district obtain a separate license for each district. Instead, the proposed bill provides for the granting of a single national license together with a permit system in which a licensed customs broker wishing to operate a customs brokerage business within a particular customs district or districts would be required to obtain a separate permit to do business in each such district or districts.

Under existing regulations, a corporation, association, or partnership licensed to do business in a customs district is only required to have a "qualified" employee supervising the activities of the business in that district. Under the proposed bill the quality of the supervision exercised over the business transacted in a district would be improved by requiring a permitted broker to employ and assign to that district an individually licensed broker to exercise responsible supervision and control over all of the customs business transacted in that district. A three year delay provision is established, however, in order to allow brokers who are already established to bring themselves into compliance with this requirement.

Also included in the first section of the proposed bill is an amendment to the existing provision dealing with the revocation of a corporate, association or partnership customs broker's license by operation of law for failure for more than sixty days to have the required number of individually licensed officers or members associated with such business. The required number is reduced from two to one in conformity with the proposal to reduce the number of qualifying license holders for such corporate, association or partnership license.

A similar amendment is proposed in regard to the revocation by operation of law of a permit to operate a customs brokerage business in a particular customs district. The amendment provides that the permit for a district shall be deemed revoked if for any continuous period of more than sixty days after the issuance of such permit, an individually licensed broker is not employed within that district. A delay of three years in the effective date of this requirement is provided so that brokers may bring themselves into compliance with it. Such a provision is intended to insure that a customs business permitted to operate in a district will be properly supervised.

Section 2 amends subsection (b) of section 641 dealing with the procedures for revocation or suspension of a customs broker's license. The proposed bill substitutes an independent hearing examiner in place of the customs officer who now presides over suspension and revocation hearings; provides for decision by default in appropriate cases where the accused broker fails to appear in person or by counsel; and provides a summary procedure in which the appropriate officer of the customs may on written notice and decision suspend the broker's right to make entries for a period not to exceed thirty days with written appeal to the Secretary of the Treasury or his designee.

Under existing procedures the district director of customs is placed in the seemingly incompatible position of both complainant and hearing officer. The proposed bill substitutes an independent hearing examiner designated pursuant to section 3105 of title 5, United States Code, for the district director as the hearing officer in proceedings brought to suspend or revoke a broker's license.

In addition, the proposed bill would direct

the hearing examiner to conclude the hearing at whatever point has been reached in the proceeding if the customs broker fails to appear in person or through legal counsel, thereby eliminating the time and expense necessitated when the Government is required to introduce unchallenged testimony and documentary evidence in support of charges against a broker. The Secretary of the Treasury is permitted, upon default, to accept the written charges as proven and revoke or suspend the broker's license, or, upon the showing of good and sufficient reasons for the default of the broker, to order that the hearing be reopened or a new hearing held.

A technical amendment included in the proposed bill permits the Secretary of the Treasury to revoke or suspend the license of a broker who has failed to comply with the rules and regulations governing customs brokers. While the present statute is worded in terms of a refusal to comply with such rules and regulations, there has been a long-continued administrative practice reflected in Part 31 of the Customs Regulations to consider failure to comply as a refusal. The amendment conforms the law and regulations by using the words "has failed or refused."

The proposed bill also includes a summary procedure without a hearing for the temporary suspension of a broker's right to make entries. Under existing practice, the appropriate customs officer may, for good and sufficient reasons, recommend to the Secretary of the Treasury either suspension or revocation of a customs broker's license after a hearing, or issue a written reprimand with the approval of the Commissioner of Customs. There is no provision for a situation where the broker's dereliction is not serious enough to justify the filing of charges looking to suspension or revocation of his license but is serious enough to warrant more than a reprimand. The bill provides that the appropriate customs officer may at any time order the broker to show cause why his right to make entries in a district should not be temporarily suspended for a period of not more than thirty days. The show cause order must be in writing and must include the allegations or complaints against the broker. It affords him the opportunity to respond to such charges in writing within five days. After considering the allegations or complaints and the response thereto, the customs officer shall issue a written decision. A summary suspension is appealable in writing to the Secretary of the Treasury or his designee and upon the receipt of such appeal the suspension shall be stayed until a decision upon the appeal is made.

Also, in order to provide more flexibility in penalizing the improper actions of brokers against whom formal charges have been brought a provision is included allowing the Secretary to suspend the right to make entry.

Section 3 repeals subsection (c) of section 641, Tariff Act of 1930, as amended (19 U.S.C. 1641(c)), and substitutes a new subsection (c). The existing subsection protects licenses in effect prior to August 26, 1935, the date when this provision was last revised. The proposed amendment protects licenses in effect on the date of enactment of this bill for a period of five years. Thereafter, licensees are subject to the renewal provisions provided for in this proposed bill. Licenses in effect on the date of enactment also serve as permits to operate a customs brokerage business for the same five-year period in all districts where the broker is licensed without requiring applications for permits or the employment of a licensed broker in each district where the license holder is permitted to operate. However, such licensees are still subject to the amended provisions dealing with suspension, revocation, renewal and the posting of a per-

formance bond. A proviso is included in the proposed amendment stating that any proceeding instituted prior to the effective date of the subsection for revocation or suspension of a license shall be governed by the law in force at the time the proceeding was instituted.

Section 4 imposes a new requirement on customs brokers to post a performance bond for the protection of clients and the Government. No such performance bond is now required. If the broker misapplies or misuses funds belonging to his client, the client may have no recourse against the broker. By the time the defalcations are discovered, the broker is often bankrupt and the client may be unable to recover. The posting of performance bonds would alleviate this situation.

BRIEF DESCRIPTION OF H.R. 16602, TO AMEND THE TARIFF ACT OF 1930 TO GRANT ADDITIONAL ARREST AUTHORITY TO OFFICERS OF THE CUSTOMS SERVICE

This bill would grant additional arrest authority to customs officers. At present such officers may make arrests without warrant for violations of the narcotic drug or marihuana laws, and for violations of the Customs or navigation laws or any law respecting the revenue where the violation is committed in his presence or where he has reason to believe that the person to be arrested has committed or is committing such violation. Since Customs has become engaged in expanded Federal enforcement programs, this limited authority has proved to be inadequate. Because of the lack of arrest authority without warrant, Customs personnel have been sworn in as deputy United States marshals to function effectively in the U.S. Sky Marshal program. Also, special agents of the Customs Agency Service have been similarly deputized in order to protect Government employees and property. This need to obtain ad hoc arrest authority has proved to be cumbersome and inefficient. The Department of Justice, under whose law Customs officers have been designated United States Marshals, has requested this Department to seek expanded arrest authority for Customs officers to obviate the problem.

FARM PRODUCTION COSTS CONTINUE TO INCREASE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. ZWACH. Mr. Speaker, while the economy of our country in general is on a steady increase, our farm economy still leaves much to be desired. This is not only my concern, it is the concern of editorial writers throughout our Minnesota Sixth Congressional District.

An example of the writing on this subject is the following from the Brainerd Daily Dispatch, which, I would like to insert into the CONGRESSIONAL RECORD, so it can be read by my colleagues and all the other readers of this publication:

FARM PRODUCTION COSTS CONTINUE TO INCREASE

Farm economists say that agricultural production costs still are outstripping farm income despite the high prices which consumers are paying for food.

For example, figures cited in a report by the Agriculture Department, show that farmers this summer had to pay \$6.43 for a pair of overalls which a year ago cost them \$6.02 and the cost of one combine has increased from \$17,820 to \$19,300 in one year.

Wheat, however, was bringing \$1.32, two cents less than a year ago.

Cost of farm production has risen steadily for several years, according to the Agriculture Department, with farm operating expenses increasing 27 per cent in the last five years.

The disparity between farm prices and farm costs is even greater when figures before 1971 are considered.

Overalls in 1969, for example, cost \$5.17 at a time when wheat sold for \$1.22 per bushel. A comparable grain combine in 1969 averaged about \$11,000.

Corn in June 1969 brought \$1.18 per bushel, five cents more than in that month of this year. Cattle averaged \$28 per 100 pounds in June 1969; about \$28.50 last summer, then rose to a record \$34.60 last month.

There are some hopes for improvement of the farmers' lot, though, the economists say. Higher prices for cattle and hogs this year have generated a trend of improvement with net farm income expected to rise about \$2 billion this year over last year.

Meantime, while the farmers face a tightening squeeze between production costs and income, consumers face increasing food prices with the price boost in many cases far outstripping the rate of rise in personal income.

POW'S AND POLITICS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. RARICK. Mr. Speaker, in last night's gossip outlet which passes itself as a nonpartisan newspaper, we read the heartrending story of how a naval captain held as a U.S. POW in Vietnam had written his mother to give a \$25 donation from his Navy pay to a campaign committee of the presidential candidate of my party.

As a former POW myself, I can certainly understand the mother's desire to carry out her son's wish. In fact, when I was a POW, I would probably have given my entire military salary for a year to defeat the then President Franklin Delano Roosevelt. I am glad that the POW's request is being given every consideration as well as publicity.

The only thing that worries me is how a Navy captain, a POW since last May, even knows that the Democratic Party candidate has a million-member club. Apparently, communications are good to North Vietnam.

As for myself, I am still waiting to hear why the Presidential candidates cannot get a U.S. POW out of the Fort Benning stockade; that is, Lt. William Calley.

The whole episode is but another indication of manipulated emotionalism that too often characterizes American politics.

A related news story follows:

[From the Washington Star and Daily News, Sept. 12, 1972]

A NEW CAMPAIGN CAPER!

(By Isabelle Shelton)

A \$25 check, drawn on the U.S. Treasury, made its way into the McGovern-for-President campaign yesterday.

The familiar blue cardboard, recognizable to anyone who ever got a paycheck, tax rebate or Social Security benefit from Uncle Sam, raised a few eyebrows among the press

who had come to watch McGovern's wife, Eleanor, formally accept it.

But it was all on the up and up. The check was a contribution from Navy Capt. Joseph Kernan, 26, who has been a prisoner of war in North Vietnam since last May 7 after his plane was shot down over Qhan Hoa.

Kernan wrote his mother, Mrs. Marion Kernan, of the District, asking her to take \$25 from his savings, and give it to McGovern. She had to get a \$25 check from the Navy Department—after showing them her son's letter—she explained, because "his money is tied up and is not available to me."

Yesterday, as she handed the check to Eleanor McGovern, she read a part of her son's letter.

"What I would ask, Mom, is that you take \$25 of my money and join me in McGovern's Million Member Club. It isn't just for our own sake that we need McGovern to become President of the United States, but the country's. I'm sure I don't need to encourage all of you to really get out and work for the man. We need him."

Mrs. Kernan, mother of nine (Joseph is the oldest), said she did not know how her son had learned of the Million Member Club, a McGovern fund-raising device.

She has received just two letters from her son since his capture, the mother said, and "to the best of my knowledge he did not get my letters."

She assumes her son must have learned about the Million Member Club "from the news media," she added.

Thanking the mother, Eleanor McGovern said: "As you know, my husband has long been opposed to the Vietnam war. I know one of the first things he will do as President is end it."

She and her husband were "very proud" to add Kernan's name to the Million Member roll, she said, and "I hope that 90 days after next January I will have a chance to meet your son."

(McGovern has pledged he would pull all U.S. forces out of Vietnam 90 days after he took office, and that he is confident Hanoi then would release U.S. prisoners they are holding.)

Young Kernan is a 1968 graduate of Notre Dame University, who joined the Navy shortly thereafter. He went into the Navy in order to escape the draft, his mother said.

Did he want to go to war? a reporter asked. "Does anyone want to go to war?" she responded.

While she was in the building, Mrs. McGovern toured the entire headquarters, asking endless questions of volunteers and staff members.

In the day nursery where volunteers deposit their small children, Mrs. McGovern squatted down so that she could address the tots eyeball-to-eyeball.

It was, she was told by some of the mothers taking their turn in the nursery, "the prettiest room in the building."

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

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

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

THE APPALLING STATE OF PRODUCT SAFETY IN AMERICA

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. BRASCO. Mr. Speaker, the average American goes about his or her daily affairs confident that somewhere and somehow his or her Government is providing an umbrella of protection against certain elementary hazards.

I refer to bad foods, unsafe drugs, improperly tested items, and dangerous products that can be purchased in all innocence across the retail counters of America's stores.

Our average consumer feels that pure food and drug laws and product safety laws are right there on the statute books; insuring that before any shady operator places such items on any store shelf, the swift, steady hand of Federal protection will catch him before he can get away with such a shady deed. Such in fact is not the case. In fact, the very opposite is true.

It has been my surprised discovery to find that of all the fallacies we are prone to believe in, this is perhaps the most all-pervasive. Until very recently, when I began to delve into this area, I, too, placed significant credibility in that shadowy, amorphous "something" called Federal protection. Orange groves in Greenland are more certain than Federal product safety protection for the American consuming public.

I have already dealt with the American hotdog, which turns out to be a non-nutritious, chemical-loaded, fat-filled fraud with a lesser protein content than its depression-era predecessor.

I have also touched upon no enforcement by various Government agencies of perfectly sensible laws passed by this Congress. The Food and Drug Administration is a classic example of a consumer protection agency that is neither oriented toward consumer protection, or even toward protection, except for major industries.

The Poison Prevention Packaging Act, designed to insure that child deaths will be minimized through emplacement of childproof safety closures on containers holding hazardous substances is still not being actually enforced by FDA. There have been minimal efforts to place such closures onto aspirin containers as a result of FDA action, but even this small effort comes some 19 months after the law was signed.

The Commerce Department has not enforced the Flammable Fabrics Act. Nearly half a decade old already, this basically simple law is designed to insure that children's sleepwear is flameproofed. Several thousand small youngsters annually are turned into miniature funeral pyres because the textile industry has had the political clout to prevent high standards from being set and enforced. Only one major company today is carrying a line of flameproofed small children's sleepwear. If anyone does not believe this, just patronize a store, buy a

child's nightdress and put a match close to it. Such is the kind of outrage we live with today, and it can strike any of our children or grandchildren at any time.

The Safe Toy Act is still another scandal, as the FDA finally is beginning to move slowly in the direction of eliminating thousands of dangerous toys from the shelves of literally thousands of stores. Yet our minimal progress to date has taken maximum outrage and pressure upon the Product Safety Division of the Food and Drug Administration.

Power lawnmowers extract a toll of approximately 1 million accidents per year, yet nothing has been done about setting safety standards these machines must conform to. Another failure by the Government.

We know of these situations. In some instances, we have even legislated in order to put an end to abuses. Yet, overall, there is either no Government legislative initiative or there is a lack of willingness on the part of Government agencies to enforce existing laws.

In sum, as far as product safety for the average citizen is concerned, his National Government is by and large as great a disaster as the products he is utilizing.

A classic instance is that of commercial glass. At least 250,000 needless accidents happen with glass doors every year in this country. Why? Because wherever possible, contractors utilize weak, easily breakable glass. In most States, no law requires that sturdy glass be used in glass doors in residential buildings. I refer to shower, patio, storm, and simple entry doors.

More than half of those victimized by such tragedies are children under age 15. Efforts are being made to get the States to pass a model law requiring use of one of several kinds of sturdy glass or plastic in such doors.

Opposition in the State legislatures, mainly from builders and hardware dealers, has been growing. Why? Simple. They would rather that the toll continue than make the better kind of materials available. And remember that such better materials cost money, and we would not want to have to spend any more money to save say, 175,000 of those 250,000 small children every year, would we?

So the home builders and the hardware merchants have fought off the challenge in one State legislature after another.

And because most State and local building codes do not require use of safety glass in glass doors in residential buildings, the carnage will continue. Only in commercial buildings are there found some requirements of this sort. Where are those mighty champions of the rights of the States to do their own thing? Here is their chance. Yet they do nothing.

No better illustration can be found of the desperate need for a new product safety law or act. An opportunity will shortly be given the House of Representatives to act on this and a score of other similar issues.

The other body has passed, by a vote of 63 to 10, an excellent Product Safety Act. Among other things, this measure would set up an independent Product

Safety Commission empowered to establish safety standards for consumer products.

This measure has been years in the making, being the distillation of staggering quantities of man-hours, investigations, testimony, and creative legislative thought. It is a strong measure, and one is desperately needed. Such a product safety commission as is envisioned in the Senate version could eventually set standards for glass doors that would in fact set a national requirement for safer doors. The same type of action could be taken in regard to literally dozens of kinds of products which annually take a dreadful toll from the consuming public in terms of crippling injuries and deaths.

This bill is based substantially upon recommendations made in 1970 by the National Product Safety Commission, which identified at least 16 hazardous products. Glass doors were one of the 16.

Mr. Speaker, we have reached a point where we either make a move towards the kind of protection the public must have or go backward in terms of the elementary protection of the average citizen. Immunity in some form to the worst dangers of life is what, in the end, the average citizen pays taxes for.

It is the elementary duty of any government to provide such protection. Now we are not offering it. When this measure comes before us, I hope this body will act accordingly.

PRIDE IN RETIREMENT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. LONG of Maryland. Mr. Speaker, I want to pay tribute to the members and founders of Pride in Retirement, Inc., an organization to bring retired people together for companionship and constructive activities.

Old age can be the loneliest time in a person's life because many of his friends have died, and his family may be too busy to spend much time with him. Pride in Retirement is an answer to the problem of loneliness.

At this point, I insert in the RECORD an article from the Dundalk Eagle describing the activities and goals of Pride in Retirement.

The article follows:

PRIDE IN RETIREMENT OPENING SEASON

Pride in Retirement, Inc. announces the opening of the 1972 fall season beginning next Friday, Sept. 8 at 10:30 a.m. A guest speaker from the Dundalk Community College will explain the new program for senior citizens at the college which will be offered free of charge.

Pride in Retirement has just concluded a successful summer recess during which the organization was given the privilege of appearing on the Betty Cox program "Better with Age" on WBAL-TV Sunday, Aug. 20, at 6:30 p.m. A display of many of the items made by the members was shown & a brief outline of the desires & purposes was quoted as follows:

Pride in Retirement, Inc. is a non-profit, tax exempt organization which was founded in 1965. This was prior to the time of local government's realization of the needs of older people of which many were being forced into retirement because of age and automation.

The format for Pride in Retirement senior center was based on the opinions & requests of retired persons from the southeastern area of Baltimore County. It was submitted in its entirety to Congressman Clarence D. Long for approval & assistance. Dr. Long was so impressed with the proposal that he read it into the Congressional Record in July, 1965. He guided the organization to a federal grant under the Maryland State Commission on Aging for a period of three years.

After two years & one month, the Officers of Pride in Retirement, Inc. withdrew from the federal grant & became a self-sustaining independent organization. Since that time, Pride in Retirement senior center has been marching steadily forward. Approximately 300 individuals are on the roll book of which approximately 80 are active participants.

The immediate goal of Pride in Retirement, Inc. is enjoyment of good health, companionship & social togetherness. The long range goal is a complete senior center which will embody elderly housing, convalescent-nursing home, medical center plus a complete activity complex to meet the needs of the greater Dundalk area.

In summation, Pride in Retirement, Inc. is planned to give to the elderly that fourth priority position so well defined in the Fourth Commandment, namely, "Honor thy father & thy mother".

SNAIL SERVICE MAIL SERVICE

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. PICKLE. Mr. Speaker, we are all aware, through daily experience, of a deterioration in our Nation's mail service.

Postal rates go up—and service gets slower.

Post offices are closed right and left—and service gets slower.

Fancy equipment is installed—and service gets slower.

Personnel is cut back—and service gets slower.

No one doubts that the Postal Service has a horrendous task ahead of it in trying to revamp our mail service to fit the modern world. But I think it is time we should be making some visible inroads in that direction.

An editorial in the September 4 edition of the Nation magazine sees attitude as the real touchstone.

"The key word, after all," it reads, "is 'service.'" Much has been said about the need for the U.S. mail to pay its way, but there is surely no more need for that than for the U.S. Army, or a police department, or school system, to pay its way. Such desiderata should be emphatically put aside in favor of the immediate need to bring the service to 20th century standards. "It is even possible," the editorial suggests, "that the financial problems would simultaneously yield to progress."

Certainly we would stand a better chance than we do the way things are headed now.

I insert that editorial in the RECORD at this point:

SNAIL SERVICE

Few New Yorkers would describe the trip across Manhattan, from the East River to the Hudson, as a pleasure trip. It seems it was ever thus: at the turn of the century, it was ruefully admitted that, because of the traffic that choked the streets during business hours, the journey consumed eleven minutes. Today the trip can take something more than twice as long.

The blessings of modern methods have transformed many facets of our lives, but perhaps none so completely as the postal service. We have had occasion to advert to second-class mail, which is the method by which any periodical reaches its subscribers, and is thus of great importance to us at *The Nation*. Present proposals call for an increase in the next five years to second-class charges nearly two and a half times the present rates, which burden could be carried only by an appropriate increase in subscription rates for magazines and newspapers. But we would like for a moment to turn to first-class mail, from which also there is a lesson to be learned.

Many of us can remember the days when one stuck a two-cent stamp on a letter, and dropped it in the corner mailbox which was emptied five or six times every day, six days a week. Three times a day, on the average, the mailman would appear at the door with incoming mail. It was no cause for astonishment to receive letters mailed the day before in Boston or Washington, each more than 200 miles away.

Since then, the cost of a stamp has gone from two, to three, to four, to five, to six, and finally to eight cents, in accelerating tempo. But collection and delivery of first-class mail, far from accelerating, has been grievously retarded. Mail is picked up from most postboxes only once or twice a day—and in many cases, not at all on Saturdays. Deliveries, in most areas, have dropped from three to one a day. According to a survey made by *Reader's Digest*, the average letter takes five days and seven hours to be delivered; three years ago, it was in the recipient's hands in less than three days. Why, in a time of stunning and rapid technological advances, does it take almost twice as long to deliver a letter as it did in 1969?

One is tempted, in searching for an answer, mischievously to formulate a principle synthesizing Gresham's and Parkinson's Laws. It might be called the General Theory of Diminishing Returns. As bad money drives out good, currency is debased, and more buys less.

And as any given work will tend to absorb somewhat more than the available time, space and manpower, so successive increases in resources will result in less and less work being done. It's not the way it's supposed to be, but the way, it seems, it happens.

Postal deficits undeniably stem from geometrically increasing costs. To the extent that they are reflected in better wages, hours and working conditions for letter carriers and other postal employees, there can be no criticism. But we do not view labor's gains as the chief expense. The fact is that the Postal Service, in its rules and regulations, its table of organization and its business procedures, remains a 19th-century enterprise. The proliferation of highway vehicles and air routes and consequent decline of the railways, the rise of direct-mail merchandising and advertising, the explosion of personal credit, the appearance of giant conglomerate enterprises, multinational corporations, and other factors have placed demands on the system that patchwork and improvisation obviously cannot meet. The horrendous snarls which began about five years ago will continue to occur, and service will go on deteriorating, until the most sophisticated business methods and modern computer technology can be

put to work. It was the intent of the Congress that this would happen when the corporate Postal Service was set up more than two years ago. It is to be sure an enormous task, and Postmaster Elmer Klassen estimates it will take at least another five years to accomplish. Such candor is praiseworthy, but can the country afford five more years of deteriorating mail service? We feel strongly that the delay is far too long, and that more immediate—and more Draconian—methods are called for.

The key word, after all, is "service." Since Benjamin Franklin's day the assumption has been that Americans were entitled to postal service as good as any in the world, at reasonable cost. Much has been said about the need for the U.S. mail to pay its way, but there is surely no more need for that than for the U.S. Army, or a police department or school system, to pay its way. Such desiderata should be emphatically put aside in favor of the immediate need to bring the service to 20th-century standards. It is even possible that the financial problems would simultaneously yield to progress.

THE ROAD TO CONTROLLED NUCLEAR FUSION

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. HOSMER. Mr. Speaker, time and again many distinguished Members of the Congress state that if only the Government would spend more money on fusion research, electricity from controlled thermonuclear sources could become a reality within a very short time.

There are those who take the results from the Seventh International Electronics Conference, which was held in Montreal during May of this year, and use them to indicate that fusion is essentially at hand. Scientists from the country which has invested the greatest amount of time and hard-to-come-by resources in this field of fusion—the Soviet Union—are not and have not been as optimistic as the politicians in the United States.

I would like to call attention to an article in the September 1, 1972, issue of *Nature* magazine by Soviet academician L. Artsimovich, in which he describes the status of controlled nuclear fusion research as he sees it. It should be understood that Professor Artsimovich is recognized throughout the world as one of the leading researchers in the field of magnetic confinement systems.

In concluding his article, Artsimovich states that while there has been some progress, it has been exceedingly slow in developing controlled fusion. He expects that technological feasibility can be achieved within this decade. However, he feels that it would be a brave man indeed who would try to describe a thermonuclear reactor of the future. Not only must physical principles be proved out, but the scientists and engineers involved must proceed on these proved scientific principles and then decide how the reactor might be built which could convert thermonuclear energy to electricity.

I would like to point out that the Soviet Union Nobel Laureate, Professor Basov, who won the prize for his work on laser

research, in a recent visit to this country did not predict the imminent advent of controlled thermonuclear energy sources initiated by lasers.

It is absolutely misleading and a great disservice to the American people to tell them that if the United States would only forgo the development effort on the breeder reactor, for which plans are underway to build a demonstration plant, we would have fusion tomorrow.

Regardless of what some Nobel laureates have said in comparing the development of controlled fusion to sending a man to the moon, there is no direct relationship. There were no mysteries about what size rockets we needed and what life support facilities we needed to send men to the surface of the moon; it was just a question of scale.

NAY VOTE ON MILITARY PROCUREMENT BILL

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. HARRINGTON. Mr. Speaker, today I will vote nay on the military procurement bill. I do so for reasons of deep conviction about the direction and size of our Defense Establishment.

Three months ago, I offered a series of amendments intended to alter this course, and after they were defeated, voted against this bill. Today I find no changes effected by the conference report that would cause me to change my mind. This bill still provides for a military force far larger than what is required to defend the United States. This bill does nothing to halt the extraordinary costs of such unnecessary, expensive and wasteful programs as the B-1 manned bomber and the Trident submarine.

This bill still appropriates another \$2½ billion in aid to the South Vietnamese military. There is no justification for funding the Vietnamese as if they were a branch of the American war effort—particularly since the administration loudly proclaims the de-Americanization of the war.

The SALT agreements mark an important breakthrough in our foreign relations. However, the President's commendable achievement in Moscow has now been followed by an action which will retard the progress made at the summit conference.

The request by Secretary Laird for more funds to build up certain strategic arms systems as a consequence of the SALT, is in direct contradiction to the spirit of the arms limitation agreement.

While the conference committee has reduced the \$110 million appropriation to \$60 million, it has failed to come to grips with the real issue. The United States simply does not need the new hardware requested by the Defense Department.

There is no need for an expenditure of \$40 million for site defense research

and development to protect an ABM system limited to one city.

There is no need for an expenditure of \$10 million for the Submarine Launched Cruise Missile System—abandoned years ago because of its inferiority to our Polaris/Poseidon System.

There is no need for an expenditure of \$10 million for expanded command and control capabilities. While the SALT agreements are specifically aimed at lessening the danger of nuclear war and increasing our security, it seems ironic that at the same time we should be spending additional funds to improve our military communications system in case of nuclear attack.

It is true that the money appropriated represents just over half of the Defense Department's request. But it is clear that once we appropriate money to begin these programs, we will inevitably continue to appropriate money for these projects until they are concluded to the satisfaction of the Defense Department.

Therefore, after closely scrutinizing the defense budget as a member of the Armed Services Committee, I can only conclude that our tax dollars are being squandered by the Pentagon with the acquiescence of a majority in Congress.

This year, the administration apparently in cooperation with the pro-Pentagon congressional leadership deviated from House procedure by including an authorization for aircraft and equipment to Israel.

This was a cynical effort to use the legitimate defense needs of the State of Israel as a hostage to coerce anti-war Congressmen into voting for the bloated Pentagon budget. I have consistently supported military and economic aid to Israel since coming to Congress and I will continue to do so as long as I serve.

In January of this year, I voted for the Foreign Relations Authorization Act which included millions in assistance to Israel. Then last month, I was recorded in favor of the Foreign Assistance Act which also provided funds for Israel.

In addition, I have sponsored extensive legislation to help secure Israel's defenses, particularly House Resolution 665 on October 27, 1971, which called for shipment of Phantom F-4 aircraft to Israel.

But I cannot allow myself to be bludgeoned by this kind of maneuver into approving the Pentagon's wasteful spending policies. The administration and the congressional leadership know very well that an overwhelming majority of Congressmen and Senators are prepared to vote aid to Israel as a separate bill, or as part of any relevant noncontroversial legislation. There was no need for them to attach this provision to the defense bill. They did it simply to aid the Pentagon, not to aid Israel.

And along with many other supporters of Israel who are critical of wasteful Pentagon spending, such as Representatives WOLFF, DRINAN, HALPERN, and KOCH, I voted against the measure because I will not give in to these kind of tactics. It is the administration which is endangering Israel's interests by this kind of shallow political maneuver and those of us who support Israel.

THEY SOMETIMES FIGHT FIRES

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. KEATING. Mr. Speaker, Joseph Galvin, a firefighter and chief of Battalion 12 in New York City, recently authored an article in the New York Times which graphically points out the horror of heroin addiction.

Mr. Galvin is a firefighter by profession; not a newspaper reporter employed by the New York Times, nor an expert on the drug addiction problem that is crippling our Nation. But his story is worth studying.

I have been fortunate to be able for the past year to hear firsthand testimony of the problems of drug addiction as a member of the House Select Committee on Crime when the committee conducted hearings on drug addiction in the Nation's schools.

I wish to share with my colleagues the experiences recorded by Chief Galvin:

THEY SOMETIMES FIGHT FIRES

(By Joseph Galvin)

Fire alarm box 1459 stands sentrylike, imbedded in concrete on the northwest corner of 123d street and Lexington Avenue in East Harlem. It is neither unique nor impressive.

Ostensibly, the pulling of the handle of 1459 is to summon us to a fire and/or an emergency. I've responded to 1459 many times and the jobs have run the gamut; stabings, fatal automobile collisions, shootings, murders, drug overdoses, brawls, a poisoning, stuffed up toilets, massive evacuation of hundreds of subway passengers via the emergency exit with the temperature in the cars at over a hundred degrees, multiple illegal hydrant usage making the intersection resemble a lake, false alarms and of course some fires.

The activities going on at that intersection on a summer's day are the embodiment of human degradation. Junkies and winos stand zombie-like against the walls of the tenements and lean on automobiles. Empty wine bottles are strewn everywhere, and an odor of filth and misery pervades the air. Prostitutes glance at us, and I notice that some of them are almost in a trance. A young boy playfully kicks through a pile of empty beer cans at the curb in front of a bodega. Small groups of firefighters walk up and down the streets to determine the reason for the transmission of 1459. I get out of the battalion automobile, and as I do, glance into a tenement doorway on Lexington Avenue. The forms of two humans are visible on the floor and I go over to see what has happened.

Lying on the vestibule floor, unconscious, are two young women. They appear to be in their twenties, and one is lying partly atop the other. The one on the bottom has vomited, and in addition, her slacks are soaked from her own urine. An occupant comes down the stairs, glances at them impassively, curses and leaves. The battalion car, a station wagon, is quickly "setup," the resuscitator is readied and set on inhalate, the firefighters don their work gloves and the girls are carried over to the car and swiftly placed in the rear. Two oxygen facepieces are positioned and we take off for the hospital two blocks away. At times the wait for an ambulance in that area can be interminable so we do the job.

We carry the girls into the emergency room

and put them onto the wheeled stretchers and back away as the nurses swiftly go to work. I glance at the arms of these young women and see the marks of innumerable shots of heroin. Oh God it is horrible.

About twenty years ago I envisioned my career as one involving death-defying aerial ladder rescues catching jumpers in nets, directing mighty jets of water into infernos and such nonsense. The nitty-gritty of the job is far removed from those youthful and naive flights of fancy and I'm just as glad. The name of the game now is service, and it takes many forms. To the aspiring firefighters, I say brace yourself.

"EDUCATIONAL FEE" FOR JEWS
REALLY A RANSOM TO FILL
SOVIET TREASURIES

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. FRENZEL. Mr. Speaker, recently, the Soviet Government instituted an "educational fee" for Jews who wish to emigrate to Israel. This fee is nothing more than a ransom to fill Soviet treasuries. It is nearly impossible in the Soviet Union for a person to save the kind of money needed to pay these educational fees.

One case of a person not being able to leave, because of these fees is that of Prof. Herman Branover from Riga, Latvia, now a province in the Soviet empire. Dr. Branover is a world renowned magnetic hydrodynamics specialist who is attempting to emigrate to Israel. On two different occasions, Mr. Herbert A. Kohn from the Minnesota Action Committee for Soviet Jewry talked with Dr. Branover on the telephone. I submit for the RECORD, Mr. Speaker, the transcript of these phone conversations which are further evidence of the abuses of the Soviet regime:

CONVERSATION IN ENGLISH WITH PROFESSOR
BRANOVER AND HERBERT KOHN

(NOTE.—H.K.—Herbert Kohn and P.B.—Professor Branover.)

H.K. Professor Branover, can you hear me?

P.B. Yes, sir.

H.K. My name is Herb Kohn and I'm calling from Minneapolis, Minnesota.

P.B. Yes, sir. I understand, I think.

H.K. Do you understand?

P.B. Yes.

H.K. Good, how are you?

P.B. News of what I can tell you. You know now the most terrible thing is that we must pay for the visa today with hard money. You know about this?

H.K. Yes.

P.B. Now it is the most terrible thing today.

H.K. How much does it cost? Can you hear me?

(Some telephone interruption.)

P.B. Now I can hear you again.

H.K. You say you have to pay for the visa now?

P.B. Yes, I have not got the permission 'til now. But I shall get it. I don't know if I can go to Israel because the money is impossible to get such big money.

H.K. I see. How much does the visa cost?

P.B. In my case it's almost 35,000 to 33,000 rubles. It's about \$40,000.00.

H.K. Why is it so much?

P.B. Because I have scientific degree, Doctor degree.

H.K. I see. Tell me have you been receiving any phone calls at all?

P.B. No.

H.K. I see. Nobody else has called you?

P.B. Not since last time no.

H.K. I see. Because we understood that some of the phone calls were not getting through; we were having trouble contacting you.

P.B. Yes, I know. I know it is very difficult to receive the call.

H.K. I see. Is there any other news you can tell me about what's going on in Riga?

P.B. No, I feel that now the greatest problem is about this money; because if earlier the problem was to receive the visa and now it's only about the money what we must pay in the case when they receive the visa.

H.K. I understand. Are any of the people able to leave at all?

P.B. Yes, yes. The people that have no diploma's and they don't know anything. They receive the visa in about 10-27 weeks to receive permission to go. For such people that have no diplomas it is not any change in the question. Such people received must pay about \$1,000.00 for each man and then they can go.

H.K. But because you have scientific information, is it?

P.B. Yes, I have a Doctor degree, a Doctor of Science.

H.K. In what science?

P.B. I am a Hydrodynamics, but the most amusing thing is that I'm not active about 2 years in science. I was ill for a longer time and about 1½ years I receive a little pension, and I'm not working all this time.

H.K. So that's been for about 2 years?

P.B. Yes, yes.

H.K. I see. I will convey this message to my friends here, and I want to tell you that the community here is with you, and we are supporting you; if there's any way that we can help you, we'll be glad to.

P.B. Thank you very much to all. I want to send my best thanks & greetings to all the people that pay attention to our question.

H.K. We want you to know that the community here supports your brave efforts, and we are your friends and we wish to call you again; what's a good time to call you?

P.B. The best time here is in the evening. It means that the difference is about eight hours. It means if in New York City it is 2:00 then here it is about midnight. That is the best time for calling.

H.K. O.K. We will try to call you two weeks from today between 10 & 12 Moscow time. It was nice talking to you. Shabbat Shalom.

P.B. Shabbat Shalom—Goodbye.

CONVERSATION WITH HERMAN BRANOVER OF
RIGA, RUSSIA, AND HERBERT KOHN OF
MINNEAPOLIS, MINN., SEPTEMBER 3, 1972.

(NOTE.—H.K.—Herbert Kohn and P.B.—Professor Branover.)

H.K. Professor Branover?

P.B. Yes.

H.K. Shalom. Herb Kohn from Minneapolis, Minnesota calling.

P.B. Ah, you called me before two weeks, yes?

H.K. Yes, What is new in Riga?

P.B. What can I say? Each two weeks about twenty families receive permission for leaving for Israel, but at the same time there are refusals too. And amongst those people that receive the permission there are many of those that have diplomas and they don't know what to do because they must pay the large monies as the ransom.

H.K. I understand. Are you free to talk about it, Professor?

P.B. Yes.

H.K. Have any of them that paid the money been able to get out?

P.B. There are already, I think, about ten or fifteen families that paid this money. They get it from all the relatives and friends here and paid, but farther it will be harder, this question, because there remains not such people who can pay this money. You understand because from the personal monies it is impossible to pay such large sums of money, and then the authorities here, the local authorities say to these people that they must turn to their relatives abroad, and ask them to pay to the Holland (Dutch) embassy, in Moscow.

H.K. I see, is it true that they only have thirty days to pay?

P.B. Yes, about two or three weeks.

H.K. And then what happens to their visas?

P.B. And then they take back the visas.

H.K. How do the people there feel about it? Do they feel that people outside the country should furnish the money?

P.B. I'm afraid that there are many people that are completely hopeless. They are in the listlessness of despair, and they don't know what to do. They hope that perhaps American Jewry will help.

H.K. I understand. We are trying to do all that we can. We are having demonstrations, we are having meetings about it, and we are trying to make arrangements and find a way to help as many people as we can; there are many articles in the newspaper about it.

P.B. I understand, I see.

H.K. Can you tell me, has the government published a list of the fees or anything, or do they just let the people know individually how much it will be.

P.B. Only individually. It was not published until now.

H.K. O.K. They are still asking \$40,000 from you?

P.B. Yes, but I have not the permission, you understand, I have not got the permission now.

H.K. O.K. If you were to get the permission, that means you would only have two weeks to get the money.

P.B. Yes, about two or three weeks and during these weeks I must pay this ransom; and if not, they take back the permission.

H.K. I see, tell me about your family. How are they?

P.B. Thank you, now they are all right.

H.K. I see, you have one or two children.

P.B. I have one child, a son, eight years old.

H.K. Is there anything that you need? Anything that we could send you?

P.B. No, thank you. Thank you very much. But what can I tell the people that have now the permission, that received already the permission, and they sit and wait for help, they don't know what to do. What can I tell them?

H.K. Tell the people that the people in America, and the rest of the world, are trying to do everything they can, we are asking the American Government to talk to the Russian Government. We are asking individuals, congressmen, to speak up in congress, to tell everybody about this, to see if we cannot get or work out some kind of agreement.

P.B. Yes, yes, I hear.

H.K. Do you understand?

P.B. I understand, but you know that it is all very well. But if a man has only two or three weeks, he cannot wait so long if he has the permission.

H.K. How will we know if somebody has gotten the permission?

P.B. Perhaps you can give me your address and telephone number. I can tell these people and perhaps they can turn to you.

H.K. O.K. I will give you my telephone number, my name and address. Do you have a pencil handy?

P.B. Yes, yes.

H.K. My name is Herbert Kohn. My address is 2633 Monterey. The city is Minneapolis, Minnesota. 55416. My telephone number is 612-922-6392.

P.B. I repeat it—612-922-6392, yes?

H.K. That is correct. Now, are there people there now who have the O.K. on their visa? That do not have the money to get out?

P.B. Yes.

H.K. Can you write me their names?

P.B. I cannot do it this moment, I'm not ready to do it; I think I can do it later, then it will be possible.

H.K. O.K.

P.B. And perhaps the best thing is if these people write to you, personally.

H.K. O.K. That's fine, or else, let them send a telegram.

P.B. A telegram, yes.

H.K. You understand?

P.B. I understand, but at the same address?

H.K. Yes.

P.B. Yes, because you understand that the struggle is one thing, but for those people that already received the necessary permission to go out. It is a pidyon shvuyim (Hebrew for redemption of captives) you understand?

H.K. Yes, I understand. Let me ask you some questions. You mentioned about your illness before. How are you feeling?

P.B. Now it is, thanks to God, a bit better.

H.K. What is your illness?

P.B. It is a complicated question, because I have several diseases. I got ill during my scientific work before several years, and now I am sick almost all the time. And in summer I was ill with the nerves which had to do with my struggle for leaving for Israel.

H.K. When were you let go of your work?

P.B. I don't work, I don't work about a year and a half.

H.K. Were you let go of your job?

P.B. I was gone from the job before I handed in the application. Because in another way it was impossible for me before I handed in the application.

H.K. I understand. One more question. When I called you two weeks ago, it took me three days to get through to your telephone.

P.B. I know, I know. It is not so much because of another people tell me that it takes sometimes more.

H.K. I see, but you were home during those three days. Is that correct?

P.B. Yes, yes.

H.K. Is it all right with you if we send letters to the government officials and to the American officials on your behalf?

P.B. O.K. I think it may be to help, maybe. But you must underline that I am an ill man. That I suffer from several diseases and I am a religious man, and my most, important reason why I want to go to Israel is for religious reasons. It is very important to underline this.

H.K. I want you to know that we hope you will have strength to go to Israel.

P.B. Thank you and I want to wish you and all of the American Jewry a very happy new year, and the best prosperity in the new year and much thanks for the support, and for the encouragement.

H.K. Yes, and to your family and to all of the Jews in Riga and in Russia.

P.B. Thank you.

H.K. And we want you to know that we are doing everything we can to help you.

P.B. Thank you.

H.K. I will say shalom.

P.B. Shalom, and will you call me another time?

H.K. Yes, I will call you again in one month. Four weeks.

P.B. Yes.

H.K. I will do that. Shalom.

P.B. Shalom.

THINKING THINGS OVER

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. BOLLING. Mr. Speaker, Vermont Royster in the column which follows depicts the agony of those who must make the most difficult of decisions, those that may mean life or death to the innocent. The column appeared in the Wall Street Journal of September 12 and is worth reading.

The article follows:

THINKING THINGS OVER: AGONY OF DECISION
(By Vermont Royster)

In Nicholas Monsarrat's story of man and war, "The Cruel Sea," there is a haunting scene about the agony of decision where good and evil meet confused and death hangs in the balance.

Perhaps you remember it. A German submarine has caught a World War II Allied convoy, sunk some ships and left the sea dotted with survivors. The little escort vessel has made sound contact with the submarine and is moving in to attack the attacker.

But then to his horror the captain of the corvette discovers that his attack path takes him through these swimming men, his friends, his compatriots, who think now rescue is at hand. For the sub skipper with diabolical cunning has placed himself just below them, so that there is no way for the English captain to kill the killer without killing his own.

Here then is his agony: If he drops his depth charges the men in the water, just as they are cheering in the hope of rescue, will be blown to bits. If he does not drop his depth charges, the submarine will go unscathed to sink again other ships and kill again other men.

Even that choice is not clear-cut. For if he drops those depth charges it is a certainty that his countrymen will die. Yet it is not certain that, even at this price, he will destroy the submarine. He could miss, and in that case the struggling swimmers would have died in vain.

The captain, wretched man, makes his choice. He kills his own, those there before his eyes, in the hopes that in doing so he has saved others of his countrymen unknown to him. But that is a hope only; he can never know what might have been if he had done otherwise. The only certainty is that men have died for what he did.

Monsarrat's story is a tale of war, and one might say that the evil here is war itself, which can kill men's souls as well as their bodies. But that only begs the agony. For too much of late we are being reminded that it is a parable for our times.

Consider that blood-bath at the Olympics. Here were men and women assembled from all over the world in the name of brotherhood, white, black, brown, yellow, Jews, gentiles, Aryan and Arab, political friends and political foes. It was a place where, for a brief moment, all the sentimental clichés about the common bonds of humanity were very nearly true.

Then a handful of men burst the bonds. In sheer cold blood they killed at once two men against whom they had no grievance save that they came from a different country. They bound and blindfolded others, demanding the right to take them away to a fate no one knew what, proclaiming that if they were denied they would kill all the hostages.

And there, once more, was the agony for good men. Those who had to decide could

have let the assassins go, taking their hostages with them and leaving behind the innocent dead. Had they done so, no one knows what would have happened. Perhaps the others would not have died; perhaps they would have anyway in some far distant place.

On the other hand, one certainty would have been that two murders would have gone unanswered for, and the men who did them would be free to do them again. The certainty would have been also that other murderers of like mind would be emboldened, at what cost in the future to other innocents no one can know.

Those who had to decide decided otherwise. They chose to meet force with force, hoping with all their hearts to save the innocent but determined at least that evil should not pass unchallenged or unscathed.

The certainty from this is that some seventeen men have died and others lie wounded, the innocent with the rest. If we are to measure the good and evil of our deeds solely by the innocent dead, without any regard for the evil that went before and forced the agonizing choice upon good men, then the decision was wrong.

But the world allows us no such simple measure. It is no longer fashionable to speak of the struggle of good and evil, as theologians were wont to do. Yet the practicalities of the world confront us with it, whatever name we put upon it. We cannot escape the question. When some men burst forth in violence, what are good men to do about it?

On a small scale it confronts us daily. Some men rob a roadside store, shotgun an old man behind the counter, grab two customers as hostages. Or they shoot up a courtroom and kidnap a judge. Or they throw bombs in the street and barricade themselves in a rooming-house. What response can good men make when innocents are the pawns of fortune?

It is easy to buy peace from men of violence. The hijacker will not blow up your airplane if you give him what he wants. The pursued gunman will promise to shoot no more if you let him walk away in safety. Hitler would have given us peace in our time if only the world had yielded what he asked; indeed a British prime minister just that way bought it for a time—and at Munich.

So what happened last week in Munich is a parable of wide dimensions. It is perfectly true, as so many are saying, that we can now easily have peace in Vietnam and stop the slaughter of the innocents. Indeed, we could have had peace at any time these many years; the men of Hanoi have offered it time and time again. The people of South Vietnam need only to stop resisting, and we to stop helping them.

There could be peace too in the Middle East if only the Israelis would not meet force with force. Not only would there be no more war, there would be no more innocent Jews blown up in school buses nor innocent Arabs killed in counter-raids. There would be no spur to fanatics to murder at an Olympic village.

But always the question is, What of the price? Would it have been better to let Hitler have his Europe, better to let Hanoi have its conquest, to let Israel vanish, to let the gunmen of Munich have their peaceful exit, hostages and all? Should good men have paid it, and ransomed the innocent dead at Coventry, at Jerusalem, or in those paddy fields?

It has been a long time since I read "The Cruel Sea" and I still do not know how to judge that captain's decision. Nor can I judge now that decision in the night at Fuerstenfeldbruck airport.

All I am sure of is that so long as there are evil men who will demand such ransom of good men then there is no escaping the agony of choosing.

HAWAII'S CONTRIBUTION TO THE NINTH CCA; JUDGE HERBERT Y. C. CHOY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. MATSUNAGA. Mr. Speaker, for many years before gaining statehood, Hawaii was the destination of what was then frequently called, not in the complimentary sense, "mainland talent." These were men and women, generally specialists in certain fields of endeavor, who were sent to the Territory of Hawaii on assignments. Since becoming the 50th State of the Union, however, Hawaii, to the great credit of her citizens, has reversed the flow of talent. Many Hawaii citizens now serve in important positions not only in the continental United States, but also throughout the entire world.

A recent outstanding example of such talent flow reversal, from Hawaii to the mainland, was the appointment of prominent Honolulu Attorney Herbert Y. C. Choy to the Ninth Circuit Court of Appeals in San Francisco. Mr. Choy, who began his working life, quite significantly, in one of Hawaii's pineapple canneries, sits as one of 13 judges in a court just below the level of the U.S. Supreme Court. As the first Hawaii lawyer to be appointed to the Ninth Circuit Court, he also holds the highest Federal judicial post for any person of Asian descent.

The son of immigrants from Korea, Judge Choy epitomizes the child-rearing philosophy of many parents of Asian origin: Hard work and a good education.

I first became acquainted with Judge Choy at the University of Hawaii, where we belonged to the varsity debate team. He and I went on to Harvard Law School, where we earned our law degrees but at different times. Both in school and later in the practice of law, Judge Choy earned the respect and esteem of those who knew him. Indeed, today he is a fine example of "Island talent," Hawaii's contribution to the Federal judiciary.

Mr. Speaker, in order to bring the story of Judge Choy in greater depth to my colleagues and to others, I submit for inclusion in the CONGRESSIONAL RECORD Drew McKillips' Honolulu Advertiser story entitled "Day in the Life of a Judge."

The article follows:

DAY IN THE LIFE OF A JUDGE

(By Drew McKillips)

SAN FRANCISCO.—In 1930, when Herbert Young Cho Choy was only 14, he worked 10 hours a day in a pineapple processing plant in Honolulu. He was paid 12½ cents an hour and, as he recalled yesterday, "I was mighty glad to get it. There were people waiting in line behind me."

Today, the slim, 56-year-old, silver-gray haired Choy sits in a graceful, tastefully decorated office in San Francisco that comes complete with a fireplace and study. He earns \$42,500 a year as one of the 13 judges of the Ninth Circuit Court of Appeals.

Choy has the distinction of holding the highest judicial post in American history for any person of Oriental descent.

He also holds the dubious distinction of traveling 5,000 miles round-trip in order to get to his job in San Francisco from his home in Honolulu. This is farther than any other judge in the United States has to go.

The Ninth Circuit Judges usually meet once a month for five days of hearings. Since being appointed by President Nixon in May 1971, Choy has made 14 trips to San Francisco for a total logging of 70,000 miles.

Choy, 56, of Korean descent, said he does not mind the extensive airplane travel.

"I kind of like the five-hour flights; it gives me time to relax and study my briefs," said Choy.

In his 15 months on the bench, Choy, who also is the first person ever appointed to the Ninth Circuit from Hawaii, said he has been leading an ever-increasingly busy life.

"The court holds hearings with any three of the 13 judges," Choy said. "This means we could actually meet simultaneously in four different locations to hear an appeal. The entire 13 judges would only sit together on a case of tremendous importance."

"We have a case load of about 2,000 cases a year—for all the judges. I've heard about 300 cases so far myself and have written the opinions in about 100 cases. On three occasions, I've written a dissenting opinion."

Choy said he usually hears appeals cases about two or three days a week in Los Angeles, with the remaining days in San Francisco. He does not own or rent a house or apartment in San Francisco, but lives in a hotel while the court is in session.

"Our case load is building up because of the decisions allowing indigents to get free attorneys and free transcripts to carry their cases on appeal," Choy said.

"The court reporters are unable to keep up with all the transcripts being demanded and the work is piling up."

Choy said he spends his time in Honolulu studying briefs and working on opinions.

"The time we spend actually hearing cases in court is the least part of our work," Choy said. "Most of our time is spent in research and studying."

Choy said he has been extremely well received by his fellow judges, but thinks it may still be a long time before a person of Oriental ancestry makes it to the U.S. Supreme Court.

"You have to remember that most of the Japanese, Chinese, and Korean lawyers and judges we have today are all first generation," Choy said. "I think it is strictly a mathematical thing. You can't expect a U.S. Supreme Court justice out of a first generation crop of lawyers."

Choy was born in the sugar plantation town of Makaweli, Kauai. His parents were both born in southern Korea and came to Hawaii as immigrant children.

He graduated from the University of Hawaii in 1938 and got his law degree from Harvard in 1941. He enlisted in the Army on Dec. 8, 1941. As a member of the ROTC, he entered the Army as a lieutenant and left as a captain, having served in both Korea and Japan. He is tri-lingual. He speaks Korean, Japanese, and English.

After Army service, Choy went into private practice with a firm that included Hiram Fong and Katsuro Miho. Fong is now a U.S. senator from Hawaii and Miho is still in private practice, although serving as a part-time federal judge on Wake Island.

Choy was in private practice from 1946 until 1957. He spent 1957 and 1958 as attorney general for the Territory of Hawaii, returning to private practice until he was named to the Ninth Circuit last year.

Choy is married to the former Helen Shular, whom he met during the war while attending the School of Military Government in Charlottesville, Va.

An avid surfer for 40 years, Choy gave the sport up a few years ago when he was seri-

ously injured in a surfing accident off Waikiki.

"I've taken up tennis now," Choy said. "I might get tennis elbow but I won't drown."

FIRST OPTOMETRIST CHIEF OF CORPS RETIRES

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. LEGGETT. Mr. Speaker, this month the first optometry officer in the Armed Forces to reach the position of chief of a corps, retires after over 30 years of service to his country. Col. Floyd M. Morris, chief, Biomedical Sciences Corps, U.S. Air Force, as he retires, leaves a number of firsts behind him.

He was the first doctor of optometry to receive a commission in the U.S. Air Force as an optometry officer. Sixteen years later, he was the first to fill the position of associate chief for optometry in the Biomedical Sciences Corps. He was the first optometry officer to reach the rank of full colonel. He was the first optometry officer to be named deputy chief of a corps.

In February 1970, Colonel Morris received his next "first" when he was appointed as the chief of the Biomedical Sciences Corps, which is composed of optometrists, pharmacists, physical therapists, occupational therapists, clinical psychologists, health physicists, aerospace physiologists, and other allied health professionals.

In 1942, Colonel Morris enlisted in the then Army Air Corps and, a year later, was commissioned, receiving his navigator's wings.

Graduating from Northern Illinois College of Optometry, he was assigned as chief of Optometry Services at Wright-Patterson Air Force Base in Ohio. During his 10-years as chief of the Physical-Physiological Optics Section in the Ophthalmology Department of the Air Force School of Aerospace Medicine at Brooks Air Force Base, Tex., he earned his M.S. degree in physiological optics at Indiana University. In 1967, he was awarded the honorary degree of doctor of ocular science from Southern College of Optometry and in 1971, gave the convocation address at Illinois College of Optometry when he was awarded the honorary degree of doctor of science in optometry.

Before being assigned to the Capital, he was chief of the Optometry Service at U.S. Air Force Hospital in Wiesbaden, Germany, and consultant to the Surgeon of the U.S. Air Force in Europe.

Colonel Morris has been active in his national professional organizations, The Armed Forces Optometric Society and the American Optometric Association. He served on national committees on military affairs and visual problems in aeronautics and space.

Colonel Morris lives with his wife and children in Potomac, Md., and on retirement, will join the professional staff of the Group Health Association of Amer-

ica, headquartered in the District of Columbia.

I would like to join his many friends in wishing him well as he enters the civilian world and congratulate him for his years of dedicated service to his fellow servicemen.

WE NEED A NEW TANK

HON. JOHN J. FLYNT, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. FLYNT. Mr. Speaker, the June issue of Army magazine featured a highly intelligent article entitled "We Need a New Tank" by Gen. James A. Polk, U.S. Army, retired. General Polk discusses the current concentration on defensive systems in our R. & D. effort at the expense of the infantry-armor team with its associated combat vehicles and weapons. Basing his discussion on the principle of mobile defense, General Polk points out a very real need for a new tank design and outlines its basic requirements.

The implications of this article deserve our careful attention:

WE NEED A NEW TANK

As every military man knows, some of the most momentous struggles in which his profession engages are not necessarily confined to the battlefield. These are the tussles over a new weapon system or concept—bloodless in a liberal sense, but whose outcome is so vital that it can spell the difference between success and failure when troops take to the field.

Such an issue is the current debate over the future of the tank in the U.S. Army, a future which is becoming increasingly cloudy as exponents seek to move its development forward against such criticism as that it is too expensive to be cost-effective or that it represents an outdated system that cannot live on a modern battlefield.

And yet, no nation, corporation or research and development agency has ever invented a suitable substitute for the tank. In providing mobile, armor-protected firepower in any kind of weather, day or night, under any intensity of battlefield conditions, no other weapon system is its equal in all characteristics.

Moreover, unless we build a new tank to replace the tired, old second-rate M60 series there is no doubt that we will be in an inferior position among the world's armored forces. Today, both the West German Leopard and the British Chieftain tanks exceed our M60A1 in both gunnery and mobility; moreover, the U.S. tank presents the highest target silhouette on the modern battlefield.

It is clear that the lessons of history are going unheeded as we drift into a runner-up spot in the quality of our armor. In World War II, the German Panther and Tiger were far better than our Sherman in both hitting power and armor protection, and we paid for this inferiority with much American blood. When the Korean War broke out, the closest U.S. tanks were in Hawaii and, to our shame, the first battalion of infantry troops to make a stand in Korea was overrun by the old Russian T34.

The new Leopard II now in production will far exceed our M60A1, most of which have been returned to the U.S. Army tank plant at Mainz, Germany, for their second or third rebuild. In a belated effort to correct this situation, the Army now is engaged in a program to "modernize" the M60A1 fleet in Europe on the third or fourth rebuild cycle

over a four-year span. When modernized, this reworked, "A3" version will not be the best tank on the European battlefield by any stretch of the imagination.

With all this, we continue to pour money down the hole represented by the M60A2 missile-firing tank. When that exercise is finished, we will field what is called a product improvement, some 540 tanks costing \$450,000 each which the Army at this very moment is trying to decide how to both employ and maintain. In 1966 as assistant chief of staff for force development, I recommended that we cut our losses and drop this particular product but was overruled because the sunk costs were too high and, besides, the problems could be "fixed." We are still fixing them and the sunk costs have doubled.

The latest act in this tragedy of errors occurred in December, 1971, when the joint Senate-House committee killed the main battle tank program (MBT 70), despite a rather half-hearted reclamation by the Army staff and the expenditure of about \$400 million in research and development. The joint committee's recommendation, as approved in the Appropriation Act for 1972, allocated \$20 million to terminate the program and another \$20 million to begin all over again.

So died the greatest tank ever built—the one that met and exceeded Robert McNamara's directive to push the state of the art in every feature of performance.

Why did the project fail and why was the program terminated? First and foremost, it appears to have been a matter of per copy cost and some curious associated logic. While we are quite willing to pay staggering sums for aircraft or missiles or nuclear weapons to support the infantry-armor close-combat battalions, we are unwilling to arm them with the very best close-combat equipment, despite the cost. In the new fiscal 1973 DOD budget request, the Army has asked for \$48.9 million to buy 166 M60A1 tanks (about \$300,000 each). Also requested is \$104.8 million to retrofit the M60A2 tanks so they can at last enter service, making the total procurement budget for tanks about \$154 million. At the same time, the budget for Army missile procurement is \$1.33 billion.

However, here is another interesting figure: The total procurement bill for military aircraft (Army, Navy, Air Force and Marines) in the FY 73 budget is about \$5,400 billion. Or put another way, we are requesting 35 times as much money to spend on aircraft as we are on tanks, and most of these aircraft are scheduled for employment by general purpose forces, to be used in support of the ground-force battle. Apparently, in building the deterrent and war-fighting armed forces for the mid-1970s, we believe that aircraft are much more important than tanks on the outworn theory that if we win the air war, the enemy will surely capitulate. One more statistic: the Army is spending 13 times as much money on missiles as it is on tanks. One can only conclude that the close-combat forces are relatively not very important in the overall equation.

Another way to view the money and emphasis devoted to the new main battle tank and associated direct combat systems is to look at the 1973 Army R&D budget request. First, Army Materiel Command will continue to develop those major tank components from the XM803 (formerly the MBT 70) project that appear to be likely candidates for consideration in the new program, and requests \$19.7 million for the task. Moreover, all major research and development that can be considered close-combat-oriented are requested as follows:

	Million
Bushmaster automatic cannon.....	\$5.6
Prototype infantry combat vehicle....	10.8
Armored scout vehicle.....	15.6
New tank components.....	19.7
Total	51.7

The total Army R&D request is \$2,063.7 million, of which about 2.5 percent is devoted to the three combat vehicles as noted above. In contrast, the Army is requesting \$132.6 million, or 6.4 percent, to develop three helicopter types that will be used in support of the three new fighting vehicles. These second-generation helicopters (attack, utility and heavy-lift) are to replace first-generation helios that were produced well after the older generation of ground combat vehicles entered the inventory but by the testimony of the chief of R&D, highest priority is nonetheless to be given to air mobility in the 1973 program.

Continuing on cost, one is struck by the attitude of our defense legislators and their reasoning that a competition between two new tank prototypes will bring costs of the final product down and "get us out of the doldrums" in the tank program. Surely they have set back the program from six to eight years and the new R&D costs will undoubtedly exceed the requirements of the old development program by from \$100 million to \$200 million. Any chance we may have enjoyed to build a modern, first-class tank for about \$600,000 is gone, what with inflation and the cost of technological advance, unless we are willing to settle for another "catch-up" product. With a totally new requirements document due in the Pentagon by August, the whole dreary process begins anew, meaning that our armor-infantry team will continue to be second-best well into the late 1970s.

A really vitriolic and detailed attack on the Army's armor program is included in "An Evaluation of the Austere MBT70/XM803 and an Analysis of the Overall Armored Vehicle Program," a report by the Surveys and Investigations Staff of the House Committee on Appropriations. It is published as an appendix to Part 5 of the DOD procurement hearings for 1972 and is a classic in incorrect data and poor logic, although it does give a clear insight into why Congress killed the new tank.

The report emphasizes the engine and transmission development controversy and the problem of excessive costs. With regard to the first, curiously enough, the Army had elected to continue development and test of the Tledyne engine and Allison transmission instead of the German Benz and Renk combination. The latter choice seemed not only technically correct but wise in view of current gold flow and budget problems; yet the report is most critical of this "buy American" approach. The report quotes some unidentified experts who are obviously enemies of the program and are careless with their facts. At the same time, the report ignores the unbiased opinions of some very eminent civilian scientists who checked the program in detail as late as the summer of 1971. The opinion of these outside scientists was that the three items originally considered a technical risk (power pack, caseless ammunition and automatic loader) had been resolved and that what was now required was no longer a risk but rather an integration-and-test program.

Moving on to the question of survivability, a tank's quotient or score in this area is made up of a complex mix of mobility, silhouette, slope and quality of armor along with interior arrangement and stowage. For instance, the T54/55 series is smaller and lower than the M60 and about the same in mobility, but is extremely vulnerable because these Soviet models carry fuel in exterior containers and both fuel and ammo are stowed together inside the hull. For this reason, a penetrating hit on the right side of the frontal plate (beside the driver) is a guaranteed catastrophic kill.

From lessons of the Arab-Israeli Six-Day War, considerable thought and careful design were devoted to reducing vulnerabilities in the XM803 so that in mobility and silhouette it was far ahead of its competitors.

The innovation of spaced armor, intelligent fuel storage with self-sealing tanks, bulkheads and fire doors as well as blowout vents for ammunition stowage areas were all incorporated—of course, at some considerable cost. This made the XM803 the safest tank in the Allied inventory as well as the most difficult to hit or kill.

By contrast, when considering cost effectiveness it is almost axiomatic that the most vulnerable, most costly and least survivable system on the modern battlefield today is the fighter-bomber. Considering the tremendous quantity and sophistication of Soviet air defenses, there is real doubt that our most modern fighter can accomplish the close-support mission in the traditional sense. To survive, it appears that the fighter must come in very low and very fast with poor target identification or it must attack in a standoff or fire-and-forget mode. To quote John Foster, director of defense research and engineering, the Air Force in the FY73 R&D budget is "spending large amounts of money to detect, identify, locate, confuse, deceive, suppress and destroy enemy ground-based air-defense systems." It appears that we will soon be in a position where the single fire-and-forget missile will cost more than the tank it destroys, or it will take five confusing and suppressing aircraft to support the one in the close-support sortie. The limited utility, low survivability and high cost of aircraft in this role brings into question its value in terms of other alternatives.

But to return to survivability, the tank is often cast in the role of moving down a road or crossing an open space where it stumbles onto an antitank crew in ambush and is destroyed. While there may be some doubt as to the winner in this encounter, there is no doubt as to what would happen if the roles were reversed and the TOW crew, however mounted, stumbled onto the tank. However, engagements are not fought as duels but rather as all-arms attacks, wherein the TOW and Dragon antitank crews, in the open or in foxholes, must face and survive an artillery preparation, followed by the direct and area fires of tank cannon and coaxial machine guns and finally the assaulting infantry while they in turn are engaging enemy tanks. And since these new AT weapons have a considerable firing signature [features of a weapon's fire—for example, muzzle flash—that make it vulnerable to detection by the enemy] and tanks attack generally in platoons or companies, any brave and unprotected AT crew can be sure that upon scoring a hit on the first tank, the remaining tanks will be hunting that crew like the hounds of hell. To destroy a tank requires a well-trained crew with a special-purpose weapon at the right place and at the right time, and even then the outcome is in some doubt and the ultimate survival of the AT crew is highly questionable.

In order to understand the relationship of the various battlefield weapon systems and their contribution to the overall combat results, one must understand both their limitations as well as their ideal utility. Put another way, under certain conditions of terrain, weather and situation, a particular system becomes dominant while a major change in these conditions may cause the same system to almost become a passive observer. To illustrate, in the battle of El Alamein (1942), the infantry and combat engineers spearheaded the attack and were critical to breaching the minefields; yet once the British attackers were clear of these defensive barriers, the tank forces were dominant and settled the issue. Obviously, each was essential to the success of the other at some phase of the operation.

In examining the TOW and Dragon antitank system and its contribution, one must agree that it obtains maximum utility in the defense when carefully emplaced, with good

observation and long-range fields of fire. The system has a high firepower score, for it is extremely effective against moving and stationary tanks, even under marginal visibility conditions. Since the missiles are so expensive and are issued to crews only in limited numbers, these must be husbanded and used generally against tank targets only; that is, as a single-purpose weapon system. Moreover, the system's vulnerability score is poor, for the weapon has a strong signature and both crew and weapon can be destroyed readily by any battlefield weapon that engages it. Finally, the system is mobile in the sense that it can be readily lifted by helicopter, truck or jeep. However, it is difficult to man-carry and slow to set up for action and, of course, has no combat potential while in motion. Its value in an attack is virtually zero except in a very limited supporting and overwatching role. However, and most important, it gives the infantry battalion a strong defense against enemy tank attacks and thus corrects a serious weakness of many years' standing.

Of the new weapon systems, the attack helicopter is another that has aroused great interest and considerable controversy. And again, this system has a very high firepower score with its cannon, rockets and antitank missiles all capable of destroying almost anything in the battle arena; and unlike the TOW it has a multipurpose weapon capability. It is also highly mobile and agile and can fly in weather that grounds fixed-wing craft. These valuable characteristics are offset by extreme vulnerability to automatic weapons as well as to the regular antiaircraft and Redeye type of weapons as demonstrated in Vietnam. Thus, vulnerability determines the tactics and technique of employment, and the attack helicopter attains maximum utility in a war of movement when employed in an ambush type of action. Employing speed, mobility, surprise and an impressive array of weapons, it can harass, delay and inflict casualties among advancing enemy columns and armor thrusts while supporting the ground counterattack with firepower. The parallel is somewhat like the Minutemen at Lexington—but recall that the British never repeated that error. Since the system cannot attack or defend in the true sense of constant domination of the enemy and his position, it must be cast as a supporting system similar to tactical aircraft. In this supporting role, it adds new dimensions and possibilities to the commander and assists the infantry-armor team in a new and exciting dimension. Unfortunately, by itself it does not win battles.

In this vein, somehow in the past decade we have gone in very heavily for defensive systems in our R&D effort, in tune with the inherent defensive nature of our alliances but not actually in tune with the philosophy of flexible response. Thus mines, sensors, radars, antitank weapons and barriers get much attention while the infantry-armor team with its associated combat vehicles and weapons has been neglected. Despite this trend, any good defense—as countless historical examples have demonstrated—cannot be structured as a linear and rigid occupation of key terrain or position. Rather than to stand and die in place, the modern defense must consist of a light security force, a reasonably held defended area (not a static position area) and a sizable counterattack force ready to intervene at the point of enemy main effort. This principle, called the mobile defense and the very foundation of NATO's mission, is so basic as to seem ridiculous to restate, yet it needs reiteration and much more emphasis. The forward defensive strategy needs the counterattacking tank-infantry team to make it work, to blunt main efforts, to hit the flanks of breakthroughs and to clean up the spillovers around our strong points. If our defense is to succeed, we must maintain an impressive capacity to carry combat power to our adversary, to counter-

attack and to drive him and dominate him and destroy him. To do otherwise is to fail. At least one historian maintains that it was not corruption and dissipation that led to the fall of the Roman empire; rather, it was that the Roman army forgot how to counterattack.

A brief comparison of the Soviet T62 with our M60A1 may help shed some additional light on future requirements. First, the T62 is considered the best ballistically shaped modern tank and is exceeded in mobility only by the German Leopard. With an overall height of only 2.3 meters, the T62 is almost one meter lower than the silhouette of the M60A1 at 3.26 meters. While it is lighter, faster and lower than the U.S. combat tank and hence hard to hit, it is probably more fire-prone and more vulnerable to catastrophic kills because of exterior fuel tanks, inferior armorplate and a magnesium alloy engine housing.

The T62 mounts a 115-mm smooth-bore gun that fires fin-stabilized hollow charge as well as APDS (armor-piercing, discarding sabot) rounds, the latter at more than 5,000 feet a second. The gun is considered a very good performer out to about 1,500 meters, but at longer ranges develops severe inaccuracies. It has a stabilizer but no range finder, carries the T55 tank's infrared night-fighting equipment and mounts the standard coaxial machine gun. In the assault, Soviet platoons of three tanks each normally employ the short-halt technique and at extended ranges will fire by platoon at a single target.

The M60A1, with an excellent gun, ammunition, range finder and fire-control combination is unquestionably superior to the T62 in engagements at more than about 1,200 meters range. At shorter distances, the systems are about even and the first tank to fire is probably the first to hit and win. The U.S. infrared and white-light equipment is generally similar to Soviet equipment and suffers from the same limitations so that there appears to be no net advantage between the two in night fighting.

In general, one can conclude that the American M60A1 tank has a distinct advantage in clear weather at extended ranges, particularly in defense or ambush situations, but that the T62 is better in the attack or counterstroke role. In sum, it appears that in any large present-day tank-versus-tank battle, the U.S. tankers must cut the Soviets down to near equivalent numbers at long range and early in the engagement if they hope to win.

The real gut question now is to determine what direction the Army should take in drawing up the new requirements document and in building the subsequent prototypes. Presumably to satisfy Congress, the tank must be fairly cheap, should avoid complexity and excessive sophistication and yet handle the Soviet threat in all its aspects—a very large order indeed. There is also an implied Congressional requirement that the new prototype be significantly different from the rejected XM803. Unfortunately, in none of its deliberations did Congress say what sort of performance is desired in the new tank, yet this is surely the overriding determinant of the final product.

First, if we are forced to cut costs and reduce performance, the new tank can forego the missile and rely primarily on a high-velocity kinetic energy (KE) round as its primary tank-killer. Since the cross-over point of effectiveness between the KE round and the missile against moving targets in the XM803 system was somewhere between 1,500 and 2,000 meters, this decision means that we will not be able to hit moving targets beyond this point except by chance. To illustrate, with our current M60A1 system and despite much intensive practice and training, the gunner has great difficulty in hitting a target moving at a constant speed and a crossing

track at 800 yards. The skill required is somewhat like that of a trap or skeet shooter and requires superb hand and eye coordination with sufficient practice to judge the lead from almost any angle of observation. By comparison, the skill required to hit with a missile is child's play.

The Soviets realize full well that their gun-ammunition-fire control combination is inferior to most Allied tanks out beyond 1,000 and 1,200 meters, primarily because their tanks are not equipped with a range finder and the gunner must estimate the range to the target. On the other hand, at 1,000 yards or closer the Soviet gunner can employ the simple telescope for direct laying and does not need to range as the trajectory drop of the projectile at that distance is not sufficient to cause a miss. Because of this, in both doctrine and in actual practice, to be certain of hitting they attempt to rush the objective and close the range as rapidly as possible. They are willing to pay the price in this somewhat desperate tactic, just as they did during World War II in the human sea attack. Thus, a decision to give up on an ability to kill moving tanks at extended ranges is a serious one, demanding careful study of the trade-offs involved.

Next, the new prototype tank can forgo the hydromatic variable suspension system and adopt a tube-over-bar substitute, a rather modest product improvement over the current torsion bar method.

In such a pure mechanical system, the variable silhouette is lost but, more important, far greater demands are placed on a gun stabilization system than did the more responsive hydromatic system. Obviously, the better the suspension system and the smoother the ride over varied terrain at speed, the less demanding is the performance required of the gun stabilizer. At some point in a degraded performance, the ability to fire the main gun accurately on the move is lost and the gunner is forced to adopt the "short halt" method.

The short halt has been used for some years as an accepted technique by the Warsaw Pact nations as well as by British tankers, and will be used by the Germans with their Leopard II. The Soviets teach that their rather gross order stabilizer permits the gunner to identify the target and to aim and hold the tank common in rather close alignment to it, thus enhancing survivability by maintaining motion. At the short halt, the gunner then refines his aim to a precise gun lay, fires, and the tank automatically moves out again—all in less than 15 seconds. Unlike our accepted technique, he does not wait to determine his success in order to fire an adjusted second round but goes through the short halt procedure again, as often as required for a sure hit. In addition, the stabilizer refines the accuracy of fire of the coaxial machine gun in the final phases of an assault. Obviously, a stabilizer with this kind of general accuracy is cheap, fairly simple and reliable and will be installed in the rebuilt M60A1 series, giving our old workhorse tank a capability at least equal to that of the T54/55.

Another way to simplify the design and save money is to eliminate the automatic loader and go back to the four-man crew, with one crewman manually loading, probably with some kind of mechanical help. Unfortunately, this solution requires a whole new tank design which is probably the case in any event. However, the automatic loader gives the combat tank two important attributes by insuring both a faster rate of fire and the ability to load and fire on the move. The former is important in short-range engagements where it is fairly easy to hit and speed of engagement becomes the critical factor. Put another way, when one side is outnumbered and to hit is to kill, the rate of hitting will determine the outcome; otherwise the large force will defeat the smaller

at a geometric rate as comparable attrition widens the disparity between the forces. Secondly, and probably more important, the lack of an automatic loader will significantly reduce the ability to fire on the move and will require a return to the burst-on-target or the short-halt technique, discussed earlier. It simply is not possible for a strapped-in crewman in a highly mobile and lurching vehicle to be efficient in selecting the proper type of round and to load it, even when the round is within reach. Moreover, it should be clear at this point that the counterattacking tank, in order to fire accurately and quickly while advancing toward the enemy threat, requires a high order of agility, improved suspension, advanced stabilization and an automatic loader.

Although quite costly, we simply cannot afford to economize on the recently developed night viewing and sighting optics, as these give us a very real and important advantage over our potential adversaries that they can hardly afford to match.

These new developments give the tank commander excellent passive night vision and the gunner a laser illuminator sight for precision shooting. Not only are these refined devices a considerable improvement over the current infrared and white searchlight system; they lack the searchlight's vulnerability to detection and destruction. Interestingly enough, the Israeli forces have given up on the searchlight due to what they call its instant battlefield mortality.

Finally, it is indeed regrettable that the six second-generation XM803 prototypes were never built after the expenditure of so much R&D money. Any new or different features that may be incorporated or developed in the new tank cannot be measured against the XM803 except in the abstract.

We will never know the relative merits of the two systems. However, we do know that we have lost six to eight years; we will increase R&D costs by \$100 million to \$200 million; and we may hope to produce a tank that will be clearly superior to the projected Soviet tank of the late 1970s. That it will be cheaper than the XM803 is indeed doubtful; that it will be the best tank on the battlefield is by no means clear. But it must be.

I, for one, believe that the U.S. tank deserves the best: a tank that can dominate the battlefield in the years ahead. Thus, it should have the expensive built-in survivability of the XM803, an impressive ability to fire and hit on the move and be able to kill moving targets out to extended ranges.

Furthermore, it requires the latest and best and admittedly expensive night viewing and sighting devices to give it the required 24-hour combat day. All these characteristics are attainable without technical risk, so if the price in maintainability and sophistication is high, we should be prepared to pay it. If the price in dollars is high, we can forgo or delay some other expensive system used in the supporting role. To do otherwise is false economy at its worst.

POSTAL SERVICE KEEPS RATES DOWN

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. MATHIAS of California. Mr. Speaker, our Postal Service has seldom been credited with anything new. It was, therefore, surprising to hear that Postmaster General E. T. Klassen told the recent Postal Forum that because of commendable economies he will not ask

for the additional \$450 million in postage rate increases originally budgeted for early 1973.

It is rare for any Federal agency to give up budgeted money. For the Postal Service, such action was unprecedented.

Postmaster General Klassen deserves credit for this astonishing and welcome development.

HOBOKEN KNIGHTS OF COLUMBUS BUILD CHAPEL FOR NATION'S 200TH BIRTHDAY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, I am very proud to report to the Members of this House that a most unique observation of the 200th birthday of this Nation is being prepared by the members of Hoboken Council No. 159 of the Knights of Columbus. I would like to bring this fact to the attention of all Members of this House.

On Hudson Street, in Hoboken, N.J., is the nationally known Shrine of Our Lady of Fatima which each day attracts persons of all religious faiths who wish to pause for a moment of prayer and meditation. Those who have been in Hoboken will recall that the city council of Hoboken has renamed the area as Our Lady of Fatima Place.

The Hoboken Knights have decided to honor the patron saint of this Nation, Our Lady of the Immaculate Conception, and the 200th anniversary of the Declaration of Independence by building a chapel to be known as "Our Lady of Fatima Chapel."

Matthew A. Grimley and Fred Pescatore, both members of the Hoboken Council for more than two decades, are the cochairmen of the building committee.

Mr. Speaker, on August 15, 1972, at the feast of the assumption of the Blessed Virgin Mary, the following resolution was adopted by the Knights of Columbus Columbian Club:

Whereas the 200th Anniversary of the Founding of the United States of America will be marked on July 4, 1976 with appropriate ceremonies throughout the Fifty States and the Territories, and

Whereas the commission appointed by President Nixon to properly mark the occasion has suggested that in addition to the Major ceremonies at certain locations, each City, Town and Hamlet mark the 200th Anniversary by erecting a suitable monument or building of a lasting nature that will forever remind future generations of the greatness of these Fifty States so greatly Blessed by Almighty God, and

Whereas the United States of America is dedicated to the Holy Mother of God under the title of "Our Lady of the Immaculate Conception" and has been ever mindful of her intercession, and

Whereas the K-C Columbian Club of Hoboken, Inc. and Hoboken Council No. 159 of the Knights of Columbus (whose members are equal owners of the K-C Columbian Club of Hoboken, Inc.) have been blessed through the intercession of "Our Lady of Fatima"

whose Statue and that of the Portuguese Children adorn the lawn at our Clubhouse, and

Whereas the area fronting 712-714 and 716 Hudson Street, in the City of Hoboken, County of Hudson, State of New Jersey, United States of America, has been officially designated by the Council of the City of Hoboken as "Our Lady of Fatima Place", an honor unique to the Knights of Columbus, with a membership of over 1,000,000: Therefore be it

Resolved, That to properly mark the 200th Anniversary of the Founding of the United States of America, there be erected directly behind the "Shrine of Our Lady of Fatima", a one story cinder block building to be known as "Our Lady of Fatima Chapel" in which the Ceremonial Memorials and other aspects of the Knights of Columbus would be properly presented, and be it further

Resolved, That the general public be invited to join with us in honoring the Holy Mother of God under her title "Our Lady of Fatima."

Presented on the Feast of the Assumption, August 15, 1972.

PENSION RIGHTS FOR THE NATION'S DEFENSE WORKERS

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. GOLDWATER. Mr. Speaker, I have grown increasingly concerned over the loss of pensions for the employees of defense contractors. Thousands of loyal Americans have lost all pension rights during defense cutbacks these past 2 or 3 years.

These employees were planning on the pension as security when they become 65 years of age. Through no fault of their own, a contract may be reduced or eliminated, and they lose not only their jobs, but their pensions as well.

For this reason, I plan to offer an amendment to the Defense Appropriations bill on Thursday, which would direct the Secretary of Defense to insure that all employees working on a defense contract are covered by a vested retirement pension program. The amendment would give the Secretary the discretion to issue standards for these retirement plans. I firmly believe all pension plans should be vested within 5 years, and that an employee should be able to transfer his pension between contractors.

It is my hope that if this program becomes a reality, it will serve as a model for all private pension plans. I hope my colleagues will join with me tomorrow and support this proposal.

The amendment follows:

AMENDMENT TO H.R. 16593, PROPOSED BY MR. GOLDWATER

On page 52, after line 8, insert the following:

SEC. 745. No part of the funds appropriated under title IV or V of the Act shall be made available in regard to contracts awarded or negotiated after the enactment of this act unless the Secretary of Defense shall first find that all persons employed under such contract or subcontract thereunder, are covered by a vested retirement pension program approved under such standards as the Secretary of Defense shall prescribe.

CONGRESSMAN REUSS SPEAKS OUT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. PICKLE. Mr. Speaker, a colleague whose judgment and expertise commands high regard in this Congress is the Honorable HENRY REUSS, of Wisconsin.

Especially in the difficult and complicated realm of finance, few steps are taken in this body without first sounding out the views of Mr. REUSS.

Now, in an interview in the September issue of the Government Executive, Mr. REUSS speaks his mind on problems of finance and on another issue of abiding importance to him and to the Nation—the environment.

The respect accorded him has been hard earned. He is known as a man who has applied his able talents to every detail. He does his homework, as we are fond of saying, and he knows his subject matter.

I would like to share this interview by placing it in the RECORD at this time:

IN ECONOMY AND ECOLOGY—WISCONSIN'S HENRY REUSS: WHERE WILL ALL THE DOLLARS GO?

(By Scot MacDonald)

HIGHLIGHTS

1. The next Chairman of the House Banking and Currency Committee will probably be Rep. Henry Reuss (D-Wisc.).
2. He believes a successful approach to industrial polluters is an effluent charge (or fine).
3. He strongly supports tax reform early next year.
4. "I would lift (wage-price) controls on all except the very major segments of the economy."
5. "We have to restore a sound domestic economy: full employment without inflation."
6. An international banking agency should be made "the main, if not exclusive, instrument of whatever development aid we give."
7. He suggests where the national budget should be cut and how the Banking and Currency Committee can be improved.

To have a Germanic-sounding name in Milwaukee is an asset for a politician. To be a liberal Democrat is another, particularly in the Fifth District with a 29 percent black population. To be shrewd without being shrill, sincere without recourse to shillbo-leths, are others.

But all these, and other attributes do not guarantee election, as Henry Reuss (pronounced Royce) found out in his first three attempts at public office—mayor, state's attorney general, and U.S. Senator. In 1964, he succeeded in the race for U.S. Representative, and has been returned to Congress each election without interruption. It takes no political pundit to predict that in the upcoming election, history will repeat itself. He is a power house at the polls, garnering 76 percent of the votes last general election.

Reuss' success formula is patience, empathy and knowledge—in about equal amounts. These are reflected in his two major interests in Congress, the environment and economics—with an understandable preference for the latter: he comes from a Milwaukee banking family.

For a number of years, he was chairman of the House Banking and Currency Committee's subcommittee on International Fi-

nance. "I simply got into it," he told *Government Executive*, "because nobody else really was doing it, and I thought it important that Congress have at least one person who studied up on these difficult matters."

These studies have been spectacularly successful. He has gained the reputation of being a man to be listened to in economic matters. Indeed, he frequently dines with Robert McNamara, president of the World Bank, and Pierre Paul Schweitzer of the International Monetary Fund. In response to a query, he explained, "hardly a day goes by that somebody from somewhere in the world—either the president of the Central Bank, or a Finance Minister, or a Member of Parliament concerned with these matters, or a private banker or industrialist will come in to see me." The explanation was given without boast, and qualified: "Of course, it's very helpful to me. I learn what they're thinking."

Among other things, "they" are thinking that Reuss, barring some unforeseen circumstance, will probably be the next chairman of the House Banking and Currency Committee—currently held by 79-year-old Wright Patman (D-Texas).

Despite his inconspicuousness in the eye of the general public, albeit he is a headline hunter, he has scored significant successes that should cause the public eye to be more discerning. Among them:

In 1970, he introduced a bill that would permit the President to impose a wage-price freeze, and successfully guided it through the Congress. A year went by before Nixon exercised that power—with reluctance and discernible effect.

In 1971, his subcommittee issued a report that recommended divorcing the dollar from gold, and within a fortnight the dollar was floating against other currencies.

"I don't do much talking about it at home (Milwaukee)," Reuss said, "other than before special groups—like financial people or trade people. It is very difficult for the average man in the street to see how his livelihood is affected by what happens in the international monetary matters. His livelihood is, in fact, affected, but it's complicated."

Of these same constituents: "You would be surprised at the number of people who you would not think would have the slightest interest in international monetary matters, who do give me their views or ask me for mine. But I would be misleading you if I said this was a great popular issue."

Reuss gave up his chairmanship of the International Finance subcommittee (he is still a member) to head the Government Operations subcommittee on Conservation and Natural Resources (which he set up in 1969). Conservation has been a lifelong enthusiasm; he is an ardent camper, fisherman and skier.

It was typical then, when Reuss tackled the Department of Interior last April, on its report on the state of the domestic mining and minerals industries. Joined by Rep. John D. Dingell (D-Mich.), chairman of the subcommittee on Fisheries and Wildlife Conservation, he charged, "the report reads as if it were written by the American Mining Congress, rather than a Federal agency with broad environmental responsibilities." He further described the report as "an industry-oriented cop-out."

But this heavy attack may have been largely political even though his personal concern for the environment is very real. Reuss' fiscal background has tempered natural concern with the world of reality.

"Just as surely as this (national) environmentalist movement got underway," he told *Government Executive*, "you could be sure there would be some kind of backlash against it. And that too has occurred, is occurring."

THE BACKLASH

The backlash, in his opinion, is both justified and unjustified.

"The justified part is, of course, the idea of no more economic growth. It doesn't make any sense if we're going to choke off all economic growth. How are we, for example, going to find the wherewithall to clean up our environment? How are we going to provide jobs for our citizens?"

It makes no sense, he said, to act as if the Nation did not need new and more important sources of electric power—"be it fossil fuel or nuclear."

When he cites the unjustified part of the backlash: "I have reference to industries that should have cleaned up and flown straight long ago," instead of "trying to string things out, trying to use every political and other pressure they can, to avoid doing what they should have done some time ago."

And he's tough. He does not believe the Government should bail out a company who could not find it economically feasible to adopt devices that would cut down the effluence to an acceptable level. "I would not be inclined to think that anything useful can be done by a subsidy to keep an obvious uneconomic company in being."

He believes a successful approach to industrial polluters would be levying of an effluent charge. "Impose a charge on industry," he said, to the extent that it uses public resources of water or air—and thus give it an incentive to avoid having to pay the effluent charge by developing new methods of pollution control." And this, he feels, stands a very good chance of becoming law, describing it as a disincentive to pollute.

"I think what is needed, actually," he amplified, "is a combination of the stick and carrot—the carrot being tax breaks—to enable industry to install the very costly anti-pollution equipment . . . sometimes a whole new plant; and the stick being an effluent charge—or if you want to use a less pleasant word, a fine—which is remitted once the polluting has been stopped. I think you probably need both."

Regulations, he firmly believes, should be Federal.

"We're talking about national interest in clean waters. I don't think it would be fair to the state of Washington, which has an aggravated problem of papermill pollution on Puget Sound (as well as an aerospace problem), to foot the entire bill. I think that should be a national expenditure."

His own state has environmental problems—in dairy, tanning and paper industries. "That's why I am as insistent about national standards as I am."

"What shall it profit the state of Wisconsin if it purifies its paper industry only to see if all move to states that advertise water is plentiful: 'Come and pollute our streams; we'll be delighted to have you.' That merely transfers the problem for a few years and ruins a few more bodies of water."

In the dairy industry: "Our creamery wastes consist largely of whey, which is poured into marshes. And the first time it rains, the rain water pushes the creamery waste down to the nearest lake. And there are lakes in Wisconsin that closely resemble cottage cheese, where the creamery waste has been poured."

In other countries, whey is a valuable dairy product, with a taste suggestive of sour cream. Dairies in this country have not found it profitable to market.

Animal excrement is another befouler of the environment, particularly since the invention of concentrated feedlots for cattle some 10 years ago. Previously manure was used to fertilize the following year's crop of alfalfa. "Well, I think we ought to consider whether we aren't flouting Mother Nature in an uneconomic way," Reuss observed.

SOCIAL SECURITY

"All I'm saying is that the two things I'm interested in—economics and ecology—have to be much more happily married than they are now."

Turning back to the economic scene, he emphasized need for tax reform.

"The first reason," he said, "is that the average taxpayer is fed up with the idea that a relatively small number of taxpayers, due to one loophole or another, are not paying their fair share of the tax burden. This means (the average taxpayer's) burden is increased, whether his burden is the local property tax, or the state sales tax, or the Federal payroll tax for Social Security, or his own income tax."

"If he's a wage earner making from \$8,000 to \$20,000 a year, the chances are that he pays a rather full tax on every penny of income he makes."

"On the other hand, if he is in a higher bracket, he probably has found out some way—through tax-exempt bonds, or oil depletion, or capital gains—to very substantially reduce, if not entirely eliminate, his tax burden."

"So, from the standpoint of equity, I think you have to do something."

He also cited revenue as a governing factor. "The fact is that we are now running budget deficits that are simply unconscionable. The current \$35-40 billion deficit projected for fiscal 1973 is going to sow the seeds for another inflation if we continue."

Finally, he noted the need for "keeping our economy going and seeing that there's enough purchasing power to take the product off the market. That, after all, is the way business prospers, through having customers." Only if income is divided with some semblance of fairness "do we see that the average consumer has enough purchasing power to buy the goods and services that our factories and people are capable of producing."

Regardless of the immediate need, there will be no opportunity to pass a tax reform bill this year. Reuss wants it high on the agenda for next year.

In a somewhat related area, he believes many aspects of the Social Security System are bad.

"For one thing," he said, "the provision that prevents anyone from making more than \$1,680 a year in outside employment. I see no reason why older people shouldn't be allowed to make a considerably larger sum." He would raise the ceiling to somewhere nearer \$3,000. Paul Getty, who makes several hundred million on dividends and interest a year, he noted, also presumably gets a Social Security check.

Although Reuss set into motion the legislation that made it possible for the President to call a wage-price freeze, Reuss would now "enormously contract the scope of wage-price control, early next year."

"I would lift controls on all except the very major segments of the economy—steel, automobiles, rubber, heavy chemicals, aluminum."

THE INTERNATIONAL SCENE

Having removed controls on 60 percent of the country's economy, he would do much more than is now being done on the supply side. If there aren't enough medical men to bring health care to people at reasonable fees, he feels the country ought to increase the number of medical school slots.

"If oil for heating and transportation is in short supply and too expensive, we ought to relax oil import quotas and get more into this country."

"If Government agencies, such as the ICC in the transportation case, are actually contributing to higher prices, we ought to reform our Governmental agencies so they act as an influence for lower prices rather than higher. The ICC traditionally, and for many years—and it hasn't really changed yet—has, by its regulations, prevented railroads from entering competitive fields."

On the international scene, he feels that progress must begin at home. "We have to

restore a sound domestic economy: full employment without inflation. Until you do that, foreigners aren't going to have much confidence in the dollar. When you do it, you're going to find tremendous amounts of foreign funds coming into this country, looking for what is obviously going to be a very profitable investment. That helps our balance of payments, makes jobs."

He would also move promptly toward reforming the international monetary system toward using special drawing rights as a substitute, and ultimately a substitute for gold in the dollar.

"We have to make exchange rates easier to change, increase flexibility, and we have to have some method of staunching the short term capital flow, such as produced problems for the sterling and the dollar in the last couple of months."

He is very high on the World Bank, the International Monetary Fund, the Inter-American Bank, and how they affect our position. "They apply to a much greater extent than we do in bilateral aid programs," Reuss said, "a fairly sound economic analysis to their loans. That doesn't mean that their loans are all perfect. But they use economic standards."

Another reason: "Because they're an international agency, they can get away with imposing conditions on the recipient country which the U.S. can't."

Finally, "and very importantly, when you deal through an international agency, you get others to bear a large share of the burden. In the Asian-Development Bank, Japan's contribution is even greater than our own—which is as it should be."

"For all these reasons, as far as I'm concerned, I would be ready to make them the main, if not the exclusive, instrument of whatever development aid we give."

His views are further cemented by some of his activities on the Joint Economics Committee, of which he is also a member.

The Administration's efforts to increase international trade have not been successful yet. "That, however," he observed, "is not necessarily an indictment of them, since it takes some time. The devaluation of last December, for instance, should take a year or two to produce a somewhat better trade picture than what we now have."

"I personally believe the Administration's trade ambitions are too ambitious. For example, we now have about a \$4 billion trade deficit on an annual basis. They want to turn that around and have an \$8 billion surplus. Well, that's a 12 billion turnaround, and that to me is too much. I think it's a little irrational to expect us to do that."

"And indeed, if we did do it, I think we'd make a lot of our trading partners mad, because we'd be profiteering at their expense."

"So, I would like to see us bring our payments into rough balance, which has to be done—not by putting all our eggs in the trade basket, but by a whole series of things, such as cutting down on military assistance programs, which frequently are a big spender of foreign exchange."

WHERE TO CUT THE BUDGET

To attempt to balance the budget without full employment is to invite another Depression.

As to Depression: "May God have mercy on us if we are so improvident as to run into another. No, I think we have learned some things since the Depression of 1929 and the Thirties. We've learned that it is absolutely unnecessary to sit still for a Depression, that the methods advocated by Lord John Maynard Keynes are of some effect. All the countries in Europe use them with good results."

On Regulation Q, governing allowable bank interests: "If I had my druthers, we would repeal Regulation Q and not have any ceiling on what banks and savings and loans and others may pay people who lend them money."

"Peculiarly, these controls on what financial institutions can pay people who lend them money affects matters throughout the economy, and it's a good thing to get rid of."

On budget cuts: "The defense budget could well be cut back from its present level by at least \$10- to \$15-billion. I can't quite see my friend George McGovern's \$30 billion, but let's lop 15 billion off and see where we are..."

"The Department of Agriculture spends far too much on subsidizing large corporate farms, and also continues to give so-called services long after their need has expired. For example, the Soil Conservation Service, formerly an excellent outfit, now spends much of its time channelizing streams, and thus ruining them."

He is not prepared to put a dollar figure on space programs. "I think a major belt-tightening has already occurred. All I'm saying is that it should not now be increased."

And in HEW, he can see "plentiful opportunity for cutback—in the social programs."

Finally, he believes there are many things that need to be done by the Banking and Currency Committee.

"There needs to be a major study of the country's whole financial system," he said, "—banking, savings and loans, credit unions, mutual savings banks, insurance companies—any institution which gives credit." He recommends members of the Committee, the financial community, academic experts and representatives of the public sit down and do what has never been done in history: namely, block out a program of redoing the laws affecting our financial institutions in such a way that it would stand some chance of Congressional passage."

The recent recommendations of the President's Commission on Financial Institutions had no hope of Congressional attention because, Reuss said, there were no members of Congress on the commission and thus, legislative know-how was lacking.

"There would be one re-look at our Nation's financial laws, which hasn't been undertaken for half a century. And it's terribly important."

"The same approach applies to our housing laws, despite the fact that we're working on a housing bill which eliminates many of the abuses that have been uncovered."

"A third area: (the Banking and Currency Committee) does not now have any subcommittee or organization dedicated to the really central question of the economy—full employment without inflation. There just isn't anybody who is in charge of that store. Of course, it's the most important grocery store of all. The Banking and Currency, unlike Joint Economics, can legislate. And this is too good an opportunity to be missed."

NEWS BULLETIN OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. WHITEHURST. Mr. Speaker, I am inserting in the RECORD the September 11, 1972, edition of the news bulletin of the American Revolution Bicentennial Commission—ARBC. I take this action to help my colleagues be informed of the activities and plans being made across the country to help celebrate the Nation's 200th birthday in 1976. The bulletin is written and compiled by the ARBC communications committee staff. The bulletin follows:

BICENTENNIAL BULLETIN, SEPTEMBER 11, 1972

Chairman David Mahoney addressed Third Century, planners of Miami's participation in the Bicentennial, on August 22nd. The Chairman said he welcomed a congressional investigation into the Commission. "We're waiting to hear just exactly what Congress wants to do. I haven't found anything I would consider irregular with our organization."

At a presentation in the office of Lt. Governor T. Clark Hull at the State Capitol in Hartford on August 9, Connecticut received its grant check for \$45,000 from new Commission Member Roy Lavon Brooks of Storrs. Also present was Eric Hatch, chairman of the Connecticut Commission. It was announced that the money will be used in the purchase of the 200-year old Viets Tavern adjacent to the Old NewGate Prison in East Granby.

The Idaho Bicentennial Commission will launch a large scale oral history project in cooperation with the Idaho Historical Society Auxiliary and others around the state who have already begun to gather tape recordings of old timers' reminiscences. The Commission will aid in the collection of the tapes and their transcription into print. J. Meredith Nell, Executive Director of the Commission, said, "This collection will be an irreplaceable source for future historians."

Gov. Edgar D. Whitcomb recently accepted the recommendations of the Indiana State Bicentennial Commission. Former Gov. Roger Branigin, Commission Chairman, said that Indiana would not have much official state pageantry, but cities and counties would be encouraged to hold their own celebrations. He emphasized the state's role in the celebration would be "nonpartisan and nonpolitical and appealing to everyone." Plans include the publication of a textbook for all high school students describing the exploits of Revolutionary War hero George Rogers Clark and an inventory of treasures of American history in Indiana museums.

The Wyoming State Bicentennial Commission has set up area meetings during the next four months in Sheridan, Thermopolis, Rock Springs and Cheyenne. Purpose, according to Mrs. Peggy Curry, Commission Chairman, is to collect "major ideas" on how Wyoming should observe the celebration in order to make proposals for funding to the State Legislature.

Items from *The Correspondent*, quarterly publication of the New York State ARBC: In New York City the National Shrines Association, in cooperation with the federal and state Bicentennial Commissions and the New York City Bicentennial Committee, sponsored Independence Day events at Fraunces Tavern, "The Commons" (now City Hall Park) and Van Cortlandt Manor in Croton-on-Hudson.

The ceremony at the Tavern emphasized French participation in the American Revolution and France's plans for cooperating in the Bicentennial.

The reading of the Declaration was heard at "The Commons" on the site where American troops first heard Jefferson's document.

Van Cortlandt Manor was the locale for the reenactment of the reading of the Declaration at White Plains July 11, 1776 by order of the New York Provincial Congress. The ceremony was conducted by 85 uniformed members of the Brigade of the American Revolution.

The Oyster Bay Bicentennial Commission chose July 4th to launch its Bicentennial Era and to honor the Centennial of the National Park Service. The activities were jointly sponsored by the Old Bethpage Village Restoration, the Nassau County Museum and National Park Service.

In Frankfort, Kentucky, the newly appointed Executive Director of the Kentucky Historical Events Celebration Commission, Charles Hellman, stated, "We are about to begin a continuing series of events that will

embrace two great happenings. . . . Kentucky's 200th anniversary to be celebrated in 1974 and the nation's in 1976." Hellmann emphasized the cooperation between the state and national Bicentennial Commissions and noted Kentucky's enviable position of being "geared up and staffed up" two years prior to the national celebration because of this cooperation coupled with the liaison among the regional and county representatives on planning committees already at work. He expects to have his staff completed by October 1. Statewide advisory committees are being formed and include historians, educators and representatives in the fields of religion, sports and the cultural fields of art, drama, music and literature.

An international Bicentennial symposium, *Medicine and Surgery in America, the First 200 Years: Prologue 1976* will be held at the Boston Museum of Science, Morse Auditorium, Saturday, October 21, 1972. The symposium will be open to the general public. Outstanding and historic achievements in American medicine and surgery since 1900 will be emphasized and discussed. The symposium will feature an address by Senator Joseph C. DiCarlo, Chairman of the Massachusetts Revolutionary War Bicentennial Commission entitled, "Prologue, A Vision for America in Century III."

Archaeological excavations are underway at two important colonial Virginia plantation sites as a preliminary to the Bicentennial period. One dig is underway at Richard Henry Lee's Northern Neck plantation site of Chantilly in Westmoreland County. Further plans of the Westmoreland Bicentennial group include a celebration of the 200th anniversary of Richard Henry Lee's introduction of the Virginia Resolutions for Independence at the Continental Congress in Philadelphia on June 7, 1776. Excavations are also in progress at the site of the 17th and 18th century Kingsmill Plantation on the James River near Williamsburg under the direction of the Landmarks Commission. The work is financed by a grant from the Anheuser-Busch interests.

Mrs. Gene Riddle, Executive Director of the ARBC of Texas, reports that seven cities have appointed committees and established bicentennial goals, including new parks, museums and historical restorations—Temple, Belton, Wichita Falls, San Antonio, Lubbock, San Marcos and Seguin—and another 18 are committed to do so. Each city in Texas has been asked by the Commission to make "at least one permanent improvement which will benefit the community and be dedicated to the bicentennial."

THE GOLD GAME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. RARICK. Mr. Speaker, the latest public opinion balloon to be released is that the administration is considering selling the American people's gold. Not to American interests, of course, but to international banking cells operating as foreign governments and on foreign markets. The theory sought to justify the sale of American gold to foreigners is that it will depress the price of gold—which has now soared close to \$70 an ounce—while our progressive "share the wealth" financial bureaucracy maintains our gold at a maximum price of \$38 an ounce available to foreigners only.

The present administration gives lip service toward eventually permitting gold

trading and ownership by American citizens; but, at this rate this will not occur until all U.S. gold has been sold abroad. Presumably the individual American, who is forbidden to own gold here in America, will consider going abroad to buy gold and bring it back to the United States. If enough Americans bring enough gold back home, then foreseeably under another administration, we could have another gold confiscation siege.

I insert related newscippings:

[From the Washington Star & Daily News, Sept. 12, 1972]

UNITED STATES MAY PROPOSE TWO MOVES TO CUT MONETARY GOLD ROLE

(By Lee M. Cohn)

The Nixon administration may propose international action soon to sell government-held gold on foreign markets to depress the price, and favors eventually permitting gold trading by American citizens.

Both moves would be intended to reduce the role of gold in the monetary system and treat it as an ordinary commodity, Paul A. Volcker, undersecretary for monetary affairs, told Congress yesterday.

Testifying before the International Monetary subcommittee of the Joint Economic Committee, Volcker was more optimistic than previously about chances for negotiating a basic agreement on reforming the world's monetary system by late next summer.

Formal negotiations will start during the International Monetary Funds' annual meeting here beginning Sept. 25. Most authorities expect difficult bargaining, and some of them fear a deadlock.

Without necessarily waiting for completion of a reform package, Volcker said, it might be desirable to take interim action encouraging sales of gold on foreign markets by government central banks.

The existing two-price system bars government sales on gold markets. Governments maintain a fixed official price of \$38 an ounce for transactions among themselves and let the market price fluctuate.

Because of strong industrial and speculative demand and limited supplies, the market price of gold has soared close to \$70 an ounce. The wide gap between the official and market price has both reflected and aggravated monetary turbulence.

Volcker emphatically rejected proposals, mainly by France, to narrow the gap by raising the official price. Instead, he suggested, it might be a good idea to depress the market price by selling government gold.

American citizens now are prohibited by law from buying, selling and holding gold except under license for industrial, artistic and dental uses.

For psychological reasons, Volcker said, it would be a mistake to lift the prohibition during the monetary reform negotiations. Allowing Americans to trade gold during this interim might inject "further speculative elements into an already volatile and artificial gold market" by augmenting demand, he said.

But he indicated clearly that the administration favors eventual elimination of the gold trading ban.

If the reform negotiations produce a new monetary system "fully insulated from instability in private gold markets," he testified, removal of the gold trading restrictions should receive "sympathetic consideration."

[From the Evening Star and Daily News, (D.C.), Sept. 12, 1972]

COMMITTEES ACT ON CURRENCY

ROME.—Finance ministers of the 10 European Common Market countries announced agreement today to set up a European Monetary Fund, probable forerunner of a central

bank that eventually might issue a common currency.

Meeting separately, foreign ministers of the 10 mapped token action against terrorism in a discussion spurred by last week's massacre of Israelis at the Munich Olympics and the shooting of an Israeli diplomat in Brussels yesterday.

The ministers agreed that terrorist operations should not be blamed on the government of any country, an Italian informant said. This was apparently designed to avoid provoking Arab retaliation against Western oil interests.

Instead they agreed to take a united stand when terrorism comes before the United Nations and to step up cooperation among their police forces and interior ministries, the Italian said.

The monetary fund agreement made it likely that a Common Market summit conference will convene as scheduled Oct. 19 in Paris. It is designed to give new directions to the market after Britain and Ireland—and perhaps Norway and Denmark—become members Jan. 1.

The summit meeting would officially create the fund, putting the Common Market further on the road to full economic and monetary unity. Up to now, it has been mainly a custom union with the beginnings of a joint farm policy.

The fund would have one main initial task—keeping the values of European currencies closer together than the currencies of the rest of the world—a 2½ percent margin of fluctuation around fixed exchange rates instead of 4½ percent. To help do this the member countries would make about \$1.5 billion available to one another on one-year credits.

DAVE SMITH: ASSET TO GREATER NEW HAVEN

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. GIAIMO. Mr. Speaker, Dave Smith serves in my district as president and general manager of the Greater New Haven Chamber of Commerce. During the years I have known him it has been a genuine pleasure for me to work with Dave, and I was delighted to see that the August 1 edition of the Connecticut Business Journal had run an article illustrating the qualities that have made Dave an asset to the entire Greater New Haven community.

I would like to insert this article, therefore, not only as a tribute to Dave Smith and his administration of the New Haven chamber, but to call attention to the chamber managers throughout the Nation whose goals, hard work and diligence make them all—and their Chambers of Commerce—such very important resources in our communities.

The article follows:

DAVE SMITH, NEW HAVEN CHAMBER OF COMMERCE PRESIDENT, SEES GREAT FUTURE IN FIELD OF CHAMBER MANAGEMENT

(By David E. Moore)

R. David Smith has been president and general manager of the Greater New Haven Chamber of Commerce for nearly three years. He's been in the chamber executive field just about six years, and entered it by accident.

"Few people see it as a career," he said the other day. "I guess everyone knows there is a chamber of commerce in their community. They all have an idea about what a

chamber does but it's something they don't think about. This doesn't upset me."

"My advice to young people today would be to take a close look at chamber work," he continued. "Chamber management combines all the things I wanted to do and gave me the freedom to do it. In addition, I think chamber work is a green pasture—it could use young blood in many instances. It's packed with opportunities. And it's been kind to me."

Dave Smith paused, thought a moment, said, "I've moved so fast that I honestly think there's only one more move left in me." He attributes his fast rise in the field to what went on in his life before he stumbled into chamber work.

BACKGROUND

Dave Smith's father was killed in World War II and by the time Dave was nine years of age he was working full time as a washer in a bakery in his hometown of Brunswick, Maine, from 4 to 8 a.m. and after school. Dave graduated from Brunswick High in 1955 and though he was offered a number of athletic scholarships he couldn't afford to go to college. He was reconciled, he recalled, to joining the ranks of blue collar workers. He went to work for the Central Maine Power Co, right after high school.

After 5½ years he was promoted to first class lineman. "I thought I'd been rewarded for my work and I wondered what the next step would be. So I asked and quickly got the message—'bide your time, ability doesn't count, in a few years you'll be a foreman.' I wished I'd known that 5½ years before," he said.

"I gave notice. I was about 23 and still single but after I gave notice I was frightened." But not for long, evidently. Through a friend Mr. Smith soon found employment with an insurance company. He was sent to training school in Boston and soon found success in sales work. "But where do you go from there?" he asked. "Insurance management wasn't attractive to me."

Mr. Smith left to take a position with a franchising operation. He was put in charge of training development for salesmen, a job which had him on the road nine weeks out of 10. "By this time I'd met the girl who became my wife." So it was back to Maine for Mr. and Mrs. Smith—and the launching of the Kennebec Valley Shoppers Guide in Augusta. Along with selling advertising for his shoppers' guide, a pennysaver, Dave soon got involved with a company that makes maps for chambers of commerce and makes its profit by selling advertising on the maps. Dave thought he could combine this operation with his pennysaver.

He did—for a while. But when he visited the Rockland chamber office to get that office's blessing for selling space in the community, he fell into a discussion with the Rockland chamber executive. It turned out that he was about to retire and he told young Dave all about the pleasures and challenges of running a chamber.

"I liked what he told me, it sounded simple, yet interesting. I talked to the president and was hired," he recalled. "It was strictly by accident. Yet it uniquely represents what I want to do in business. My first lesson in business was that all businessmen are not fat cats."

TODAY

Mr. Smith's background was in selling intangibles (insurance and advertising) and in sales training. Today he feels he's added a few new skills. "We're both selling and managing people," he said. "In chamber work you try to take the real leadership of the community, dump ideas on the table, sift them, set priorities, come up with the funds to implement them and then make things happen."

"There's no right way or wrong way to run a chamber. Some operate well with a strong

staff head. That's not the case here in New Haven. The business community is in the habit of making its own decisions. It wants to be involved. And so we support it with a good professional staff. I work with the chamber's executive committee and a board of 33. We meet frequently, two or three times a week.

"They set the overall policy but the administration is my responsibility. Administration is a new thing to me but I like it. Finance is new to me, too, and now I spend 35 to 40 percent of my time on it. Either the numbers add up or they don't. There are no mirrors with finance."

"We do things differently from some other chambers but what we do works. For example, we reevaluate our membership every year, ask for more money every year. This system seems to work better for us than asking for a big hike every five years."

"My wife says the first thing I do when I wake up in the morning is start to sell. I'm selling the chamber all the time—what it stands for. I can't divorce myself from what happens in this organization because it excites me and I believe in it."

Dave Smith described the chamber board as being composed of New Haven's top decision-makers. "My board watches me carefully, they analyze my decisions and keep score. I have a feedback network so I pick up the reaction. This way you sense how you're doing. This feedback wasn't started consciously, it just seemed to happen automatically."

THE CHAMBER

The Greater New Haven Chamber of Commerce, founded in 1794, is composed of some 1,500 members and operates on a budget of \$750,000 a year. Now that it's taken over the region's National Alliance of Businessmen program, it's working with another \$1 million a year. Altogether, the chamber has a staff of 30.

Dave Smith sees the chamber's first goal as paying attention to the needs of New Haven's business community. And so its research and development department is actively pursuing programs in aviation, harbor, industrial, environmental and transportation development of the New Haven region. Retail is a vital interest, too, along with trade development, public affairs, manufacturing and membership.

He spoke particularly of the chamber's services in the community development area. "I don't know of any chamber in the United States that's as involved in minority enterprises as we are," he said. "We have the only MESBIC in the country run by a chamber. We were licensed to operate the MESBIC in 1970 when there were only 14 others in the U.S." He explained that the MESBIC (Minority Enterprise Small Business Investment Company) was initially funded by \$150,000 put up by Olin Corp. and Olin was licensed by the Small Business Administration to sponsor the company. Mr. Smith attributed the chamber's active involvement to the work of New Haven business leaders and the preceding chamber director.

He spoke of the chamber's small business loan committee which through the end of last year saw loan guarantees of nearly \$1 million by the SBA. And then there's the small business management assistance committee, active in securing resource assistance for many businesses in areas such as accounting, bookkeeping, legal, production operations, financial and organizational management, marketing, feasibility studies and site locations. Mr. Smith said that the chamber expects to be funded as one of the first Business Resource Centers. Working through a consortium, the BRC will fill a vacuum in New Haven, providing full time management assistance for minority businessmen, he explained.

Mr. Smith spoke highly of the community's cooperation—from such organizations

as the Service Core of Retired Executives, the Greater New Haven Business and Professional Men's Association, the Connecticut Society of Certified Public Accountants and the banks that have made over \$1 million in loans to minority black businesses over the past five years. "This is a good chamber. Twenty-eight percent of New Haven's population is black. Less than two percent of the businesses are owned by blacks. This isn't healthy. Everybody has to have a piece of the action."

PERSONAL

Mr. Smith went on, "It's never a question of me getting bored on the job. It's a question of doing the job. I believe all of us have a limited bag of tricks and I assume a man knows when he's nearing the bottom of his bag. It takes a rare individual to work for a community like this for 10 years and still be at the same level of horsepower." But he cited one exception to his rule: Arthur J. Lumsden, who's been president of the Greater Hartford Chamber of Commerce since 1956. "I have the greatest respect for him," he said.

Dave used to be a golfer with a handicap of three. But after their first child Mrs. Smith asked him to cut down on his golf games. "Because I'm really competitive this took the edge off my game," he said. "I don't like to lose so I gave up golf." Now the Smiths have four daughters ranging in age from less than one month to eight years. Dave describes himself as "a family man" and he spends his free time at home in Madison, mowing the lawn and playing with his youngsters. He's immediate past president of Madison's Five Fields Homeowners Association.

He takes time out every year to attend the U.S. Chamber of Commerce institute for organization management. And he serves as vice president of the Connecticut Association of Chamber of Commerce Executives and on the board of directors and executive committee of the New England Association of Chamber of Commerce Executives. He's also on the board of directors of Business Ventures, Inc., Olin's MESBIC which is operated by the chamber.

HISTORIC CUSTOMHOUSE IN YORKTOWN, VA.

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. DOWNING. Mr. Speaker, a picturesque 18th-century building, reputed to be the oldest customhouse in the Original Thirteen Colonies, was recently designated "historic" by U.S. Commissioner of Customs, Vernon D. Acree.

In a ceremony at the Yorktown, Va., customhouse, built in 1706, Commissioner Acree explained that the designation is part of the agency's contribution to the bicentennial era which culminates in 1976.

Emphasizing customs' financial role in the Nation's history, Commissioner Acree explained that customs duties were the mainstay of the early Republic and continued to provide the largest share of Federal funds until 1913.

During the ceremony, a proclamation and bronze plaque were presented to the Comte de Grasse chapter of the Daughters of the American Revolution, owners of the building. A tour of the building followed the ceremony.

The Yorktown customhouse which served continuously for almost 140 years, began life as Richard Ambler's "large brick storehouse." It is believed to have been used to collect revenue for the king after the owner was appointed collector for the York River district. At the time, the district covered the greater part of the east coast, including Philadelphia and New York.

From the standpoint of growth and prosperity, Yorktown reached its apex about 1750. The commercial life of the town continued, however, for another quarter of a century. But traces of decline appeared even before the outbreak of the Revolution.

The siege of Yorktown in 1781, ruined commercial and business activity in the Virginia village. Trade fell off and families moved away.

Nevertheless, the customhouse continued to collect revenue on incoming cargoes for nearly two centuries. Its doors were closed for Federal business on December 31, 1845.

I think my colleagues in the Congress will be interested in the remarks made by the U.S. Commissioner of Customs, Vernon D. Acree on that occasion.

The remarks follow:

REMARKS BY U.S. COMMISSIONER OF CUSTOMS VERNON D. ACREE AT THE CUSTOMHOUSE DEDICATION, YORKTOWN, VA., AUGUST 26, 1972

Ladies of the Daughters-of-the-American Revolution, friends of the Yorktown Customhouse, Pastor Barkley, distinguished guests, Regional Commissioner Paul Lawrence, District Director Singleton Garrett, and my fellow-Virginians.

First, may I say how pleased and honored I am to be here in historic Yorktown to participate with you in this ceremony. We are here to dedicate an ancient and famous structure as an historic United States customhouse.

If you will forgive a short aggression into the personal, I would also like to say that this ceremony has a deep personal meaning for me. For, in the immediate area, my forebears first settled in this new land from traceable eight generations ago in the pre-Revolutionary War era. Indeed, just a few miles from here, at Old Providence Church in York County, rest my grandfather, my great-grandfather, and my great-great-grandfather. And I lived for a few years of my early childhood in nearby Gloucester.

If there is a single state which can be described as the cradle of American civilization, it must be Virginia. For it was in Virginia where the first English settlement was established . . . a Virginian named Richard Henry Lee introduced the motion for separation of the 13 colonies from England . . . Virginian Thomas Jefferson was the author of the Declaration of Independence . . . eight Presidents of the United States were Virginians . . . eight other states were formed from Virginia, "the mother of states."

One cannot stand on this hallowed ground without recalling some of the events two centuries ago, which shaped the destiny of our nation.

The town itself was established as a United States port of entry on August 7, 1789 by Congress assembled in the City of New York. A contemporary newspaper, an original copy of which I have in my possession, reports that "in the State of Virginia shall be twelve districts; to wit, Hampton as one port; Norfolk and Portsmouth as one port; Bermuda Hundred and City Point as one port; Yorktown, Tappahannock, Yeocomico River, including Kinsale, Dumfries, including

Newport, Alexandria, Folly-Landing, Cherry-Stone, South-Quay, and Louisville."

Then the story continues:

"To the District of Yorktown shall be annexed West Point and Cumberland, as ports of delivery only, and a Collector of the District shall be appointed, to reside at Yorktown, which shall be the sole port of entry."

The Yorktown Customhouse was the first in the thirteen colonies, and at various periods, it served as headquarters for Confederate General John B. Magruder, a store, a school, and a bank.

In the Spring of 1781, just when the fate of the American Revolution seemed darkest, General Washington received word that a French fleet was on its way to help him.

It was early September when Admiral Comte Francois de Grasse brought his fleet from the West Indies to the Chesapeake Bay. De Grasse's transport picked up Washington's troops at Elkton, Annapolis, and Baltimore and brought them here to the Yorktown Peninsula to join Lafayette. The result of the ensuing battle is history.

The furious cannonade shattered the British defenses, brought a surrender from Cornwallis and the end of the Revolutionary War. But ending the war did not bring an end to the financial troubles which plagued the new nation. Long years of war had left the country bankrupt.

On July 4, 1789, Congress passed the Tariff Act establishing the machinery for taxing imported merchandise. It was hailed by the press as the "second Declaration of Independence." Four weeks later on July 31, 1789, by the Second Act of the First Congress the United States Customs Service was formed.

When President George Washington looked for civil servants to staff his new Customs Service he didn't have to look beyond those who fought alongside him in the Battle of Yorktown.

Colonel John Lamb, whose Second Continental Artillery Regiment played an important role in the battle, became Collector of Customs in New York.

Others who served with him during the war and later accepted posts in the Customs Service were: General Benjamin Lincoln who became Collector of Customs in Boston, General Delaney in Philadelphia, and General Otho Williams in Baltimore.

One who acquitted himself brilliantly in a command during the Yorktown campaign was Lieutenant Colonel Alexander Hamilton, an aide-de-camp. In September of 1789 when the Treasury Department was created, Hamilton became the first Secretary of the Treasury. His appointment marked the end of an era of bankruptcy, and the beginning of a sound economy for the new republic.

From 1789 to 1791 Customs provided nearly all the Federal income. And in spite of internal taxes, Customs continued to produce the lion's share of Federal funds for almost 125 years—up until 1913 when the first personal income tax was voted.

Modern-day Customs is still vitally involved in the commercial and financial life of our nation. During the fiscal year which ended June 30, we collected \$4.3 billion in revenue.

With international trade and travel reaching unprecedented heights, it is a challenge for Customs just to keep pace. Today our agency's responsibilities extend beyond collecting and protecting the revenue: over the years, our responsibilities have multiplied. In addition to controlling more than 90,000 miles of border and coastline, we are now concerned with new threats to our society.

Drug smuggling, skyjacking and cargo theft are some of the national problems we are fighting today. We are also deeply involved in world trade and tariff matters.

While we cope with change and the challenges of today's society, we also seek to

preserve those timeless qualities and traditions of our service.

Last year President Nixon proclaimed the years 1971 through 1976 the Bicentennial Era for this nation and asked each Federal agency to undertake a program within their respective area of responsibility.

After reviewing all of its activities back through history, the Customs Service decided for its part upon the dedication of historic customhouses. This is in keeping with Federal government efforts to accelerate historic preservation programs by identifying landmarks, in anticipation of the Bicentennial observance of the American Revolution.

As President Nixon has expressed it, "the Bicentennial year will be one of the great opportunities for our nation to look back, to look around us, to look ahead—and join in both jubilation and resolve as we enter the third century."

By commemorating the customhouse—symbol of Federal authority for nearly two centuries—we hope to insure an opportunity for future generations to appreciate the contributions the U.S. Customs Service has made to our nation.

And we deeply appreciate your participation in this ceremony here this morning.

Thank you.

DEFENDS RIGHT TO OPINION

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. McCLOSKEY. Mr. Speaker, since America was founded, it has unfortunately been customary, during times of great controversy, that Americans bitterly criticize the patriotism of those of opposing views. This is unfortunate, because as time passes, people on both sides of controversial issues generally come to recognize, if not respect, the service to the Nation of those of their former opponents whose integrity is beyond question.

George Washington, Abraham Lincoln, and Woodrow Wilson were bitterly maligned in their own time by erstwhile "patriots." This alone should be lesson enough to suggest that neither Spiro Agnew nor Ramsey Clark are anything but patriotic Americans, and that the eyewitness accounts of persons of recognized integrity such as Jane Fonda and former Attorney General Clark are entitled to as much weight as say the Air Force's General Lavelle who until recently commanded the air war against North Vietnam and was disciplined for deliberately deceiving his superiors as to the nature and reasons for the bombing attacks he had ordered.

A great national controversy has arisen over the effects of history's most devastating aerial bombardment on the dikes which hold back the death by drowning of the bulk of the population of North Vietnam—and several hundred American prisoners of war as well. The Air Force contends damage is minor; a number of foreign visitors to North Vietnam contend that such damage has created great danger of flooding.

We have not been able to get the Air Force to release the best evidence of who is telling the truth—the photographs

which are so laboriously and perilously taken and compiled.

For some reason the Defense Department refuses to release these immensely accurate and comprehensive aerial photographs of the dikes and villages now being struck by U.S. bombers.

Under these circumstances, it seems reasonable to consider the eyewitness accounts of individuals who have personally visited those dikes and villages. One such account, that of Jane Fonda, is appended for consideration:

**WE HAVE NEVER BUILT SO MANY ROADS
AND BRIDGES**

(By Jane Fonda)

HANOI.—We live with the earth—in strict collaboration with the earth. It is because of this that we can withstand the bombing." I was listening to Nguyen Dinh Thi, renowned author, poet, and playwright of North Vietnam. I had never experienced a people who cherish their earth, not only because it is their source of life, but because most of them can remember the days before the revolution when the land belonged to the French, and they were "coolies." Now it is theirs, and their clothes are stained with it, the walls of their houses are made from it. The rivers are colored red by it. Everywhere, people standing knee-deep in their land, backs bent, planting their tear-shaped rice.

The very existence of the land in the Red River Delta represents a victory of the people who wrested it from the sea thousands of years ago through the construction of an intricate network of earthen dikes. These dikes protect them from the waters raging down the mountains during the monsoon season and from the sea water, an annual threat to this region, which is below sea level.

The overwhelming sense one has of unity and collective spirit isn't a product only of the war of resistance, but results from the century-old struggle against water and drought. The early development of a Vietnamese state with a centralized administration was brought about by the need to mobilize the millions of people required in building the dikes. The dikes and the nation grew up together.

As we waited out an air raid in a bomb shelter in Hanoi one afternoon, Thi said, "We don't build big houses or palaces. Our Pagodas are beautiful, but none are very big. What is big in Vietnam are the dikes. They are our monuments."

These monuments, according to the Vice-Minister of Water Conservancy in North Vietnam, were bombed 18 times in April of this year; 46 times in May; 46 in June; and in the first 27 days of July they were bombed 63 times.

CORRESPONDENTS DESCRIBE AN ATTACK

At his July 28th press conference, President Nixon described reports of these bombings as "enemy inspired propaganda". Admitting to some bomb hits on the dikes, he told the news conference they were "accidental."

Outside Nam Dinh city, former textile capital of Vietnam which is now 60% rubble, I saw the Nghia Minh dike. On June 18th, 50 bombs had done extensive damage in three places, each 30 yards long, and caused many deep cracks in the surface. One portion was cut in two by one-thousand- and two-thousand-pound bombs.

In the town of Phu Ly, between Nam Dinh and Hanoi, I saw another bombed dike, and the entire hydraulic system destroyed. On July 12, I visited Nam Sach district 40 miles east of Hanoi, in Hai Hung Province. The whole district of Nam Sach is surrounded by two rivers, the Thai Binh and the Kinh Thai. Two vital points on these dikes had been bombed on July 9 and 11. One portion on the Kinh Thai River had been severed by 2,000-pounders.

While 20 foreign correspondents were in the process of examining the damage to the Thai Binh dike, they witnessed a second attack by a dozen Phantoms (F-4's) and A-7's which they said, "went into a dive and released several bombs and rockets against the dike on which we were standing." The Agence France Press correspondent reported on July 11 that they "all felt the attack was clearly against the dike system."

As I stood on the Thai Binh dike the following day, the flat rice paddies stretched out into the distance. Here and there a cluster of hamlets could be seen. No major routes, no major communication lines, no industry and no military targets were visible. What were visible were the bomb craters that have accumulated on both sides of the dike.

Both dike segments in Nam Sach which have been bombed are the most strategic, for they hold back the waters of six rivers which converge at this vital point. If these dikes are broken, it will endanger the lives and crops of an immense region of the eastern part of the Delta.

As one French journalist told me, "From what Nixon is saying, one would have to assume that the North Vietnamese are blowing up their own flood control system in order to effect Western opinion."

INDIRECT BOMBING MOST DAMAGING

Examining dikes one realizes that the more serious damage is not necessarily caused by direct hits, but by the bombs falling on the sides of the dike. These bombs create shock waves that cause multiple cracks at the dike base, the most vulnerable part. Delayed-Reaction Perforation Bombs are being used, as well, which enter the dikes on a slant and lodge underneath their foundations, exploding later. This causes serious weaknesses which are difficult, sometimes impossible, to detect, and repair work becomes hazardous.

If these weaknesses aren't discovered and repaired in time, the pressure of the torrential waters which reach their highest level towards the end of this month, may cause the entire section of the dike to be washed away.

On July 28, President Nixon said of the dikes, "We could take them out, the significant part of them, in a week." However, it will not be necessary to "take them out", hit them directly, in order to disastrous damage—damage which will not necessarily be visible on an aerial reconnaissance photo.

Attacks against dike repair crews don't show up on aerial reconnaissance photos, either. I talked with To Minh Nguyet, a 22-year old journalism student. In a whisper she told me about being in a village ("It used to be beautiful, with many coconut trees") on the Ma River in Thanh Hoa Province. She was there on June 14, when the dikes were bombed three times.

"After the bombing, many student teachers and medical students came to mend the dikes," she said. "The planes came back and dropped anti-personnel bombs. Many people were killed, mostly women and children."

BUILDING, REINFORCING, REPAIRING

The people here say that they have conquered the Red River, and there is basis for their pride. In the flood of 1945, two million people died of famine. During last summer's flood, the worst in the last century, only 600 people died and the Red River dike system held fast. They say, in fact, that last year's floods enabled them to see where the weaknesses in the dikes were, and to reinforce them.

I could see people everywhere carrying earth in baskets and carts, packing it in, building, reinforcing, repairing their dikes. According to the Water Conservancy Ministry, in the first six months of this year the people have moved 15 million cubic meters of earth, three times more than during the whole of 1971.

During the entire 12 years prior to 1970,

the people are reported to have moved 120 million cubic meters of earth, which is more than in all the 80 years under French colonialism. "The Vietnamese are big movers of earth. And it is all done with no machinery. It is the people of every village who participate. It is part of our national origin," said Nguyen Dinh Thi, laughing, putting things into their social context, helping me comprehend the resistance.

NEW DIMENSION

The bombing of the dikes has given the war a new dimension. The danger lies not only in people drowning, but most terrible for a small agrarian society, the destruction of the land and the famine that would ensue. If the dikes are unable to withstand the water because of the bombing, it will be a tragedy for years to come.

It is not just a question of manpower, but of time, for it will take the earth, packed into place to form the new dikes, many years to be solid enough to hold.

The Vietnamese are wasting no time. Each family has a boat and are reinforcing their top floors and roofs. Much thought is being given to what kind of crops can be grown under water. They face what appears to be an attempt to obliterate their country with the same determinism and optimism with which they have faced everything else.

Professor Pham Huy Thong, of the Association of Science and History of North Vietnam, said to me, as the bombs shook my hotel in the center of Hanoi, "If the principal route is destroyed, we have to construct secondary routes. That way we are enriching our systems of roads. We have never built so many roads and bridges."

"Nixon forgets one thing," he continued, "that in destroying all this, especially the dikes, he is consolidating us because to rebuild the dikes we have to mobilize and unite tens of thousands of our people."

VOICE OF THE "500"—SID COLLINS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. JACOBS. Mr. Speaker, Hoosiers, of course, have much to be proud of. And we are much proud of Sid Collins who is both an institution and a legend in his own time.

The following is an article by Frederic A. Birmingham in the magazine which is an institution and a legend of many times, the Saturday Evening Post.

The article follows:

VOICE OF THE "500": SID COLLINS

(By Frederic A. Birmingham)

Once a year, deep down in Texas, comes greenup time and the blooming of the yellow rose. Also, once a year, a lady of some eighty summers mounts her pickup truck and drives out of the holler where she lives, making tracks for a hill some miles distant. That hill is not Pike's Peak nor is it Mt. McKinley or Mt. Marcy. But it will do. Because when she unfurls the fantastic skyscraper aerial she has rigged up for her truck radio, she will hear the voice of a man in Indiana who will tell her what she wants to know. He will tell her about what is happening in a 500-mile race for horseless carriages. And she will listen, enthralled, for a full four and one-half hours.

Once a year, also, in Indiana, a crowd variously estimated at from 300,000 to 500,000 souls will congregate on a tract of 539 acres to witness the same race. They are probably more informed about automobiles as

a group than any other. Husbands, wives, kids are there to witness the famed "500" which may well be the most exciting sports event in the world. They may have driven for many days to get there. Perhaps they have found only somebody's lawn to park on, because the city of Indianapolis, where the race is run, suddenly swells its population to a bursting point; and perhaps the family has had to sleep in their car and find meals where they could, so as to be on hand for the start. Well, they are there, right on the spot. And what do they do? Chances are that, as they watch the race from their coveted seats (the grandstands are sold out months in advance and even general admission tickets are regarded as prized possessions) they will not only have the advantage of seeing what is going on before their eyes in this big racing event, they may also be advised throughout by their immediate neighbors—who are bound to be racing buffs—and also by the loudspeaker system of the Speedway, keeping them informed on what is happening down there on the track. But the odds are that with all of this inside dope, they also will come equipped with transistor radios to hear the broadcast of the race, and to listen to the same voice which the little old lady in Texas is straining her ears to catch at the same time.

The voice is that of Sid Collins, the man who has for twenty-five years now—with a staff he calls "the greatest in the world"—broadcast the news of the race, over more than 1200 stations this year to over one hundred million listeners. And the plain fact is, whether you are two thousand miles away or just a few yards from the track, until you see the race through his eyes and hear him tell it like it is, you just ain't in on the big 500. Because something about this man, something in his knowledge of racing, in his love for the sport, in his insatiable search for the pertinent fact about driver, car, owner, mechanic, or parts engineer, has through the years convinced untold hordes of listeners that you can't experience this fantastic event without Sid, whether you're right there next to the checkered flag or half the globe removed from it.

Everywhere in the world where U.S. service personnel are deployed, Sid's voice will be heard describing the race as only he can. In South America and Central America, his broadcast will be translated into Spanish and Portuguese; in other areas, into French and Italian. In Canada, fifty stations will relay his words. The director of the network, an ex-race driver himself, Elmer George, arranges with AT&T for approximately 50,000 miles of telephone lines over which the race and the four time-trial broadcasts are carried. One of TV's highest-paid stars recently chortled that he had reached forty million viewers on a special broadcast, highly advertised and promoted with fantastic hoopla. Well, bully for him. Sid Collins can double it and still walk away with twenty million to the good. Because the 500 is his thing—what Ernie Pyle called "the most exciting event in terms of human suspense that I've ever known."

What has really happened here is that a uniquely engrossing sports event has found a man who is an artist in his own way at making it come alive to others who share the same deep-seated affection for the spectacle. It gets down to the right man at the right place at the right time, and now this has happened for twenty-five years running. And since Sid is a big, powerful man in his prime, and the sport of racing and the 500 in particular are booming like never before, we are witnessing in his performance the creation of an institution which seems to get better every year, and which everybody who has ever heard it devoutly hopes will go on into the infinite.

If you are one of those wretched wights who has never listened to Sid's broadcasts

or watched the brave blur of the racing monsters streaking around the Speedway, you may still ponder the causes of it all and seek to know the answers to what they are. The country of America has so much to be proud of—its natural resources, the vision of its founding fathers, the flow of lifeblood from other nations into its strength—that it takes conquering for granted and wastes little emotion on it. It builds cities, conquers prairies, bridges rivers, even penetrates the universe without so much as a backward glance. Americans are usually divided in their loves as well as their opinions, but in all the clash of their personalities and beliefs, they have held unanimously and firmly to one fundamental love—they have been carrying on an affair with the automobile since the first puny little pretender puffed its smoky challenge to the horse, and their affection for the fuel-driven pony gets more intense by the year.

Oddly enough, the love affair is not necessarily a passion for speed in itself. Mr. Anton Hulman, known as Tony to everyone who knows him and to millions who do not, is the patrician owner of the Indianapolis Speedway, and even he has to wonder a bit what gives between the American and the automobile. He recalls with a laugh the year of 1945 when he bought the "brickyard" from Eddie Rickenbacker. "The war was over, aircraft were flying four and five hundred miles an hour, and people were saying that no one would bother to come and see cars running around a track at a hundred or so. They said that automobile racing was through. We weren't sure we were even going to sell a seat." He laughs with understandable relish as he says this. The 500 was more jammed in 1972 than ever before.

Why? . . . well, no one has told me, not even Tony Hulman, but I think that it is because racing an automobile has something to do with man's fate and the brief moment he can—or thinks he can—direct it here on earth. Sid Collins points out that driving a racing car is a solitary test of a man's heart, stamina, and "the fear that is sometimes known as courage." The driver has five hundred miles to go, against thirty-two opponents of highly refined abilities, men he will joust with at over 200 miles per hour in the straightaways, in traffic jams only a few inches away from the death whirling in the car's wheels, on turns lashed at by centrifugal force that shakes a pulverization of man and machine against the wall down to a matter of a slight pressure of the fingers on the steering wheel.

It is man's will and skill against fantastic odds, and the penalty of a mistake is often death or injury. Somehow or other, that test of the man alone has clung to racing while aircraft at their higher speeds, and the technical marvels of computers, even war itself as a sad science have become mere mechanical equations. Every kid yearns to tinker with a car engine and turn it into a masterpiece of screaming power that will skim his buggy faster across mother earth than that of his best friend and rival. On the other end of the scale, Sid Collins has an interesting observation to make: Almost all of the racing drivers would like to be astronauts. But almost all of the astronauts have come around to the track at some time or another. And the funny thing is that the astronauts, fascinated as they are by the cars, nearly all say the same thing—You couldn't get me into one of those . . . they're too dangerous."

That's part of it, then. The enduring love affair between Americans and the automobile.

It would not be wholly fair to say that the efforts of Sid Collins alone complete the picture at the Indianapolis Speedway, since there are hundreds of others involved who contribute to that enormous accomplishment. Yet he plays a key role, and it would be hard to talk about the 500—after these twenty-five years in which he has been its

official voice all over the globe—and not say that Sid has played a real part in its development. For instance, he has become a celebrity in his own right and enjoyed some of the usual privileges accorded such public recognition: he is a Kentucky Colonel, a Sagamore of the Wabash, an Admiral of the Great Navy of the State of Nebraska, an Honorary Mayor of Helena, Montana, a Texas Ranger, *Variety's* "Man of the Year." And out in the farm country where they take such things as animal husbandry seriously, a champion hog is named after him (who it must be presumed will perpetuate the name through generations of piglets to come). He has had his picture taken with practically every famous racing driver since 1948, with Cyd Charisse among a bevy of other beauties, and there is always the chance that he may someday be kissed by Andy Kranatelli, the tough car builder who becomes ecstatic in victory. Sid wears these and a dozen more similar honors lightly, but there are a couple of other accolades which are perhaps more meaningful to him and to us here. In 1962, on Sid's fifteenth anniversary as the 500 "voice," he was surprised by a trophy which now rests in his study, donated by the thirty-three drivers starting in the race that year. Strictly a matter of spontaneously passing the hat from garage to garage, with 1960 winner Jim Rathmann doing the collecting. It is a handsome one indeed . . . but not more handsome than the inscription which says in part, "In appreciation for his valued service to the racing fraternity as the voice of the 500." Racing drivers don't usually take that kindly to specialists in another craft. This was the only time, before or since, that the drivers have so honored anybody. Sid also owns a similar award given by the National Car Owners Association, stimulated by his pal J. C. Agajanian, the veteran car owner. Sid too has received the Edenburg Trophy. A good five feet in height, it stands in the Speedway Museum, flanked by such marvels as the Marmon Wasp which won the 500 in 1911 and the big, wide-wheeled sinister powerhouses of later years. Sid's name was added in 1969 to a long list of racing greats including Tony Hulman, Raymond Firestone and Wilbur Shaw. Only one name is so honored annually.

Sportswriters as a breed are not much given to praise of others in the reporting game, whether vocal or otherwise. But Jim Murray, one of the best, whose syndicated column emanates from the *Los Angeles Times*, has this to say about Sid: "I guess the toughest athletic event . . . to call by radio or TV is the Indianapolis 500 . . . It is widely believed that more people know the Einstein Theory than were able to figure out who was leading the 500 for the last twenty laps this year (1966). In the first place (for the second year in the past three) the field had been shriveled by two-thirds. Even before the race was really started, the air was full of flying rivets, wheels, axles, and cars and drivers were scaling fences and heading for the Ohio border on the double. They even had a traffic jam in Victory Lane at the end. Two cars showed up to claim the win. One of the guys out of the 300,000 on hand who knew Graham Hill was a winner was a Speedway fixture, a man known as 'the voice of the 500' . . ." And Jim went on to praise Sid for a full column.

So it becomes pretty clear that our man has a lot more going for him than just being out there on his own in front of the biggest sports crowd gathered in any one year at one place. One thing may be his experience, of course. Sid is a well set-up guy who wears his middle years well. But just the same he started out with and survived many great names in announcing that were similarly connected with one particular sport—men like Bill Stern, Bill Corum, Clem McCarthy, Ted Husing—the Curt Gowdys and Chris Schenkels of another era. No other announc-

er's voice has been so integral to and identified with any one sport as Sid Collins has with auto racing.

Some of Sid's assets hark back to those years. He talks with a kind of old-fashioned authority in his somewhat courtly manner, and it sits well today, when not everyone on the air has a comparable vocabulary, backed by a tendency to speak for himself when he wants to, or believes that the broadcast will gain by it.

One of the jokes Sid has to field as gracefully as he can several million times between races is that he has the softest job in the world since he works only one day a year. This is not precisely the case. Sid is the sports director of station WIBC in Indianapolis and has been for over two decades. He has broadcast over 9000 consecutive nightly sports programs on the station, including calling Big Ten football and basketball games and Olympic swimming and ice-skating trials, not to mention Indiana's high-school basketball tournament, where one misplaced word in that hoop-oriented Hoosier state could well earn him a ride out of town on a rail. He has shared the TV mike with people like Garry Moore and Steve Allen. Sid is also Director of Auto Racing for radio station KLAC in Los Angeles, hotbed of the sport. Besides this, Sid has served as anchor man for the nationally televised series of auto races on the 180-station TVS network in New York. He makes talks all over America and is much sought after as an MC and banquet toastmaster. What it all comes down to is that Collins is a freelance sports announcer with a number of clients, and his heart given completely to one of them, the 500.

Tony Hulman praises Sid not only for his accomplished delivery and poise but for the mass of information the announcer has stashed away somewhere in his mind. This is probably true, but Sid denies being a walking computer. "I really don't need to be, do I, when I can call on the greatest drivers and mechanics and track historians to help me out at a minute's notice, right there on the track?" Just the same, Sid comes to the track every 500 day with a two-suiter crammed with his homework—histories of all the drivers, mechanical breakdowns of the cars, dope on the mechanics, owners, the pit crews themselves, and anything else that experience has taught him might suddenly become the focus of his broadcast, in the swirl of events and accidents beyond his power to control or manipulate. "Happily" (Sid's word), he does not need to call on his stash-away library very often. To begin with, he has a team of experts right at his elbow. For the past fourteen years, it has included Freddie Agabashian—and currently Len Sutton—both racing drivers of yore. In addition, a young Englishman named Donald Davidson came all the way from London at his own expense to prove that he had memorized everything there was to know about the 500 since its inception. He had, too, to the astonishment of 500 regulars who are no slouches themselves at that game. So he stayed on as a member of Sid's team. John de Camp, Purdue engineering graduate, handles statistics.

Sid Collins can use a team, despite the fact that in the long four-and-one-half-hour broadcast he does about 80 percent of the talking himself. But what makes his accomplishment border virtually on the miraculous is that he cannot see all of the race himself (nor can anyone at the Speedway). If you are oriented to the sight of a football stadium holding say, 100,000 spectators and thinking of this as being something pretty big, the Indianapolis Speedway will set your sights agogging. The stands hold 200,000, and the sections on the backstretch are merely a blur as seen from the finish line, more than a couple of miles away. The straightaways are each a mile long, and the turns at the ends each

a quarter of a mile, which puts the action across two and a half miles, not a hundred yards. There are thirty-three racers out there at the start and it is not long, what with engine trouble, cars passing and/or making pit stops, and possibly a tangle or two, before to the neophyte the track is just one long parade of snarling cars, with no recognizable leader and no tail runner.

Well, Sid stands high in the tower right above the finish line ("hanging on the clouds by my thumbs") but on this enormous oval even he cannot follow the full run of the cars. He can see perhaps seventy-five yards up the straightaway to his right—where the cars come slamming down towards the main stands—about 100 yards to his left as far as the first turn, and only about 15 percent of the pit action. Naturally he knows the track like the palm of his hand. In fact he drove me around it in solitary splendor in his Caddy, not trying for speed ("Yellow is my racing color," he says with a grin) but still putting across the sight and sense of the racing driver taking those banked (9 degrees and 12 minutes) turns and then heavy-footing it down the chute of the grandstands on the straightaways at better than 200 miles an hour. It is an eerie sensation and it cannot help but tighten up the stomach muscles a bit on the first time around, just at the very thought of what these men go through for 200 laps, if they make it to the finish. (They might as well, by the way, no matter how far back in the pack they are: the last man usually earns at least \$10,000 in the above-a-million given out to the winner and those who are back there eating his exhaust.)

So what Sid must do is to orchestrate a barrage of reports from his team of spotters out there at various vantage points on the track. He has binoculars, but he needs their eyes more. Sid's stand-in eyes and ears out there are Mike Ahearn, turn one; Howdy Bel, turn two; Doug Zink, middle backstretch; Ron Carrell, turn three; Jim Shelton, turn four. He handles the start and finish straightaway himself. Chuck Marlowe patrols the north pit, Luke Walton the center pit, and Lou Palmer the south pit and Victory Lane the minute the winner comes in. Sid used to cover Victory Lane himself, but in 1950, when the race was stopped early at 345 miles by rain, he had to blast his way down there in a surprise dash. "Like a horse, there is a wrong side to a race car," he says, remembering that he approached winner Johnny Parsons from the side where the white-hot exhaust pipe was. The crowd forced him against it until his trousers smoked. He got out of that by bracing both feet against the side of the car and pushing back against the crowd with all he had.

Sid has a producer, Jack Morrow, but the orchestration on the broadcast is a duet of timing—including even when to slide in a commercial. He is not the one to permit a break in any action even for the sake of a paid announcement (a situation the sponsors respect and condone, by the way). Collins has a couple of runners constantly checking the thirty-three track "spotters" on the tower deck below, to make sure that the time and order of the race are known to him continuously. He also has two men just to keep an eye on the lead car, whatever that one is, as well as another standing by in the hospital area in case news takes a sudden shift down there. All in all, his team numbers thirty-five members, every last man dedicated to getting the right news to Sid as it happens. The decisions are entirely up to him. Even as he is broadcasting his topic of the moment—he cannot talk about the lead car for the entire four hours of the race, of course, and must take side excursions into interviews, racing anecdotes, personal sides of the drivers, and the like—he must keep flicking his eyes at communiques coming in from

all of his field men: a tangle of cars here, an unexpected pit stop there, a quick change of places on the straightaway two and a half miles away from him across the Speedway, and much, much more.

All this makes tremendous demands on the stamina, brains, reflexes, and judgment of the man in the tower. (Old-timers still call it the "pagoda" after the Oriental-styled wooden tower erected by the first owner of the Speedway, Carl G. Fisher. The pagoda went down in 1958, the victim of old age, and Sid recalls that he expected to go down with it that year, in a losing race with its vast colony of termites.)

Sid is up to all this or he wouldn't be there year after year, getting better all the time. Not long out of Indiana University (where he graduated as an officer of his senior class in 1944 just in time to hop into a U.S. Army truck and go on to K.P. that evening at Fort Benjamin Harrison and the European theater somewhat later). Sid got his first chance at track announcing in 1948 when they set him to working the south turn, under Bill Slater in the pagoda. Sid's big break came in 1950, when Slater took ill and Sid moved into the top spot under emergency pressures. He didn't crack, and that's how the sorcerer's apprentice first got the magic wand in his hand. Tony Hulman's faith in Sid has never wavered. Hulman shows a gentleman sportsman's reticence in comparing Sid to other race-track announcers, but his inner message is clear. Says he with a meaningful look: "I've heard announcers at tracks all over the world, and I would say that Sid is easily . . . er . . . one of the best." Freely translated: Sid is it.

Collins started out wanting to be a doctor, during his boyhood in Indianapolis. He hustled in his father's store, delivered newspapers, and attended college with that in view. But three years in the Army broke up the pre-med pattern of study, and he became a broadcaster in Kokomo, on then WKMO, now WIOJ. What makes Sid tick today in his specialty is a gift for dramatizing racing, which he loves wholeheartedly, without overdoing it. He sees the color of it all: the pageant of 50,000 parked cars in the infield under the banners of the fifty states and all the nations of the world, the huge democracy of the 500—millionaires and farmers, businessmen and carhops, straining their eyes and ears at the same spectacle—the drama of the race drivers, such as one who came to the track first as a dishwasher hoping to wind up in Victory Lane.

Sid talks to all these drivers and the crews. In the month preceding the big day, he strolls around the garages and workpits, passing a casual word here and there to a friend, making new contacts and learning his job from the inside. People take to Sid. He is free and easy, with no "side" to him at all. He has played golf with President Eisenhower, but he doesn't change his manner when he's swapping remarks with a lad who's a specialist at changing a left rear wheel, and learning how to buy seconds of time which could mean a race won or lost. That same manner gets into his broadcasting, and perhaps that may be his greatest strength. Many announcers pontificate to the world at large, or mumble away to themselves. But something about Sid's special delivery in that easy baritone, with just a touch of a soft down-home-in-Indians accent, is one-to-one. The listener gets the idea that Sid is talking only to him, telling how it is over a beer or so. That's what glues GI's in North African stations to the radios in their tents when the temperature is 106 in the shade, and sailors on Bering Straits icebreakers to their earphones, when Sid is giving out with the 500 dope. One hundred million listeners. The postmarks of the mail received include one from a submerged submarine, and range to Dennis Hulme, a fan listening in Australia. And all in the palm of his hand.

Most of us can tell our entire life history in five minutes and the rest of what we know in about eight to ten minutes more. It's surprising how much you can say in sixty seconds, and how long just a twenty-minute spiel on any subject can be. But four and one-half hours of it! Perhaps Sid's greatest test came in 1964. To begin with, he had developed a temperature of 102 and a sore throat the day before the race. He lost his voice, in fact, and had to walk around with a card asking people not to make him talk. He managed to squeak out the first few minutes of the race. Which is in itself not easy. Sid confesses that every time Tony Hulman intones that heart-stirring command—"Gentlemen, start your engines!"—he is so greatly moved he has all he can do to announce the start and then quickly throw the switch to Ahearn on the first turn. "Then professionalism takes over," and he rolls through the rest of the race in stride.

1964 demanded his all, however. Sick and shaky already from his illness, and just hoping to get through the day. And then it happened. On the second lap there was a gigantic pile up coming out of the Number 4 turn. One by one the cars emerged to tool down the track. The cries went up in the grandstand: "There's Foyt!—There's Unser!—They're OK! They made it..."

But two were missing. Driver Eddie Sachs and Dave McDonald were fatally injured in the accident.

Now, Sid knew Eddie a long time as a friend, a man everyone loved, the so-called "clown prince of racing." The race was halted. After the announcement there was not a sound in the stands. Men took off their hats. People were weeping. Sid closed his eyes, picked up his mike, and spoke softly into it. This is what he ad libbed, in part.

"Some men try to conquer life in a number of ways. In these days of our outer-space attempts, some men try to conquer the universe. Race drivers are courageous men who try to conquer life and death. They calculate their risks and in our talking with them over the years, I think we know their inner thoughts. In regard to racing, they take it as a part of living.

"The race driver who leaves this earth mentally when he straps himself into the cockpit, to try for what is to him the biggest conquest he can make, is aware of the odds—and Eddie Sachs played the odds. He was serious and frivolous... he was fun... he was a wonderful gentleman. He took much needling and gave much needling and just as the astronauts do perhaps, these boys on the race track ask no quarter and they give none. If they succeed they're heroes, and if they fail, they have tried and it was Eddie's desire, I am sure, and his will to try with everything he had, which he always did.

"So the only healthy way perhaps we can approach the tragedy of the loss of a friend like Eddie Sachs is to know that he would have wanted us to face it as he did... as it has happened... not as we wish it would have happened... We're all speeding toward death at the rate of sixty minutes every hour—only difference is that we don't know how to speed and Eddie Sachs did. And so, since death has a thousand or more doors, Eddie Sachs exits this earth in a race car, and knowing Eddie, I assume that is the way he would have wanted it.

"Byron said, 'Whom the Gods love die young'... Eddie was thirty-seven. To his widow Nancy and to his two children, we extend our extreme sympathy and regret. This boy won the pole in 1961 and 1962... and was a proud race driver.

"Well, as we do at Indianapolis and in racing, the race continues... unfortunately today without Eddie Sachs."

After the race 30,000 letters poured in to Sid acclaiming his eulogy and/or asking for a copy. Some wondered how he had been able

to find a minister so quickly to speak those words—they could hardly credit a broadcaster with such spiritual eloquence. One hardbitten curmudgeon accused Sid of having prepared thirty-three such eulogies in advance, one for each driver, to produce at such a moment! But Sid needs no preparation to speak from the heart. He does it all the time, on and off the track. That day he and his staff had to talk for six hours straight, two hours of improvisation with Agabashian over a race red-flagged to a hushed halt for the first time in the 500's history. After six hours of steady broadcasting, they wrapped up the marathon broadcast at last at 4:27. Sid had been on since 10:30. Psychologists please note: at 4:30, his sore throat was gone.

He smiles often and easily. One time the joke was on him (or perhaps not), having to do with his little habit of dreaming the winner of the 500 and placing the name in a sealed envelope before the race. He correctly dreamed Wallard in '51, Ward in '59, and Andretti in '69. Sid psyched the Andretti prediction a bit and broke his rule of secrecy by announcing at a dinner two weeks before the race that he had dreamed of Andretti as the winner. Mario himself was in the audience that evening. That gave Sid something of a name as a dreamboat. And so the next year he was besieged by drivers asking him to divulge who it was he had dreamed about this time. Sid obliged, with his characteristic wide grin: "Raquel Welch."

Unlike other sportscasters, Sid always signs off quoting a serious thought or a bit of poetry, dedicating it to the Indianapolis 500 winner. Among many he has used over the years was this by Henry David Thoreau:

"If one advances confidently in the direction of his dreams and endeavors to live the life which he has imagined, he will meet with a success unexpected."

It would appear that those words can be applied to Sid Collins.

THE SOVIET OLYMPIC TEAM— A STUDY IN GENETICS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. RARICK. Mr. Speaker, while the final total gave the Soviets an Olympic victory in team points, the televised activities were most revealing.

The Communists repeatedly call themselves a Union of Socialist Republics, which supposedly comprise a wide range of races, tribes, and ethnic groups. But the Soviet champions seen on the world's TV screens were far more Nordic or Germanic than even a cross section of the population of the Northeast United States.

Missing in the Soviet team representation were individuals readily identified as Mongol Tatars, Kazaks, Kalmyks, Turkic Uzbeks, Kirghiz, Georgians, Armenians, Slavs, Koreans, Chinese, Lapps, and Ukrainians.

On the contrary, the blonde and brunette Soviet women participants more closely resembled the Scandinavian American girls one would expect to find at the University of Minnesota or the Scotch-Irish American belles of the University of Alabama.

This is not to say or even suggest that the parents of the young blonde and brunette athletes who represented the Soviet Union in the Olympics are in control of the Soviet Government—actually they have less voice and chance in Moscow politics than do their distant cousins in the U.S.A. here in Washington—but it does suggest that in individual competition they must distinguish themselves to the great disappointment of the Soviet egalitarians.

A genetic study of the classless, raceless Soviet Union in conjunction with the Soviet Olympic team must prove most embarrassing to the environmentalists.

I include a recent editorial by Mr. Ned Touchstone, editor of the *Councilor*, 1827 Texas Avenue, Shreveport, La., following my remarks along with a selected portion of a Senate Judiciary Committee print entitled "The Soviet Empire: A Study in Discrimination and Abuse of Power":

OLYMPICS BETRAY TRUTH ABOUT SOVIET UNION AND RACE

MUNICH.—The Soviet Union and the Communist Party lead the world in claiming that racial distinctions are only skin deep.

But tens of millions of television viewers saw the hypocrisy of these claims as Soviet athletes performed in the Olympics. Members of the Red team failed to reflect the wide range of tribes and races which comprise the 230 million or so inhabitants of the USSR.

Take for instance the Soviet Union's gymnastic team which walked off with top honors. Russia is a land in which there are far more dark visaged people than blondes or brown-haired people. Yet the Soviet champions seen on TV screens around the world were far more Nordic or Germanic than a cross-section of the population of the Northeast United States. The Soviet girls closely resembled the Scandinavian girls one might find at the University of Minnesota, or the Scots-Irish (Ulster) lassies of the University of Alabama.

The Soviet Union follows the lead of the USA in selection of astronauts, also. Virtually all of the Soviet astronauts have been of stock similar to USA astronauts.

The Nordic-Germanic people of the USSR do not control the Soviet government. They have even less voice in Moscow politics than do their distant cousins in the USA in Washington.

Part of the fair people of the USSR are descended from Germans who settled in the Volga Valley in the 18th century at the invitation of Catherine the Great.

Other groups in Russia include the commercially and politically talented Khazars; Mongol Tatars; Kazaks; Kalmyks; Turkic Uzbeks; Kirghiz; Georgians; Armenians; Byelorussians; Slavs; Koreans; Chinese; Lapps; and Ukrainians.

Red propagandists in the USA constantly press for intermarriage of races, but have a double standard on this subject in the USSR. Lenin entertained the "melting pot" idea when he came to power 50 years ago. But he abandoned the scheme when it became apparent that Red Russia would need all the vigor and cultural vitality that it could get—and mongrelized nations such as Egypt, Brazil and India have historically faded in direct relation to mongrelization.

(Editor's Note.—When I was briefly held captive by the 29th Soviet Army in July, 1946 I noted that the privates were Asiatics, some of the non-coms were Slavics, the junior officers were Nordics and the political officers were Khazars. Their female camp followers looked like a cross between a Mack truck and an Eskimo.)

[89th Con., first Sess., committee print]

THE SOVIET EMPIRE: A STUDY IN DISCRIMINATION AND ABUSE OF POWER

(Prepared by the Legislative Reference Service, Library of Congress, at the request of the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, U.S. Senate)

APPENDIX C

NATIONALITY COMPOSITION OF THE POPULATION OF THE U.S.S.R., BY REPUBLIC, JAN. 15, 1959

[Population figures in thousands]

Republic and nationality	Population	Percent distribution
R.S.F.S.R.	117,534	100.0
Russian	97,864	83.3
Tatar	4,075	3.5
Ukrainian	3,359	2.9
Chuvash	1,436	1.2
Mordvian	1,211	1.0
Bashki	954	.8
Jewish	875	.7
Byelorussian	844	.7
German	820	.7
Peoples of Dagestan	797	.7
Udmurt	616	.5
Mari	498	.4
Komi and Komi-Permyak	426	.4
Kazakh	382	.3
Armenian	256	.2
Buryat	252	.2
Osetin	248	.2
Yakut	236	.2
Karabardin	201	.2
Karelian	164	.1
Peoples of the North	126	.1
Polish	118	.1
Kalmyk	101	.1
Tuvian	100	.1
Korean	91	.1
Adygey	79	.1
Gypsy	72	.1
Finnish	72	.1
Azerbaijani	71	.1
Moldavian	62	.1
Georgian	58	(0)
Khakas	56	(0)
Greek	47	(0)
Altay	45	(0)
Other	922	.8
Ukrainian S.S.R.	41,869	100.0
Ukrainian	32,158	76.8
Russian	7,091	16.9
Jewish	840	2.0
Polish	363	.9
Byelorussian	291	.7
Moldavian	242	.6
Bulgarian	219	.5
Hungarian	149	.4
Greek	104	.2
Rumanian	101	.2
Other	311	.7
Byelorussian S.S.R.	8,055	100.0
Byelorussian	6,532	81.1
Russian	659	8.2
Polish	539	6.7
Jewish	150	1.9
Ukrainian	133	1.7
Other	42	.5
Uzbek S.S.R.	8,106	100.0
Uzbek	5,038	62.2
Russian	1,091	13.5
Tatar	445	5.5
Kazakh	335	4.1
Tadzhik	311	3.8
Karakalpak	168	2.1
Korean	138	1.7
Jewish	94	1.2
Kirgiz	93	1.1
Ukrainian	88	1.1
Turkmen	55	.7
Other	250	3.1
Kazakh S.S.R.	9,310	100.0
Kazakh	2,795	30.0
Russian	3,974	42.7
Ukrainian	762	8.2
Tatar	192	2.1
Uzbek	137	1.5
Byelorussian	107	1.1
Korean	74	.8
Uyghur	60	.6
Polish	53	.6
Dungan	10	.1
Other	1,146	12.3

Republic and nationality	Population	Percent distribution
Georgia S.S.R.	4,044	100.0
Georgian	2,601	64.3
Osetin	141	3.5
Abkhaz	63	1.6
Armenian	443	11.0
Russian	408	10.1
Azerbaijani	154	3.8
Greek	73	1.8
Ukrainian	52	1.3
Jewish	52	1.3
Kurd	16	.4
Other	41	1.0
Azerbaijani S.S.R.	3,698	100.0
Azerbaijani	2,494	67.4
Russian	501	13.5
Armenian	442	12.0
Lezgin	98	2.7
Other	163	4.4
Lithuanian S.S.R.	2,711	100.0
Lithuanian	2,151	79.3
Russian	231	8.5
Polish	230	8.5
Byelorussian	30	1.1
Jewish	25	.9
Ukrainian	18	.7
Other	26	1.0
Moldavian S.S.R.	2,885	100.0
Moldavian	1,887	65.4
Ukrainian	421	14.6
Russian	293	10.2
Gagauz	96	3.3
Jewish	95	3.3
Bulgarian	62	2.1
Other	31	1.1
Latvian S.S.R.	2,093	100.0
Latvian	1,298	62.0
Russian	556	26.6
Byelorussian	62	3.0
Polish	60	2.9
Jewish	37	1.8
Lithuanian	32	1.5
Ukrainian	29	1.4
Other	19	.9
Kirgiz S.S.R.	2,066	100.0
Kirgiz	837	40.5
Russian	624	30.2
Uzbek	219	10.6
Ukrainian	137	6.6
Tatar	56	2.7
Kazakh	20	1.0
Tadzhik	15	.7

¹ Less than 0.5 percent.

GOOD HEALTH AND WEIGHT WATCHING

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. KOCH. Mr. Speaker, one of the most pervasive needs throughout our country is for programs to assure the health and well-being of our people. Indeed, the fact that this country's "health bill" every year runs into the tens of billions of dollars offers ample evidence that ours is a health-conscious society.

As one who has long been concerned with efforts to improve health care, I am mindful of the relationship of obesity to both physical and mental health, I believe we should recognize programs designed to help the "overweight American."

An organization that has made a significant contribution in the weight control field is Weight Watchers Inter-

national, Inc., which has helped millions of people the world over to conquer their weight problem.

Characteristic of its acknowledged leadership, Weight Watchers recently introduced a new weight reduction program, the result of the most advanced scientific information available on health, nutrition, and the causes of obesity.

Perhaps the most significant feature of the new program is that members of Weight Watchers now are permitted to eat, in moderation, such formerly "taboo" foods as spaghetti, macaroni, potatoes, and cereals.

However, because of Weight Watchers' efforts in reeducating members' eating habits, foods such as these can be handled intelligently, yet with the same determination to get rid of unwanted pounds.

Although this program was introduced a few months ago, I am told it already has met with success in many cases, and that people are turning in increasing numbers to Weight Watchers for help in getting rid of excess weight.

Jean Nidetch, founder and president of Weight Watchers; Albert Lippert, board chairman and chief executive officer and Mrs. Felice Lippert, secretary and director of food research, Dr. William H. Sebrell, Jr., medical adviser and Fay Burnett, nutritionist, merit special commendation for the role they have played in the development of this new program, and for their continuing efforts to enhance Weight Watchers' position in the weight control field.

WATER DESALINATION

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. RHODES. Mr. Speaker, I recently had the opportunity to read an editorial from the San Mateo Times and Daily News Leader.

The editorial comments on water resources and our efforts to research economically feasible desalting methods.

I urge my colleagues to give it their consideration.

WATER DESALTING METHODS NEED SPEEDING UP

Most of the United States is abundantly endowed with water resources. Only a few states and some of the larger metropolitan areas are greatly concerned about present supplies.

But what of the future, after the population has doubled and industrial water requirements have multiplied several times? A number of desalting operations are underway to tap the endless resources of the oceans, but none as yet operates efficiently enough to supply commercial water needs economically.

Starvation, abetted by arid land incapable of producing any living thing, is a serious problem in large parts of Asia and smaller sections of Europe, Africa and Latin America. Population growth, attempts to improve standards of living in undeveloped lands—and the geometric growth of food requirements caused by both—will falter on a lack

of adequate water if a major breakthrough in desalting processes does not come soon.

All other problems concerned with bringing water to people who need it at low cost add up to little compared to the struggle to tap earth's mightiest reserves. A breakthrough in this area would be one of the richest scientific gifts of the century.

"MILLS MOVE" IS McGOVERN'S FIRST COUP

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. WOLFF. Mr. Speaker, few men are more celebrated in this body than the distinguished chairman of the Committee on Ways and Means, Mr. MILLS. His particular genius has served as the occasion for more than a few provocative essays. Eliot Janeway, one of America's leading economists, has just written for *Newsday*, the Long Island newspaper, one of the more interesting essays about Mr. MILLS and his magic. It is an essay I think well worth reading, for it honors Mr. MILLS, something that virtually all of us believe in doing.

The essay follows:

VIEWPOINTS: "MILLS MOVE" IS McGOVERN'S FIRST COUP

(By Eliot Janeway)

When George McGovern came to Wall Street this week, his campaign was limping. The burden of carrying his controversial economic program has become too heavy for any presidential candidate to explain and still stay on the right side of the well-known plausibility gap.

But by the time McGovern faced back towards Main Street later that afternoon, his campaign was off and running again. Hard evidence was reassuring his dismayed and demoralized followers that his amateurishly conceived and amateurishly presented campaign had belatedly hit bottom and was at last beginning to bounce back.

The reason surfaced with the headlines he made. To be sure, the net of his populist text left him free to reassure his academic economic advisers that he was still 1,000 per cent behind the package of proposals they had laced together for him. But he himself was quick to acknowledge that he could credit the big plus he scored not to any vague and theoretical new deal he had been proposing, but to a very specific and practical new deal he was advertising his intent to make.

The pragmatic test for his new political deal was what Franklin Delano Roosevelt, in his day, liked to describe as "iffy." Only if McGovern won would he have a chance to do anything about this new deal he was proposing; and then, only if he could persuade the able and powerful man to whom he was making the offer to go along with it. Meanwhile, however, the mere fact of his remaining general about his original proposals and getting specific about the most important negotiating relationship confronting him gave him his lift.

His promise to offer the secretaryship of the Treasury to Chairman Wilbur Mills of the House Ways and Means Committee did more than turn his half-farical campaign serious. It turned the aimless, listless and pointless contest between the two candidates serious.

Many issues at many levels are plaguing the American people. At the rate at which the national mood is "tilting," as deputy President Henry Kissinger is given to say-

ing, away from confidence in "what's right with America" and towards anxiety about "what's wrong with America." One issue is claiming priority over all the rest.

Where is the money coming from? Is now the big question America is on trial to answer before she can dare move forward to her rendezvous with destiny, domestically or internationally. The more America now comes under pressure and the more America now feels inspired or obliged to do—morally, socially, educationally, economically, militarily and diplomatically—the more she will feel the need to do financially.

Wilbur Mills is universally recognized and respected as "Mr. Money"—and not just in the conventional sense of the fiscal responsibility he personifies. In the direction of America's humanitarian commitment, his responsibilities range from keeping the Social Security dollars coming to guaranteeing their integrity. In the direction of America's pursuit of enlightened self-interest, his responsibilities encompass the problem of trading her way back into competitiveness in the world and arranging for the world to trade itself on towards the peace and prosperity which only a revived international dollar can underwrite.

Of course, Sen. McGovern hardly discovered the wheel, so to speak, in converting the old liability represented by his theoretical economic package into the practical new asset personified by his "Mills move." The pressure on both candidates to continue making a "Mills move" is surely bipartisan. After all, the appropriate authority for anyone with a brain tumor to consult is a brain surgeon, not a chiropractor. A bankruptcy calls for a receiver. This is now the role that has been thrust on Mills by the bankruptcy Uncle Sam has thrust on himself.

Ever since the fiscal bankruptcy of government in America at all levels surfaced and began its cancerous compounding, I have been calling attention to this new role for Mills. I have been at pains particularly to explain that the dollar-holding powers now hold the U.S. Treasury in pawn by virtue of financing its out-of-hand deficits. I have also been reporting that they now look to Mills to take the lead in staving off the catastrophe of another world monetary crisis, before America's staggering rate of overseas borrowing breaks her foreign bankers too.

At the turn of the year, *Newsday* included me on the roster of "the nation's leading economists" to whom it put the question, "If I were President Nixon, I'd . . ." The answer I offered differed from the other recommendations by rising above the level of issues and coming to grips with the personalities behind them.

Where Galbraith, Okun, Samuelson, Friedman and the others still judged the crisis of fiscal bankruptcy and monetary instability controllable enough for programmatic recommendations to be relevant, my answer assumed that time was no longer working on the side of stability. "If I were President Nixon," I accordingly wrote, "I would call up Wilbur Mills personally and ask him if I could come over and have a drink with him."

If Nixon can't make his problems with Mills negotiable, he will never come to grips with the money problems blooming before him.

President Nixon has yet to try. In his capacity as the incumbent candidate, he is running very scared of the euphoria of his supporters. But in his capacity as chief executive, he is operating under a spell of comparable complacency. The first cost of his spiraling-out-of-hand deficit is already being levied by the inexorable upward creep of interest rates. The inescapability of higher tax rates, too, is depriving America of her choice of either horn of the inflationary dilemma. Both dire consequences await her once the season for campaign oratory is over.

The explosive issue of 1972's illegal and, indeed, unconstitutional overwithholding of

payroll taxes by executive order is headed towards a 1973 day of reckoning. The anemic erosion of the stock market is flashing a historic signal that Nixon is still fiddling while the dollar is already burning.

McGovern's "Mills move" represents his first coup scored at Nixon's expense. As the baseball writers say of a hitter in a slump, "he was overdue for a hit." I spoke on the phone to chairman Mills after McGovern had hit the news stream with his indication that he had opened a hot line to Mills and with his promise to the country—and, indeed, to the outside world—that he wants to continue using it. By way of hello, I said "Not just one title, but two, came your way today. Mr. Third Force is the second one. And that's the important one. Now there are three top names in the national picture—Nixon's, McGovern's and yours."

My twin premise is that America's crisis of political leadership has already exploded into one of financial management and that time is now ticking away against the chances of avoiding world monetary collapse and domestic financial chaos. Accordingly, it is my judgment that the most urgent order of business pending for the debtor in White House residence, whether Nixon or McGovern, is to arrive at what the bankruptcy lawyers call a "composition" of obligations outstanding with receiver Mills. Without this, no new recommendations will be relevant, and all of them will add up either to self-serving partisanship or to self-indulgent daisy-picking.

Ironically, the points McGovern scored with his "Mills move" and the point-gap in the polls he will now begin to close as a result of it depends more on Mills remaining operative in his receivership on Capitol Hill than on Mills doing more than considering this effective new challenge McGovern has at last offered to Nixon.

MAJOR FEDERAL COLLEGE AID PROGRAMS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. VANIK. Mr. Speaker, during the past few weeks, my office has been deluged with calls and letters concerning the need for financial assistance for meeting the expenses of higher education. There has been a great deal of confusion as to the details and impact of the new 1972 Higher Education Amendments. Many families have found it very difficult to discover exactly what assistance is available to help meet their family's particular educational and training needs. It is my hope that the following information will provide valuable information to help clear up much of the existing confusion and assist in family education planning for the future.

The choice of a college or vocational school should not be based on cost alone but on career objectives. The future of this country and its productivity is dependent on the talent of our young people. A country that does not attempt to provide educational opportunity commensurate with talent or desire is doomed to die from within.

The information follows:

FOUR MAJOR FEDERAL EDUCATION AND TRAINING AID PROGRAMS PRESENTLY IN EFFECT

General information on Four Major Aid Programs:

(1) Eligibility for all student assistance programs is extended to half-time students.

(2) Accredited post-secondary vocational school and accredited public and private institutions are eligible for these programs.

(3) Students are required to sign affidavits stating that the funds will go for educational expenses.

Title 1: Direct loans (NDEA).

Eligibility: Based on need.

Assistance: Loans up to \$2,500 total may be made during the first two years—\$5,000 ceiling for four years. \$10,000 aggregate for graduate students (including undergraduate loans).

Notes: Payment of principal plus 3% interest begins within one year of completion of studies.

Title 2: College Work Study.

Eligibility: Schools select students who demonstrate need.

Assistance: School decides the type of job and rate of pay.

Title 3: Guaranteed Student Loan.

Eligibility: A Student whose family's adjusted gross income is below \$15,000; or a student with an adjusted gross income above \$15,000 who can establish need.

Assistance: Loan limits are \$500 per year, with total limits of \$7,500.

Notes: In March of 1973, new regulations may be issued on this program, raising the family income and loan limitation.

Title 4: Educational Opportunity Grants.

Eligibility: Enrolled students in good standing and in such need that they could not continue their education without such a grant.

Assistance: Maximum grant \$1,500, but no student could get more than \$4,000 during 4 years (or \$5,000 under special circumstances).

Notes: See your financial aid officer at your school.¹

Basic Educational Opportunity Grants

Such sums as may be necessary are authorized through fiscal year 1975 for a new program of basic educational opportunity grants for all students, not just those of exceptional need. Such grants cannot exceed 50 percent of the actual cost of attendance at an institution and cannot be more than \$1,400 per student per year minus the student's expected family contribution. Basic grants cannot exceed the difference between the family contribution and the actual cost of attendance at the institution. In the event appropriations are insufficient to meet full entitlement, then basic grants cannot exceed one-half the student's actual need, unless the appropriation amounts to 75 percent or more of full entitlement, in which case the grant cannot exceed 60 percent of the student's actual need. For less than full-time students, the basic educational opportunity grant is proportionately reduced.

MILITARY ASSISTANCE IN EDUCATION AND TRAINING

Title 1: Military academies: Army, Navy, Air Force.

Eligibility: Single males, 17 to 22, high school graduates, meeting various physical and qualifying test requirements.

Assistance: 4-year courses leading to B.S. with tuition, room, board, and salary supplied.

Notes: There is a 5-year service obligation. Although not military academies, the Coast Guard and Merchant Marine have similar institutions.

Title 2: Reserve Officers Training Corps: Army, Navy, Air Force, Marine.

Eligibility: Meet age, physical, and qualifying test requirements.

Eligibility: The student receives uniforms

and textbook allowance for military courses. In the third and fourth year, he also receives \$50 a month. A number of full scholarships are available especially for those interested in science.

Notes: During normal course of study student takes a number of military science courses during a 2-year or 4-year program, and attends 1 summer camp, and at graduation is commissioned a 2nd lieutenant or an ensign. Obligation is up to 6 years' service in Active and Reserve units.

Title 3: College-level education programs.

Eligibility: All military personnel on active duty.

Assistance: Most programs include full pay and allowances for college expenses.

Notes: Programs are usually based on requirements in the various specialties and personnel so educated acquire obligated service for the time spent in school.

Title 4: Career Training.

Eligibility: All military personnel on active duty.

Assistance: At both the officer and enlisted level, the serviceman receives career schooling or on-the-job training to assist him with career progression in his military specialty.

Notes: Much of this training is civilian convertible in various technical and professional occupational areas. The training includes courses ranging from the elementary to the college level.

Title 5: General education programs.

Eligibility: All military personnel on active duty.

Assistance: All the services have programs to provide voluntary educational opportunities to all personnel, regardless of their assignment, through which they may raise their educational level and their value to the service.

Notes: These opportunities extend from elementary school to graduate degree programs and include a wide variety of schooling: group study classes on the military station, courses offered by local high schools and accredited colleges on station and in the civilian community, service, and U.S. Armed Forces Institute correspondence courses, and correspondence courses offered by almost 50 universities and colleges through the institute. Services also make their correspondence courses available to personnel on inactive duty.

Title 6: Armed Forces tuition assistance.

Eligibility: All military personnel on active duty.

Assistance: The services offer up to 75% of tuition assistance for off-duty study.

Notes: Personnel may use this program to advance themselves in areas not necessarily tied to their military specialty. Obligation: 2 years' further service for officers, none for enlisted personnel.

The Air Force, Army and Navy will award 6,300 new ROTC scholarships for the 1973-74 college year on the basis of applications in the weeks just ahead. In all, 19,000 students will receive financial aid, including renewals.

ROTC scholarships. The successful applicants will have their tuition, fees and costs of books paid to participating R.O.T.C. colleges they attend, and will receive \$100 a month toward room and board. At an expensive university, a scholarship could be worth up to \$16,000, over the four years to graduation.

Highlights on scholarships, by branch of service:

Army: About 2,200 new scholarships, including some for two and three years. Deadline for applications, December 31, 1972. Information and forms from Army ROTC on campus or from Army ROTC, Fort Monroe, Virginia, 23351.

Air Force: 2,100 new scholarships, including some for two and three years. Applications deadline, November 15, 1972. Informa-

tion from campus professor of aerospace studies or Air Force ROTC, Maxwell Air Force Base, Alabama, 23112.

Navy: Approximately 2,000 new scholarships. Deadline for applications, November 1, 1972. Information and forms available from NROTC, Navy Recruiting Command, Department of the Navy, Washington, D.C., 20370.

In return, a student who accepts this scholarship assistance pledges to serve four years of active duty as an officer after graduation—longer if he enters flight training with the Air Force, Navy, or Marines.

MAJOR NON-FEDERAL UNDERGRADUATE SCHOLARSHIPS AND LOANS

Title: National Merit Scholarships.

Eligibility: Any high school student can be eligible by taking the NMSQT (National Merit Scholarship Qualifying Test) in March of his junior year.

Assistance: Merit Scholars receive stipends ranging from an honorary \$100 to a maximum \$1500 per year—after a student qualifies, the degree of need determines the stipend.

Notes: For further information contact: National Merit Corporation, 990 Grove Street, Evanston, Illinois 60201.

Title: National Honor Society Scholarships.

Eligibility: A student must be a member of the NHS in his school and must be selected as a semi-finalist on the basis of scores on the Preliminary Scholastic Aptitude Test.

Assistance: National Honor Society Scholarships range in value from \$500 to \$6000.

Notes: For further information contact high school counselor.

Title: United Student Aid Funds.

Eligibility: Undergraduates may borrow up to a maximum of \$1000 per year—total amount of loans for one student may not exceed \$6000.

Assistance: Student must have completed his freshman year, have need, be enrolled in one of 900 colleges—parent or guardian must approve application if the student is under 21.

Notes: For further information contact: United Student Aid Funds, 5259 North Tacoma Avenue, Indianapolis, Indiana 46220.

SILVER ANNIVERSARY CELEBRATION

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mrs. HECKLER of Massachusetts. Mr. Speaker, the Arnold Greene Testing Laboratories, Inc., headquartered in Natick, Mass. with branches in Springfield, Everett, and Auburn, Mass., Warwick, R.I., and Puerto Rico, is one of the Nation's leading, independent, general testing companies for industry, as well as an active member of the American Council of Independent Laboratories.

It is currently celebrating a silver anniversary in the Commonwealth of Massachusetts with a year-long program and also recently received a "Faith in Massachusetts" Award from the Massachusetts Department of Commerce and Development.

In an era when the role of independent testing laboratories is so vital to consumers, the public interest and environmental betterment, I am very pleased to insert the text of a letter to Mr. Arnold Greene of Newton, Mass., president and

¹ In September of 1973 the new Basic Educational Opportunity Grants program is expected to be in effect. The following is a description of the newly-defined program that is not yet in effect but may be in effect in September 1973:

founder of the firm, from Gov. Francis W. Sargent of Massachusetts, who very adequately expresses my own feelings.

THE COMMONWEALTH OF MASSACHUSETTS,
Boston, May 25, 1972.

ARNOLD GREENE,
President, The Arnold Greene Testing Laboratories, Inc., Natick, Mass.

DEAR MR. GREENE: I am pleased to convey the congratulations of the Commonwealth, as well as my own, upon the occasion of the Open House on May 25, which highlights the Silver Anniversary Celebration of the Arnold Greene Testing Laboratories, Inc.

In sending my best wishes to those present for the events, I would particularly like to call attention to your important role in establishing the highest standards of practice for laboratories in New England. I am also most grateful for your confidence in the economy of Massachusetts, as reflected in your expansion in Springfield, Everett and Auburn.

Sincerely,

FRANCIS W. SARGENT,
Governor.

COMPTROLLER GENERAL FINDS THAT CONTINUED SHIPMENT OF DES PREMIXES IS ILLEGAL

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. FOUNTAIN. Mr. Speaker, I have just received an opinion from the Comptroller General of the United States holding that the Commissioner of the Food and Drug Administration has acted without legal authority and contrary to the law in permitting a "phaseout" period for existing stocks of DES premixes used in livestock feeds.

On July 31, 1972, FDA issued an order withdrawing approval of the new animal drug applications of DES liquid and dry premixes for use in the feed of cattle and sheep. This order became effective on August 4, 1972, the date of its publication in the Federal Register. The order required the immediate cessation of the manufacture of DES premixes, but permitted the continued shipment and use of existing stocks of the premixes until January 1, 1973.

During the past year and a half, the Intergovernmental Relations Subcommittee of the Committee on Government Operations has thoroughly reviewed FDA's regulation of the new animal drug diethylstilbestrol—DES. This drug has been widely used as a growth stimulant in animal food production. It is a powerful synthetic estrogenic hormone which, unfortunately, is also an extremely potent cancer-promoting substance.

Despite new and more stringent controls instituted by FDA and USDA at the beginning of this year to prevent DES residues in edible animal tissue, such residues are being found in the livers of almost 2.5 percent of all cattle and sheep marketed.

The so-called Delaney Clause in the New Animal Drug Amendments of 1968 requires the banning of any new animal drug which is carcinogenic if drug residues are found in edible animal tissue.

A I reviewed the requirements of the Federal Food, Drug, and Cosmetic Act and the intent of Congress, it appeared clear to me that the DES premixes, and the animal feeds containing them, had become adulterated within the meaning of the law and, therefore, could not be shipped in interstate commerce as of the effective date of FDA's order withdrawing approval of the new animal drug applications for those premixes.

In addressing the House on August 7, 1972, I questioned the authority and discretion of the Commissioner to allow continued interstate shipment and use of animal drugs after approval of their new drug applications had been revoked. Subsequently, on August 15, 1972, the subcommittee which I chair held a public hearing on this matter.

In opening that hearing, I stated:

As I understand it, the DES premixes are new animal drugs and until this month were covered by approved animal new drug applications, as required by law. They were legally on the market. But their status was completely changed with the publication of the July 31, 1972, order withdrawing the approval of these N.A.D.A.'s. It would appear that the premixes were converted by this order from legal new animal drugs to new animal drugs which must now be deemed to be unsafe and adulterated within the meaning of Section 501(a), (5).

We will explore this more fully in questioning. If they are indeed adulterated in this way, it would further appear that their continued shipment in interstate commerce is expressly prohibited by Section 301(a), which makes it a punishable crime, and under some circumstances a felonious crime, to ship an adulterated drug in interstate commerce.

I know of no circumstances under which the Secretary may set this prohibition aside for an adulterated new animal drug which is deemed to be unsafe, as the DES premixes now appear to be. If such authority exists under the Food, Drug and Cosmetic Act or elsewhere, I haven't been able to find it. I must, therefore, question FDA's legal authority for authorizing continued shipments of DES liquid and dry premixes.

At the hearing FDA witnesses contended that the agency's action allowing the continued shipment of DES premixes was legal, but no supporting legal documentation was provided. In view of this situation, I requested the Comptroller General to rule on the legality of the "phase-out" period for DES premixes permitted by the FDA order. The Comptroller General's opinion of September 11, 1972, fully supports my own conclusion that the FDA Commissioner has acted illegally.

I call the attention of my colleagues particularly to the Comptroller General's conclusion that the FDA Commissioner lacks authority for granting a "phase-out" period intended to permit the continued shipment and use of DES premixes until January 1, 1973. The Comptroller General states that:

In the absence of approved new animal drug applications for DES premixes, such new animal drugs, and feeds containing them, are adulterated drugs; foods containing such drugs are adulterated foods; and all of the products are covered by the prohibitions, sanctions and remedies set forth in sections 301 through 304.

The Comptroller General continues:

We believe it is equally manifest that the Commissioner has no legal authority to vitiate or modify the operation of these statutory provisions. The Commissioner's authority and discretion under section 512(e) (1) (B) is limited to the determination of whether or not a condition for withdrawal of approval specified therein is presented. If it is, the Commissioner "shall . . . issue an order withdrawing approval . . ." There is nothing in section 512, or in any other provision of the Act, expressly or implicitly authorizing the Commissioner to withdraw approval for some purposes but not for others; or to delimit which legal consequences of withdrawal shall take effect. On the contrary, the legal consequences of withdrawal specifically set forth in sections 512(a), 501 and 402 of the Act arise by operation of law. Thus the Commissioner has no function or authority, discretionary or otherwise, with respect to these effects.

To summarize—the Comptroller General, in responding to three specific questions I raised, concluded that:

First. The existing stocks of DES premixes are now deemed to be unsafe new animal drugs and therefore adulterated within the meaning of the act.

Second. Shipment of existing stocks would violate the prohibitions in chapter III of the Federal Food, Drug, and Cosmetic Act against the interstate shipment of an adulterated drug and against the use of any substance which would cause adulteration of a food or drug after it had been received in interstate commerce and while held for sale.

Third. FDA withdrawal of approval of a new drug application may not be partial so as to prohibit further manufacture of the drug while permitting its continued shipment and use.

The FDA Commissioner has explained his decision to allow a "phase-out" period for DES premixes by stating that:

Because there is no evidence of a public health hazard, there is no justification for an abrupt disruption of the nation's meat supply.

The Comptroller General rightly disposes of this reasoning on two grounds:

The existence of a public health hazard is not a necessary prerequisite to withdrawal of approval under section 512(e) (1) (B) . . . and the practical consequences cited by the Commissioner, whether real or not, are, simply, immaterial under the statutory provisions governing withdrawals of approval and their legal effects.

While the health issue is in fact "immaterial" in this legal context, I want to caution my colleagues against the argument that there is no proof that the very small residues of DES found in livers have harmed humans. This is not a very reassuring statement. It is virtually impossible to prove in the time period DES has been used in livestock feed that small amounts of any carcinogen, no matter how potent, have harmed humans, because cancers in many may not become apparent until considerably more than a decade after exposure has taken place. Moreover, there is no available scientific method for demonstrating that a very widely used carcinogen, such as DES in livestock feed, is or is not the causative agent for any form of cancer which develops in humans.

What we do know is that DES, which has long been known to cause cancer in

numerous species of experimental animals, was associated for the first time last year with human cancer. Medical scientists found that a very rare type of vaginal cancer had developed in a large number of young women whose mothers had been given DES during pregnancy in the 1950's to prevent miscarriage.

It is important to point out that leading experts in the causation of cancer agree that exposure to low levels of any carcinogen should not be permitted if the carcinogen is avoidable, since no one can say how much of a carcinogen or how long an exposure to it will produce cancer.

Mr. Speaker, this is not the first time that the FDA Commissioner has disregarded the law and the intent of Congress under the guise of "administrative discretion." Only last month, Judge William B. Bryant of the U.S. District Court for the District of Columbia—in American Public Health Association and National Council of Senior Citizens against Acting Secretary of HEW and Commissioner of FDA—criticized FDA for contravening the efficacy requirements of the Federal Food, Drug and Cosmetic Act. Judge Bryant said:

When, as is the case here, the Congress has shown an awareness of a problem and has acted accordingly, it seems inappropriate for an agency to adopt procedures which extend the grace period far beyond that envisioned by the statute, and which effectively stay implementation of the Congressional mandate that drugs in the marketplace be both safe and effective.

Legislation is now pending before the Congress to provide an immediate ban on the use of DES in animal feed. I think it is a distortion of the legislative process for Congress to have to spend its time considering special bills which purport to force a regulatory agency to take an action already required of it under existing law. Congress, in my judgment, should use its powers for securing bureaucratic responsibility in the enforcement of the laws so that remedial legislation will not be required on a case-by-case basis. I have transmitted the Comptroller General's opinion to the FDA Commissioner and to the Secretary of Health, Education, and Welfare for their information, and for appropriate action.

The full text of the Comptroller General's opinion follows:

COMPTROLLER GENERAL,
Washington, D.C., September 11, 1972.
HON. L. H. FOUNTAIN,
Chairman, Intergovernmental Relations Subcommittee, Committee on Government Operations, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your letter of August 16, 1972, which reads, in part, as follows:

"The Federal Register of [August 4, 1972], contains an order of the Food and Drug Commissioner withdrawing approval of the New Animal Drug Applications of a number of premixes containing diethylstilbestrol (DES), which is a cancer-promoting drug. The other became effective on the date of its publication, but the Food and Drug Administration is permitting continued shipment and use of the premixes until January 1, 1973.

"I would appreciate an analysis of the effect of the order on the legal status of the premixes and your opinion as to whether existing stocks of these premixes are now

deemed to be unsafe new animal drugs under 21 U.S.C. 360b, and, therefore, adulterated within the meaning of Section 351 (a) (5).

"I would also appreciate your opinion as to whether shipment of the existing stocks would violate 21 U.S.C. 331(a); and whether their use in feed would result in the adulteration of the feed within the meaning of 21 U.S.C. 351(a) (6); and whether such use in feed violates 21 U.S.C. 331(b) or (k)?

"Finally, I would appreciate your legal opinion as to whether the withdrawal of approval of an application may be partial so as to prohibit further manufacture of the drug while permitting its continued shipment and use."

The instant matter arises under the Federal Food, Drug, and Cosmetic Act (hereafter "the Act"), approved June 25, 1938, ch. 675, 52 Stat. 1040, as amended, 21 U.S.C. 301 *et seq.* The administration of the Act is vested generally in the Commissioner of Food and Drugs (hereafter "the Commissioner"). See 21 CFR § 2.120. There appears to be no question but that the premixes involved in the Commissioner's order of July 31, 1972, and published in the Federal Register on August 4, 1972, 37 F.R. 15747, are "new animal drugs" within the application of the Act. See section 201(w), as amended, 21 U.S.C. 321(w); see also S. Rept. No. 1308, 90th Cong., 2d sess., page 3. It also seems to be unquestioned that DES is a cancer-causing, or carcinogenic, drug.

Under section 512 of the Act, as amended, 21 U.S.C. 360b, new animal drugs must be cleared prior to marketing by the filing of a "new animal drug application" with the Commissioner pursuant to subsection (b), and the approval of the application in accordance with subsection (c). Subsection 512(d) specifically provides several grounds upon which the Commissioner shall refuse to approve a new animal drug application. Among these provisions is subsection 512(d) (1) (H)—the so-called "Delaney Amendment"—which requires disapproval if—

"such drug induces cancer when ingested by man or animal or, after tests which are appropriate for the evaluation of the safety of such drug, induces cancer in man or animal, except that the foregoing provisions of this subparagraph shall not apply with respect to such drug if the Secretary [Commissioner] finds that, under the conditions of use specified in proposed labeling and reasonably certain to be followed in practice (1) such drug will not adversely affect the animals for which it is intended, and (2) no residue of such drug will be found (by methods of examination prescribed or approved by the Secretary by regulations, which regulations shall not be subject to subsections (c), (d), and (h)), in any edible portion of such animals after slaughter or in any food yielded by or delivered from the living animals * * *."

Section 512(e) of the Act provides for the subsequent withdrawal of approval for new animal drug applications; and reads, in part, as follows:

"(1) The Secretary [Commissioner] shall, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application filed pursuant to subsection (b) with respect to any new animal drug if the Secretary finds—

"(B) that new evidence not contained in such application or not available to the Secretary until after such application was approved, or tests by new methods, or tests by methods not deemed reasonably applicable when such application was approved, evaluated together with the evidence available to the Secretary when the application was approved, shows that such drug is not shown to be safe for use under the conditions of use upon the basis of which the application was approved or that subparagraph (H) of paragraph (1) of subsection

(d) [the Delaney Amendment] applies to such drug * * *."

The administrative action culminating in the order of July 31 was initiated with the publication on March 11, 1972, of a notice of opportunity for a hearing announcing that the Commissioner proposed to withdraw approval of new animal drug applications for DES liquid premixes used in the manufacture of feeds for cattle and sheep. 37 F.R. 5264. On June 21, 1972, a similar notice and announcement was published with respect to DES liquid and dry premixes and DES implants for cattle and sheep. 37 F.R. 12251. Objections and requests for a public hearing were submitted by a number of holders of the applications affected. However, a hearing was denied as to the liquid and dry premixes on the basis that "the objections fail to demonstrate the existence of a genuine and substantial issue of fact * * *." Discussion and order, *infra*, 37 F.R. 15749.

The Commissioner's actual order of July 31, 1972, 37 F.R. at page 15750, is as follows:

"* * * [P]ursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (Sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), the requests for evidentiary hearings with respect to the above-listed new animal drug applications for DES liquid and dry premixes for cattle and sheep are denied and approval of the applications, including all amendments and supplements thereto, is hereby withdrawn. Manufacturing of such premixes shall stop immediately, and feeding of existing supplies of such premixes shall stop as soon as existing supplies are exhausted but in any event no later than January 1, 1973. The Commissioner defers a ruling on withdrawal of the above listed new animal drug applications for DES implants for cattle and sheep. This order shall be effective on its date of publication in the Federal Register (8-4-72)."

The discussion of this order at pages 15748-9 reads, in part, as follows:

"The effectiveness of DES as a growth promutant has not been and is not questioned. Until Friday, July 28, 1972, the Commissioner was unaware of the existence of any data indicating that use under the conditions contained in the approved label would result in detectable residues of DES in the edible portion of animals. Prior studies, using the most sensitive research tools available, showed no detectable residues in the animal liver after 48 hours and even in inedible waste after 132 hours. On December 8, 1971 (36 F.R. 23292), the withdrawal period was extended from 48 hours to 7 days as a prudent precautionary measure to provide an extra margin of safety.

"On Friday, July 28, 1972, the Commissioner was informed of the results of a research study undertaken by the U.S. Department of Agriculture in which it was found, using radioactive-tagged DES in six steers, that detectable residues occurred in the liver from a single 10 mg. oral dose of DES after withdrawal for 3, 5, and even 7 days. * * *

"From earlier data, it was thought that the half-life of DES in the animal was 12 hours. The new data show that, after 3 days, the elimination rate appears to decrease substantially. Because the experiment has not been carried out for longer than 7 days, it is impossible at this time to determine the rate of residue elimination beyond this period. It is hypothesized that, after 30 days withdrawal, the residue would be reduced to the practical equivalent of zero. There are, however, no data available to substantiate this hypothesis. The law requires that the holder of a new animal drug application submit all data necessary to show that it is possible to use the drug without any residue remaining in the edible portions of the ani-

mal. In the absence of such data, the new animal drug application must be withdrawn.

"Even if data were available to demonstrate a suitable withdrawal period, it is now questionable whether a sufficiently precise regulatory surveillance method is available to permit continued approval of the drug in animal feed. In view of the new USDA study, it now appears that the test results thought possibly to be false positives may indeed have been true positives. The Commissioner is unaware of any data which could reasonably be interpreted to show that a 30-day feed withdrawal period, which in any event can only be hypothesized as a suitable withdrawal period, would be reasonably certain to be followed in practice. Even if a 30-day withdrawal period were ordered, no regulatory surveillance method now available would be sufficiently sensitive to detect violations of this requirement. The imposition of new and more stringent restrictions on the use of DES in feed, such as an increased withdrawal period, measures to avoid cross-contamination, and similar requirements, is therefore no longer a controlling factor in view of the new USDA study showing that even proper use of the drug under existing restrictions may result in violative residues."

It was also noted that the results of the USDA study were considered equally applicable to sheep, but not necessarily applicable where DES was introduced into cattle and sheep by the use of implants. The discussion as to withdrawal of approval for the new animal drug applications concluded at page 15749 as follows:

"This action is required under the strict terms of sections 512(d)(1)(H) and 512(e)(1)(B) of the act. These provisions, which contain the so-called Delaney Clause, require that there be no detectable residue. The new USDA study clearly shows residues at levels that are in the range of current detection methodology; new detection methodology is being developed that would be significantly more sensitive. Thus, under the law there is no alternative but to withdraw approval of the drug, even though there is no known public health hazard resulting from its use."

"It should be emphasized that the Commissioner has no reason to believe that use of DES in animal feed represents a public health hazard. No human harm has been demonstrated in over 17 years of use. Under the law, however, this continued use of the drug may no longer be permitted."

"The Commissioner has concluded that withdrawal of approval of the new animal drug applications for the DES liquid and dry premixes should be effective immediately. This means that these premixes may not be manufactured effective as of the date of publication of this order in the Federal Register."

The Commissioner's approach of "phasing out" the effects of his order withdrawing approval was explained at page 15748 as follows:

"This matter is a regulatory, not a public health, problem. The animal feeding industry, the pharmaceutical industry, and the U.S. Department of Agriculture have been unable to come forward with restrictions and controls on the use of DES in animal feed that are reasonably certain to be followed in practice and that will result in the absence of detectable residues in the edible portions of the animals. Accordingly, the law requires that use of the drug must be discontinued."

"Because there is no evidence of a public health hazard, however, there is no justification for an abrupt disruption of the production of the nation's meat supply. An immediate ban on use of DES in feed could result in an unwarranted public concern and an unjustified increase in meat prices. It is estimated that there is about a 4-months supply of DES liquid and dry premixes already manufactured and at various stages in the chain of distribution. Accordingly, the Com-

missioner had determined that the manufacture of liquid and dry premixes will be discontinued effective immediately. Feeding of DES will be discontinued as soon as existing supplies are used up, but no later than January 1, 1973. This will permit both an orderly phaseout of the use of the drug in animal feed and an opportunity for the animal feeding industry to switch to DES implants and other implants have been shown to be approximately as effective for growth-promoting purposes as DES in feed."

The above-quoted portions of the order and discussion of July 31 demonstrate that the Commissioner's actual withdrawal of approval for the DES liquid and dry premix new animal drug applications was unequivocal and unconditional. In fact, the Commissioner apparently considered that, under the circumstances discussed, such withdrawal was mandated by section 512(e) of the Act. What the Commissioner's disposition purports to condition by the "phaseout" approach is the legal effect of his withdrawal of approval. Accordingly, for purposes of responding to the questions presented in your letter, we treat the Commissioner's action as a withdrawal of approval under section 512(e), and address only its "phaseout" aspect. In view of this, we express no opinion concerning the substantive and procedural validity of the withdrawal itself.

Section 512(a)(1)(A) of the Act, as amended, 21 U.S.C. 360b(a)(1)(A), provides:

"A new animal drug shall, with respect to any particular use or intended use of such drug, be deemed unsafe for the purposes of section 501(a)(5) and section 402(a)(2)(D) unless—

"There is in effect an approval of an application filed pursuant to subsection (b) of this section with respect to such use or intended use of such drug * * *."

Section 501(a)(5), as amended, 21 U.S.C. 351(a)(5), provides the "[a] drug or device shall be deemed to be adulterated * * * if it is a new animal drug which is unsafe within the meaning of section 512 * * *." Section 402(a)(2)(D), as amended, 21 U.S.C. 342(a)(2)(D), provides that "[a] food shall be deemed to be adulterated * * * if it is, or it bears or contains, a new animal drug (or conversion product thereof) which is unsafe within the meaning of section 512 * * *."

Animal feeds are generally treated separately under the Act, see section 201(x) of the Act, as amended, 21 U.S.C. 321(x), and are subject to premarketing clearance procedures as set forth in section 512(m), as amended, 21 U.S.C. 360b(m). However, if an animal feed bears or contains a new animal drug for which an approved new animal drug application is not in effect, the feed is "unsafe" under section 512(a)(2)(A), as amended, 21 U.S.C. 360b(a)(2)(A), and is itself an "adulterated drug or device" under section 501(a)(6), as amended, 21 U.S.C. 351(a)(6).

Section 301 of the Act, as amended, 21 U.S.C. 331, prohibits, *inter alia*, the following acts and the causing thereof:

The introduction or delivery for introduction into interstate commerce of any adulterated food, drug or device [subsection (a)];

The adulteration of any food, drug or device in interstate commerce [subsection (b)];

The receipt in interstate commerce of any adulterated food, drug or device, and the delivery or proffered delivery thereof for pay or otherwise [subsection (c)];

The manufacture within any Territory of any adulterated food, drug or device [subsection (g)].

Violations of section 301 are subject to civil injunctive remedies under section 302, as amended, 21 U.S.C. 332, and to criminal penalties under section 303, as amended, 21 U.S.C. 333. In addition, section 304, as amended, 21 U.S.C. 334, makes adulterated

foods, drugs and devices liable to seizure and condemnation under the conditions set forth therein.

Sections 301 through 304, 402, 501, and 512(a) of the Act constitute a comprehensive and precise statutory system for the treatment of new animal drugs not having in effect approved new animal drug applications. The operation of this statutory system is, in our judgment, manifest: such new animal drugs, and feeds containing them, are adulterated drugs; foods containing such drugs are adulterated foods; and all of these products are covered by the prohibitions, sanctions and remedies set forth in sections 301 through 304.

We believe it is equally manifest that the Commissioner has no legal authority to vitiate or modify the operation of these statutory provisions. The Commissioner's authority and discretion under section 512(e)(1)(B) is limited to the determination of whether or not a condition for withdrawal of approval specified therein is presented. If it is, the Commissioner "shall * * * issue an order withdrawing approval * * *." There is nothing in section 512, or in any other provision of the Act, expressly or implicitly authorizing the Commissioner to withdraw approval for some purposes but not for others; or to delimit which legal consequences of withdrawal shall take effect; or to specify when and how such legal consequences shall take effect. On the contrary, the legal consequences of withdrawal specifically set forth in sections 512(a), 501 and 402 of the Act arise by operation of law. Thus the Commissioner has no function or authority, discretionary or otherwise, with respect to these effects.

We have no reason to question the Commissioner's sincerity in minimizing the significance of the DES problem from a health standpoint; and in seeking to ameliorate the practical difficulties which he apparently foresees as a result of withdrawal. However, the existence of a public health hazard is not a necessary prerequisite to withdrawal of approval under section 512(e)(1)(B) or to the operation of the legal consequences arising therefrom. Compare the last paragraph of section 512(e)(1), which does provide for suspension of approval and special procedures in cases of imminent hazard to the health of man or animals. Moreover, the practical consequences cited by the Commissioner, whether real or not, are simply, immaterial under the statutory provisions governing withdrawals of approval and their legal effects.

For the reasons stated herein, it is our opinion that your first two questions must be answered in the affirmative and your last question in the negative.

Sincerely yours,

R. F. KELLER,
Acting Comptroller General of the
United States.

CARDINAL O'BOYLE APPEALS FOR AGRICULTURAL LABOR LEGISLATION

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. VEYSEY. Mr. Speaker, 2 days ago one of our colleagues reprinted the Labor Day statement of His Eminence, Patrick Cardinal O'Boyle, endorsing the lettuce boycott.

In speaking of the 2,500,000 migrant agricultural workers, Cardinal O'Boyle stated:

These workers, mainly Mexican-Americans, Filipinos, and migrant blacks, are truly the forgotten people of the United States. They are not covered—indeed they have been deliberately excluded from coverage—under most of the social legislation enacted during the past 40-odd years. Their wages and working conditions are pitifully below standard, and their housing, by and large, is totally inadequate. Moreover, until very recently, they have not been able to organize into a union of their own choosing.

I join the Cardinal in calling for these workers to have the right to organize into a union of their own choosing. There are at least 12 bills that have been introduced to accomplish precisely this purpose. All are now just languishing in the Farm Labor Subcommittee, which is chaired by the Member who reprinted Cardinal O'Boyle's statement.

What irony. If our colleague truly shares His Eminence's concern for agricultural workers, what better way to manifest that concern than by bringing one of these bills to the floor for a vote.

Let those who pick the crops pick their own unions.

THE TRUE ISSUE OF 1972 IS VIETNAM

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. DRINAN. Mr. Speaker, the New York Times' superb columnist, Tom Wicker, has written an article published September 12 entitled, "The True Issue of 1972 is Vietnam."

In this eloquent analysis Mr. Wicker states:

The American people do not seem to realize that their air power is carrying out one of the most terrible mass exterminations in history, not only in the North but in the South Vietnam that it is supposed to be defending and over which the squalid Thieu has been given such dictatorial sway.

The text of this moving statement follows:

THE TRUE ISSUE OF 1972 IS VIETNAM (By Tom Wicker)

President Nixon has taken American ground combat troops out of the war and therefore American casualties are down, but American war prisoners are nowhere near freedom, Vietnamization has never looked more dubious, the Thieu regime has never seemed a less attractive ally, and neither lethal bombing nor mining of its harbors has ended North Vietnam's ability to carry on and perhaps intensify the war.

Even Congress continues to pick at Nixon's Vietnam policy, despite his success in fending off end-the-war legislation. In supporting the biggest defense bill (\$74.6 billion) since World War II, for instance, the House nevertheless cut \$450 million from the \$2.8 billion Nixon had requested for increased military operations. These cuts included trimming from 252 to 180 the number of helicopters to be sent to South Vietnam just one day after 70 of those they already have were destroyed or damaged at Bien Hoa, in the worst aircraft loss of the war.

Those with long memories will recall that it was the South Vietnamese army's inability

to protect air bases that first brought American air power directly into the war; in February 1965 infiltrators blew up a number of American aircraft at Pleiku, and President Johnson sent the bombers north in retaliation. More than seven years later, the South Vietnamese still can't protect their aircraft which is one eloquent comment on the "success" of Vietnamization.

Another is the continuing display of North Vietnamese and Viet Cong military enterprise in South Vietnam despite the incredible weight of American bombing in North and South, and despite the mining of Hanoi's ports. American officers now are claiming that the North Vietnamese threat to Hue has been ended, but in the last week Saigon lost an important base camp in the central highlands and suffered setbacks at Tien Phuoc 35 miles south of the important city of Da Nang.

Together with vigorous North Vietnamese and Viet Cong activity in the Mekong Delta, all this suggests that neither Vietnamization nor Nixon's air power and mines have tipped the balance of fighting in favor of Saigon; indeed, without American planes and pilots, the Communist spring offensive might well have been a knockout punch.

Politically, the new Viet Cong peace proposal—"for a provisional government of national concord that shall be dominated by neither side"—may be pronounced by American analysts to be the same old stuff clad in new rhetoric. On paper, however, it appears fair enough and is so stated that it may prove hard for Nixon to ignore.

This is particularly so since the proposal appears to demand something less than what Nixon calls "the overthrow of the Saigon government." It would specifically permit participation by members of that government, excluding only President Thieu himself—and the evidence is mounting that this exclusion is a splendid idea.

Having already wrested from the Senate the right to govern by decree in the economy and finance, having intimidated and virtually silenced the opposition press by Draconian publication rules, having—since the spring offensive began—thrown into prison literally thousands of Vietnamese on nothing more than suspicion, Thieu has now abolished popular Democratic election of officials in his country's 10,775 hamlets.

These moves make it clear that as Americans have been withdrawn from Vietnam, while Nixon's commitment to the Thieu regime has been continued and perhaps solidified, Thieu himself has seized the opportunity to concentrate all power in his own hands. So much for all the talk by the Nixon administration and its predecessors about democracy and self-determination in South Vietnam.

To its credit, the Nixon administration has protested against attacks by Thieu's controlled radio and television network (financed by American money) on George McGovern as a "mad dog" and "mentally ill." The question is whether the nation that finances South Vietnam, and guarantees its existence with the most destructive air assault in history, has the power left even to stop this presumptuous behavior.

Sad to say, none of this seems to be costing Nixon any votes at home. The American people do not seem to realize that their air power is carrying out one of the most terrible mass exterminations in history, not only in the North but in the South Vietnam that it is supposed to be defending and over which the squalid Thieu has been given such dictatorial sway.

That is the message George McGovern ought to be carrying day by day and state by state to the American people. That is the theme that brought him the Democratic presidential nomination, and if it is not the true issue of 1972, then there is no issue.

POSTAL WORKERS DISENCHANTED WITH NEW POSTAL SERVICE

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. ALEXANDER. Mr. Speaker, unfortunately my daily mail more often than not seems to contain a letter complaining about the mail service itself. Mrs. Mae Bock Porter's letter which I wish to share with you today is typical of those I have been receiving. All express the frustrations of the slowness of the delivery of the mail, especially in smaller communities. The letter from Mrs. Porter included an article from the Memphis Commercial Appeal which was a bit untypical. The complaints and criticism aired in this article are not from the recipients of the mail, but from the postal workers themselves.

Here is that article along with excerpts from Mrs. Porter's correspondence:

WEST HELENA, ARK., August 26, 1972.

DEAR SIR: The U.S. Government mail worries me. I have two papers sent to me from Stuttgart, Ark. on Hiway 79 and they are from two to three days getting here. I am sure my mail is not the only one that is delayed. I am sure the holdup is in Memphis some place. I am enclosing a clipping from a Memphis paper. Why was this not ironed out before they offered so many their retirement? People like me are the loser.

Today, Saturday—I did not receive my Friday paper and won't until Monday or Tuesday. By that time the flies will be in them. I could walk to 79 and on to Stuttgart and back by that time and I am 70 years old.

If you ask me, which you did not—nor the P.O. Department, did not either, too many have been cut off. Too many routes have been combined. But still they raise our postage rates. It's not the fault of the service in Helena nor Stuttgart either.

The mail going from Helena to 79, namely town of Roe, is not much better. Last week a letter was mailed to me from Helena on Monday and I got the letter Thursday morning at Roe Post Office. It was not the fault of either Post Office. There was no other stamped (P.O.) on the letter saying that it had been missed.

Thanking you in advance for any help you can give us on the mail matter and I did not intend for this to be as thick as Sear's catalog.

Your friend,

Mrs. MAE PORTER.

SERVICE SUFFERS WITH NEW POSTAL "STEPSONS"

(By Michael Lollar)

When the United States Postal Service was born last year, it adopted more than 750,000 men and women with the intention of turning them into an increasingly efficient self-supporting mail delivery machine.

A year has elapsed in the transformation and the results do not appear startling.

The mails do not move noticeably faster than last year, postal rates are climbing and a substantial number of the adopted postal workers feel "like a bunch of red-headed stepchildren," as one disenchanted clerk puts it.

A representative of the Postal Service's Southern Region admits, "We haven't been any great shakes this year, but we're on the road to improvement, especially over the old system."

Employee complaints are to be expected during any massive reorganization. In the Southern Region there are about 121,000 employees, many of whom echo similar complaints, including loss of morale, loss of working hours and ineffective union representation.

"I think it's a matter of wonderment in a way," says Memphis Postmaster James C. Curtis. "There may be a loss of morale in some areas, but, in any case, a reorganization will cause some people to wonder what's going to happen to them."

Many of the postal employees, particularly in small towns, have already found out. Their hours have been cut, even forcing them into retirement in some cases. Reductions nationwide have cut the force about 20,000.

"I had no choice but to get out," says one woman, slightly past middle age in a small Northern Mississippi town.

"I worked as a clerk for the old Post Office for more than 30 years. Then, these new people came in. They came down here and cut me from eight hours to four hours on Saturday. I had to quit. I liked my job, but I'm making \$14 a month more retired than I could make working."

A high source in the American Postal Workers Union says, "It's like the new postal service has used a meat ax on its little people. It's really hurting them. Hourly workers are losing big chunks of salary and morale is going down everywhere."

It was never this bad under the old setup," claims a clerk at the Airport Mail Facility (AMF). They won't replace people when they retire, and they won't give us enough overtime to sort the mail."

At least three AMF workers claim that since the postal reorganization an eight-cent stamp will move a letter just as fast as an 11-cent airmail stamp.

Mr. Curtis claims Memphis area mail service has not been much affected by the reorganization. "We try to assure next-day delivery of local mail within a radius of 150 miles and of local airmail within a radius of 600 miles." He says the Post Office meets the deadline at least 95 per cent of the time.

"That's nice to say," says one AMF worker. "But, a lot of times we have stacks of airmail lying around for eight hours before it's even sorted. I've seen mail miss three flights in a row because we didn't have enough people to sort it. That kind of a thing means a 24-hour delay before an airmail letter ever gets off the ground."

However, T. D. Tittle, superintendent of the AMF, says the only times mail is allowed to miss a flight is when "it can be put on another flight and still be delivered the next morning. Say there are flights at 8 p.m. and 10 p.m. A batch of mail misses the 8 p.m. flight. Well, so what? It goes on the 10 p.m. flight, and is sorted and delivered in another city the next day."

The management personnel of the Postal Service make no attempt to disguise their almost strictly business attitude in the matter.

Officials in the Memphis headquarters of the Southern Region say cutbacks in employee hours are part of a nationwide postal economy drive begun March 29. On that day, United States Postmaster General E. T. Klassen announced a "temporary hiring freeze" which forbids the hiring of new employees except to fill "critical" positions.

"Personnel costs make up about 85 per cent of the region's budget," says Gustave Saul, a communications and public relations employee in the regional headquarters.

"Mainly by cutting down on our personnel, the Southern Region has planned a budget that projects a regional savings of about 100 million dollars next year. The savings would be our contribution to the nationwide goal, which is to save enough money to be able to

avoid postal rate increases amounting to 450 million dollars next year."

"I think in the long run this is just good business," says Mr. Curtis, who is district manager of the 261 post offices scattered across West Tennessee, Northern Mississippi and Eastern Arkansas.

Mr. Curtis says he must give his approval to any cutbacks in his district, adding, "I have to live within a budget provided by the region. And, let's face it: Right now, we're just spending people's money unnecessarily."

He said his budget during the last fiscal year under the old Post Office system was 52 million dollars. His budget for the new Postal Service's 1973 fiscal year is 55 million dollars.

He says he has no specific figures to show how many employees have been cut back. But the small town employees are most affected, because "In some of those areas post offices are no more than two miles apart. That's a holdover from the old days. Today, we just don't need that many people in rural or small-town areas."

Of those employees, the hourly workers will be hardest hit. Called "substitutes" or "part-time flexibles," the hourly workers make up about 10 per cent of the region's work force (about 12,000 employees), Mr. Curtis says.

Some job classifications have more substitute workers than others. For instance, Mr. Saul says there are about 49,000 clerks in this region, about 30 per cent substitutes.

The postal employment freeze does not specifically allow the Post Office to fire regular employees, except for normal reasons such as poor attendance, insubordination or ineptitude.

But, like the now-retired Mississippi woman, all hourly workers are subject to a loss of work hours.

Charles M. Allmon, a retired postal employee who still serves as a consultant with the American Postal Workers Union, says the postal employee turnover rate is slightly less than 20 per cent a year in Memphis.

"With the cutbacks in hours we're getting and the loss of employees through attrition (retirement or resignation) during the freeze, the little people who are left have to carry a much heavier burden."

"They say they have no politics now, but, in fact, the politics are just of a different kind," Mr. Allmon says. "And, the union can't do anything about it."

Under the old Post Office, postal workers were covered by the Civil Service.

"We could complain to the Civil Service, and our complaints would be heard," says one worker. "But, the APWU is stymied. It can only do so much, and if we complain we're afraid of being fired."

One worker at first agreed to be quoted in this story, but, after checking with union officials, he refused. "They told me they can't protect me, and I might lose my job."

Another veteran Memphis postal clerk disagrees with the whole new setup. "The government sold the public on the idea the old postal system was just a bunch of political hacks, but I'd like to know just what's wrong with politics. That's what made this country great. If a person gets in that you don't like, you can just kick him out."

"The point is that the public is the loser," says one Memphis letter carrier. "Service is deteriorating."

Is it really? "For crying out loud, yes," a Mississippi mail clerk exhorts. "The postmaster up in (another Mississippi town) had mail stacked up as high as his head the other day. We just don't have enough hours to operate. And, God only knows, there isn't such a thing as overtime anymore."

The West Memphis City Council and Chamber of Commerce last week voted to draft resolutions to send their congressmen deploring "deteriorated postal service" there.

Postal clerks in three Northern Mississippi towns say they often volunteer to work overtime sorting mail at night. "I've known the people in this town for years," says one. "And I feel like I owe it to them. People who live on Social Security checks might go for two days with nothing to eat if those checks don't arrive on time."

Asked if he thought some postal employees might intentionally try to slow down postal operations because of their own dissatisfaction, Mr. Curtis said, "No. All in all, I think our people, at least in Memphis, have good morale. They've shown a complete willingness to buckle down and help us do the best we can do."

"If anybody in our service has a complaint, I just wish he would write it down, mark it personal and send it to me. I'll do the best I can to help him."

Meanwhile, some Memphis citizens complain that their mail is sometimes delayed as much as one or two hours from day to day. "That is sometimes the case when a large number of new families move into a particular area such as when a new apartment complex is opened," Mr. Curtis says. "And, too, when a new route carrier takes over, it takes him a while to learn his new route."

Delivery of mail to Memphis from other cities may also be late. For instance, the Commercial Appeal mailed 25 letters from Cincinnati to Memphis on Friday and Saturday, July 14 and July 15. Ironically, all letters mailed on Saturday arrived Monday, July 17, but four of the letters mailed Friday did not arrive until Tuesday, July 18.

And, one letter mailed to the newspaper from Holly Springs, Miss., arrived promptly 13 days after it was postmarked.

"There's a greater chance for mail to be late now," Mr. Curtis says. "We have more people and with them more letters every year, and, therefore, more chances for mistakes."

During the past year, the Southern Region handled about 14 billion pieces of mail, the regional figures show.

And, we can no longer rely on trains to help deliver our mail. There used to be more than 100 trains leaving Memphis every day. Airlines have been cutting out their night flights, so, more and more, we have to rely on over-the-road (trucks) delivery and air taxi service (small planes) which don't fly in inclement weather," Mr. Curtis says.

"And we do make mistakes. I don't begrudge the individual the right to gripe," he says, "but the Post Office is at least 96 per cent accurate. I mean, we could be 99 and 99-100 per cent accurate and still mis-handle as many as eight million pieces of mail a year."

Some employees, particularly unionized workers, complain that new trends in automation are partly the cause of mistakes. Mr. Allmon claims a letter-sorting machine installed last year at DeSoto Station here has a rejection rate about 20 per cent higher than manual sorting.

Regional Postmaster General Carl C. Ul-saker sums up the past year very briefly: "Measurable progress has been made in service, productivity and customer relations, but we still have a long way to go to meet all of our goals and objectives of providing improved service to our customers."

"I am extremely proud of the performance of the employees in the Southern Region during this difficult transition period. . . . We have had some uncertainty during the transition, but the aggressiveness and enthusiasm with which nearly everyone has approached the problems day to day have been instrumental in getting the region off to a good start."

SAVING FACE OR SAVING PROSPERITY IN THE WORLD MARKET

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. HANNA. Mr. Speaker, the time is rapidly approaching for the United States to grasp the opportunity of leadership in the field of international monetary reform. I refer to the September 25 meeting of the International Monetary Fund here in Washington. The executive directors of the IMF have laid out a summary of the alternative courses of action which the 121-member nations could follow. It is generally recognized—at least, outside the United States—that meaningful progress depends on a posture of farsighted leadership on the part of the United States.

I wish to present here what I think is, in terms of international trade and finance, the larger context in which this meeting takes place. That context, I submit, makes it imperative that we, in our own long-term interest, do just that—assume a leadership posture. To do this effectively, however, we will have to update and rationalize our own self-image and our assessment of our national interest. We cannot assume such a posture with the assumptions and policies we now hold and insist upon.

It is my conviction that the relatively weak leadership position of the United States stems from two factors, each of which could be overcome, given the appropriate application of statesmanship.

The first of these factors is the rigid posture we have maintained both in terms of our trade balance and in terms of the volume of the dollar reserve. The second factor is the fragmented approach of the IMF's Big Ten, non-EEC nations, in the face of a united EEC front.

Taking the second factor first, if the United States were to reach an agreement on IMF positions with Japan and the lower tier of 10, such an alliance could dominate the IMF bargaining. At first glance, this suggestion may seem utopian, but there are common interests among these nations. We have discussed on many occasions the future market potential of the developing nations of the world. These countries not only have need of an ally in the top tier of 10, but also, my experience tells me, they are prepared to find that ally in the United States.

The nations in the lower tier of 10 are justifiably frustrated by the seeming indifference of the leaders in the international monetary field. They need a spokesman in the top tier and we need their openness to American investment and export. We have, therefore, a golden opportunity to develop the economic ties we desperately need in order to improve our balance of trade and insure domestic full employment. I am afraid that the administration may let this opportunity slip through its fingers.

The other factor contributing to our weak bargaining position is, as I men-

tioned, the rigid and outdated policy held by the administration. Many of us have warned for years that our favorable trade balance could not last and that we should be planning for the day when the post-World War II industrialization powers reached maturity. Our warnings went unheeded and, as a result, we have seen a reversal in our trade balance in recent years. It is even more frustrating to find that the lessons of the past decade are still unlearned.

Instead of asking other countries to stop their export incentive policy, we should adopt our own export incentive policy. It is the height of U.S. arrogance to expect other countries to change their policies to benefit U.S. interest. A mature policy must accept the practical fact that all nations will establish and alter their policies in terms of their own national interest as they define it. It is self-defeating to assume or expect otherwise.

Our policy is also unrealistic to the extent that its objective is to restore the kind of long-term trade advantage we enjoyed in the 1950's and 1960's. We must realize that we cannot go back to the horse-and-buggy days in international economics. We are now and will be for some time to come living in an economic environment of increasing competitiveness. The policies and protestations of this administration are viewed abroad as both arrogant and immature.

We need to get our decisionmaking out of the fetters of control forged in the cold war period. The Export Control Board has by the throat the giant potential of our high-technology industry. They throttle our East-West trade potential while our so-called allies are taking our technology to the very markets our industries are denied. We need to free the fetters we are continually fastening to the Export-Import Bank and allow its credits to grow where our export potentials are the strongest. Technology, management, and food are our present best exports. As historically pragmatic people, we must realize the importance of aggressively and immediately maximizing the movement of these exports to all potential customers.

Our policies with respect to the balance of payments are equally out of touch with the realities of the modern world economy. Here again we are perceived abroad as a spoiled nation, afraid to compete on equal terms. We should adopt a posture which encourages currency flexibility as an alternative to the dollar as a world standard. Most of us have realized at long last that the leadership position of the U.S. dollar has been a dubious honor at best.

We should encourage the use of a collection of strong currencies as acceptable units of reserves and usable by the IMF as a means for convertibility of the dollar. To the extent possible, we should begin to spread the burdens associated with the designation of a "key" currency. Currently, the German and Swiss marks, along with the Japanese yen, are likely candidates for such a role.

The United States has taken some constructive steps toward a redefined international monetary position. As we ap-

proach the next round of IMF talks, however, I fear that we are not going to take the next step. That next step may very well be in the direction of the Special Drawing Rights—SDR's—suggested by the IMF Executive Board. The stark lack of flexibility in the use of gold and dollars as reserves makes it apparent that some move of the sort suggested by the board is not only in our best interest but also in those of the other 120 IMF nations.

The primary barrier to a move toward SDR's seems to be the insistence of the United States on maintaining large dollar liabilities abroad. The reluctance of other nations to hold large amounts of dollar reserves is understandable from their viewpoints. Our reluctance to acknowledge their feelings only serves to damage our general economic relations with the very countries with which we should be seeking stronger economic ties.

I fear, Mr. Speaker, that our long-term economic best interests may be overlooked because of short-sighted national pride and monetary myopia. Our concern should be to save for the future a sound economic health for international trade. Many Europeans and some Americans seem to prefer to simply save face.

CONGRESSIONAL ACTION FUND
DEFENSE REPORT

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. ASPIN. Mr. Speaker, I have been asked to insert into the RECORD a series of discussions of the defense budget prepared by the congressional action fund. This chapter on the defense budget is one of eight being prepared by the organization for use by congressional candidates.

In the section I am introducing today there is an excellent discussion of some specific differences between the administration's proposal, the Brookings Institution lower option proposal, and the McGovern proposal.

In succeeding days I will be introducing other sections of this excellent report.

I call it to the attention of my colleagues for their study:

COMPARISONS IN TERMS OF FORCE LEVELS
(NUMBERS OF MAJOR UNITS)

In general, the Administration views the general purpose force structure planned for the end of fiscal 1973 as the baseline force to be maintained through the end of the decade. These force levels represent considerable reductions from those maintained at the Vietnam peak (1968), and are somewhat lower than those in 1964, the last peacetime year. Of course, the effectiveness of individual weapons systems have increased considerably in the interim, and so overall capabilities are unlikely to have diminished. Strategic force levels will be kept at the maximum permitted by the SALT agreements. Strategic bombers and air defense forces will probably remain near present levels until follow-on systems become available.

The McGovern proposal would reduce present force levels considerably. In the strategic area, major reductions would occur with re-

gard to the bomber force (from 460 to 200 aircraft). Smaller reductions involve the elimination of the TITAN II missile force and some air defense units. Major cuts are contemplated in general purpose forces, including: active Army division (from 13 to 10), active Marine Corps division/air wings (from 3 to 2), Air Force tactical fighter wings (from 21 to 18), and Navy aircraft carriers and associated air wings, escort ships, and replenishment vessels (from 16 to 6 task-forces).¹

The Brookings' "lower option" suggests the elimination of older weapons which, it is claimed, do not contribute to American security an amount proportional to their cost. In this proposal, the largest force level reductions occur in the strategic area: land-based missiles are cut to half their present number as older missiles are phased-out (Minuteman II and TITAN II); the bomber force is reduced from 460 to 255 (only newer model B-52s are retained); and major reductions occur in continental air defenses. Reductions in the general purpose force are more selective. The number of active Army and Marine Corps divisions is held constant, but one brigade within each of 6 divisions stationed in the U.S. is replaced by a reserve unit. The number of Air Force tactical fighter wings is unchanged. The move to a 12 carrier task force Navy, projected by 1980 in any case, is advanced to 1973.

COMPARISON IN TERMS OF MODERNIZATION PROGRAMS

Table 2 capsulizes the three modernization programs.

The Administration program advocates a vigorous modernization schedule for most types of weaponry. Particularly notable are the programs for modernizing U.S. strategic forces, estimated to account for two-thirds of the projected real increase in defense spending. Many of these programs—e.g., the new strategic submarine (Trident), the follow-on bomber (B-1), the airborne warning and control system (AWACS), and other air defense systems—are still under development and thus have not fully impacted on defense budget as yet. Others are already in the procurement state—e.g., short-range attack missile (SRAM), and the programs to deploy multiple warheads on strategic missiles (the Minuteman III and Poseidon MIRVs).

Additionally, the administration has initiated three major tactical aircraft development programs—the Navy's F-14 and the Air Force's F-15, both of which are designed to be aircraft capable of penetrating the enemy's air space and defeating his most advanced fighters, and a less sophisticated aircraft for close air support, the A-X. Finally, Navy shipbuilding programs have been accelerated in recent years and include nuclear-powered aircraft carriers, a new class of large destroyers, and nuclear-powered attack submarines. Future programs are likely to include additional carriers, a smaller escort ship (the "patrol frigate"), and a completely new type of vessel—the sea control ship.²

The McGovern proposal would terminate or slow down many of these major programs. The Poseidon, Minuteman III, and AWACS would be cancelled; research on the B-1 would be redirected toward improving existing bombers; the SRAM program would be completed; TRIDENT is continued, but would not move into the procurement stage

¹ While 16 carriers are presently maintained in the force, the age of existing vessels, the long lead-time necessary for their construction, and their great cost lead to the conclusion that the force will be reduced to 12 before the end of the decade, even under the Administration's program.

² The sea control ship would be a small carrier capable only of helicopter or vertical/short take-off and landing (VISTOL) aircraft operations.

for some time. In the general purpose force area: the naval shipbuilding program would be sharply reduced, the notable exception being submarines; both the F-14 and F-15 programs would be ended; work would continue on the A-X and would be initiated on a modified version of the present first-line fighter, the F-4.

While these major programs are prominent in the public eye, they actually constitute only a small portion of the overall U.S. R&D program. Senator McGovern asserts he would fund sufficient R&D to maintain America's technological superiority. His program calls for a total of \$5.1 billion on R&D, as opposed to \$7.2 billion in the Administration's fiscal 1973 request.

Table 2.—Major differences in the three modernization programs

ACQUISITION PROGRAMS PROPOSED IN THE ADMINISTRATION'S BUDGET REQUESTS AND ACTION RECOMMENDED

Strategic forces

Procedure 31 Poseidon Submarines: Brookings' lower option, continue; McGovern proposal, terminate.

Procure 550 Minuteman III Missiles: Brookings' lower option, continue; McGovern proposal, terminate.

Accelerated TRIDENT Submarine Development: Brookings' lower option, continue; McGovern proposal, slow-down.

B-1 bomber development: Brookings' lower option, continue; McGovern proposal, continue but re-direct.

Airborne Warning and Control System (AWACS, for air defense): Brookings' lower option, terminate; McGovern proposal, terminate.

SRAM/SCAD air-to-surface missiles: Brookings' lower option, continue; McGovern proposal, continue.

Two-site SAFEGUARD ABM: Brookings' lower option, continue; McGovern proposal, terminate.

General purpose forces

F-14 (Navy fighters): Brookings' lower option, terminate; McGovern proposal, terminate.

F-15 (Air Force fighter): Brookings' lower option, terminate; McGovern proposal, terminate.

A-X (Air Support Aircraft): Brookings' lower option, continue; McGovern proposal, continue.

S-3A (Anti-Submarine warfare aircraft, sea-based): Brookings' lower option, continue; McGovern proposal, terminate.

P-3C (Anti-submarine warfare aircraft, land-based): Brookings' lower option, continue; McGovern proposal, continue.

D-963 and PF escort ships: Brookings' lower option, continue; McGovern proposal, terminate.

Authorization for Nuclear-power aircraft carriers (3 projected by 1980): Brookings' lower option, 1 authorized; McGovern proposal, none.

Authorization for Attack Submarines (42 projected by 1980): Brookings' lower option, continue; McGovern proposal, continue.

Again, the Brookings' "lower option" falls between the other two. It would continue the full modernization program for strategic offensive forces at the administration's schedule (Poseidon, Minuteman III, SRAM, TRIDENT, B-1). The air defense program would be cut, however, and AWACS and other development program deleted. With regard to general purpose forces, the proposal would terminate the F-14 and F-15, but continue the A-X. Navy shipbuilding programs would be reduced, but not to the extent advocated by Senator McGovern. One, rather than three additional carriers would be authorized, and the escort ship program greatly reduced. Overall, Brookings' proposal retain R&D expenditures at the level proposed by the Administration (\$7.2 billion).

COMPARISON IN TERMS OF MANPOWER ISSUES

It is becoming increasingly evident that the size of the defense budget is more dependent upon manpower-related matters than the widely publicized procurement decisions. In fiscal 1973, civilian and military pay and related expenses will account for 56% of the defense dollar, up from only 42% as recently as 1968.

The Administration proposes to maintain about 2.4 million uniformed men and women in the active armed force in fiscal '73, less than two-thirds the number in the force at the Vietnam peak, and close to the baseline force it desires for the future. Additionally, the Defense Department is placing increasing emphasis on reserve forces. This program is to be increased by \$600 million this year, in order to improve the force's readiness: To increase its training and modernize its equipment. The number of people in the reserves (about 1 million) is to be held nearly constant, however. Secretary Laird, in his rebuttal to the McGovern proposal, has emphasized the importance he sees in retaining the reserves as a force prepared for conventional combat against modern military units.

The Administration proposed to maintain around 300,000 men in Europe, until mutual and balanced force reductions can be agreed upon with the Soviet Union. The disposition of this force and its organization have drawn considerable criticism in recent years. In particular, objections have been raised regarding the "teeth-to-tail" ratio—the number of men (or dollars) required to maintain each soldier with an actual combat mission on the front line. For example, an observer noted recently that it requires 42,000 U.S. troops to maintain a front-line force in Germany equivalent to that maintained by 18,000 Soviet troops.³ The U.S. also maintains sizable ground and air forces in Korea, elsewhere in the Far East, and in Latin America.

Senator McGovern proposes to reduce active-duty military manpower to 1.7 million, a drop of more than 25 percent from present levels. The decrease would be distributed fairly even among the services, with the Air Force bearing the sharpest proportional cut. His proposal advocates a radical change in the role of the National Guard, reducing it in size and retraining it as a sort of domestic militia, primarily designed to handle civil disturbances, and national emergencies. He also suggests steps to improve the readiness of the other Reserve components, but does not foresee increased procurement costs for such measures. In all, Reserve forces would be reduced by 15 percent to about 850,000 men.

The Senator's proposal expresses concern with inefficiencies in the present organization of our military forces, particularly as expressed in the ratio of support-to-combat troops and in the ratio of officers-to-enlisted men. He urges adoption of the recommendations of the Blue Ribbon Defense Panel⁴ in these areas and others, and estimates that this would save at least \$1 billion per year. In general, his proposal specifies cuts in the support establishment proportional to those it espouses for combat forces. Some have claimed that such proportionality is not possible, and that support-to-combat ratios would rise if sizable cuts were made in the defense establishment.

³ Steven L. Canby, *NATO Military Policy* (Unpublished paper presented at the Woodrow Wilson Conference on Military Strategy: Washington: 1972). Much of this disparity occurs because the U.S. has organized to fight a protracted war, while the Soviets envision a short campaign.

⁴ The recommendations include: less frequent transfers of officers, reduced paperwork, greater consolidation of various functions now provided by each of the three services (data processing, recruiting medical), and reductions in headquarters staffs.

Finally, Senator McGovern advocates a major re-deployment of U.S. forces overseas. He would return more than half of the American troops in Europe, as well as the remaining division in Korea, and part of the tactical air forces deployed to the Far East. The sizable cuts advocated for naval forces would also cause a marked reduction in the U.S. naval presence in the Pacific, and probably in the Mediterranean as well.

The *Brookings* option would reduce active-duty military personnel to 2.0 million, a cut of 16%. It would not change the size of the reserve components, but advocates an increasingly important role for them in continental air defenses and, by urging the integration of 6 reserve brigades into active divisions, attempts to improve their readiness. The proposal would not adopt McGovern's domestic militia role for the National Guard.

The proposal would reduce the ratio of support-to-combat forces to that prevailing in 1968, through vast closures and changes in policies dealing with personnel assignment and training. It states that such measures could save \$2.7 billion per year. The proposal takes no explicit position on the stationing of troops in Europe; elsewhere in the study, it is stated that this issue has little impact on the size of the defense budget.

IN CONCLUSION

Despite their considerable differences in the size and composition of the military establishment advocated, the three proposals have some notable similarities. For one, each assumes that military manpower will be provided by a voluntary system.

More importantly, each is based, fundamentally, on these assumptions:

(a) that the U.S. should maintain sufficient military forces to deter or counter foreseeable threats to our security, based on conservative planning assumptions;

(b) that the Soviet Union, and, to a much lesser extent, China, provide the major threats to U.S. interests, and that these threats could well be activated if those nations perceive themselves to be in a position of relative military advantage;

(c) that plans concerning strategic forces should be based on the requirements for the maintenance of a secure retaliatory capability, and moreover, that this is best supplied by the retention of a multiple-mode deterrent (land and sea-based missiles, and bombers);

(d) that the defense of Western Europe is vital to the security of the United States and, moreover, that the major requirements for general purpose forces are derived from postulated threats to the security of NATO.

The proposals differ, of course, in terms of their respective evaluation of the actual forces necessary to meet the requirements generated by these assumptions. Nonetheless, despite an adjusted variance of some \$24 billion dollars, or 27%, between the highest and the lowest option, they share the same conceptual framework. The Administration's proposal is probably near the upper bound of the budget that could reasonably be recommended within this set of assumptions; the McGovern proposal is probably at or near the bottom limit. This suggests that none of the proposals should be considered radical, and that if one wished to reduce military spending beyond the levels suggested by Senator McGovern, it would probably be necessary to re-think the assumptions which have formed the basis of U.S. defense planning and foreign policy for more than 25 years.

"HANOI JANIE" AND HER FRIENDS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. SCHMITZ. Mr. Speaker, on July 28, "Hanoi Janie" Fonda returned to the

United States from the capital of the enemy who has killed and wounded over 350,000 Americans on the battlefields of Southeast Asia. While in Hanoi, she made many broadcasts which were monitored and transcribed by the Foreign Broadcast Information Service of the Federal Government. In one of them she said that she "was completely impressed by the Vietnamese people's solidarity and mutual sympathy and their determination to materialize President Ho Chi Minh's testament and bring the anti-U.S. aggression for national salvation to complete victory." Broadcasting to U.S. aircraft carriers July 17, she said:

The men who are ordering you to use these weapons are war criminals . . . Why do you do this? Why do you follow orders telling you to destroy a hospital or bomb the schools?

On July 22, again broadcasting to pilots, she said:

If they told you the truth you wouldn't fight, you wouldn't kill.

Of course, no one is giving American pilots orders to destroy hospitals or bomb schools. But these and other broadcasts by Jane Fonda seemed to me in clear violation of section 2387 of title 18 of the United States Code which provides that "whoever, with intent to interfere with, impair, or influence the morale, or discipline of the military or naval forces of the United States: First, advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny or refusal of duty" is breaking the law. On July 27 I wrote to the Attorney General of the United States asking why Jane Fonda was not being prosecuted for violation of this section of the United States Code. Over a month has passed without a reply. However, on my motion the House Internal Security Committee has requested the Justice Department to explain to the committee at its next meeting, September 14, what, if anything, it proposes to do about "Hanoi Janie."

Next came the spectacle of former Attorney General Ramsey Clark, who went to Hanoi via Moscow after receiving a high-level briefing in Vietnamese affairs from the U.S. State Department August 8. He was invited by two Soviet "peace" apparatuses—the World Peace Council and the Stockholm Conference on Vietnam International Liaison Committee—specifically to investigate U.S. "war crimes." Clark, having been Attorney General, knows full well that the World Peace Council, formed in 1949, played a major part in spreading the false "germ warfare" charges against us in the Korean war and that it included such well-known Communist personages as W. E. B. DuBois, Herbert Aptheker, Paul Robeson and Howard Fast.

A government cannot commit men to combat, risking and all too often experiencing death, wounds, and imprisonment, and not be asked with growing vehemence why the tormentors and detractors of these fighting men and those who play the enemy's game are allowed to run free and do exactly as they please. We are asking the Nixon administration this question; and we are getting no answer.

Millions of Americans watching the Republican National Convention saw and

heard Senator BARRY GOLDWATER accuse Ramsey Clark of violating the Logan Act, which prohibits negotiations by private citizens with a foreign power, during his visit to Hanoi. Since Senator GOLDWATER said that his speech was made at the request and with the approval of President Nixon, why then has the President's own Justice Department not already asked for the indictment of Clark for the violation of law which Senator GOLDWATER rightly charged him with?

Now word has been received that at a secret court session August 14, all charges against a Soviet agent, arrested by the FBI while carrying classified documents on the Navy's new F-14A Tomcat fighter plane, were dropped following consultations between the State and Justice Departments. It would seem that the leadership of both presently major parties in this country no longer regards espionage, incitement to mutiny, and private dealings with enemy government in time of war, as crimes deserving punishment.

I just do not believe the American people see it that way.

AMERICAN WOMEN IN TELEVISION

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. VAN DEERLIN. Mr. Speaker, on Tuesday evening of this week, the District of Columbia chapter, American Women in Television, met to install its new president. She is vivacious, attractive Sally Foreman, secretary to NBC Vice President Peter Kenney.

Mrs. Foreman, who is not only married to a lawyer but is studying law herself, is at 30 the youngest president the Washington chapter of AWRT has ever had. One of her first, and she says most pleasant duties as president was the presentation of awards from AWRT to Senator WARREN MAGNUSON and Congressman HARLEY STAGGERS. I would like to include in the RECORD the remarks by Mrs. Foreman on the presentation of these awards:

REMARKS OF MRS. FOREMAN

Certainly this evening is a highlight of my life. I am honored to be able to serve as your 1972-73 President. For this I am grateful to you, the membership. I am also honored that this evening can be shared by so many. I am very fortunate to work for a broadcasting company that is willing to share me with you, and through you, the community. Among the executives who have come down from New York to share this evening with us, may I introduce you to the two leaders of the National Broadcasting Company, Julian Goodman, President, and David Adams, Board Chairman.

Please meet a very special person—the man with whom I have worked most closely for the last six years and whose encouragement and expertise I deeply value, my boss, Peter Kenney, Vice President of NBC in Washington.

There is a most important part of my life that revolves around a man whose moral support, soft shoulder and devotion bring it all together. I would like you to meet my husband, Edward Foreman. And I cannot

overlook the youngest member of our household, our daughter, Michele.

Television will celebrate its 25th birthday this year. AWRT is celebrating its 21st year. It took many people to arrive at the prestigious position we both now hold, nationally and internationally. You are about to meet some of the ladies with whom I will be working this year to further the common interests and goals of our members and industry.

Our elected officers: Vice President—Jane Goodman, United Presbyterian Church; Treasurer, Mary Boyette, American Association of University Women; Recording Secretary, Kathleen Day, National Association of Broadcasters; Corresponding Secretary, Joan Worden, President of Worden & Company; Directors, Betty Dukert of NBC and Meet the Press; Dorese Bell, broadcast journalist, and Shirley Shannahan, Voice of America. These officers, plus our immediate past president, Bette Jerome, make up the Executive Board.

Our committee chairwoman, appointed by the Executive Board: Membership, Kay Fisher, WMAL; Projects, Cynthia Williams, Action; Educational Foundation, Ann Orleans, broadcaster; Publications, Marty Gable, American Association of School Administrators; Public Relations, Jean Nowak, HEW; and our Program Chairman, Eva Adams of Mutual of Omaha, who, along with the assistance of her staff, and especially Julie Bail, put this lovely evening together.

AWRT National is represented by its Secretary-Treasurer, Jane Cohen, of WPHL-TV, Philadelphia.

The Washington Chapter of AWRT is unique in that the people who help to run this country, and who regulate various aspects of our industry, are in essence "our next door neighbors." From this august body we have singled out two gentlemen who are most responsible for formulating the legislative guidelines which govern the broadcasting industry. We may not always see eye to eye. But we are mindful of the integrity, honesty and concerns of these two dedicated legislators. No offices of the Congress face a greater challenge than those of these two men in coping with the rapidly changing technology of the communications industry, ranging from our current broadcasting system and telephone communications, cable systems, satellites, and the problems of developing an effective and efficient system of domestic and world-wide communications for the years ahead. We are privileged to honor them this evening. Ladies and gentlemen, may I present the Honorable Warren G. Magnuson, from the State of Washington, Chairman of the Senate Committee on Commerce; and the Honorable Harley O. Staggers, from the State of West Virginia, Chairman of the House Committee on Interstate and Foreign Commerce.

Senator Magnuson ranks third in seniority in the U. S. Senate. He is frequently referred to as one of the most powerful men in the Senate because of his key leadership on two major committees, Commerce and Appropriations, and his willingness to devote tireless efforts to the enactment of legislation vital to the continued progress of our nation. He has been a great advocate of the consumer and authored the book, *The Dark Side of the Market Place*. He has served as Chairman of the Senate Committee on Commerce since 1956, was one of the principle authors of the Public Broadcasting Act and introduced legislation that resulted in the Communications Satellite Act of 1962. In a speech made by the Senator in 1967 he reflected on the most crucial element of our free broadcasting system by saying, "It is easy to believe in freedom of the press when things are going well. It is more difficult and far more important to believe in it when the going gets rough."

Senator, I am happy to present this award to you on behalf of the Washington D. C. Chapter of American Women in Radio and Television.

Serving under five presidents, Harley Staggers has compiled an outstanding record of achievement during his tenure in the U. S. House of Representatives. He is a man distinguished by his sincerity, decency, friendliness and great pride for his home state of West Virginia as well as his unstinting attention to the concerns and needs of his constituents. During his career he has been engaged in such diversified fields as teacher, county sheriff, football coach, and the U. S. Naval Air Corps. Chairman Staggers has served as chairman of the Committee on Interstate and Foreign Commerce since 1965 where he has become known as a leading proponent of licensee responsibility as the vital keystone of our free broadcasting system. It gives us great pleasure to present him with this plaque and to have with us his wife, Mary, and daughter, Susan.

Again, thank you all for being here.

REFLECTIONS ON EARLY INFANTILE AUTISM

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. HARRINGTON. Mr. Speaker, in my efforts to focus some light on the problem of mental illness and autism, I have included several articles on this critical subject in my Extension of Remarks. I wish to continue this, because it is my belief that too little is being done to combat the problems of childhood mental illness—particularly autism.

Unfortunately, little is understood about the causes of childhood autism, like other mental diseases. Up until the past decade, childhood mental illness was a neglected topic. Yet, the fact remains that there are nearly 4 million children under the age of 18 with behavioral disorders. 1.4 million are in acute need of psychiatric care.

These children are in desperate need for care and attention. We cannot ignore their problem any longer. Research programs must be continued and expanded. Federal appropriations must be increased before we can hope to gain any progress in discovering the causes of childhood mental illness and developing successful treatment programs.

Dr. J. Louise Despert has written an article entitled "Reflections on Early Infantile Autism," which appeared in the October issue of the *Journal of Autism and Childhood Schizophrenia*.

The article follows:

REFLECTIONS ON EARLY INFANTILE AUTISM (By J. Louise Despert)

The First International Congress of Child Psychiatry took place in Paris in July, 1937. Prior to this date, only a few articles on the subject of childhood schizophrenia had been published. Three papers by Russian authors Ssucharewa (1932) and Grebelskaja-Albatz (1934, 1935) had appeared in a Swiss and a German journal, one by Potter (1933) in the *American Journal of Psychiatry*, and two by Jakob Lutz (1937) in a Swiss journal. At the aforementioned Congress, Lutz read excerpts of his paper and this author presented a re-

port on 29 cases of childhood schizophrenia (Despert, 1938). Early infantile autism, first delineated 6 years later (Kanner, 1943), was, of course, unknown and not mentioned at the time. As it happened, the concept of childhood psychosis was challenged and criticized by some psychiatrists and psychologists. When one considers the topics comprising the four volumes of communications presented at that time (1. General Psychiatry, 2. School Psychiatry, 3. Forensic Psychiatry, 4. Discussions), it becomes rather evident that the emphasis was not on affective disorders in children nor on recognition of a syndrome which bore some analogy with one long observed in adults (Despert, 1968).

In contrast, nearly 35 years later, we are confronted with undue popularization. Two recent letters which I received within 2 months from two girls, an 18-year-old high school senior from Pennsylvania and a 14-year-old eighth grader at a junior high school in Long Island, may be mentioned in this connection. Both girls, unbeknownst to each other, professed an interest in "autism." Encouraged by their instructor and counselor, they sought my help, advice, and collaboration in the preparation of a "thesis on autism." One might gather from these letters that such popularization, almost vulgarization, reflects gains in knowledge about the disorder and the ensuing dissemination of such knowledge. Regrettably, however, they merely reflect the spreading confusion about a syndrome formulated in the not too distant past.

Leo Kanner, the originator of the concept of early infantile autism, has recently published a follow-up study of eleven autistic children originally examined and reported by him in 1943 (Kanner, 1971). In Kanner's own words:

"This 30-year follow-up study has not indicated too much concrete progress from the time of the original report, beyond the refinement of diagnostic criteria."

Nevertheless, one progress of considerable importance is the worldwide recognition of the syndrome. This is evidenced by the formation of societies (national and local) for autistic children in many parts of the world.

A study made in England in 1964 brought out interesting data on infantile (or early childhood) autism. A systematic survey of all children—normal, neurotic, autistic, and other 8-, 9-, and 10-year-old children who resided in Middlesex County—disclosed the proportion of autistic children in the population. This information is incorporated in an excellent book recently published by Lorna Wing (1971):

"It seems that, in this age group at any rate, between four and five children in every 10,000 will have autistic behavior."

A study completed in Denmark yielded similar results concerning incidence. The ratio of about three boys to one girl is another reported finding. Also, the fact that parents of autistic children are more intelligent and better educated than average parents of Middlesex, confirms the observation which Kanner made in 1943.

Although we cannot reliably compare the current incidence in any country with that of the past, we have at least some information about England on the basis of current figures. A recent survey by the National Society for Autistic Children estimates that the total population of autistic children in England is 6,000. There are reasons to believe that in the past *l'idiote du village* could have been a mentally retarded or an autistic child. How could one tell? Scrutiny of memoirs reflecting centuries of the past failed to yield specific data about what might have been early infantile autism (Despert, 1965). On the other hand, our modern society, with its large agglomerations, its industrialization, its family that tends more and more toward

dislocation, and its increased tensions, does not offer optimal conditions for satisfactory emotional development. It can be assumed that early infantile autism and early childhood schizophrenia are on the increase. This interesting possibility appears to merit investigation.

Surveying the presently available studies of infantile autism, particularly the series of eleven children in Leo Kanner's follow-up (Kanner, 1971), one is inclined to give further consideration to two features almost uniformly present in these patients, in spite of the somewhat variegated symptomatology. Early in life, in some of them from birth, a failure to respond to tactile stimulation (cuddling, hugging, kissing, etc.) was noted. In some cases, this failure was translated into a strong defense (resistance) against such tactile stimulation from the mother or mother figure. This was often reported by parents as lack of interest, lack of response, apathy, or indifference. When later examined in the follow-up (patients now 32 to 40 years of age), aborted sexual development is in evidence: Case 1 (36 years old) is said by his mother to have "no interest in the opposite sex" (even the same sex would do). Case 6 (40 years old) "desires to keep to herself rather than to associate with other residents" (of a State Hospital). There is no mention of sexual adjustment or development in the other nine patients and it can be assumed that there was hardly anything worth reporting.

Observers of autistic children are aware of this and reports on sexual behavior are a rarity. Even masturbation, a natural phenomenon in normal preschool children, presents special characteristics in the children under consideration. The erotic element (often associated with a sense of guilt) present in the normally developing child is absent here. Masturbation by the autistic child is an activity devoid of erotic connotation, just as picking the nose or experimenting with fingers in the ears, biting fingers, etc. Lorna Wing sees their "interest in sex" as one tending to be on an "immature level." She speaks of their "innocence" when, for instance, they try to undress other children. The children's interest in sex seems, with years, to remain on an immature level and the sexual drive is not in evidence. This has been my experience with autistic children I have been able to follow. One example may suffice because I have known the patient consistently for 21 years, including the actual therapy which lasted only 3 years (traveling distances were an obstacle):¹

"He is now 26 years of age, living with his family out of town as in the past. The father was a successful businessman, rigid and obsessive. The mother was a teacher in several private schools. The patient, first seen at 5 years of age, is the oldest of two boys (difference in age is 4 years).

"He presented at 5 a typical picture of infantile autism, resisting tactile stimulation, banging his head against the walls or the floor, and possessing minimal speech. The child had two obsessions: music and figures. He knew hundreds of music records, had temper tantrums if they were not played in his prearranged order, recognized musical subtleties, and again had tantrums if the record did not play the specific melody by a specific composer of his choice. He had a prodigious memory for figures and there was also a great deal of echolalia. These characteristics were the basis for therapy."

One must recall that in the I-Other relationship (beginning with mother, father, siblings, peers, school group, etc.), the Other is nonexistent or rather nonfunctional in the autistic child. To begin with, a note on echolalia. Autistic children do not understand interpretations no matter how simple the

language in which they are couched. They do not want to hear them anyway. I have found that repeating what they have said, like an echo of their own pronouncements (pitch, rhythm, and mimicry), seems to disturb them and interrupts their inner involvement. Possibly they are shaken in their isolation; this is the moment to introduce some simple thought which they can let in.

"This was the case with the now 26-year-old boy. After 3 years of intensive "therapy," he was seen after irregular, usually long intervals. The mother was cooperative and followed the child's progress closely. On his own, the boy initiated correspondence (3 to 4 letters a year). Throughout, the letters read like statistical reports, an enumeration of activities, not one overlooked. Reports from the several schools (some for emotionally disturbed children) which he attended repeatedly showed his difficulties with "comprehension." Abstract thinking is the stumbling block. The boy was doing well in mathematics and managed to graduate from high school. Against my advice, he went to a coeducational college where, after repeated warnings, it was finally suggested that he withdraw. During five or six summers he had been doing computer work (his father was able to arrange this). He is now earning his living as a conscientious, obsessively punctual, and meticulous accountant. His employers are satisfied with his work even though they find him "odd." He has no sexual experience, has never dated a girl, and masturbates infrequently. The Other seems to him hardly human. One example: His mother took him to an art exhibit. He knew the artist. As he entered the gallery, unaware of the Other, he asked in a loud voice, "How many invitations did you send out?" Not waiting for the answer, he proceeded to count the viewers. He wanted to establish a ratio."

Looking over the developmental history of these children, one wonders whether the early defective sensory phase might be related to the lack of sexual drive noted in later years. Is there not something lacking, some hormone perhaps, an ingredient which interferes with the early affective development by its very absence? The lack of affect or the stunted affect in early infantile autism is reminiscent of the loss of affect found in early childhood schizophrenia after a normal period of development.

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URBAN DECAY

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. ASHLEY. Mr. Speaker, George H. Deffet, President of Deffet Companies, a major regional real estate developer, examined the problems of urban decay in a recent speech before the Columbus, Ohio City Council. He took both city administrations and his fellow developers to task for contributing to the decay of our cities through such things as lax enforcement of housing codes and "slumlordism" and urged the developer-owners to form a partnership with city governments to help save our cities. I commend his remarks to the attention of my colleagues.

INNER CITY DECAY: A FOOTRACE TO THE SUBURBS?

Urban blight is the number one problem for most of America's major cities today. Our headquarters community, Columbus, Ohio, is no exception. It too has its ghettos, its dilapidated structures and dwellings, its blocks of abandoned buildings or substandard units.

One of the things that must be done to arrest urban decay is strict code enforcement, equally and without exception. The "slum lords" can hardly exist with a city government actively seeking to inspect and enforce existing codes. The requirement, in most cases, is not for new codes, rather, to enforce those already on the books.

If the "slum lord" will not comply with codes, refuses to make necessary repairs and keep building construction sound, then action must be taken, i.e., he must be brought before the courts—"eminent domain" of the city or municipality must be exercised. And if compliance cannot be secured, the property should be demolished. The "slum lords" must be taken to task! And it goes without saying there must be continued legislative provisions for those who would be dislocated by demolition or renewal programs.

I believe the large developer-owner can be an active community force—he can urge self-policing policies be adopted and enforced by existing city housing and apartment associations. He can ask, or in other ways seek owner compliance with prevailing codes in various cities. The large, socially responsible owner-developer can speak out and expose those individuals who would perpetuate inner city problems.

And I must say that the spirit and purpose of the tenant unions is very important. It brings to light deplorable conditions in the core of deteriorating areas of cities throughout this country. It brings home a simple fact: there is improper code enforcement—that slum lords will continue to let their properties deteriorate while people live inside; the tenant unions were formed out of anguish and despair because no one seemed to listen or care. Out of the desperation came organization. And if I lived in a rat infested slum or building and had no heat in winter, I too would form a tenant union. I would organize and would make someone listen, make someone do something.

Tenant unions, or whatever one chooses to call them, exist only because of the continued injustices visited upon dwellers of substandard or inner city housing. They're asking for attention, they're asking for action. City governments cannot turn their heads or relax their enforcement procedures—to do so is at the expense of those people already living in deteriorated neighborhoods. Certainly such inaction on the part of any city

¹ Only a few pertinent points are selected for the sake of brevity.

government deserves the wrath of its citizenry, be they called tenant unions or whatever.

But there is no panacea or easy answer to the problems of inner city blight. A recent mayor's conference in New Orleans put the question to this nation. It was, quite simply, "Who will save our cities? Why will no one hear our pleas?"

We think the large developer-owner in the private sector has an equally simple message. The cities can be saved—but it takes the cooperation of the private and public sector to accomplish the task. At least, it is our message.

It requires strict code enforcement, land clearance, a crack-down on "slum lordism", innovative legislation, and experimental programs directed at important changes—the Housing and Urban Development experience comes to mind with their direct subsidy program experiment now functioning in Kansas City and similar programs will soon be implemented in Pittsburgh and other cities around the country. Further, it requires legislation that would make available below market interest rates for construction; the New Jersey Home Financing Authority is a good example. City Urban Renewal authorities should provide below market prices for sale of cleared land, and property tax subsidies would be most important in any redevelopment plan joining the private and public sector.

It will take dedicated men with vision, courage, technical know-how and solid entrepreneurial instinct to halt a creeping urban deterioration that, if allowed to remain unchecked, will become a footrace to the suburbs. The factors that I have mentioned, code enforcement, land clearance, etc., must be implemented with visible leadership, public support and strong government.

We must not fall prey to the incredibly easy solution of writing off the urban areas of this nation's major cities—not applying our intellect to the problem—for that would leave an unanswerable and unacceptable question—what of the people? Will we write them off?

It is my hope that we can do more than talk of the problem. The time to act and to effect change is now.

SOCIAL SECURITY AND INCOME SUPPLEMENTATION SYSTEM INCREASES—MYTH OR REALITY?

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. KEATING. Mr. Speaker, today I have joined my colleague, Congressman MALLARY, in sponsoring legislation to pass along 50 percent of the recently passed 20-percent social security increase to those receiving aid to the aged, blind, and disabled; and a separate bill to pass along the same percentage to veteran's receiving pensions.

On June 30, the House overwhelmingly voted to increase social security benefits by 20 percent. Yet without these pass-along provisions, thousands of older and disabled citizens are unable to benefit from the intended increase.

Approximately 120,000 citizens receive aid to the aged, blind, and disabled, as well as social security benefits. Their AABD payments will be reduced dollar-

for-dollar with their increase in social security.

An additional 20,000 veterans receiving pensions for other than service connected disabilities will lose their entire veterans' pensions without a pass-along provision.

Our failure to include this measure in the 20-year social security increase is inconsistent with past legislative action. Past social security increases have usually included, or been followed by, a pass-along to recipients of effected welfare and pension benefits for at least part of the increase. Thus, they receive at least a percentage of the increase in their total income.

This oversight is understandable, as the legislation was considered with great speed. Yet it must be corrected.

The two bills I have cosponsored would allow recipients of AABD or veterans' pensions as well as social security to retain one-half of their social security increase.

The urgent need for this legislation is emphasized by the plight of this Nation's more than 2 million people now receiving old age assistance. Sixty percent of these people also receive social security benefits.

None of these people will receive any net benefit from the recent 20-percent increase, as they will lose in their AABD, the amount of the increase in their social security checks.

Some veterans and veterans' widows may be in an even worse position. It is estimated that 20,000 now receiving pensions will be pushed over the \$2,600 income limitation by the increase in social security, and will totally lose their VA checks.

The need for such legislation has been established, and the immediacy of this need is obvious. On October 1, the social security increase goes into effect. I urge my colleagues to act now, so that on this date the social security increase becomes a reality to its recipients, and not a myth.

SPEAK UP, MR. NIXON

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 13, 1972

Mr. WOLFF. Mr. Speaker, the opinion page of the New York Times contained two articles concerning what has come to be called the President's "secret plan" to end the war in Vietnam.

I am not going to join in what will probably become a growing debate on exactly what the President did say 4 years ago.

No matter what the President said or intimated, he did pledge to end the war and win the peace. We are still waiting to achieve that goal.

At this point in the RECORD, Mr. Speaker, I should like to include two statements which I made in the fall of 1968 here in this body on Mr. Nixon's position of the war. I say again that we must end

this war now, not with promises but with action.

The statements follow:

SPEAK UP, MR. NIXON

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLFF. Mr. Speaker, several months ago the Republican presidential nominee said he had some secret plan certain to bring peace to Vietnam. Yes, Nixon's the one. He has repeated his promise time and again; he says he knows how to end the war promptly and honorably.

More than 4,000 American soldiers have died in Vietnam since June 1, and Mr. Nixon travels around the country claiming he knows how to end the American involvement in Vietnam. Well, Mr. Nixon, if you do know how to end the bloodshed, then you must carry the burden for the deaths of thousands of American servicemen.

I hope our Nation has not fallen to the point where the lives of American soldiers are exploited for political gain. Yet this appears to be the case.

If Mr. Nixon is telling the truth, if he has some secret path out of Vietnam, then let him speak up.

Otherwise let us dispense with idle, cruel promises.

SPEAK UP, MR. NIXON

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, I have here a casualty list from today's New York Times listing the names of the American servicemen from New York who have most recently been killed in action in Vietnam.

Such tragic lists appear daily in newspapers from coast to coast. They are a grim reminder that we are fighting a war on the other side of the world.

Much has been said about possible solutions to this war. Richard Nixon says he has a secret plan to end the war; it is not some cold political box, that plan would mean the end of lists such as the one I hold here today.

If Mr. Nixon has such a secret but certain peace plan, and if he continues to keep that plan to himself, then he is doing a tragic disservice to every American. Possible solutions to the war need not wait until after election; they must be used as soon as possible to limit the deaths of American servicemen.

I hope Mr. Nixon will read this list and the others like it throughout the Nation and break his silence on Vietnam. I do not imagine he wants more killing.

VIETNAM CASUALTIES

WASHINGTON, September 17.—The Defense Department today listed the names of the following servicemen from the New York area as having been killed in Vietnam:

ARMY

Abruzzese, Michael J., Pfc., Valley Stream, N.Y.

Baldwin, Michael R., Sgt., Flemington, N.J.

Belcher, Fred A., Pfc., Lafayette, N.J.

Coulon, John G., Second Lieutenant, East Meadow, L.I.

Glannelli, Alan R., Sgt., Massapequa, L.I.

Marino, Ariel, Specialist 4, Manhattan.

NAVY

Welker, Thomas E. Hospitalman, Darien Center, N.Y.

MARINE CORPS

Feeley, Eugene J., Jr., Pvt., Irvington, N.J.

Wark, William E. 3d, Second Lieutenant, Longport, N.J.