

April 30, 1973

## PROPOSED AMENDMENT TO CONSTITUTION—ANTI-SCHOOL BUSING

## HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, April 30, 1973

Mr. TALMADGE. Mr. President, I was privileged recently to have been called as a witness in one of the most significant series of hearings in Senate history. As you know, the Judiciary Committee has at last been looking into the matter of anti-schoolbusing legislation in the form of proposed constitutional amendments. I, myself, have authored one such amendment, and was grateful to have the opportunity to testify on the matter. I ask unanimous consent that my testimony be printed in the Extensions of Remarks.

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

STATEMENT OF U.S. SENATOR HERMAN E. TALMADGE BEFORE THE SENATE COMMITTEE ON THE JUDICIARY, TESTIFYING IN BEHALF OF AN ANTI-FORCED SCHOOL BUSING AMENDMENT TO THE U.S. CONSTITUTION, TUESDAY, APRIL 10, 1973

Mr. Chairman, these hearings mark a significant point in our history, and I am indeed happy to be here today to testify.

For the first time, Congress is holding hearings on Constitutional amendments to prohibit the forced busing of children for the purpose of achieving a racial balance in our schools. The voice of the people is finally being heard, Mr. Chairman, and this is a sign that our democratic process is still healthy.

For years, this voice has been suppressed and muffled beneath the weight of platitudes voiced by liberal theorists, scholars, newsmen, commentators and politicians.

With their own children tucked safely away in private schools, they have presided over the dismantling of the public school system in the South. Even today, Mr. Chairman, when southern schools make up the most unitary and desegregated school system in the nation, they proclaim in pious tones that the effort must still be concentrated in the South, because of a few laws which were taken off the books years ago.

Whenever these men begin to detect the sounds of public protest against forced school busing, they plunge their heads into the sand like so many ostriches, to blot out the sounds which are offensive to them.

The latest example of this is a report put out by the Civil Rights Commission in which they announced the results of a poll they recently conducted on busing. They admitted in this report that 70 percent of the people they interviewed were opposed to busing. This figure was also reflected in a Gallup Poll taken in 1971, which measured opposition to busing at 77 percent on a national level.

Instead of interpreting these results in the obvious manner, the Commission was apparently blinded by the light of day. When confronted with the obvious fact that their pet project was unpopular, it never occurred to them that this might be because busing was ill-conceived or ill-advised.

On the contrary, they decided that it must be because the public was poorly informed. This is a perfect example of the ostrich-like attitude to which I referred earlier, Mr. Chairman.

If what the Civil Rights Commission says is true, it would logically follow that forced

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busing would be most popular in the areas in which it has been most practiced—yet precisely the opposite is true.

Why is forced school busing so unpopular, Mr. Chairman? In Bibb County, Georgia, some 4,000 children have fled from the public school system during the last 10 years, rather than subject themselves to the arbitrary student shuffling dictated by the federal judges and bureaucrats. During that period, private school enrollment in Bibb County has increased by approximately the same amount. This means that the Bibb County School System lost 13 percent of their students over that period. The office of the superintendent of schools down there told me that they are afraid they are going to have to move into a staggered system of opening and closing the schools so that they will have enough buses to go around.

In Richmond County, Georgia, Mr. Chairman, some 7,000 extra children are now being transported as a result of court-ordered busing to achieve a racial balance. This total represents 21 percent of the students in the Richmond County School System. Some children are being bused more than 6 miles through congested traffic—a journey which takes more than an hour to complete. This additional busing will add some \$325,000 to the cost of operating the Richmond County school system this year. It is tragic, indeed, Mr. Chairman, to consider how many new teachers could be employed, and how much school facilities could be improved if this money could have been spent for constructive purposes.

Furthermore, Mr. Chairman, school officials in Richmond County tell me that many of their students no longer feel any real ties to the schools they are attending. Certainly, this is not hard to understand when you consider that they are being shuttled around like so many cattle. By the same token, how can a mother like the one in LaGrange, Georgia, who has 5 children scattered throughout 4 schools have any real attachment to any of these schools?

Anyone who is remotely familiar with the public school system realizes what a vital role the support of parents has played in its development. This support has been seriously and perhaps permanently eroded by the judicial and bureaucratic meddling which we in the South have been forced to endure over the past ten years. Tangible evidence of the damage which is being done to the public school system in Richmond County, Mr. Chairman, is the fact that they have lost some 5,000 students during the past two years—about 15 percent of the total enrollment.

In Chatham County, Georgia, some 7,000 students are being bused in order to comply with a court order. This figure represents 20 percent of their total enrollment. The average distance involved in this transportation is eight miles. This busing will require the expenditure of \$197,540 in school funds. The total would be much higher except for the fact that some of the buses make as many as five trips per day.

Finally, Mr. Chairman, I would like to acquaint the Committee with the current situation regarding the public schools in Atlanta, Georgia.

A desegregation controversy of long standing was recently settled there. The settlement does involve some busing, Mr. Chairman, so I have mixed feelings about it. But I do think there were some significant developments in this controversy.

The Atlanta school system is currently composed of approximately 104,000 students.

Several months ago, an attorney named Howard Moore appeared on the scene and unveiled a plan drawn up by a gentleman named Stolee from Jacksonville, Florida. This plan would have bused about 30,000 students. The cost of putting such an operation into effect would have been about \$5 million for the first year, with a yearly operating cost of about \$2 million. Mr. Moore hailed this plan as the answer to Atlanta's desegregation problems. Of course, Mr. Moore had no children in the Atlanta school system—he lives in New York. But that fact notwithstanding, he was still convinced that he knew what was best for the children of Atlanta.

But then strange things began to happen, Mr. Chairman. The Chairman of the West Fulton High PTA made an appeal to the NAACP from which I quote: "Please, for the sake of our children, drop this suit which is forcing such a change that nobody seems to want. Integration has its place, but we have open schools now—each child is free to attend the school of his choice."

Then the minister of the Mount Pleasant Baptist Church, who is also the President of the South Atlanta Coordinating Council made the following statement in a newspaper interview: "In talking with many blacks, they seem to feel that they could accept any plan that would save community schools and yet give quality education. Many of them lean strongly toward freedom of choice. They feel that a person ought to be free to attend whatever school he wants to attend within a certain district. They have been forced practically all of their lives, and they don't feel that they should be forced to attend a school anymore than they should be forced to attend a certain church. If you're in a school because you're forced there, rather than wanting to be there, then it sort of takes some of the enthusiasm out of learning."

I am sure that most of my liberal friends would nod wisely upon hearing such statements and say, "Well what would you expect from Georgia?" But the interesting thing, Mr. Chairman, is that the people who made these statements, Mrs. Annette Teasley and the Reverend O. L. Blackshear are both concerned black citizens of Atlanta.

Yes, Mr. Chairman, substantial opposition to this massive busing plan developed in Atlanta. Both black and white parents made it very clear that they wanted no part of this plan submitted by the New York attorney. They adopted, instead, a compromise plan which called for busing only about 2,700 additional students, and sent Mr. Moore packing back to New York.

It is clear, Mr. Chairman, that something must be done about busing. There are those who urge that we follow the legislative route. President Nixon himself has said that a Constitutional amendment would take too much time.

I submit, Mr. Chairman, that we have no other choice. Time and again the Congress has passed anti-busing legislation. On June 23, 1972, the President signed into law P.L. 92-318, the most comprehensive anti-busing legislation yet enacted. It provided, among other things, that federal education funds could not be used for busing to overcome a racial imbalance, or to desegregate schools except at the express, written voluntary request of public school officials.

With this law clearly on the books, Mr. Justice Lewis F. Powell ruled that the provisions did not apply to the busing employed in Augusta, Georgia because that busing had been ordered to end segregation, not to overcome a racial imbalance.

It is precisely this type of tortured and distorted reasoning which literally cries out for a Constitutional amendment. I have such

an amendment pending before the Committee, Mr. Chairman, but I am not insisting, or even urging that it should be the particular one reported to the Senate.

But on behalf of all the Americans who oppose busing—on behalf of the tens of thousands of parents who have written me—I implore this Committee to report out an anti-busing amendment, and let us have done with this nonsense.

The judges and bureaucrats have had their fling at it. For ten long years they have been inflicting this nonsense on our school children. Can anyone say that our school system is better off now than it was ten years ago? I doubt it.

If a Constitutional amendment is reported and passed, we can wrench this problem from the bosom of arm-chair liberals—where it has languished for so long—and return it to the people. At long last, Mr. Chairman, let us seek the will of the people and their judgment on this matter, and abide by their wishes. After all, in the last analysis, we are supposed to be public servants and not all-powerful social planners.

#### CONGRESSIONAL QUESTIONNAIRE

**HON. ALBERT W. JOHNSON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. JOHNSON of Pennsylvania. Mr. Speaker, according to my usual custom, I have prepared a questionnaire on the key issues of the day to send to the people of the 23d District of Pennsylvania. For the information of the Members, and in order to make the questionnaire a part of the official RECORD of this session, I am presenting my questionnaire in detail. The questionnaire on its face will have a picture of myself at my office desk. On the back of the questionnaire is a picture of the Capitol building. The inside of the questionnaire has a picture of myself at the door to my office, wherein I state that my office is open to the people and their suggestions. The remainder of the questionnaire is as follows:

CONGRESSMAN ALBERT W. JOHNSON AND HIS OFFICE ARE OPEN TO YOU AND YOUR SUGGESTIONS . . .

APRIL 1973.

DEAR FRIENDS: The 93rd Congress already shows signs of being a productive one with many domestic, international and economic questions to be resolved.

Will you please take a minute or two to answer the attached questionnaire? I welcome knowing your views and would appreciate your mailing them to me.

In the last few weeks the following subjects have developed into key issues. Your advice on these key issues will help me to represent you more effectively. The numerical results will be tabulated and sent to you, and I plan to make your ideas known to the Congress and the President.

Sincerely yours,

ALBERT W. JOHNSON,  
23d Congressional District.

#### CONGRESSIONAL QUESTIONNAIRE

(Answer Yes or No)

1. The President has impounded some \$10 billion in appropriations, stating that to spend this money will require new federal taxes or a raise in the debt ceiling. Would you vote to compel the President to spend this money?

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2. Do you want me to vote to sustain a Presidential veto on bills which would substantially exceed the federal budget?

3. With respect to wage and price controls, do you favor: check (a) or (b).

a. Congress freezing all prices for one year.

b. Continuing to allow the President the power to impose controls?

4. Would you vote to include wages and salaries in a price freeze?

5. Should the United States relinquish its jurisdictional powers over the Panama Canal Zone?

6. Do you favor the phasing out of the Office of Economic Opportunity (anti-poverty program)?

7. Should Postal Workers be allowed to strike?

8. Should Congress repeal the law which turned the Post Office Department over to an independent corporation?

9. Do you feel that the United Nations contributes to world peace?

10. Would you vote for the proposed Trade Bill which grants power to the President to eliminate, reduce or raise tariffs?

11. Do you favor U.S. financial aid to North Vietnam to aid rebuilding destroyed areas?

12. Congress must vote to expand the allowable right of way before the Alaskan pipeline can be built. Would you vote for this expansion?

13. Should allowable tree cutting in the National Forests be increased as one way to lower prices?

14. Now that the U.S. has signed an anti-hijacking accord with Cuba, do you favor beginning negotiations to normalize relations with Cuba?

Comments:

#### CAN NUCLEAR POWER COMPETE WITH THE WIND?

**HON. MIKE GRAVEL**

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Monday, April 30, 1973

Mr. GRAVEL. Mr. President, on April 3 and again on April 4, power failures blacked out southern Florida's "gold coast" and its 2.5 million residents and visitors. Problems originating at the Turkey Point nuclear powerplant somehow took five nonnuclear plants off the line, too.

When it comes to reliability, as well as safety, there is a lot to recommend power from the wind. If a system's power comes from hundreds of small windmills instead of a few giant plants, the failure of one small unit is unlikely to black out 2.5 million people, or anyone at all.

In September 1972, William E. Heronemus, civil engineering professor at the University of Massachusetts, Amherst, presented a remarkable 35-page paper entitled "Pollution-Free Energy From Off-Shore Winds." In that paper, published by the Marine Technology Society in Washington, D.C., he proposed an offshore windpower system (OWPS):

capable of taking over the entire electricity generation task for the six New England states, capable of meeting the entire predicted year 2000 demand, and capable of competing economically with [nuclear] reactor plants.

NOT ONLY FOR NEW ENGLAND

The windpower is used to electrolyze seawater into hydrogen gas, which is

piped to shore and inland to make electricity in fuel cells, which require no cooling water, cooling towers, or high-voltage wires.

The natural variation in the winds creates no power problem because the hydrogen can be safely stored in underwater concrete hulls. The deep water storage system:

Takes from the collection trunk at 300 psi the excess of hydrogen over immediate load requirement, compresses it to 3000 psi, and delivers it to pressure-balanced deep water storage tanks. When excess hydrogen is available, it is sent to store; when there is insufficient wind unit production to supply the immediate hydrogen demand, hydrogen is drawn out of store.

Professor Heronemus conceived the offshore wind power system for New England, but he says:

It is clearly apparent that similar systems afloat in the Great Lakes, or ashore in our extensive regions of moderate to strong winds, are worthy of consideration.

Alaska may be one of those areas.

#### A DETAILED RESEARCH PROPOSAL

In December 1972, Professor Heronemus submitted a windpower research proposal to the National Science Foundation entitled "A Proposal To Investigate Windpower as a Natural, Clean, Solar-Driven Energy Resource With Potential for Significant Impact on the U.S. Energy Market."

This proposal would involve a 2-year effort conducted jointly by the University of Massachusetts, Oklahoma State University, Rensselaer Polytechnic Institute, University of Sherbrooke, Technological University Delft, Tuskegee Institute, University of Wisconsin, Grumman Aerospace Corp., General Electric, and ITT-Cable Hydrospace Division.

This group is asking for only half a million dollars per year for a system which could make commercial power before 1980; the AEC is asking for \$320 million this year for work on the breeder reactor which could make almost no commercial impact before 1985.

#### FACING THE TRUE COSTS OF NUCLEAR ELECTRICITY

On January 5, 1973, at AEC licensing hearings for the Shoreham nuclear powerplant, Professor Heronemus proposed an operating windpower system for Long Island by 1977. In his testimony, he discussed the actual costs of nuclear electricity, and the competitive nature of windpower. In addition, he submitted a 43-page proposal for a "Two-Increment Wind Power System for the Production of Electricity for Long Island." Such a system could start producing revenue after as little as \$43 million had been invested.

A table which compares the probable cost of nuclear electricity from the Vermont Yankee system—including pumped storage—with the probable cost of doing the same job with windpower, appears as appendix I in another paper which Professor Heronemus presented February 1, 1973, to a meeting of the American Society of Civil Engineers.

He estimates that the total average revenue required per kilowatt-hour for Yankee's nuclear electricity plus pumped storage will be 33.45 mills, compared with

27.65 mills per kilowatt-hour if a wind-power system were built.

Mr. President, I ask unanimous consent that major excerpts from the testimony of Professor Heronemus before the AEC Licensing Board, plus the table from his ASCE paper, be printed in the RECORD.

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

#### EXHIBIT I

#### TESTIMONY PREPARED FOR THE ATOMIC SAFETY AND LICENSING BOARD HEARINGS IN THE MATTER OF LONG ISLAND LIGHTING COMPANY PROPOSED SHOREHAM NUCLEAR POWER STATION. AEC DOCKET NO. 50-322

(By William E. Heronemus)

My name is William E. Heronemus. I am currently a professor of civil engineering in the University of Massachusetts, Amherst, devoting the preponderance of my time to graduate instruction in ocean engineering subjects, and to research in pollution-free energy resources. Prior to being named professor of civil engineering I was a manager in United Aircraft Corp. for two years, and had served in the United States Navy from 1938 to 1965.

During the last 17 years of Naval service, I was associated primarily with the design, construction and repair of submarines, including nuclear submarines. I was not directly involved in the design and fabrication of nuclear power plants, but was very much involved in the industrial and technical aspects of those power plants and their impact within shipyards.

While I have not studied the proposed Shoreham power plant in detail, I am generally familiar with nuclear plants of its type, and have also reviewed portions of the Draft Environmental Impact Statement describing the plant.

#### REASONS FOR TESTIFYING

My interest in the case derives from several factors:

(1) I have become convinced that proliferation of nuclear power plants on our coastline or in our heartland will present a thermal pollution problem whose real magnitude is just becoming apparent, and

(2) Because I am convinced that there are excellent alternatives which do not present a thermal pollution problem at all, and

(3) Because I am convinced that the emerging true cost of nuclear generated electricity is a luxury this country cannot afford. If the current plan for construction of several hundreds of very large nuclear power plants can be reversed at Shoreham, I would feel that the opposition would have done the country and the World a great service. I therefore am appearing here today on behalf of the Lloyd Harbor Study Group.

#### THE MYTH OF CHEAP NUCLEAR POWER

Three years ago I began a study of non-polluting energy resources which culminated at the end of the first year with an R & D Proposal in which 32 colleagues and I asked for the opportunity to investigate a National Network of Non-Polluting Energy Resources. Very little of our proposal work was new or basic. We proposed that some rather old, low-technology processes be looked at in the light of 1970 scientific knowledge and technology.

We included the study of offshore moored nuclear power plants, because we were convinced that we could at least ameliorate the heat-sink problem and maintain our coastal zone amenities if the thermal polluters were moved to deep, cold water, many miles off our coasts.

We also included the offshore nuclear plant because every piece of literature we could find insisted that the total installed cost per KWe for LWR power plants would lie in the \$125 to \$200 range, and that the

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production cost of electricity would never exceed 4 mills per KWH. Only one of our other concepts showed real promise of meeting that competition; the others were various solar energy, tidal power or ocean current processes whose least cost for generated electricity lay in the range of 15 to 18 mills per KWH.

Our initial research proposal met with little success; we sought almost 2.8 million dollars and we were awarded 145 thousand. I do not know the details of the reviews to which that proposal was subjected, but I have gathered the following inferences:

(a) a major factor cited against funding our work was the obvious inability of electricity produced by most of our processes to compete with the projected 4 mil per KWH electricity for nuclear plants.

(b) one of the two portions of our proposal recommended for funding is the investigation of the offshore moored nuclear plant. Someone in the Federal Power Commission, convinced that the vast majority of our power plants 40 years hence should be nuclear power plants, producing electricity at 4 mills or less per KWH, was in favor of funding that project.

#### ACTUAL FIGURES FROM VERMONT YANKEE AND INDIAN POINT

In the ensuing two years I have watched the cost of these nuclear power plants already rise to \$389 per KWe in one instance, and have seen Vermont Yankee delivered to its mortgagees with no chance of producing electricity at the busbar for less than 13.5 mills per KWH for so long as it may operate. And to achieve that cost the plant must:

(a) operate at such a power density that it exceeds the upper limits agreed for cooling water discharge pool temperature (the Connecticut River) even in winter time.

(b) operate its mechanical draft cooling towers during icing months as well as during summer months, and at a level that the fog and mist plume violate the agreed boundary,

(c) and achieve a reactor plant availability of 80 percent. The recent publication of CON EDISON experience with 60.9 percent average is significant here. And I know of nothing in the Vernon plant that is better than or more reliable than the corresponding items in CON EDISON's large collection of nuclear hardware. At 60.9 percent reactor availability, Vermont Yankee electricity will cost almost 18 mills per KWH at the busbar!

We have also experienced claims and counterclaims as to the quality of the workmanship in the power plant itself. I have visited all portions of the plant: I am not impressed. For example, I would never accept for the U.S. Navy the piping and wiring in the rod drive-mechanism enclosure. The complexity of the instrumentation and its cabling between reactor and control room is such that I have not been at all surprised at the recent set of spurious alarm incidents which they have experienced.

#### NUCLEAR CAPITAL COSTS

As a result of our desire to develop our concept for a credible and useful offshore moored nuclear plant, I have taken a greater interest during the past two years in the shoreside nuclear power plant program. As a result of my rather extensive reading, I have been greatly perplexed by the published data from the nuclear industry which continues to quote nuclear capital costs of \$200 per KWe or less.

Even three years ago, projections of Vernon plant costs indicated at least \$300 per KWe. And I understand that at plants like Nine Mile Point, some people have known for years that delivered costs would reach \$400 per KWe. I also understand that LILCO now agrees that a Shoreham plant, if built, will cost more than \$400 per KWe.

Yet, in the face of all that, the highest management within AEC published and de-

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fended, as late as February, 1972, an official updated "Cost-Benefited Analysis of the LMFBR" which starts its entire debate from a plot which shows LWR plants costing \$125 per KWe and steadily decreasing over the next decade!

I thus find myself confronted by some kind of credibility gap. The growth of electrical generating plant projected for the U.S. for the next 40 years represents a huge capital investment, possibly the largest single capital investment program facing our nation. And those on whose advice we are leaning the most heavily have already demonstrated their incompetence in the ratio of 400 to 125. How can we have much respect for such demonstrated managerial incompetence? How many genuinely capitalistic free-enterprise corporations could sustain themselves while making such managerial misjudgments?

#### NUCLEAR SUBMARINES VS. COMMERCIAL POWER-PLANTS

The above is based on fact. Now I venture into opinion, and in a field in which I do not claim competence. But it may be the crucial point in this discussion. I have never known how or why the shoreside nuclear plants could be estimated by the STRAUSS group to cost of the order of \$125 per KWe shortly after HAFSTAD published an estimate of \$1400 per KWe (1950).

Nor do I understand why Rickover reactor plants consistently cost much more than \$2400 per KWe, each new plant costing more than its predecessor. There is not that much difference between efficiencies of the BWR versus the PWR.

The idea of great economy of scale that featured earlier discussions has been shown to be the trap which any clever man should have suspected: i.e. there is essentially no economy of scale for the hardware portions of highly stressed pressure-vessel devices unless more competent materials and processes can be used at the larger scale. It would appear that just the opposite is true; the larger the pieces of these plants, the more expensive per pound many of the parts become. There is certainly no savings in welding costs as a function of pipe size.

So, how could the STRAUSS plants cost one tenth of the Rickover plants? I don't know, but I suspect that the answer lies partially in the thermal energy-density accepted by the STRAUSS group and always rejected by RICKOVER.

And I think I know why Rickover refuses to build even \$400 per KWe reactor plants; he equates the increase in thermal energy-density to achieve the reduced cost with a corresponding reduction in safety. I am told that a RICKOVER plant would never suffer a malfunction of the Emergency Cooling System, for example, because his Emergency Cooling System is adequate to match his thermal energy-density.

#### INVESTORS GETTING INCOMPETENT ADVICE

We thus have an interesting situation. A bureau bearing one of the heaviest managerial burdens in the U.S. has demonstrated its economic-forecast incompetence by missing a fundamental number by a factor of 3 to 4.

The same bureau, bearing perhaps an even heavier responsibility insofar as public safety is concerned, has chosen to divide another successful manager's factor of safety by, perhaps, a factor of 10.

I am concerned. If I could find today any literature like we used to find back in the mid-fifties when men could still debate, as honestly as they could, whether or not there was a place for nuclear power as a competitor with gas, oil or coal fired central stations, I would feel less concerned. The last of those papers faded away in the late 50's. Babcock and Wilcox "went nuclear." Combustion Engineering "went nuclear," etc., etc.

The debate stopped when the notion that nuclear power plants would cost only \$125

per KWe, and electricity would cost 3 to 4 mills per KWH prevailed.

Should not that debate be reopened? Are there any men left to carry on the debate?

#### NO NUCLEAR LEARNING CURVE

Returning to facts, I have also become aware of many allegations (and some facts) surrounding the "quality" of these plants. Mr. Louis Roddis of Consolidated Edison, N.Y., has suggested quite bluntly that they are not the quality that they should be. I know this from my own experience:

There is no "learning curve" for the construction of nuclear power plants in shipyards; I doubt that there could be one for the shoreside program where very few men actually work on a succession of power plants. The shipyard experience showed that the last plant completed always cost more than the preceding plant. Why?

(1) Practically nothing in a nuclear power plant is susceptible to automated or production-line fabrication.

(2) The skills required of the mechanics who build them are primarily motor skills (welders are crucial to the construction of a nuclear plant). No welder improves with experience or age; he simply becomes more tired, and his eyesight deteriorates steadily from his first day on the job.

(3) *Nothing can ever be done as well as it might be!* There is never any sense of finality in building a nuclear plant. It is unsatisfied technology. The more one applies Quality Assurance practices, the more he knows he should apply even more. There is that semi-conscious awareness within management at all levels that they are dealing with what can be a death trap.

Consequently, the Q.A. requirements grow and grow, and cost grows exponentially with Quality Assurance requirements. A Rickover can justify those escalating costs within a DOD frame of reference; the civilian economy cannot unless it is a matter of necessity.

#### ECONOMICALLY COMPETITIVE SOLAR POWER SYSTEMS

To sum up, I started work on alternatives to energy conversion plants which pollute the air and water, and found it almost impossible to compete with the nuclear cost myth. In 1972-1973, I find it very easy to complete, except for the offshore moored nuclear plant which looks like a loser solely because of the cost of the nuclear plant itself.

The alternatives which I find competitive are all solar energy processes, requiring application of rather low technology but at the same time readily susceptible to improvement through application of the best modern technology. The two most promising processes for near term applications are:

(a) Windpower and,

(b) The Ocean Thermal Differences Process

Submitted herewith is a copy of "Power From the Offshore Winds," a paper presented to the Marine Technology Society in September 1972. In that paper I summarize a system capable of taking over the entire electricity generation task for the six New England states, capable of meeting the entire predicted year 2000 demand, and capable of competing economically with LWR reactor plants.

And since no one has claimed that LMFBR will ever cost less than 110 percent of the comparable LWR plant, I believe that the Offshore Wind Power System could preclude there ever being a need for a breeder reactor in New England.

The Offshore Windpower System is set out in detail in the above paper. Any one of our large corporations, if properly motivated, could start to deliver OWPS hardware within 24 months of a program start. Delivery would best be planned to extend over a 20 or 30 year period, using career employees in a number of constantly improved highly automated factories. There is genuine opportunity there for "learning curve" cost-

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reduction with high volume long-duration production.

#### RELIABILITY THROUGH REDUNDANCY

The OWPS concept places a large number of wind generating stations offshore of New England where the Westerlies are fresh and strong most of the year. The OWPS concept is readily adaptable to Long Island's needs. Wind generators feed electricity into electrolyzer stations. The hydrogen gas produced by electrolysis is piped ashore, thus capitalizing on a very inexpensive method to transport energy, and at the same time creating a "storable", part of which can be stored against the times when the winds don't blow.

That same storage feature becomes the means of coping, efficiently, with the daily, weekly, seasonal demand curve of the customer. That same storable and its in-pipeline transmissionability becomes the means of coping with the lack of new land for expanded overhead electricity transmission lines.

The entire system has the tremendous advantage of reliability through redundancy. When Vermont Yankee reacts to a spurious signal, 537 MW in a total of about 11,000 MW of NEPEX generating capacity drops off the line; with OWPS, one wind station disabled would mean one thirteen-thousandth of the system capacity would be lost.

#### WIND-POWER ENVIRONMENTAL IMPACT STATEMENT

The Environmental Impact Statement for OWPS would include the following entries:

- (a) Thermal Pollution: zero.
- (b)  $SC_2$  effluent: zero.
- (c)  $NC_x$  effluent: zero.
- (d) CO effluent: zero.
- (e)  $CO_2$  effluent: zero.
- (f) Hydrocarbon effluent: zero.
- (g) Maximum radioactivity discharge: zero.
- (h) Number of casks of high level wastes per year: zero.

(1) Probability of a Loss of Coolant Incident: zero.

(j) Probability of an Emergency Core Cooling failure: zero.

#### NINETEEN BILLION KWH FOR NEW YORK BY 1978

The winds over New York Shoals are ideally suited to an Offshore Wind Power System. Capacity in excess of the projected LILCO and CON EDISON requirements can be found there. In this connection, I have been devoting some time to a preliminary design for a two-increment windpower system for LILCO, which is submitted herewith. Construction could begin in 1975. At least 19 billion KWH per year could be flowing out the system by late 1977, if its creation were given enthusiastic endorsement and enlightened leadership.

Long Island lies adjacent to one of the best of the U.S. wind channels. Those winds can do for Long Island what the nuclear plants can not do: provide sure, safe, reliable, reasonably-priced electricity, in abundance.

#### EXHIBIT II

#### APPENDIX TO THE PAPER "ALTERNATIVES TO THE HEATING AND EVAPORATION OF GROUNDWATER WHILE STILL SATISFYING THE ENERGY APPETITE"

(By William E. Heronemus)

Since the 19th of November 1972, we have seen some factual light shed on the question of demonstrated reactor plant availability. For the Con Edison system, at least, Mr. Louis Roddis reports that actual availability has been 60.9 percent.

This comes as a bit of a shock to those who have based their policy decisions on data in WASH-1203-71, "Operating History of U.S. Nuclear Power Reactors, 1971" by the U.S.A.E.C. It isn't too much of a shock, though, for those who have realized that down-periods of fewer than 5 consecutive days were ignored by the U.E.A.E.C. in compiling that very useful document.

The following comparison takes plant availability into account.

#### COMPARISON VERNONT YANKEE AND WINDPOWER COSTS

##### Vermont Yankee & Northfield Pumped Storage

(a) Enough nuclear plant to deliver 8760 base load kWhrs per year, assuming that Vermont Yankee reactor performance will be as good as that of Con Ed reactor plant:  $1 \text{ kWe}/0.609 = 1.65 \text{ kWe}$   
plus 39.1 percent of another base load plant capable of taking over base load duty when the plant reactor is not available:  $(0.391)/(1 \text{ kWe})/(0.609) = 0.64 \text{ kWe}$   
Total required:  $= 2.29 \text{ kWe}$

(b) Cost of base load plant @ \$389/kWe =  $(2.29) (389) = \$891$

(c) Enough pumped storage plant to provide 0.3 kW peak on top of 1.0 kW base: @  $\$140/\text{kWe} = \$52$

(d) Enough typical New England transmission plant to transmit 1.8 kW = \$43

(e) Total capital investment required: \$996

(f) Fixed costs, per kWh @ 15.5% = 17.65 mills per kWh

(g) Fuel costs, per kWh, including cost of long-term fuel investment: = 3.0 mills per kWh

(h) O & M. Production, reflecting the very expensive repairs required in actual nuclear plant compared against those in typical coal and oil fired plants: (an average of 1969 experience at Yankee Atomic, Connecticut Yankee, Indian Point, Peach Bottom, Dresden, San Onofre, Humboldt Bay) 2.7 mills per kWh

(i) O & M, Transmission 0.1 mills per kWh

(j) Charge for evaporating water from the Connecticut River: per kWh

(k) Charge for obscuring the sun (additional "fog days") from the adjacent Connecticut Valley Farm land: per kWh

##### Proposed Offshore Windpower System

(a) Enough wind units, distillers, electrolyzers, compressor-reducer station, offshore pipeline and storage system, ashore hydrogen distribution system and fuel-cells to deliver 8769 kWhrs @ a rate as high as 1.3 kW:

= 2.50 kWe, wind units, 1.30 kWe fuel cells

(b) Cost of all the above: \$1000

(c) included in (a) and (b)

(d) included in (a) and (b)

(e) \$1000

(f) = 17.70 mills per kWh

(g) = 0.0

(h) 0.3 mills per kWh

(i) 0.0

(j) 0.0

(k) 0.0

## EXTENSIONS OF REMARKS

April 30, 1973

## COMPARISON VERNONT YANKEE AND WINDPOWER COSTS—continued

Vermont Yankee & Northfield  
Pumped Storage

(1) A proper share of the annual cost of running the non-defense portion of the AEC: per kWh

(m) A proper share for the amortization of the taxpayer investment in the uranium enrichment plants: per kWh

(n) A proper share of the cost of the high level nuclear waste management, now borne at the federal level by all taxpayers: per kWh

(o) A proper share of the revenue lost to federal taxpayers by the funneling of dump power, TVA, Bonneville and Bu Rec Systems, into uranium enrichment instead of selling it to power-hungry markets: per kWh

(p) Total Production and Transmission Costs: 23.45 per kWh

(q) All other costs: distribution, customer service, profit, G&A: 10.0 mills per kWh

(r) Total average revenue required per kWh: 33.45 mills per kWh

## Proposed Offshore Windpower System

(1) 0.0

(m) 0.0

(n) 0.0

(o) 0.0

(p) 18.65 mills per kWe

(q) 9.0 mills per kWe

(r) 27.65 mills per kWh

WILLIAM B. BENTON

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. COTTER. Mr. Speaker on the death of William Benton, Connecticut and the Nation lost a truly unique man. Bill Benton was both a successful and a courageous person, yet he went beyond conventional courage and success. He was always willing to take a risk, and it almost always paid off. At an early age, he turned down the comfortable security of a Rhodes scholarship in order to enter the very competitive advertising field. He became one of the major innovators in this ever changing field and eventually founded his own firm with Chester Bowles. In turn, Bill Benton also achieved great successes with the Muzak Corp. and the Encyclopaedia Britannica.

The finest example of his courage during his term as Senator from Connecticut. William Benton rose on the Senate floor and called for the resignation or censure of Senator Joe McCarthy. He was the first Senator to take the political risk of public and open denunciation of the demagogue from Wisconsin. Many have said that Bill Benton was defeated for reelection because of this, but I am sure that he knew that it was one of those risks that had to be taken.

Bill Benton was also a man of sincere dedication. He contributed to education as vice president of the University of Chicago and as trustee for the University of Connecticut, which now houses his valuable art collection in the Benton Museum of Art. He helped the people of the world as an Assistant Secretary of State, where he helped establish the United Nations Educational, Scientific, and Cultural Organization—UNESCO. During the early 1960's Bill served as Ambassador to UNESCO.

In his lifetime he was a businessman, a publisher, a Senator, an educator, and a public official. We have no adequate word to describe such a man, and in the future anyone like him will be known as "another Bill Benton." I cannot think of any greater words of praise.

come limitations for the social security recipient who is above 72 years of age, because we recognized the frailties and difficulties of these older Americans and because of various other reasons, including the fact that we do not want to shut these persons behind closed doors. If they can work at something constructive, so much the better. Or, if they have more than one pension, great. Well, that was a beginning, but I was quite pleased.

I have likewise sponsored legislation which would completely remove any income limitations for World War I veterans and widows. Unfortunately, no action was ever given my proposal—so I looked for a compromise which might be a good alternative. I believe the bill I am again sponsoring today is such a compromise which goes a long way toward recognizing the special needs of these older veterans.

The bill would increase the income limitations to \$3,000 for single veterans and widows, and \$4,200 for a veteran and widows with dependents—from the present levels of \$2,600 and \$3,800. And, in addition, it provides that the increases in social security benefits, Railroad Retirement annuities or pensions, or Federal Government employee annuities be exempt from the determination of annual income.

The bill also details other provisions establishing a slight increase in the monthly pension, and establishes a priority for hospital care to the veterans receiving a pension under the act.

The numbers of World War I veterans and widows are not many; they are advancing in age; and the increase in the cost of living has a significant impact upon their small revenues. I trust that you will feel, as I do, that this bill should be enacted into law, so that we can assist them in "making ends meet." They deserve your support.

THE WARSAW GHETTO UPRISING:  
A SYMBOL FOR ALL TIME

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RANGEL. Mr. Speaker, it is now 30 years since a small band of Jews in the ghetto of Warsaw, Poland, rebelled and fought against their deportation to Nazi concentration camps. The Jews' numbers were small and their resistance was but a minor annoyance to the Nazi war machine.

But today, we remember the Warsaw Jews. And it is imperative that we remember them tomorrow and the next day and for as long as man inflicts violence upon other men. For although their cause was futile, they fought back. Although the rest of humanity sat back and watched, the Warsaw Jews resisted.

Let us always remember and revere the downtrodden, the tortured, and the oppressed. Those who resisted, until death, for freedom and for justice. Theirs is a cause and an act for all seasons.

We are farsighted enough in the 92d Congress to at long last remove the in-

## THE CRITICAL NEED FOR INCREASED NONFOOD ASSISTANCE

## HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FRENZEL. Mr. Speaker, Mr. Bob Benedict, a constituent of mine is the National Director of the U.S. Jaycees Center for Improved Child Nutrition. The program which he advocates in the following testimony has been carefully researched and developed by the Jaycees in cooperation with both our Federal agencies and many other interested parties. However, much yet remains to be done. The nutrition program is the keystone upon which good health and good education must be based. The most logical and convenient vehicle to administer this program is our educational system.

Bob is also the founder of a rather remarkable project known as the Teen Corps of America which began in my district several years ago.

His testimony follows:

## THE CRITICAL NEED FOR INCREASED NONFOOD ASSISTANCE

(By Robert M. Benedict)

The United States Jaycees is not an organization that automatically supports every social cause. Quite the opposite. We research, debate, and go through an elaborate vote procedure before lending our name to anything. The Jaycees believe strongly in the term "fiscal responsibility," and look with great favor on the concept of "cost-accountability." But, gentlemen, we are greatly concerned about saving a little in the short run, only to lose heavily in the long run. And that's why I'm here today—to talk about a program that is both highly humane and one of the finest investment possibilities the Jaycees have researched in a long while—the National School Food Program.

After exhaustive research, the U.S. Jaycees have found that where the School Food Program has been introduced, it has had an incredible impact on:

1. Decreasing the drop out rate, absenteeism and tardiness
2. Increasing academic achievement
3. Substantially reducing health care problems and health care costs

In essence, it is producing a far healthier, far more educated citizenry that is better able to break the poverty cycle. (And our records will so verify)

## U.S. JAYCEES CENTER FOR IMPROVED CHILD NUTRITION

As a result, the Jaycees have established a National Center for Improved Child Nutrition in Minneapolis, Minnesota, to organize "investment seminars" throughout the nation, which will demonstrate the impact of the School Food Program to over 18,000 "no program" schools with a population of over 5 million children. We have already had impact in Phoenix, Chicago, Minneapolis and Philadelphia, and presently have a statewide seminar planned for Michigan on May 5.

Our seminar philosophy is to bring together the local Jaycees chapter with the local chairman of the school board or superintendent and outline:

1. The value of the program to the child and community in investment terms
2. The numerous methods available for establishing a food program

## BOTTLENECK

Beginning in September, the Jaycees will be holding one statewide seminar per month.

## EXTENSIONS OF REMARKS

We feel we can be successful—except for those schools that need the program most.

In those schools where the investment will pay off most handsomely in the long run, because the school lunch or breakfast is the only square meal a child may get (and in many cases his only reason for staying in school), the allotment of non-food assistance money is woefully inadequate, and looms as the prime obstacle and bottleneck to feeding American children.

In a recent survey of state school food service directors, sponsored by the American School Food Service Association and conducted by the Food Research and Action Center, it was found that an additional \$28,232,196 was required to cover the immediate non-food assistance needs of 43 states responding.

The Jaycees Center spent hundreds of hours cross checking this survey and not only found it to be correct, but by surveying each state school food service director, found a tragic and vicious circle at work.

## THE VICIOUS CIRCLE

Presently, the requests for non-food assistance funds are based partially on the number of application requests that a state has on hand. The catch is that schools are discouraged from applying until the state has the money on hand. So, since the state has fewer requests, it gets less money, thus discouraging more schools from applying—and so it goes in a downward spiral.

This is borne out in the response to a Jaycees survey of state school lunch directors conducted in March of this year.

## IDAHO

"We purposely have not requested applications from all eligible school districts because the need is great and we know that we don't have the money on hand to meet the demand."

## GEORGIA

"Superintendents are not encouraged to actually submit applications until funds are available. The applications are complex, require bids, and therefore we do not ask for applications beyond funding capability. . . . Schools desperately need equipment if we are to reach all young people."

## OHIO

"Since our funds this year were so limited and schools knew this, most of them did not make any request after knowing that our funds were exhausted January 1, 1973."

## SOUTH CAROLINA

"In the program schools, we could use at least \$300,000 additional funding to take care of current applications which we have not been able to process due to limited funding."

## MICHIGAN

"We are certain, as we have been very selective about soliciting applications to this point, that many more applications could have been received."

## KENTUCKY

"Funds for fiscal year 1973 were not sufficient to do the job we were called on to do and most of the claims had to be funded partially. No doubt, if the amount of funds had been tripled, the requests could have been met in full."

## MAINE

"We had originally requested an additional \$500,000 for this fiscal year. However, as our funds were so limited, many interested communities did not follow through on their plans to seek matching funds required at the time of their annual town meetings in March. . . . Several communities must provide buildings to house the food service facility. Assurance that funding will be forthcoming is necessary to provide the incentive to build these structures."

## ALABAMA

"Requirements for participation have been restrictive. Therefore, there is no possible way to determine the actual need for schools that could conceivably qualify for non-food assistance."

## IOWA

"This year because of the fact that our allocation was less, that more schools applied, and that applications must be completely processed by June 30 and paid by December 31, we: 1) Established a cutoff date for applications of December 15; 2) Had to reduce the percentage of federal assistance to an extremely low figure to accommodate a maximum number of applications. As a result, 25 schools either withdrew their applications or did not fill out an application form but decided to wait until next fiscal year. In addition to these 25 schools, many other schools indicated a need but did not consider filling out an application because they considered the percentage of federal assistance to be too low and could not come up with enough money from their budgets to provide the school's share of the cost . . . My plea under our circumstances, is to urge the Congress to make the appropriation adequate for fiscal year 1974, since the authorization is now \$40,000,000."

In summary, the Jaycees feel that proper nutrition is the imperative prerequisite for improved education and health, and that the School Food Program is perhaps the only nutrition program where we can be assured that food is getting directly to the child.

Secondly, we feel that the expansion of this program is being curtailed in the very areas where it is needed most by grossly inadequate non-food assistance, and that the number of applications a state has on hand is a terribly misleading criteria with which to gauge funding needs.

Finally, the Jaycees feel that it is far less costly and far more humane to deal with a child nutritionally during his formative years, than to have to pay for him medically and on welfare in later years. America can make no greater investment than to feed her children.

Therefore, the United States Jaycees wholeheartedly support the raising of the non-food assistance appropriation to its full \$40 million dollar authorization.

## GOD BLESS AMERICA

## HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. CEDERBERG. Mr. Speaker, as we have all watched several hundred Americans, prisoners of war in Southeast Asia, have returned to their homeland. The overriding characteristic of these men has been the faith which they have expressed upon their return to their God, their fellow man, and their country. Too often we become insensitive, by the quality of our lives, to the principles and faith which make that quality possible. It is especially fitting as we return from our Easter holiday to take note of a heritage made rich by our Christian background and the holidays of salvation which both religions have just celebrated.

I would like to bring to my colleagues' attention the remarks of Mr. Richard Capen, a vice president of Copley Newspapers and a man versed in the ways of Government, a few weeks ago, on the oc-

## EXTENSIONS OF REMARKS

casion of a prayer service for our brave men. I think that Mr. Capen points out well the foundations of our faith and the depth of meaning it gives to the special occasion of our prisoners' return:

A SERVICE OF THANKSGIVING AND PRAYER FOR OUR PRISONERS OF WAR AND THOSE MISSING IN ACTION

(By Richard G. Capen, Jr.)

Today, all America is bursting with pride, gratitude and thankfulness for the almost indescribable dedication and courage of our prisoners of war in Southeast Asia.

We respect them—not just for their service to country—but for their inspiring ability to survive, relying only on the most basic principles of our American way of life: Faith in God, Dedication to country, Devotion to family and Dependence upon each other.

How many times we have heard those phrases repeated by our returnees in recent weeks. And, how forcefully, their example has reminded each of us that the precepts upon which our nation was founded are as valid today as they were 200 years ago.

For too long a handful of destructive critics have gone unchallenged in their false contentions that such principles were no longer relevant to America.

These irresponsible purveyors of doom take on a pathetic tone when matched against the example of any ONE of our American prisoners of war.

This morning we offer special prayers and thanksgiving to these brave men and their families. We do so with a certain humility, knowing something of their long suffering. We also do so with caution and concern, fully mindful that some 300 American captives have yet to be returned and more than 1300 have yet to be accounted for.

Our thoughts are also tempered by the sobering realization that these men have yet to describe the conditions of their captivity and will not do so until all prisoners have been released.

Only then can we truly appreciate the depth of the abiding faith which sustained them through prolonged periods of torture, isolation, lack of medical care and inadequate diets.

As we offer prayers for these men, let us reflect for a few moments on why it is that so much has been focused on this particular group of Americans. Why our prisoners of war? Why our missing men? After all, they represent less than one-tenth of one percent of all those who have served in Southeast Asia.

Certainly, our prayers and thanksgiving go to those Americans who have served and particularly to those who gave their lives or were wounded in Southeast Asia.

But there is an overpowering justification for special attention to our prisoners of war. After all, our dedication to human life and freedom is both clear and consistent with every value of American society.

During the long war in Vietnam, American prisoners of war were set apart, not by the United States, but by our adversaries. It was they, not us, who disregarded every minimum standard of humanity.

Deeply concerned by those intolerable prison camp conditions, Americans spoke out with one voice, demanding the humane treatment of our men who were completely at the mercy of their captors.

Our men deserved nothing less from us.

Yes, we prayed, we spoke out, we negotiated, we launched rescue missions. In short, we assisted wherever possible so that we could face our men when they returned with a personal conviction that all had been done to obtain their humane treatment and eventual release.

Through this determination our prisoners of war became a national issue. Whatever success we achieved in their behalf is small indeed compared to their service in our be-

half. Whether in combat or captivity, these men have served with courage and determination.

Faith in God. Dedication to country. Devotion to family. Dependence on each other.

What vigor our men have given to those beliefs today. What pride we can have for these men and our country. And, what better time for all Americans to pull together, raising the flag instead of burning it as one returnee has suggested.

The cynics and agitators may have difficulty understanding this dynamic patriotic phenomenon of recent weeks, but I can assure you that most Americans have no trouble understanding it at all.

"God Bless America" will never again be sung in our country with casualness or complacency for our returnees have brought new meaning to those powerful words.

Today, their accomplishments take on a new meaning at a time when America is seeking to heal the wounds of a long and divisive decade of the sixties.

I deeply respect our prisoners today, not just for surviving captivity, but more so for the example they have set for others to follow. Faith in God. Dedication to country. Devotion to family. Dependence on each other.

For some time Americans have needed a reaffirmation of those fundamental values. Our returning men, through their example, have provided that reaffirmation.

Captivity forced them to look inward for strength to survive. Their record should force us likewise to look inward for our own strengths as we seek meaningful priorities in our own lives.

Irving Berlin wrote "God Bless America" in 1918, but the song was a flop. In 1938 he dusted the tune off for a Kate Smith show, and it became an instant hit.

Once again "God Bless America" has been dusted off, this time by our returning prisoners of war.

Yes, America has been blessed by God and blessed to have among us such men as these.

May all Americans go forward this day with a faith renewed sufficiently to sustain us as it sustained these brave men for so many, many months.

We can truly build our future in the image of God's will if we can restore our Faith in God, Dedication to country, Devotion to family and Dependence on each other.

In closing, may I share with you a contemporary prayer which sums up our confidence in today and hope for tomorrow. Its message is particularly appropriate as we honor those who were sustained by the memories of yesterday and the hopes of tomorrow. For those who have returned, tomorrow has at long last become today:

It's time!  
time to believe and hope again!  
make it spring in my wintered body,  
bring me out of hibernation,  
see the sun, Lord, see that new sun,  
breaking its own record for smiling,  
feel its warmth and you smile, too,  
and I'll smile with you.

Hey, look at that new world stirring,  
cracking loose from the ice,  
surfacing in yellow, violet, and pure gold.  
listen to all those crazy birds,  
fantastic orchestra without a conductor!  
I'm eager for the return of the robin,  
stretching to be surprised  
by a dream or even a duty.  
You're calling me out  
of my cold prison  
into your warming world,  
and I'm hearing  
and I'm coming out,  
for it's time,  
time to believe and hope again!

May God bless these men and their families.

May God always bless our country.

April 30, 1973

And may God bless all of us who have benefited so much from the example of those whom we remember in our prayers today.

## FAIR TRIAL VERSUS FREE PRESS

## HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WALDIE. Mr. Speaker, the *raison d'être* of a free press is to provide information to the public. We have heard much in the last few months of the withholding of information through closed meetings or overuse of the secrecy classification by both the legislative and executive branches. However, it appears that courts, too, seek to silence reporting through the use of a "gag" rule. I hope all Members will realize the seriousness of this problem as demonstrated by R. D. "Ron" Funk, editor of the Santa Monica Evening Outlook, in a hearing before Judge Oliver Feifer, on February 18, 1973:

## GAG ORDER IS INDEFENSIBLE

(By R. D. Funk)

(On Feb. 17, a Santa Monica Municipal Court judge issued a temporary gag order in a case of four men accused of slaying Los Angeles corporate executive Alan Scott MacFarlane. The order by Judge Rex Minter prohibited police, attorneys and witnesses from disclosing information about the case pending trial. Following a hearing on Feb. 18, Judge Oliver Feifer refused to impose a permanent order to control the proceedings. In denying the defense attorney's motion for a gag order, Judge Feifer said he would rely on the good discretion of court and police officers in releasing information on the case. The judge also asked for fairness to be exercised on the part of the news media. Opposing the gag order during the hearing before Judge Feifer was Santa Monica Evening Outlook Editor R. D. (Ron) Funk. For your edification, we offer portions of his statement to the court.)

The court has asked me, as a professional newspaper editor to present a generalized statement on the motion before the court to impose on all parties to the instant case an order we in the news business describe as a "gag" order.

I am not an expert in the field of Constitutional law, which is what we are dealing with here. I am, however, versed in some of the arguments developed by press organizations opposing "gag" orders in general.

Before continuing, I would state that I am unalterably opposed to "gag" orders.

I state also, however, that I consider myself to be as much interested in the rights of defendants to a fair trial as is this court and the respective parties in this case.

The issue before us is what has become known as the "Fair Trial vs. Free Press" issue. But I disagree with that title . . . It implies an inherent conflict between the First Amendment, guaranteeing freedom of speech and press, and the Sixth Amendment, guaranteeing that "the accused shall enjoy the right to a speedy and public trial, by an impartial jury . . ."

I do not believe there is a conflict between these rights. On the contrary, I firmly believe—as do my colleagues in both the newspaper and broadcast industries—that these rights embodied in the First and Sixth Amendments, are mutually supportive.

I add that a great many judges and lawyers find no conflict, either.

What must be borne in mind is that we are

all agreed in trying to maintain both the fundamental rights of free speech and press, and the rights of the individual to a fair trial.

I will acknowledge that there have been instances when newspapers, taking spoon-fed information from police officials and prosecutors, have helped create situations where the defendant rights to a fair trial have been compromised.

But these instances have been very few, and they certainly do not call for strictures that actually impede the public's right to know, or endanger the defendant's right to a fair trial.

Here we must consider the stake we all have in the continued vigor of our concept of freedom of the press.

Freedom of the press is part of the broader right of free speech. The core of the freedom of the press idea is that there should be no "prior restraint" on speech or on what a newspaper publishes.

The First Amendment specifically prohibits any licensing requirement to publish or speak.

In the United States, the right of freedom of the press is guaranteed so that the public may know whether its governmental agencies are functioning properly—the press serves as a check upon abuses by those in power, upon those who have vested that power.

This has always been recognized as one of the "preferred" rights under our Constitution and one which is entitled to special protection from government impingement or interference.

Recently we have seen the U.S. Supreme Court broaden and extend the right.

The reason for our high court's concern in strengthening the freedom of the press is that in our increasingly complex society, with an ever-enlarging range of government control in our daily lives, freedom of the press becomes that much more important as a means of deterring tyranny and corruption.

It seems to me that "gag" orders—which are relatively new court procedure, and which I believe are an unreasonable extension of the Reardon committee findings of the ABA—are a dangerous example of the increasing tendency of our government—on all levels—to control the flow of information to the public.

It seems to me ironic that while the Supreme Court has been extending freedom of the press, lower courts are showing tendencies to try to curb that freedom.

Now let me discuss briefly the particular case we have here, and why I think a "gag" order would be indefensible.

We have a case that has created no widespread public interest on the level of Sirhan and Manson. Nor will it.

The case, on the facts as presented so far, involves four individuals charged with murdering a man in a Sunset Boulevard motel. The man himself was not particularly prominent—his only prominence was in the business world, and in this narrow world, he was not widely known.

There is no hint so far that this case involves material, facts or personalities in which the public would take particular interest.

It appears that the story, as it unfolds in this court, will be a sordid one.

It is not the kind of story my newspaper, the Evening Outlook, or any other newspaper, will pay much attention to. It was a brief page one news story on the day the body of the deceased was found.

It has not been a page one story since—not when the suspects were first identified, not when arrests were made.

In conclusion, your honor, I strongly urge that the motion be denied. There is no need—real or imagined—for a "gag" order in this case.

## EXTENSIONS OF REMARKS

### PHANTOM PLAINTIFFS SUIT AGAINST CONGRESSIONAL RESERVES

#### HON. CRAIG HOSMER

OF CALIFORNIA

#### IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HOSMER. Mr. Speaker, the military analyst for the Detroit News recently developed information of interest relating to the lawsuit now carried to the Supreme Court concerning Members of Congress who hold reserve commissions. Colonel Heinl's article in the News follows:

[From the Detroit News, Mar. 16, 1973]

#### ANTIWAR RESERVIST SUIT RAISES CONSTITUTIONAL ISSUES

(By Col. R. H. Heinl, Jr., Retired, USMC)

WASHINGTON.—The war is stopped but the case goes on.

The case is a lawsuit started three years ago by a California anti-war group (Reservists Committee to Stop the War) aimed at excluding members of Congress from membership in armed forces reserve components.

How this suit—which lawyers say presents important constitutional questions—reached the threshold of the Supreme Court, where it now is, presents a striking picture of radical exploitation of the judicial process and discloses intriguing glimpses of the tactics and shifting operations of the anti-war movement. It also shows that movement adjusting its operations and goals and aiming at new post-Vietnam objectives.

Originally filed as a class action in May, 1970, by the reservists committee—then a Berkeley, Calif., group mainly composed of unenthusiastic Army reservists—as well as by a slate of five individual plaintiffs put together so as to represent officer and enlisted ranks in all reserve components, the suit:

Will be argued before the Supreme Court by a radical lawyer associated with the American Civil Liberties Union, William A. Dobrovir of Washington, D.C., who says he is unaware of the whereabouts or present military status (if any) of his plaintiffs save one (who is and has throughout the case been a civilian). Dobrovir also refuses to disclose who is paying for the costly legal action.

Was and is being pursued by Dobrovir on behalf of clients he has never met. When questioned on this point, the lawyer replied (speaking of the one civilian plaintiff who appears to have been the moving force in the case), "I dealt only with Adam Hochschild, and not the others."

Go to the Supreme Court with the whereabouts and status of plaintiffs unknown to the reservist committee which originally recruited them. A spokesman for the organization, Cris Myers of Boston, said, "I don't honestly know where the original plaintiffs are or can be reached." Later he added that he thought Hochschild was "in Washington."

Appears to have involved the use of "straw" plaintiffs solicited by telephone in the San Francisco Bay area. According to Hochschild, a former reporter for Ramparts magazine, Bill (Dobrovir) wanted a representative cross section, "so we hustled around and got these guys. They weren't particularly close with our group." Four of the five plaintiffs located confirmed this version, said they had never attended meetings, and didn't know if the committee still existed.

"As far as the lawsuit is concerned, I really don't know much about it," said one plaintiff, Ernest Nolar of Berkeley. "I got into it by a phone call from Adam."

Confronts the court with a class action in which the allegedly representative reservist plaintiffs (excluding Hochschild, who is and was at the time of filing, a civilian) appear to have little if any present connection with the case, only proforma association with it at the outset, and only tenuous links to the Reserve.

On its face, the suit (which all sources agree was the brainchild of Hochschild, at one time an Army Reserve Specialist 4 in San Francisco) challenges the military reserve status of 108 U.S. senators and representatives, composing one-fifth of the total membership of the 93d Congress and, in the words of Dobrovir's original pleading, "a dominant minority" on key defense and foreign policy committees, as well as those providing related appropriations.

The nub of the case lies in two constitutional conflicts, one asserted by the reservist committee, the other by the government.

The committee contends that membership by congressmen in any military reserve component or status (even if retired or inactive) violates Article I, Section 6, of the Constitution, which prohibits persons "holding any office under the United States" from being "a member of either house" of Congress.

Solicitor General Erwin N. Griswold, on the other hand, argues that the suit raises what constitutional lawyers call a "political question" (in this case the right of Congress—Article I, Section 5—to be sole judge of members' qualifications) and is therefore not triable in the courts.

Behind these two visible and clear-cut constitutional conflicts, lawyers point out an issue that transcends the military questions involved. That is whether the reservists originally enjoyed legal standing to bring suit at all—a standing which the 1970 trial judge, Gerhard A. Gesell, U.S. district Court, Washington, D.C. upheld with reserve.

If the reservists' right to sue as finally affirmed by the Supreme Court, lawyers say it will open federal courts to innumerable political cases and afford "almost limitless" opportunity for litigatory harassment of the government and other large organizations.

Judge Gesell—while denying any other standing to the suit ruled that the plaintiff's were entitled to sue solely by virtue of status as citizens, without showing damage or injury. On the other hand, existing decisions expressly bar actions—apparently like this one—seeking "to employ a federal court as a forum in which to air generalized grievances about the conduct of government."

Against the foregoing constitutional and legal background, the suit—apparently conceived by Hochschild and masterminded by Dobrovir—won Gesell's affirmation insofar as the constitutional question was concerned.

Gesell, declined, however to grant the reservists injunctive action he asked, and also blocked a "fishing expedition" they sought into Pentagon files.

Last September, without opinion, the U.S. Circuit Court of Appeals for the District of Columbia upheld Gesell. Dobrovir and the committee, who freely admitted that the suit was a wartime attempt to harass a predominantly hawkish segment of Congress on the Vietnam War and related national security issues.

Hochschild said, however, that the suit was actually "aimed at the whole Reserve bureaucracy," explaining that, since "future Vietnams" are more likely to be fought with reservists than draftees, the Reserve was now the most important target.

Ron Ainspan of Boston described as "co-ordinator" of present operations, said frankly, "Our long-term goal in this is really to eliminate the Guard and the Reserve."

What has happened since 1970 to the Reservists Committee to Stop the War and

how it operated, has been reconstructed as follows:

Originally founded in Berkeley by Hochschild and apparently composed mainly of disgruntled fellow anti-war reserve soldiers, the committee—in the words of plaintiff Notar—"never had meetings, just put out a newsletter occasionally."

In signing up plaintiffs (besides Notar mentioned above) procedures were casual, to say the least.

David L. Kranz, another Berkeley reservist plaintiff, described his recruitment as follows: "Someone called me up and said, 'We want to start a lawsuit,' and they put my name on it."

When asked who the caller was, Kranz replied, "I have no idea."

In mid-1972, an Eastern antiwar group of similar membership and objectives—Reservists Against the War—based in Cambridge, Mass., made contact with Hochschild and offered to take over the Berkeley operation, which apparently had become moribund.

After conferences between Hochschild and Ernie Thurston, head of the New England reservists, the Cambridge organization took over active conduct of the anti-congressional litigation, although Hochschild continued to advise and appears to have been the sole contact with lawyer Dobrovir at his various Washington addresses.

"Adam is still handling our relationship with Bill Dobrovir," Thurston explained, adding—on a question as where the money for the suit was coming from—"I don't know any more than you do."

The committee now operates out of quarters at 355 Boylston Street, Boston, also headquarters of the Legal In-Service Project which offers "counseling and other help . . . for both active-duty military people and reservists."

Cris Myers, of Legal In-Service Project, explained that the reservists committee operated from "the same office, with overlapping personnel." He said that the project put out the committee's newsletter and kept their files, describing Legal In-Service as "a kind of receiver" for the Berkeley reservist committee.

Myers said he had no idea who was retaining or paying Dobrovir.

Hochschild was reticent on this point. He simply replied, "A couple of guys in the group chipped in," but would not identify them.

Dobrovir's fees to date, Hochschild estimated, had been about \$2,000 ("at very generous rates," he added). Washington lawyers, however, said a fair estimate of legal and other costs on a case of this kind should more nearly approximate \$5,000.

#### THE THIRD AVENUE TERMINAL

#### HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, a controversy is currently underway in New York City over whether a new terminal for the Long Island Rail Road should be constructed in mid-Manhattan just three blocks away from an existing terminal, Grand Central Station. The Metropolitan Transportation Authority proposes to construct the new terminal with the assistance of \$227 million from the Federal Government.

This project for the city's heartland has grown with few realizing that it was in the making and consequently with little input from sources outside the MTA on possible alternatives for its location. The genesis of the Third Avenue terminal proposal occurred sometime in the late 1960's, and presently the MTA has an application for Federal funding pending at UMTA.

The question is whether Grand Central Station, which is presently underutilized, might provide a better alternative to the construction of the proposed Third Avenue terminal to be situated at the fringes of a high density commercial area of the city and in the midst of the Turtle Bay community.

Grand Central Station is an existing facility. It has the potential of providing the means for the efficient coordination of the various forms of rapid transit coming into mid-Manhattan: The commuter railroads, the city subways, and the proposed Long Island Rail Road and Kennedy Airport line. As it is today, a substantial portion of Grand Central Station, because it is underutilized, has effectively become one of the fanciest train yards in the country for the storage of railroad cars.

Grand Central Station would have to be modified to accommodate the Long Island Railroad tracks and passengers. And undoubtedly there would be some problems in using Grand Central Station; there are problems within every location. Furthermore, the possibilities of Grand Central are sufficient to warrant a thorough and objective study before any Federal funds are provided for the proposed Third Avenue Terminal. In my judgment, the environmental impact statement on this project is deficient in not fully exploring the Grand Central alternative.

On March 133, 1973, I wrote to Frank C. Herringer, the Administrator of the Urban Mass Transportation Administration, criticizing the impact statement in this respect and urging the Federal Government's insistence that the potential of Grand Central be thoroughly studied. On April 16, Mr. Herringer replied that he had reviewed the issue and that

Before any UMTA funds would be provided for this project we (UMTA) will require that a complete analysis be prepared of alternative sites for the mid-town terminal.

He went on to give me his assurances that before proceeding with UMTA funding, the option of a location at Grand Central Terminal "will be fully explored."

I am now in communication with UMTA in an effort to get the Administration to commission the study directly so that we can be assured that it is thorough and unbiased.

The mass transit demands of New York City are great and the amount of Federal funding available to the city is limited. New York City must use its resources—both local and Federal—as effectively as possible. It is for this reason that we must be assured that all potential alternatives, especially those that would be less injurious to the surrounding area, are ex-

plored. Before one spends some \$342 million of the taxpayers' money, public officials must make certain that it is being spent wisely.

#### RARICK REPORTS TO HIS PEOPLE: THE MYTH OF RISING FOOD PRICES

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RARICK. Mr. Speaker, many of the farmers I have talked to recently from the sixth district and other areas of the country have expressed to me concern that their side of the food price increase story is not fully understood by the general public. Most city housewives, who have seen food costs take a larger share of their household budgets in recent weeks, know very little about farming or food production. But the American farmer has been accused by some groups of making huge profits at the expense of the city consumer. Such is simply not the case. Food prices have risen, partly in response to higher prices at the farm level, and partly due to increased marketing costs. But also because the "printing press dollar" just is not worth what it used to be before devaluation and deficit financing.

I am not a farmer. I do not own any cattle or other livestock. But I do understand the problems the farmers of our State face in this time of inflation. To see the full picture of why food prices are on the upswing, the city consumer must understand the position of the farmer in our modern food chain. A number of myths have sprung up lately about the role played by the farmer in higher food prices.

Compared to other industrialized countries of the world, we Americans have long enjoyed readily available, inexpensive food for many years. This has been so true that most people have almost assumed that cheap, plentiful food is an American right. But availability of good food is a result of our efficient agriculture production system, and just plain hard work by our farmers.

Perhaps our great food production system is almost too good. It has lulled many Americans into believing that food and meat production is almost automatic—taken for granted like air and water. Incomes should rise, that is progress, but the price of farm products should not have been the attitude of many American consumers. Until the last few months, this has been the case. Grocery bills have accounted for an ever-decreasing share of the family take-home pay. Since the end of World War II, when one-fourth of the paycheck went to pay for food, this percentage has continually decreased. By 1972 food expenses took just over 16 percent of the average American's paycheck. This is amazing progress. Especially so, when you consider

that in many areas of the world people spend up to half or more of their money just on food.

Efficient farming methods, the use of pesticides, food additives for livestock diets, and mechanization of equipment have all combined to keep food costs at relatively low levels. But our inflation prone economy has driven up the costs of production to the farmer, while his income has not followed. Higher food prices are not the cause of inflation—they are the logical result.

Price ceilings on farm products, or as many groups have suggested—price rollbacks, would do little to reduce costs to the housewife. Farmers now get just about a third of each food dollar. The other two-thirds represents the cost of getting food from the farm into the hands of the consumer. Labor costs account for half of that total. So while farm prices move up and down in response to supply and demand, labor and transportation costs move only upward. If farm product prices never again advanced by a single dollar at the farm level, food prices would continue to rise.

Toward the middle of last year prices in the supermarket began to rise more sharply than they had in quite a while. This is particularly true of prices at the meat counter. While beef prices have finally climbed back to levels of 20 years ago, the farmer's profit margin is smaller than it was 20 years ago. Farmers are now paying two to three times more for help, machinery is nearly twice as high, and production costs have doubled over the same period.

Last year saw the first major increase in prices at the farm level in many years. But anyway you look at the Government statistics, our farmers are not getting rich at the expense of the city folks. In Louisiana last year, farm net income reached just over \$7,500 on the average. When you consider that the farmer's investment in land, machinery, et cetera, averages between \$90,000 and \$100,000, this is a poor return for the money from a business standpoint. But when you realize that only one-half of the farmer's income pays for his labor, the \$3,700 the average Louisiana farmer made, is shockingly low. This figure is well below the national poverty level. But still the farmers of this country are singled out when prices rise.

Many consumers are confusing affluent living standards with inflation. While people are complaining in general of prices, what is actually putting the most strain on the family budget are the luxuries that we have become accustomed to—the things that many never thought of buying until recently. The typical family income in the United States last year was about \$11,200. Compare this to the farmer's income. Half of all families earned more than this amount. Even after historically high State, Federal, and local taxes, most people have more spendable income now than ever before. Even though people are grumbling about prices, inflationary spending and installment buying continue at a record pace.

Purchases of new cars this year are

## EXTENSIONS OF REMARKS

expected to reach a record high of nearly 11½ million. Color television set sales are at an alltime high. Leisure spending, including hobbies, and vacation travel—much of it in foreign countries—is expected to push above its record high of \$105 billion last year. Almost a quarter of a million pleasure boats are scheduled to come off the production lines during 1973. There is no doubt that the American standard of living is moving onward and upward. Yet, since food is such a visible and daily expense, any increase is viewed with alarm. We live in an inflation-ridden society that will likely continue to grow more so for some time to come.

Looking at the longer and longer cash register tapes from the supermarket as an indication of increased food prices is misleading. One reason, often overlooked, for an increase in the grocery bill is a change in retail merchandising techniques in recent years. Today's supermarket offers the housewife a wide range of products for her consideration. Toothpaste, baby powder, nylons, light bulbs, and scores of other products have greatly increased the tab at the checkout counter. Almost 30 percent of the "grocery bill" is not groceries at all, but products that in past years the consumer would have normally purchased at the drug, hardware, or variety store.

The American housewife values her time today, and spends more of her household budget for "convenience foods" which add greatly to the food bill. USDA home economists estimate that the built-in "maid service" of pre-cooked, freeze-dried, readymade preparations, and packaged dinners have run up the cost of feeding a family by 25 percent. And we must not forget that the farmer does not share in the profit of this extra preparation.

On numerous occasions I have pointed to the effect of the massive sale of grain and livestock food to the Soviet Union, which has resulted in rising food costs to the consumer in this country. Last year the Russians imported more than one-quarter of the entire American wheat crop. Much of the wheat crop had already been marketed by the farmers before the sale of 400 million bushels to the Soviets sent prices soaring. So the large international grain traders reaped the profits, subsidized by the U.S. taxpayer, while the farmers only caught the expense of higher prices for livestock feed. In some areas of the country, the price of soybean meal, used in beef and hog feed, rose from a price last year of \$75 a ton, to a whopping \$170 a ton. Soybeans were included in the Russian grain deal.

Even the economists and politicians who last fall hailed the trade with the Russians as an historic breakthrough, are beginning to backtrack now that food prices at home are rising. Last week one of the national news magazines listed a "bright note" in the price crunch. It said:

Pressure on U.S. Food stock—and prices—could ease if Russia's grain needs decline... from 1972's massive levels. The impact of that deal helped to drive up grain prices in the United States.

It does not take a degree in economics to realize that when you sell a quarter of your production of any product, it will drive up the cost of the remainder. That is the law of supply and demand in action. The Soviets have already given indications that they expect their grain crop this year to be poor, and plan to look again to the United States and Canada to bolster their lagging production.

If we do not learn from this past trade mistake and take action to cut off the pending sale to the Russians, the American consumer can expect another hike in food costs next year too. For this reason I have called on the Agriculture Committee to hold a hearing to look into this depletion of our grain stock before another 500 million bushels of wheat are loaded up and sent to Russia. This is not a complete solution to food increases. But it is a start toward curbing prices in one area. We must consider the pocketbook of Americans before we allow the big combines to make a quick buck by shipping our needed food supplies overseas.

No one likes to pay high prices for the products they buy—especially food to feed our families. Inflation hurts every segment of the population, but the people who suffer most are those on fixed income, such as retired people.

Blaming the farmer for higher food prices cannot solve the problem. Neither can wage and price controls. Political solutions cannot solve economic problems—in most instances the problems are only worsened by governmental control. There can be no real relief from the problems of high prices, high taxes, and inflation, until we attack the root causes—too much waste, deficit spending and excessive foreign giveaways. The wage and price control powers Congress recently extended another year for the President did not freeze your taxes or limit Federal spending.

Economic freedom, like individual freedom, cannot perform and solve American economic problems when handcuffed. The free enterprise system, if allowed to function without more Government imposed and controlled socialism will solve the inflation problem in this country.

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### SENATOR HUMPHREY SAYS ADMINISTRATION'S SPENDING POLICIES ARE DECEPTIVE

**HON. GERALD R. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GERALD R. FORD. Mr. Speaker, on Friday the 13th of April the distinguished junior Senator from Minnesota, made public a staff study of the Joint Economic Committee which he said shows that the administration's spending policies are "a combination of deception and incompetence." It seems to me that if deception has taken place, it is Senator HUMPHREY and the public who may have been deceived by this highly

## EXTENSIONS OF REMARKS

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misleading and inaccurate staff report—a report which appears to have been quickly thrown together more as partisan propaganda than as meaningful economic analysis.

For example, the study states that the President's original proposal of a \$246 billion budget for fiscal 1973 "was increased to \$250 billion by the administration itself." In fact, the \$250 billion figure first appeared in the administration's mid-year review of the 1973 budget last year, and that review showed that the Democratic 92d Congress added virtually all of the \$4 billion increase.

Likewise, the joint committee staff study suggested that the administration requested that fiscal 1972 revenue sharing be shifted to fiscal 1973, whereas, in fact, the administration sought to have revenue sharing begun in 1972, and it was the Democratic 92d Congress delay which caused payments to be made in 1973.

I enclose for the RECORD other comments on the Humphrey staff study:

## COMMENTS ON JEC PAPER ON THE ADMINISTRATION'S SPENDING REFORM PROPOSALS

## WHO SPENT THE MONEY?

## Staff study

"... the President originally proposed \$246 billion for the fiscal 1973 budget. That was increased to \$250 billion by the Administration itself. . . ."

## Comment

The \$250 billion estimate appeared first in the Mid-Session Review of the 1973 Budget sent to Congress by the Director of OMB on June 5, 1972. The report showed that the increase over \$246 billion resulted from Congressional additions as follows (billions):

Congressional enactment of coal miner benefits	+1.0
Congressional delay in enacting general revenue sharing	+2.2
Interest on the debt	+.4
Other	+.1
Total increase	+3.7

## Staff study

"(The Administration) apparently felt that additional outlays of \$1.2 billion for Vietnam . . . were necessary."

## Comment

After the June 1972 estimate of \$250 billion was made the Administration did request an increase for Defense which added \$1.2 billion to spending. Subsequently, the Congress made cuts which reduced Defense spending by \$1.6 billion. However, the current estimate of Defense spending is \$1.2 billion below the initial 1973 estimate, thus negating much of the \$1.2 billion increase.

## Staff study

. . . an administration request to shift fiscal 1972 revenue sharing into fiscal 1973.

## Comment

The Administration wanted revenue sharing started in 1972; it was Congressional delay that caused the payments to be made in 1973.

## Staff study

"Most of the remaining 'unconstrained' spending growth is a projection of what the social services grant program would have cost if Congress had not put a \$2.5 billion ceiling on it during the last session."

## Comment

Since 1970 this Administration has proposed a limit on the social services program because it was clear that that program would

grow out of control. It was only when an astronomical rise in payments had already occurred (from \$354 million in 1969 to \$1.6 billion in 1972) that Congress acted.

## Staff study

"Thus the potential \$15 billion increase in fiscal 1973 spending over the President's original budget proposals consisted of roughly \$6½ billion in Presidential spending initiatives, 1½ billion in uncontrollable spending increases, 5 billion in Congressional spending initiatives. . . ."

## Comment

The figures of Congress' own scorekeeping reports differ. The end-of-session report of the Joint Committee on Reduction of Federal Expenditures shows (on p. 2 of Staff Report No. 9-Revised):

## Outlay estimate in millions

Congressional action to date	+\$6,305
Amendments to the 1973 budget estimates transmitted to date	+2,896

## WHAT ARE REAL BUDGET SAVINGS?

## Staff study

"With these standards in mind (as set forth above) a substantial part of the Administration's claimed savings for fiscal 1973 are not real budget savings. It is not a real saving to shift \$1.5 billion of general revenue sharing payments a few days . . . to sell off \$1.5 billion in Federal credit and stockpile assets . . . to have a (\$242 million) windfall increase from the terminated European Fund. . . ."

## Comment

The budget document is forthright concerning these actions. Under the heading, "Avenues to outlay reductions" the following statement is made: "To minimize as much as possible the need for sharp cuts in ongoing Federal programs, the first effort was directed at seeking possible reductions in net outlays that could be obtained through such means as the disposal of additional materials from the Government stockpile and the development of non-Federal financing for various credit programs (through the sale of loan and mortgage paper) . . . Deferrals of certain Federal payments beyond the dates that had originally been planned . . . also were considered. . . . The largest of these was a relatively short delay . . . for . . . General Revenue Sharing."

Many of the actions the JEC characterizes as a "windfall" or "automatic" required deliberate action (e.g. considerable negotiation was required to obtain a return of funds from the European Fund). Surely the Congress would agree that actions such as these to reduce budget totals are more desirable than direct program reductions.

The budget clearly distinguishes program reductions and terminations from other savings. All of the program reductions and terminations included in the list of "Cosmetic Budget Cuts" on page 9 required positive action, including resistance to those proposing the spending.

## Staff study

"Budgetary savings are of course desirable only if they eliminate ineffective programs."

## Comment

Clearly not valid. It is essential that budget savings be made, if necessary, even in relatively effective programs if the budget total is such that wholly undesirable inflation or other economic effects would result. The JEC statement misses the fundamental point.

(We can agree with the later statement—p. 10—that ". . . the necessary reduction in government spending should consist of the set of government programs that are lowest priority and most ineffective.")

## Staff study

"It should be emphasized that the reduction of inflation is not a valid economic

criteria for eliminating an individual government program."

## Comment

While there is logic in this statement, given the statement quoted above, there are some programs that can create their own inflated costs, e.g. Water Quality Control and highway programs at maximum levels.

## WHERE ARE THE ADMINISTRATION'S EVALUATIONS?

## Staff study

"In response to these requests (for detailed explanation, justification of cost-benefit impact, cost-benefit relationship . . .), on March 19, 1973 the Office of Management and Budget sent the Committee . . . their formal justifications for cutting 108 programs . . ."

## Comment

The material sent to the Committee on March 19 was not the "formal justifications." Justifications for budget actions are (and have been for the applicable programs) provided to the Congress in many ways. Requests for lower appropriations or legislative actions were set forth in detail in the budget. Justifications are furnished in much greater detail to the Committees which will act on the proposals. The JEC is not an action Committee.

The material sent to the Committee was not intended to provide analytical assessments or cost-benefit analyses. Such analytical material should be obtained from agencies responsible for justifying budget requests. Materials used in connection with Presidential determinations is privileged. The budget proposals represent the President's judgments, based on thorough assessments, beginning at the agency level.

## DEFENSE

## Staff study

"The most incredible case of cosmetic budget cuts is national defense, which in fact increases by \$4.7 billion."

## Comment

The Administration took deliberate steps to reduce military and civilian end strengths not only from proposed levels but also from previous levels. The civilian and military strength level planned for June 30, 1974 is over 140,000 less than for June 30, 1972 and 80,000 less than planned in the budget for June 30, 1973.

## Staff study

". . . a budget savings (for 106,000 reduction in military and civilian end strengths) is claimed because the Secretary of Defense cut the in-house wish list from the military departments."

## Comment

Defense spending rises primarily because of increases necessary to maintain military and civilian pay levels comparable to those in the private sector, to achieve an All Volunteer Force, to meet normal price increases and to pay for military retirement.

## CONCLUSION

## Staff study

". . . this preliminary analysis would seem to indicate that the information provided to Congress as formal justification for the budget cuts is of such low quality that Congress cannot rely upon it in formulating spending reform and setting national priorities."

## Comment

Again, this material was not provided as a formal justification. Congress can make its decisions through appropriation and legislative Committees on the basis of detailed hearings and justifications by agencies.

## JOHN CATES VIEWS U.S.-LATIN RELATIONS

HON. DANTE B. FASCELL  
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

**Mr. FASCELL.** Mr. Speaker, in recent months a great amount of attention has been given to the deteriorating state of relations between the United States and Latin America. In *Journal of Commerce* of April 13, 1973, one of our Nation's foremost observers of the inter-American scene, Mr. John M. Cates, Jr., voiced his own concern over the present trend in hemisphere relations and issued a clear call for all those interested in improving relationships between the Americas to speak out.

Mr. Cates, whose personal credentials as an inter-American statesman are widely known, is president of New York's prestigious Center for Inter-American Relations, which through a variety of programs seeks to strengthen understanding between the peoples of the United States and the other nations of the hemisphere. I am sure that Mr. Cates, experienced views will be of great interest to my colleagues.

## UNITED STATES CALLED TURNED OFF TO NEEDS

(By John M. Cates, Jr.)

Pan American Week in 1973 is an appropriate time to take a general look at United States relationships with Latin America. In contrast to the halcyon days of the Good Neighbor policy and of the Alliance for Progress, we find today that people in the United States insofar as Latin America is concerned are generally turned off.

Whether this grows out of a deliberate government policy of low profile or whether the low profile follows naturally from a general disinterest in the area is not particularly relevant. The fact is that it is difficult to arouse interest in the United States in anything affecting the hemisphere.

## U.S. WITHDRAWAL SEEN

Reports of the nationalizing of American businesses, the solid Latin American front in favor of Panama's position on the canal at the recent Security Council meeting, the impression of isolation of the U.S. delegation at the recent Economic Commission for Latin America meeting in Quito, all are symptoms of a general withdrawal of the United States from the concerns of the Western Hemisphere.

On the other hand there are so many things drawing us together—the long-lasting ties between the U.S. and various individual countries in the hemisphere; the security considerations implicit in our geographic location; and our common political and cultural heritage deriving from western European and African immigration and Indianism.

Strange it is, therefore, that organizations interested in the inter-American concept must make such a self-conscious effort to point out their mutual interests.

Unique among the institutions established to advance inter-American understanding and personal interchange is the Center for Inter-American Relations. Taking a multiple approach to the area, the center seeks to point up to North Americans not only the problems but the achievements as well of our southern neighbors. Not only their needs but also their many contributions.

To accomplish its purposes, the center engages in a wide variety of projects. These range from such diverse subjects as an ex-

## EXTENSIONS OF REMARKS

planation by the Foreign Minister of Mexico of its position on the 200-mile sea limit to aid in protecting Mayan monuments in the Guatemala jungle from vandalism.

Roundtables and seminars have put before concerned Americans the Panamanian position on the Canal negotiations; the constitutional basis for Chile's program of nationalizing industries; and the interest of Japan in expanding its investments and contacts in Latin America.

Equally important to an understanding and appreciation of our Latin American neighbors is a knowledge of their important contributions in the fields of literature, art and music.

Through this varied approach the center seeks to combat what can only seem as an aggressive disinterest on the part of the United States toward the area, a situation which not only can result in a matching apathy toward the United States on the part of our neighbors but has already had serious repercussions.

At a time of U.S. disengagement from Asia, at a time of aggressive economic competition from Europe, Latin America should be assuming greater, not lesser, importance in terms of markets, development and source of energy. Certainly, the business community here should not lose sight of the stake it has in Latin America. The U.S. exchanged \$12.25 billion worth of goods with 20 Latin American republics last year; U.S. investment in Latin America and the Caribbean had accumulated \$15.8 billion as of the end of 1971.

Pan American Week should be a time when we passionately appraise our South-of-the-border relationships. It is worth taking a minute to consider a not unlikely possibility that the entire continent might turn elsewhere for friendship.

Our slightly patronizing assumption that the Latin American countries have no choice except to remain wedded to us must be seriously questioned. The United States can disregard only at its peril our natural ties and mutual interdependence. There is still time to adopt a different posture which can demonstrate to our vital neighbors our good will and our interest. It is interesting that concern for our relations with Latin America is also currently expressed in the prestigious Foreign Affairs Quarterly—not generally noted for its interest in our neighbors. An article on "Latin America: Benign Neglect is Not Enough," states that, although no policy is better than a wrong one, "There is not much time left to develop new ideas and make a new approach before events will overtake and 'surprise' the State Department."

A recent comment in the English Newsletter "Latin America" refers to the "stark public revelation of the incompatibility of interests between the United States and Latin America," as revealed in recent meetings by the Security Council and Economic Commission for Latin America and current Organization of American States meetings in Washington.

Our neglect is showing. Those of us concerned with improving the relationships between the Americas must, more than ever, speak out at this time. The Center for Inter-American Relations is intensifying its efforts. But we cannot do it alone.

## RESTORING VETERANS' DAY TO NOVEMBER 11

## HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

**Mr. ST GERMAIN.** Mr. Speaker, one of the bills which I have introduced this

year that has vigorous support from the veterans in my district is House Joint Resolution 495. The bill would restore Veterans' Day to November 11—the date which has both history and tradition to recommend it.

Many veterans have written to me or spoken with me personally to urge that the Congress change the date back to November 11.

I would like to share with my colleagues a poem I received recently by J. Bernard Hurl entitled "Give it Back," that calls for a return of this commemoration to its former date:

## GIVE IT BACK

(By J. Bernard Hurl)

In the past not long ago

Then we read of friend and foe  
How our boys fought and bled that we might live;

Then on high the Prince of Peace

Bade the sound of battle cease  
And we welcomed home the heroes of the free.

But now lest we forget

There are those remaining yet  
Who call Iwo Jima and Corregidor a past  
But I know that in their mindsThey still think of those behind  
And for endless time those memories will last.

The eleventh of November

To every veteran member  
Of all wars is a ne'er forgotten day;  
But one day someone changed it

Entirely disarranged it

"Give it back" is what we hear the veteran say.

Remember—veterans earned it

Memories have forever burned it  
Into their minds and to their hearts as well;  
So remember to remember

The eleventh of November

A day of peace which followed days of Hell.

## THE VALLEY REGISTER: AN EDITORIAL

## HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

**Mr. BYRON.** Mr. Speaker, over the past several months we have heard much of the "energy crisis" and the effect it will have on our Nation. It was refreshing, therefore, to note a recent editorial in the Valley Register urging an end to the talking and a positive call for action.

I think this frank and forthright editorial best expresses the view of many people throughout our land and I share it with you now:

## WHY PERMIT THIS "ENERGY CRISIS"?

Papers are being filled these days and radios and television sets are blaring forth the dire warnings concerning the fast-approaching crisis in the supply of energy-producing fuels available to see us through the next decade or so. But the truth is that there is no need to sit on our hands and permit such a far-reaching paralyzing of our economy to creep up on us. There is no doubt whatever that we are fast depleting our available supply of fossil fuels (coal and oil, as well as gas reserves in the earth). Already this nation is becoming partially dependent upon foreign sources for our oil and this threatens us with a "sword of Damocles" hanging over our heads and puts us at the mercy of not

## EXTENSIONS OF REMARKS

altogether friendly nations which are in a position to corner the world supply. This is not only unwise but it is unnecessary. The United States should not be dependent upon any other spot on the face of the earth for our energy-producing supplies. There is evidence that there is a great amount of "skulduggery" at work designed not only to hold down the available supply of oil that we need even now but to create artificial scarcities which result in skyrocketing prices. Oil companies do not have the refineries necessary to produce the gasoline the country needs and they are not building others to remedy the deficiency. The attempt of the President to alleviate the squeeze by permitting freer importation of foreign crude oil and extending the limits for off-shore drilling will not in itself produce more refinery capacity. So long as the oil barons hold this capacity for monopolizing the supply, there is little hope for improvement.

But other sources of energy are available—sources which are practically inexhaustible. Three of these are thermal energy from deep down in the earth, solar energy from the sun's rays and the more promising source of nuclear energy. If the nation put one fourth the expense and effort into the development of one or all of these energy sources, our worries about the future insofar as our future energy needs would be over. Of course such exploration and experimentation would be fought by mining interests and oil cartels, but such pressures have been overcome before when real danger threatened, and they can be overcome again. Some day our present sources of energy will be obsolete. It could be soon if we wake up.

## NATIONAL HOSPITAL WEEK

## HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. NELSEN. Mr. Speaker, I am today joining with my distinguished colleague and chairman of the Public Health and Environment Subcommittee, Mr. ROGERS, in introducing a joint resolution requesting the President to designate the week of May 6 through May 12, 1973 as "National Hospital Week."

In a time when we are so vitally concerned about our health care delivery system it is easy to overlook the dedicated care given in our Nation's 7,000 hospitals. Each day better than 3 million people go to work in these institutions. Their responsibilities evidence a wide range of skills and services—everything from housekeeping and maintenance work to nursing and surgery.

Though care and comfort for the sick and injured have been the traditional responsibility of our hospitals, many of these facilities are now deeply involved in conducting research for the diagnosis, prevention, and cure of crippling and killing diseases. Some are even experimenting with new and, hopefully, improved methods of delivering health care within the institutional setting.

It is also interesting to note the increased importance that hospitals have attached to outpatient services. Increased expenses and improved technology have escalated the cost of providing hospital beds. For this reason, outpatient care must be provided as quickly and as thoroughly as possible—this in an effort to reduce the need for hospital stays. Today, six times as many people are

treated on an outpatient basis as are required to remain in the hospital. In calendar year 1971, 200 million people received outpatient services. Such an emphasis on outpatient care is an important element in our fight to contain medical costs.

It is often easy for us to be critical of the people and the institutions charged with the responsibility for providing health care—indeed there are times when we should be critical. Yet, we must not lose sight of the marvelous, and at times miraculous, work being done in our hospitals. They deserve our appreciation and I am proud to cosponsor a resolution toward this end.

Thank you.

## A TRIBUTE TO ART PETERS

## HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. NIX. Mr. Speaker, few of my colleagues will have heard of Chester Arthur Peters, but I rise to pay tribute to him today for his was a major writing talent. Had he lived, I am certain he would have gone on to being published in news media throughout the land. His growing career and influence, I am deeply saddened to report, were foreshortened April 11 by a strange viral disease diagnosed as meningitis.

Though only 44, Art Peters, in the words of Gene Roberts, executive editor of the Philadelphia Inquirer, for which Art wrote an eloquent and compassionate column, was a man who, "despite the short-lived nature of his career, accomplished more than most of us will accomplish in our lifetimes."

Mr. Speaker, I often find columnists and reporters who prosper through use of the contentious or excessively flamboyant statement. But Art Peters rather used a gifted talent for painting social problems in colorful words of compelling humanity. His was not a world of blackness or witness, but he was, as he said, everybody's columnist.

Mr. Peters often pondered his choice of professions. As a qualified lawyer, he felt he could represent the oppressed, the downtrodden, the poor working people, who, he said, are "frequently ground to bits."

But, as a journalist, he sought the opportunity to influence thousands of people and "to sway the thinking of the 'silent majority,' the vast number of readers who are indifferent to the plight of the underdog."

I believe it fortunate he made the choice in recent years and forsook the bar to devote full time to journalistic endeavors.

A fellow writer, Jack Sanders, editor of the Philadelphia Tribune, professionally assessed Mr. Peters by recalling that he "had an uncanny way of expressing himself to the point where he would make you believe what he was writing. He could convince you."

Mr. Sanders believes that Art Peters made a greater contribution to the white community through columns that were

chiefly devoted to black people. Sanders said:

It was a greater contribution, because he enlightened the white people about the Black community.

Mr. Speaker, I feel it most appropriate that the life and work of Art Peters be recognized in the official pages of our proceedings of the U.S. House of Representatives. His was not the radical, headline-seeking approach, but rather one whose shaping of ideas assures him a place of remembrance in the hearts of those who knew him and a special niche in the journalistic annals of our great city of Philadelphia.

## REEMPLOYMENT RIGHTS OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES

## HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WHITEHURST. Mr. Speaker, today, I am joining Congressman PREYER in introducing a bill to amend section 9 of the Military Selective Service Act relating to reemployment rights of members and former members of the Armed Forces of the United States. Senator RANDOLPH has introduced a companion bill, S. 1635, in the Senate.

Under existing law, veterans who were employed by the Federal Government or private industry prior to their service have mandatory reemployment rights to reinstatement in the jobs they left or in a job of similar status, if they are job qualified and request reinstatement within 90 days after release from service. In the case of a private employer who fails or refuses to comply with the law, the veteran is assisted by the Veterans Reemployment Rights Office in the Department of Labor in pursuing his case. In addition, he is provided free legal counsel, and can be represented by a U.S. attorney in Federal district court. The district court is empowered to order reinstatement. Veterans who were employed by the Federal Government are assisted by Veterans Federal Employment Representatives, are provided free legal counsel, and the Civil Service Commission has authority to reinstate the veteran within a Federal agency.

Veterans who were employed by State and local governments enjoy no such benefits. The existing law contains only a sense of the Congress statement which merely encourages States and localities to reemploy veterans, but does not make the veterans' reemployment mandatory. Most States now have laws concerning reemployment rights, but the coverage, the rights provided, and the availability of enforcement machines vary considerably. No States have mandatory reemployment rights for veterans and only one State provides free legal counsel to the veterans. Furthermore, because reemployment rights are not mandatory upon State and local governments, the veterans often lose all benefits which would have accrued to them had they not entered military service.

There is substantial evidence to indi-

cate that many States and localities are unwilling to rehire veterans. In fiscal year 1972, the Department of Labor's Office of Veterans' Reemployment Rights received well over 700 complaints from veterans formerly employed in State and local governments. Both Congressman PREYER and I have received complaints of this nature from constituents, and it is my understanding that many of our colleagues have received similar complaints. Passage of this legislation will rectify this very unfair situation.

The bill will also insure that the Civil Service Commission maintains and meets its responsibility for the reemployment rights of veterans who were employed by the U.S. Postal Service, just as the Commission has this responsibility for employees of Federal agencies.

The President has asked every American employer to make the recruiting and hiring of Vietnam veterans a top priority. I am sure that we all agree that these veterans deserve our support. Those who have left their jobs to serve in the Armed Forces should have the opportunity to return to these jobs. Employees of private industry and the Federal Government are now guaranteed such an opportunity, and the school teachers, policemen, firemen, and other State and local employees deserve no less. I urge the Congress to approve this measure as expeditiously as possible.

#### THE 30TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

**HON. EDWARD I. KOCH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, we recently marked the celebration of Passover, one of mankind's oldest independence days, as well as the 30th anniversary of the Warsaw ghetto uprising and the 25th anniversary of the independence of the State of Israel. The central theme of these holidays is a universal one: The will of a people and nation to survive and flourish in the face of bitter oppression and their determination to live and worship as free men.

Just as the message of Passover, in light of current events, cannot be viewed as a musty and ancient tale, so too, the significance of the Warsaw ghetto uprising, especially as it related to the subsequent creation of the State of Israel, must always be remembered and commemorated. Never again can we allow a nation, a group of people, even a single individual to be subjected to the kind of atrocities which marked the holocaust period. Nor should we permit the enormity of the catastrophe to diminish in any way the personal obligation that all of us must bear when it comes to dealing with other dehumanizing situations.

I would like to quote a short statement from the Talmud which, I believe, makes this point quite eloquently:

Man was created as a single individual to teach you that he who destroys one human life, it is accounted to him by Scripture as though he had destroyed a whole universe; and he who saves one human life, it is ac-

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counted to him by Scripture as though he had preserved a whole universe.

Mr. Speaker, while it is true that the horror and silence which characterized the Warsaw atrocities and those in the rest of Europe have since subsided, they may not and must not be forgotten. The resisters of Warsaw recalled the heroism and strength of their forebears. They demonstrated the courage which has enabled a nation to survive against overwhelming odds and prosper throughout the millennia.

After 30 years one would hope that the kind of bravery and sacrifice so astoundingly personified by the fighters of the Warsaw ghetto should no longer be required to insure man's quest for freedom. But let us remember that even today, millions of men and women everywhere are still fighting for their freedoms. Nowhere is this more evident than in the case of those Soviet and Iraqi Jews who are struggling to maintain their identity and dignity against a regime which will not even allow them the basic human right to emigrate to the country of their choice.

The commemoration of the 30th anniversary of the Warsaw ghetto uprising provides us with that measure of courage and dignity that is required of all men who continue to fight for the freedom of oppressed people everywhere. It is with this feeling that I am proud to be a sponsor of House Joint Resolution 303, proclaiming April 29, 1973, as a day of observance of the 30th anniversary of the Warsaw ghetto uprising.

#### OCCUPATIONAL INFORMATION FOR HIGH SCHOOL SENIORS

**HON. JOHN BRECKINRIDGE**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BRECKINRIDGE. Mr. Speaker, at this time when our young people are graduating from high school and must decide about their future, I believe it is essential that they consider not only those jobs that are available today, but what the prospects are in various fields of employment in the years to come. The U.S. Department of Labor maintains a careful scrutiny of the job situation and labor trends, and from time to time publishes a forecast of employment opportunities.

I would like to enter in the RECORD a brief outline of some job categories from the latest Labor Department Occupational Outlook Handbook. I call attention to the number of job opportunities in fields which do not require a college degree, but do call for specialized training.

According to the Labor Department, young people with vocational education beyond high school will be in the best position to compete for openings, while some traditionally attractive fields, such as teaching, will become more competitive. I list the jobs by category:

##### OCCUPATIONAL OPPORTUNITIES

##### CLERICAL OCCUPATIONS

*Bank Tellers*—1970 Employment, 153,000; Annual Openings, 14,700. Very rapid employ-

ment increase, especially for part-time workers to serve during peak banking hours. Employment growth also due to expansion of banking services.

*Bookkeeping Workers*—1970 Employment, 1,340,000; Annual Openings, 74,000. Because of the increasing use of laborsaving business machines, employment will increase only slowly.

*Cashiers*—1970 Employment, 847,000; Annual Openings, 64,000. Rapid employment increase. Demand greatest for those having special skills such as typing. Excellent opportunities for part-time work.

*Electronic Computer Operating Personnel*—1970 Employment, 200,000; Annual Openings, 34,200. Employment is expected to increase very rapidly as computers are adapted to new uses.

*Receptionists*—1970 Employment, 298,000; Annual Openings, 23,500. Moderate increase in employment. Young applicants probably will face competition from more experienced workers.

*Secretaries and Stenographers*—1970 Employment, 2,833,000; Annual Openings, 247,000. Very rapid employment growth due to increasing amounts of paperwork that will accompany continued expansion in size and complexity of businesses.

*Typists*—1970 Employment, 671,000; Annual Openings, 61,000. Very good employment opportunities. Demand strongest for those who have other office skills.

##### SALES OCCUPATIONS

*Manufacturers' Salesmen*—1970 Employment, 510,000; Annual Openings, 25,000. Rapid employment growth. Best prospects for those trained to sell technical products.

*Retail Trade Salesworkers*—1970 Employment, 2,540,000; Annual Openings, 131,000. Slow increase in employment. Many opportunities for part-time workers, as well as temporary workers to sell during peak periods.

*Wholesale Trades Sales Workers*—1970 Employment, 539,000; Annual Openings, 27,700. Employment will be stimulated by an increase in business activity and the growth of specialized services offered by wholesale houses.

##### SERVICE OCCUPATIONS

*Cosmetologists*—1970 Employment, 484,000; Annual Openings, 43,000. Very good employment opportunities. Employment will rise rapidly as population and incomes increase, and as more women take jobs outside the home.

*Police Officers (Municipal)*—1970 Employment, 332,000; Annual Openings, 17,000. Very good employment opportunities for qualified applicants. Trained specialists in electronic data processing, engineering, and social work are becoming essential.

*Waiters and Waitresses*—1970 Employment, 1,040,000; Annual Openings, 67,000. Moderate increase in employment as new restaurants and hotels open.

##### CRAFTSMEN

*Carpenter*—1970 Employment, 830,000; Annual Openings, 46,000. Rapid increase in employment resulting from rise in construction activity.

*Plumber and Pipefitter*—1970 Employment, 350,000; Annual Openings, 20,000. Rapid increase in employment resulting from rise in construction activity.

*Automobile Mechanics*—1970 Employment, 610,000; Annual Openings, 23,300. Moderate increase in employment because of the increasing numbers of automobiles and added features requiring repairwork such as air-conditioning.

*Television and Radio Service Technicians*—1970 Employment, 132,000; Annual Openings, 4,500. Rapid increase in employment related to growing number of television, radios, phonographs, and other consumer electronic products.

*Business Machine Servicemen*—1970 Em-

## EXTENSIONS OF REMARKS

ployment, 80,000; Annual Openings, 6,000. Very rapid increase in employment. Outlook particularly favorable for those trained to service computers and associated equipment.

**Foremen**—1970 Employment, 1,488,000; Annual Openings, 56,500. Moderate increase in employment due to industrial expansion and the need for increased supervision as industrial production processes become more technical.

## OPERATIVES

**Local Truckdrivers**—1970 Employment, 1,200,000; Annual Openings, 35,000. Moderate increase in employment as a result of rising activity and growth of suburban areas.

**Over-the-road Truckdrivers**—1970 Employment, 655,000; Annual Openings, 21,000. Moderate increase in employment. Economic growth of the Nation and continued decentralization of industry will increase demand for these workers.

**Assemblers**—1970 Employment, 865,000; Annual Openings, 44,000. Moderate long-run increase in employment despite continuing automation of assembly processes. Employment sensitive to changes in business conditions and defense needs.

**Gasoline Service Station Attendants**—1970 Employment, 410,000; Annual Openings, 13,300. Moderate increase in employment resulting from growing consumption of gasoline and other service station products.

**Welders and Oxygen Arc Cutters**—1970 Employment, 535,000; Annual Openings, 22,000. Rapid increase in welder employment related to growth in metalworking industries and wider use of welding. Growth in cutter employment, on the other hand, will be restricted by greater use of mechanized cutting equipment.

## PROFESSIONAL AND MANAGERIAL OCCUPATIONS

## Scientific and Technical Occupations

**Engineers**—1970 Employment, 1.1 million; Annual Openings, 58,000. Generally favorable employment opportunities through the 1970's in this, the largest field of professional employment for men. However, rapidly changing technology and shifts in national priorities may affect adversely those who are overly specialized or not well grounded in fundamentals.

**Chemists**—1970 Employment, 137,000; Annual Openings, 9,400. Favorable employment prospects, especially for those with the Ph.D. to teach and do research and development work. Growth in demand stemming from an increase in research and development work and rising demand for industrial products such as plastics, manmade fibers, drugs, fertilizers, and high energy nuclear fuels.

**Physicists**—1970 Employment, 48,000; Annual Openings, 3,500. Favorable opportunities, especially for those having advanced degrees to conduct research and teach.

**Life Scientists**—1970 Employment, 180,000; Annual Openings, 9,900. Rapid increase in employment, especially in research related to health and environmental problems, through the 1970's. However, the number of life science graduates is expected to increase rapidly, resulting in keen competition for the more desirable positions.

**Mathematicians**—1970 Employment, 75,000; Annual Openings, 4,600. Best opportunities for those with the Ph.D. to teach and do research. Because of the large number of degrees projected to be awarded in mathematics, competition for entry positions will be keen, especially at the bachelor's level.

**Environmental Scientists**—1970 Employment, 40,800 (geologists, 23,000; geophysicists, 8,000; meteorologists, 4,400; oceanographers, 5,400); Annual Openings, 1,500. Favorable opportunities, especially for Ph.D. degree holders for research work. Opportunities will be most favorable for geophysicists.

**Engineering and Science Technicians**—1970 Employment, 650,000; Annual Openings, 33,000. Favorable opportunities. Demand strongest for graduates of post-secondary techni-

cian training schools to fill more responsible jobs. Industrial expansion and complexity of products and manufacturing processes will increase demand.

## Health services occupations

**Physicians**—1970 Employment, 305,000; Annual Openings, 22,000. Excellent employment opportunities. Employment expected to grow only moderately as limited capacity of medical schools continues to restrict supply.

**Dentists**—1970 Employment, 103,000; Annual Openings, 5,400. Very good employment opportunities. Limited capacity of dental schools will continue to restrict employment growth.

**Dental Assistants**—1970 Employment, 91,000; Annual Openings, 9,200. Excellent employment opportunities especially for graduates of academic programs for dental assistants.

**Medical Laboratory Workers**—1970 Employment, 110,000; Annual Openings, 13,500. New graduates having a bachelor's degree in medical technology will be sought for entry technologist positions in hospitals. Also very favorable employment opportunities for medical laboratory technicians and assistants.

**Registered Nurses**—1970 Employment, 700,000; Annual Openings, 69,000. Very good employment opportunities. Those with graduate education should expect excellent outlook for obtaining positions in administration, teaching, public health, and research.

**Radiologic Technologists**—1970 Employment, 80,000; Annual Openings, 7,700. Very good full-time and part-time employment opportunities as use of X-ray equipment in the diagnosis and treatment of disease expands.

## Other professional occupations

**Accountants**—1970 Employment, 491,000; Annual Openings, 31,200. Excellent employment opportunities, especially for those having a bachelor's degree with a major in accounting or a related field. Employment will expand very rapidly as accounting information is used more by business management, as the number of required reports to stockholders increases, and as accounting services are used more by small businesses.

**Bank Officers**—1970 Employment, 174,000; Annual Openings, 11,000. Employment is expected to grow rapidly as increased use of computers enables banks to expand their services.

**Counselors**—1970 Employment, 75,000; Annual Openings, 7,900 (school, rehabilitation, and employment counselors). Good-to-excellent employment opportunities depending upon educational backgrounds and experience. A very rapid increase in requirements is expected, reflecting the continued strengthening of counseling services.

**College and University Teachers**—1970 Employment, 335,000; Annual Openings, 10,800. Good employment prospects at 4-year colleges for those who have Ph.D. degrees and at 2-year colleges for those who have master's degrees. Persons may face some competition in obtaining positions of their choice since a smaller proportion of each year's doctor's degree recipients will be needed to meet the demand for college teachers.

**Elementary and Secondary School Teachers**—1970 Employment, 1,275,000; Annual Openings, 90,000. If patterns of entry and reentry to the teaching profession continue in line with past trends, the number of persons qualified to teach in elementary and secondary schools will significantly exceed the number of openings. As a result, young persons seeking their first teaching assignment may find keen competition for jobs, with schools placing great emphasis on their academic work and the quality of their training; many will likely have to find employment outside of teaching.

**Lawyers**—1970 Employment, 280,000; Annual Openings, 14,000. Good employment

prospects for those seeking salaried positions with well-known law firms and for graduates of outstanding law schools or those who rank high in their class. Growth in demand will stem from business expansion, growing complexity of government legal activities, and the increased use of legal services by low and middle income groups.

**Librarians**—1970 Employment, 125,000; Annual Openings, 11,500. Good employment opportunities, especially in school libraries for those who have advanced degrees.

**Programers**—1970 Employment, 200,000; Annual Openings, 34,700. Very rapid increase in employment to meet demand for data processing services and as computers are put to new uses.

**Purchasing Agents**—1970 Employment, 167,000; Annual Openings, 5,400. Good employment prospects. Demand strong for business administration graduates who have taken courses in purchasing. Demand also strong for graduates with backgrounds in engineering or science to work in firms manufacturing technical products.

**Social Workers**—1970 Employment, 170,000; Annual Openings, 18,000. Very good employment opportunities. Despite the anticipated increase in the number of graduates of master's degree programs in social work, the demand is expected to continue to exceed the supply.

## "OLD IRONSIDES"

## HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mrs. HECHLER of Massachusetts. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues an editorial from the Boston Herald American of Wednesday, April 5, and a recent communication to me from John F. X. Davoren, secretary of the Commonwealth of Massachusetts. This article and resolution by the Massachusetts House of Representatives explain well the feelings of the people of Massachusetts relative to the historic U.S.S. *Constitution*, and it is my belief that it is fitting and proper that she remain moored in her present location. With this purpose in mind, I submit this editorial and resolution for publication in the RECORD:

## "OLD IRONSIDES"

The possibility that the USS Constitution could still be transferred to a permanent mooring at Philadelphia or even at South Carolina's new historical museum, should neither be ignored nor underestimated.

Unreal as the prospect may seem, political influences with great power are covetous of the nation's first great warship and now the oldest commissioned vessel in the world. But Old Ironsides, the scourge of the Barbary pirates, in such an integral part of Boston's past, her departure to another port would leave a gaping hole in our historical heritage.

The 176-year-old frigate has been as often threatened in peacetime as in war, and there is no lack of precedent for the outcry now being raised to rally public support to her aid.

More than a century ago it was Oliver Wendell Holmes' inspired poem which frustrated the Navy's intent to have her broken up. At the end of the last century, the Massachusetts Society of the Daughters of 1812 saved her from the scrap heap a second time.

As every student of early American history

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knows, it was the children's turn in the late 1920's, and their contribution of pennies inspired a nationwide campaign that led to her restoration and a triumphant cruise up and down the Atlantic and Pacific Coasts.

The Navy has given assurances that Old Ironsides, now undergoing major repairs will remain at the Boston Naval Shipyard at least through 1975-76 when it is expected 2,000,000 visitors will once more attest to her unique allure as one of the nation's most popular Bicentennial attractions.

But that is not enough. The ship has always been identified with New England and here she should remain forever. She was launched just across the harbor from where she is presently drydocked, at Hartt's Shipyard in October, 1771; her masts were of white pine felled in Unity, Me.; and her spikes, castings and copper bolts were supplied by Paul Revere.

That is why the founding of a permanent Constitution Museum here by a group of patriotic citizens deserves universal public support. The stout wooden ship, with sides like iron, is part of our proud heritage. She deserves to ride out the rest of her days in a snug harbor under the shadow of Bunker Hill, where an even earlier chapter of our history was written. The Freedom Trail would not be the same without the sight of her "banner in the sky."

#### RESOLUTION

Resolutions memorializing the Congress of the United States to take such action as may be necessary to prevent the relocating of the mooring of the naval frigate *Constitution* from Massachusetts

Whereas, The citizens of Massachusetts are rightly disturbed over the alleged plans of the Department of Defense to relocate the famous Naval Frigate the *Constitution* from its mooring in Boston to a mooring in another state; and

Whereas, Built at a Boston Shipyard in 1797 and one of the most famous vessels in the United States Navy, the *Constitution* has been moored at the Boston Naval Shipyard as a naval relic since May 7, 1934; and

Whereas, In 1976, the year of the bicentennial of our country, millions of people will be visiting the Commonwealth especially Boston, the Cradle of Liberty, and it is only right and fitting that the *Constitution* should be moored in Boston or someplace nearby along the Massachusetts coast, the state where she was built; therefore, be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to take such action as may be necessary to prevent the relocation of the mooring of the *Constitution* from Massachusetts and insure that the mooring of this vessel will remain in Massachusetts; and be it further

Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of Defense, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth.

House of Representatives, adopted, April 23, 1973.

#### JAL AND THE ARAB BOYCOTT

#### HON. BENJAMIN S. ROSENTHAL OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ROSENTHAL. Mr. Speaker, for more than 5 years Israel's major airline, El Al, and the Israeli Government have been trying to secure mutual landing

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rights with Japan Air Lines. Every attempt to negotiate with JAL and the Japanese Government has been rebuffed by the Japanese. Israel's last attempt to set up a meeting between the countries to discuss mutual landing rights, in early 1972, has remained unanswered for over a year.

To placate those who would complain about the apparent submission of the Japanese airline to the Arab boycott, JAL has repeatedly directed a public relations program toward Israel to mask their unfriendly intentions until public interest has died out.

I feel that the continuing boycott of Israel by the flag carrier of the Japanese Government, Japan Air Lines, is unacceptable, and should be brought to public attention.

If it is true that JAL is submitting to the Arab boycott, which as it stands now appears to be a reality, then not only is this an unforgivable breach of international relations, but in direct violation of the General Agreements on Tariffs and Trade—GATT—of which not only Japan but Israel and the United States are members.

#### NONBOYCOTTERS VOICE THEIR OPINIONS ON MEAT

#### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ZWACH. Mr. Speaker, I have been speaking from time to time about high food prices. I have tried to point out that it was not the American producer who was profiteering and so he should not be penalized by having to compete against increased imports.

In an effort to hold down food prices, we have increased import quotas of meats and cheeses but that hasn't lowered the prices in the food markets.

One of my aides reported to me today that he purchased a 2-pound can of coffee in a well-known Washington market this weekend and the price was 15 percent higher than when he purchased a similar can 2 weeks earlier. Certainly the American producer had nothing to do with this price increase.

James M. Dagar, new managing editor of the Marshall Messenger, in our Minnesota Sixth Congressional District, recently wrote an editorial on food prices that contained so much good common-sense that I would like to share it with my colleagues and the many other readers by inserting it in the CONGRESSIONAL RECORD:

#### NONBOYCOTTERS VOICE THEIR OPINIONS ON MEAT

(By James M. Dagar)

While the headlines continue to be dominated by those who are participating in the meat boycott, the comments of special note are being made by those who have not joined the effort. Protesting the payouts—whether the doctor's bill, the newspaper's price, the rental fee or the builder's cost, the tariff for a pound of hamburger or a head of lettuce—is an old American custom, just as is the lament about how low wages are in relation to prices. It ranks with boozing the referee

as a treasured tradition—and there is sometimes about as much logic.

American consumers still have the ability to set prices by their demands. The competitive system does work. And they have an ability to influence their wage rates through the level of their own work as much as through any collective bargaining arrangements. So their power remains great. That of the government to fix ceilings, to influence supply and demand to the point of setting prices is highly over-advertised.

In the recent controversy the true news-maker in my estimation was presented by a Dallas, Tex., construction worker who said he believed the meat boycott was unfair to other working men. He had in mind the farmers. "We get good wages, why shouldn't the farmer get good wages?" he asked. Then there was the man interviewed in a Minneapolis store who said, "No I don't think I'm paying too much for meat. Everything else has gone up and the farmer isn't making enough from his investment."

Throughout the country, a few—but very similar quotes were picked up by the news media. If Diogenes thought he had a difficult time in his lantern-lit search for an honest man in Athens, it was nothing compared to that of today for the citizen who will admit that he is fairly treated in the market place in comparison to his wage rates. Yet the fact that Americans have to spend less of their waking hours working to pay for the basic necessities of life than any people at any time in recorded history gets little attention.

The United States is not a Utopian state yet, but it is as near as anyone has devised. And it has been built by producers, not boycotters and chronic complainers.

#### ORIENTATION OF FRESHMAN MEMBERS-ELECT

#### HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. LITTON. Mr. Speaker, today I have introduced legislation which, hopefully, will become a bipartisan legacy from Members of the 93d Congress to all future freshmen Members. My bill seeks to accelerate the scheduling of seminars, and to render the orientation of freshmen Members-elect an easier, more expeditious process.

As a freshman Member of the House of Representatives, I have spent a considerable amount of time discussing the role of new Members with my freshmen peers. Retrospectively, the "first one hundred days" of some—if not all of us—have been replete with trials, tribulations, and frustrations which might have been avoided. Thus, many of my freshmen colleagues share my sentiments that one of life's richest blessings may well be that we are cast in the role of uninitiated freshman only once.

Mr. Speaker, when you and our other senior colleagues reflect upon your own freshman years in the Congress, doubtless, many of you will concur that noteworthy early achievement, by the typical freshman Member, has been the exception rather than the rule. If you concede the truth of this assertion, I earnestly hope that time, acquired expertise, and experience in the legislative

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process have not dimmed the memory of your orientation and adjustment to the awesome trust of fulfilling your responsibilities as Representatives. Hopefully, your compassion for freshmen, born of your own experience—for once all senior Members were indeed freshmen—will elicit the support needed to enact my bill.

I am convinced, as are other freshmen Members who are evolving toward the goal of senior status, that had the seminars and briefings provided since our swearing-in taken place prior to January 3, our roadmaps on the journey toward becoming effective legislators would have been more clearly defined. How many valuable hours did we lose just ferreting out bits of information which now seem elementary? How many misjudgments might we averted had there not existed an ignorance of unique administrative and legislative processes? We will never really know. We have kept no tally of lost hours, nor have we catalogued our misjudgments. We would like to forget them. Nevertheless, in all honesty, I believe that every freshman Congressman on this floor today would concur in the thought that at times the going was rougher than it need have been.

The legislation which I have introduced will not redound to the benefit of any of us here—provided, of course, no Member in this session is defeated and subsequently reelected. Its sole purpose, then, is to smooth the path for those who come after us to take their place in this august body to which many are called, but only 435 are chosen.

Mr. Speaker, the legislation which I am seeking to have enacted would provide funding for two seminars to be conducted under the auspices of the Library of Congress in November, following general election, and again in December, for newly elected Members of Congress and two aides designated by each Member-elect. The aides would be given a choice of attending either seminar. Members-elect would have the option to attend either, or both.

The bill also seeks to provide transportation costs to and from the seminars, in addition to meals and hotel expenses for the Members-elect and their two designated aides. It is my thought that Members might seize the opportunity, during the second trip, to interview applicants for staff-assembly purposes. The second seminar might also be timed to coincide with the date designated to draw for office space. Under ideal circumstances, provided a sufficient number of Congressmen are at hand, perhaps, too, during the interval of the second seminar, it might also be feasible to consider holding party caucuses. Such caucuses would serve to shorten the time usually spent in organizing the House.

Further, the bill would provide for partial staffing. As we are well aware, the day after election, a retiree—or one who has been defeated, acquires the unenviable position of what is commonly known as a "lame duck." The day after election, a Member-elect has approximately a half-million people who consider him, or her, to be their Repre-

sentative. This places the Member-elect in a most untenable position. Presumptively, such newly elected Member has spent months telling everyone in his district how expeditiously he plans to respond to their needs. Yet, during the 60 days between the election, and January 3, he has no authority to do so. Further, unless he is exceedingly fortunate, he has no staff and, oftentimes, no money. He starts out on January 3 with much to learn, a new office without equipment, and two months' accumulation of mail.

This bill would provide the freshman Member-elect with funding for an interim period to staff at a level not to exceed one-half the clerk hire allowance to which the Member-elect would be entitled by law if already sworn in. This funding would be apportioned on a per-day basis—between the date designated as winner in the campaign, until the date duly sworn. With access to such funding, the Member-elect would be able to cope with the heavy flow of mail that inevitably arrives during that difficult period. Thus, Members-elect would not be forced to start 60 days behind his senior colleagues whose offices are already established to function in an efficient manner the very first day of a new session.

Additionally, the bill provides that the Member-elect would not have to wait until after January 3 to assemble the many items needed to equip a newly established office. There would be access to the stationery account, in an amount not to exceed one-tenth of the total, prior to January 3. This would not mean that freshmen Members-elect would have a larger stationery allowance than senior Members. It means access would commence upon the date of designation as victor in the campaign for office, rather than date of swearing-in.

My bill was not designed to be all-encompassing to meet every need during the interim period. It does not provide for temporary office space, telephones, or other conveniences which would be helpful. It seeks primary, rather than secondary, needs of a Member-elect in the battle against time, needless frustration, and deterrents. While it does not provide ideal optimum benefits, it is felt that this legislation is a foundation upon which to build. It could be the first step in the right direction toward objectives which, I hope, all my colleagues—both freshmen and senior, deem worthy of support. It is a legacy within our purview and power to bequeath, and one for which conceivably we might be remembered, with gratitude, by those freshman who will follow in our footsteps.

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STATEMENT BY DR. ELVIS J. STAHR,  
PRESIDENT, NATIONAL AUDUBON  
SOCIETY

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HON. ROBERT B. (BOB) MATHIAS  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MATHIAS of California. Mr. Speaker, I am pleased to present the statement of Dr. Elvis J. Stahr, president of the National Audubon Society,

concerning the participation of the United States in the United Nations Environment Program:

STATEMENT BY DR. ELVIS J. STAHR, PRESIDENT,  
NATIONAL AUDUBON SOCIETY

I am Elvis J. Stahr, President of the National Audubon Society. National Audubon was one of the non-governmental organizations formally represented in Stockholm at the historic United Nations Conference on the Human Environment last year, and I personally was privileged to serve as a member of the official United States Delegation to that Conference.

We appreciate this occasion to offer our views on H.R. 5696, a bill to provide for participation by the United States in the United Nations Environment Program.

The National Audubon Society has warmly welcomed the initiative of President Nixon in proposing a \$100 million Environment Fund over five years to support the United Nations Environment Program recommended by the Stockholm Conference and subsequently approved by the General Assembly. And from my personal experience as member of our country's delegation, I can attest the importance which delegates of other countries, and in particular of the developing nations, attached to his dramatic pledge to seek \$40 million for that Fund from the U.S. Congress as tangible evidence of the commitment of our country to a sustained worldwide follow-through on the immensely important purposes of the Stockholm Conference.

The National Audubon Society, which is in the process of establishing an Office of International Environmental Activities, is fully committed to the view that solutions to our global environmental problems are almost certainly not to be achieved without the ongoing, constant catalysis provided by a global agency such as the Environment Secretariat. We believe further that the developed nations, which bear an especially heavy responsibility for global environmental problems, have a special responsibility for contributing generously to the support of the Secretariat and its programs. I might note that the report of the Secretary of State's Advisory Committee on Stockholm, chaired by your colleague, Senator Baker, commented that the sum now proposed for five years could be profitably spent in just one year, so great are the needs. We believe in fact that the \$100 million Fund proposed is a rock bottom minimum, and with that *caveat* we support the flexible approach of H.R. 5696 to provide "such amounts as may be necessary".

As members of this distinguished Subcommittee know, the Environment Fund will not provide for the core expenses of the new Environment Secretariat; these are provided for by the regular United Nations budget. Nor should the American contribution be regarded as a foreign aid commitment. The monies for which we seek authorization are to benefit all of us, through the specific projects included in the United Nations Environment Program: global monitoring and assessment; information exchange and assessment; improvement of environmental quality management; assistance for national, regional and global environmental institutions and studies for the development of industrial and other technologies best suited to a policy of economic growth compatible with adequate environmental safeguards.

It is my view and that of National Audubon that the programs to be supported by the Environment Fund are at the heart of the United Nations initiative to deal effectively with our global environment. They are the key to furthering and bringing to fruition the work so well begun at Stockholm, work in which many people in many nations, including millions of Americans, place great hope.

I respectfully urge favorable action on the bill before you.

## LESHER NEWSPAPERS ON CONFIDENTIALITY OF NEWS SOURCES

## HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WALDIE. Mr. Speaker, in the current hearings on bills to reestablish an unhampered right to the confidentiality of news sources, many people have expressed doubt about how absolute the privilege should be. I urge everyone with such doubts to pay close attention to the testimony of Dean S. Lesher, publisher of the Lesher Newspapers, a chain of six dailies and eight weeklies in northern California, given before the Senate Committee on Constitutional Rights, chaired by Senator ERVIN, on February 1, 1973. I hope Mr. Lesher's logic will convince all that an absolute guarantee is needed.

The article follows:

## FIRST AMENDMENT: "ABSOLUTE GRANT OF RIGHTS TO THE PRESS"

Mr. Chairman, on behalf of this growing, vibrant, challenging segment of the American press, I come before you to respectfully challenge you and your Sub-Committee to move forward on two closely related legislative fronts to shore up the tottering pillars of our representative form of democracy. In order for representative democracy to survive and serve well the needs of the people, the public must know fully how the government functions and the public must be free to express its individual and collective opinions with respect to such functioning. Both of these activities are closely related and involve freedom of speech and freedom of the press.

Suburban Newspapers of America sincerely support Senate Bill 1311 introduced March 23, 1971 by U.S. Senator Pearson from the State of Kansas. We agree with the purpose and intent of the bill, with the language used in the bill and with the statement made by Senator Pearson upon the introduction of the bill on March 23, 1971 in Volume 117, at Page 41, of the Congressional Record.

Nineteen States now have similar bills granting to newsmen the privilege of sanctity of confidential information received or obtained in their capacities as newsmen engaged actively in the gathering or presentation of news for any newspaper, periodical, press association, newspaper syndicate, wire service or radio or television station.

Protection of this confidential relationship is vital to the gathering and dissemination of news. It is high time that the United States of America recognizes this by an act of Congress protecting said privilege.

In the recent Pentagon Papers Decision by the U.S. Supreme Court, both the public's right to know and the freedom of the press were major issues. A study of the various opinions by the Supreme Court Justices in this case shows the need for legislative expression upon the two related subjects of the public's right to know and freedom of speech tied in with freedom of the press.

My extended remarks, a copy of which you have before you for your record, emphasize the need for an enactment by the Congress proclaiming that Freedom of the Press under the First Amendment is an absolute right, subject only to such restrictions as are deemed absolutely necessary where the security of the nation is clearly and immediately threatened. In such event, the burden of proof would be upon the government to establish by a clear preponderance of the evidence (a burden much greater than the mere preponderance of the evidence) that such security is so clearly and imminently threatened that such restriction,

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even of a limited nature, should be placed upon freedom to publish in writing or orally.

It is the First Amendment that deals with the relationship between the individual and the government on a broad group basis. The First Amendment thus is of primary importance to the continued success of our representative form of democracy, yes, even to the continued existence of our nation in its present form.

The language used has no reservation of any kind, either expressed or implied, and therefore, must have been intended to be an absolute grant of rights and privileges to the press of America. That grant is for the benefit of the public and the welfare of the nation.

We base this position upon the language used in the First Amendment, upon the cardinal rule for construction of documents, and upon the historical background surrounding the enactment of this amendment.

That the First Amendment was intended to grant an absolute right evolves from the general principle of how to construe documents. Whenever an amendment or an addition is made to a document after it has originally been executed, the amendment or addition controls in the event it is in conflict with, or in derogation of, any part of the original document.

This follows from the very nature of the word amend or amendment. To amend means "to change or modify for the better; to improve". Thus, the very purpose to be served by an amendment is to change or alter the document or to explain the document in clear and understandable language.

The same principle applies to the First Amendment. The framers of the Constitution obviously intended it to be interpreted as written—as a full and complete guarantee of freedom of speech and freedom of press except only in the unusual situation where the national security is immediately and clearly threatened.

While this seems clear to students of law and students of the history of the formation of our nation, it would be well for Congress to spell this out in clear and unmistakable language. This Sub-Committee has now an opportunity to do so and thus perform a worthwhile service to this nation and its people. This could be a great contribution to Constitutional dialogue and to the preservation of the freedoms we enjoy under the U.S. Constitution.

We come then to the second segment of these two closely related subjects. That second segment is the public's right to know what is taking place in the government. It is on this phase that we strongly urge you to strengthen the Freedom of Information statute of 1966 proclaiming the public's right to know about the operation of their government. That right should be circumscribed ordinarily only by clear and immediate threat to the security of the nation and also with respect to matters of diplomacy where a certain degree of secrecy would necessarily be involved. Aside from these limitations, the public would have a right to check, to observe, to hear, to record and to report upon the operation of their government at its various levels and in its many phases.

Many States of the nation have statutes known under the general heading of "The Public's Right to Know." California is probably the leader. I am proud that I was the Legislative Chairman of the California Newspaper Publishers Association when it sponsored the first enactment upon this subject.

That Act was introduced by Assembly Speaker Ralph M. Brown of Modesto in 1953, was passed by both Houses of the legislature and signed by the Governor. The scope of that Act has been expanded to cover the activities of the various commissions and legislative bodies of the State at various political sub-division levels.

Mr. Chairman and distinguished members

of this Sub-Committee, I would like to read to you the first section of this Act (California Laws 1953, Chapter 1588, Page 3279, Paragraph One):—

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly."

"The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.

"The people insist on remaining informed so that they may retain control over the instruments they have created."

This clear and unequivocal statement and the enactments since made thereunder have had a salutary effect in California upon deliberations of commissions and legislative bodies at all levels of government and upon the opening of public records to inspection by the public and the press. They are now accepted as a beacon shining upon government activities to keep the public better informed of what their government is doing.

Every member of this committee is aware that our forefathers considered the people to be the government. This philosophy is expressed in every major document they drew. We cannot urge upon you too strongly the enactment of Federal statutes proclaiming this philosophy of government and asserting further the right of the public to know and of the press to keep the public informed.

What are the areas where information is not disclosed to the public or even available to the public? They are many and time permits only of a broad reference to two general categories.

The first is executive privilege, the right proclaimed by the executive department to keep secret too many documents at its own unsupervised discretion. It compounds this by refusing to permit key officials and employees to be questioned on issues either by the public or by the public's representatives, the Congress. This area needs extensive research, study and action. Congressional action to test and limit this privilege is imperative.

This is a sensitive area in view of the historical and constitutional separation of powers between the executive and legislative branches of the government. The issue is critical, however, in view of the growing credibility gap between the government and the public. This gap could produce an atmosphere that would seriously threaten the continuation of our form of government and the nation itself.

Another area applies to the deliberations of Congress itself. Too many matters are heard in executive sessions, too few committee decisions and votes are recorded in detail and too many actions are not available to the press and public. This area involves the always difficult task of self-analysis and self-criticism. It is, however, an area where the public welfare calls for action.

Everyone who has enjoyed this land of opportunity yearns for a chance to make one small contribution toward the continuance of this great form of government. I hope that our small contribution will be to motivate this great Sub-Committee to take a step in each of these directions by expanding the right of the public to know about the operations of its government and by stating that freedom of the press and freedom of speech are absolute except where the security of the nation is clearly and immediately endangered. If you do so, your hearings will have contributed mightily toward shoring up the foundation upon which his government rests.

## EXTENSIONS OF REMARKS

Our form of representative democracy is under attack at all levels from within and without. Many attacks are fanatical and emotional without any basis whatsoever. The best defense against them and the best way to preserve what we have and enjoy is to insure that the people know the facts, that the people are well informed.

Knowledge is a necessary keystone in the functioning of a representative democracy. Without such knowledge and without full freedom of expression that the First Amendment guarantees, this form of government may begin to totter and shake at its very foundation. You have a great opportunity to shore up this democracy we so dearly love by taking steps in these two proposed legislative fields that will assure to our generation and to future generations a knowledge of what is taking place and an opportunity to express themselves in the light of this knowledge.

It is hoped by the suburban press that you will place this nation upon the pathway to a better understanding by its citizens of how government functions. It is hoped that you will take the steps suggested to eliminate the credibility gap that has grown up with respect to that functioning. Only by the elimination of this credibility gap can our representative democracy have a full and fair opportunity to succeed and to continue.

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**A SPECIAL PROSECUTOR NEEDED FOR WATERGATE PROBE**


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**HON. RICHARD H. FULTON**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FULTON. Mr. Speaker, before leaving my office for committee this morning I had prepared remarks today to the effect that the need is greater at this hour for a special prosecutor for the Watergate affair than it was a week ago when I first urged the President to take this action.

Just moments ago I learned that Presidential aides Haldeman, Ehrlichman, and Dean as well as Attorney General Kleindienst have resigned. It was announced also that Defense Secretary Richardson will serve as acting Attorney General. Whether or not he will serve in a dual capacity at this time is not known to me. However, it makes little difference.

Despite the very high professional regard and warm personal liking I have for Mr. Richardson, he is a "member of the team" being investigated in the Watergate. While there has never been even a wisp of an idea raised that he in any way had any knowledge or nothing to do with this affair he is, nonetheless, from a number of points of view, simply not the man to head the investigation because he is a member of the team against whom all suspicion, to date, has been directed.

To serve justice in this matter public confidence must be maintained and, Mr. Speaker, I submit today that because of these developments and those over the recent weeks, the people simply have no confidence at all in the Government to probe this case fully.

It is obvious that the Department of Justice has not come to grips effectively with the matter. First the Attorney General excused himself because he feared conflict of interest; now he has resigned.

First the acting director of the Federal Bureau of Investigation admitted that a White House aide may have lied to him about Watergate and then last Friday the acting director resigned after admitting he had destroyed important documents relating to the case.

Now we have the resignation of a suspected conspirator in the Watergate case from the White House plus two men in Government closer to the President of the United States than any two men on Earth.

Mr. Speaker, how can this administration expect the American people to have confidence in any investigation of any team by a member of that same team when it is publicly known and admitted that at least some members of this team are guilty? Not even a man of the high integrity and character such as Secretary Richardson can instill this kind of confidence in the American people. Confidence has been destroyed and, once destroyed, like Humpty Dumpty, "all the King's horses and all the King's men" cannot put it together again.

The choice, of course, is up to the President and his choice apparently has been made. However, in view of the need to protect the interest of truth and justice, to protect the integrity of the Constitution and to instill confidence in the American people I believe the decision should be reviewed and that the investigation and subsequent prosecution of the persons charged in this case should be removed, as far as humanly possible, from the hands of this administration or those officials, particularly appointed officials, responsible for it.

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**NEWINGTON MASON — SEQUIN LODGE CELEBRATE 25TH ANNIVERSARY**


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**HON. WILLIAM R. COTTER**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. COTTER. Mr. Speaker, on January 28, 1948, a group of dedicated Masons joined together to form a lodge in this small town of Newington, population of 9,000. During 1948, the Newington Chapter of Eastern Star and the Sequin Lodge were to function both as a social club and a civic organization.

By literally working and building together, the Sequin Lodge constructed their new headquarters, replacing the old Newington Town Hall which had up to that time served as their meeting place. By 1956 the cornerstone had been set in place and by 1958 the building was formally dedicated.

Events celebrating the 25th year of both Sequin Lodge and Newington Chapter O.E.S. No. 115 will be highlighted by an anniversary dinner-dance to be held at the Knights of Columbus Hall on May 5. Sequin Lodge will also host a Degree Team from Toronto, Canada, on Saturday, October 20, who will portray a Masonic Degree.

One of the most rewarding accomplishments for Sequin Lodge in the New-

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ington community has been the opportunity to work in close fellowship with Father Edward Shaughnessy Council No. 3884, Knights of Columbus, in exchanging visits and sharing community involvement with them. Plans are being formulated for a mass on St. John's Day to be held at the Church of the Holy Spirit and attended jointly by members of the Masons and the Knights on December 30.

The first master of Sequin Lodge was Martin Johnson, who remains active today.

Sequin Lodge is one of 135 Masonic Lodges in Connecticut. Its membership totals 350 men, a small part of the 40,000-plus Masons in Connecticut. Masonry in its present form can be traced back to 1717, and was chartered in Connecticut in 1789.

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**HAM RADIO OPERATORS ASSIST IN FLOOD, FIRE EMERGENCIES**


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**HON. LAMAR BAKER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BAKER. Mr. Speaker, I am constantly reminded of the invaluable service which volunteer groups render in countless communities across our country. One such group, the Chattanooga Tri-State FM Association, was active during two recent periods of disaster in Chattanooga. The Chattanooga Tri-State FM Association is a ham radio network. According to Jim Carmical, CTS secretary whose call letters are WA4YHG, the club provided 58 continuous hours of communications service during floods which hit Chattanooga during the latter part of March of this year. The club also performed valuable service in assisting with communications during an emergency which arose when a gasoline tank caught fire. Mr. Carmical has given the following account of activities of Tri-State FM Club during this period. Other officers of the club are president, Horace Forstner, Wooten Road, Ringgold, Ga., vice president, Phil Lytle, Notre Dame Avenue, Chattanooga, and treasurer, James Cox, Valley Lane, Hixson, Tenn. It is this kind of community spirit and desire to serve which makes Tennessee and the Third District such a fine place to live. I ask that Mr. Carmical's account be included in the RECORD at this point:

**CHATTANOOGA TRI STATE FM ASSOCIATION PARTICIPATES IN FLOOD EMERGENCY**

On top of nearly a week of heavy rainfall in the Tennessee Valley, seven and a half inches of rain fell on the Chattanooga area the weekend of March sixteen to eighteen. Over an inch fell in one hour between seven and eight a.m. of the sixteenth at which time W4WHG, President, called the Chattanooga Tri-State FM Association Emergency net. After fifty eight consecutive hours of operation the net was secured at five o'clock Sunday afternoon the eighteenth.

The net control station WB4UDX, is located in the American Red Cross Building in downtown Chattanooga. Repeater WB4KLO performed flawlessly from its location on Signal Mountain. At various times W4WHG, K4TND, K4KTC, K4YET, K4EPM,

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K4RJW, K4JAF and WA4MVR acted as net control.

The Tri-State FM Association provided communications from the Radio Control Center permanently located in the ARC Building. Over thirty stations were used during the flood emergency including mobiles, fixed and portables.

During the height of the flood the club provided communications from disaster relief centers set up by Red Cross, to Headquarters, as all the ARC personnel were tied up manning the centers, phones were out part of the time and overloaded the rest. Seven centers were manned in Chattanooga plus two in nearby Jasper and South Pittsburg, Tennessee, where K4KTC, K4YET and WA4MVR set up communications for disaster relief. K4BPE was active in helping with disaster communications from Catoosa County Georgia, also through WB4KLO repeater. Simultaneously, mobiles were reporting water levels as the water rose in the Tennessee River to its crest of 36.9 feet. Flood level is thirty feet. Additional flooding in other parts of the city was caused by Chickamauga Creek which normally flows into the Tennessee River, but was backed up by the highest river level since before the TVA system of dams was formed.

Damage from the flood to businesses and homes has now been conservatively assessed at sixty million dollars. Club reports of water levels were used to assist local police, Red Cross, and other agencies in the evacuation of sections threatened or already flooded. On Sunday the club made a street by street survey of flooded sections for the Red Cross to provide street names and house numbers affected. This report was later used to verify damage when claims were filed with the ARC totalling over \$300,000 and were paid to over 1,600 people who received immediate disaster relief in food, food stamps, clothing and household goods. The mobiles stationed at the ARC shelters not only provided communications for ARC but handled many health and welfare messages while the phones were out or overloaded with traffic.

As always after an emergency, we look back and see how we could have improved the overall operation, but in general it was a huge success. The local ARC director told the club later that they simply could not have accomplished what they did without the club assistance. He stated our club excelled all other disaster units in communications, both in reliability and speed. We had ironed out some of the kinks in disaster work at a local gasoline tank farm fire last July, so we feel we're now ready for anything.

#### POLE SPACE RENTAL TO CABLE TV

**HON. JEROME R. WALDIE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. WALDIE. Mr. Speaker, I am introducing today a bill which will place the renting of space on utility-owned poles by cable television operators under the control of the Federal Communications Commission. Under the provisions of the bill the FCC will have the power to regulate the rates charged for such use.

The monopolies granted to power and telephone companies to place their poles over public streets, highways and rights-of-way, have given companies who recognize cable television systems as possible competitors the power to charge the cable companies as much as they wish for rental of pole space.

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Cable television is assuming an important role in the communications system of this country. It presently provides the public with locally originating programming in addition to television and FM radio signals received off-the-air. Cable television reaches approximately 7 million subscriber homes across the Nation, with roughly 1 million of these subscribers located in California.

Because State Public Utilities Commissions have abdicated responsibility, pole rental rates have soared. The FCC is presently holding hearings to determine if it should assume jurisdiction over the pole attachment practices. However, because the time element is becoming crucial, due to the disastrous effects that unregulated and unwarranted increases in pole rental rates could have on the cable television industry, I am introducing the following bill in the Congress:

#### AMENDMENT TO TITLE 47 OF THE UNITED STATES CODE, TELEGRAPHS, TELEPHONES, AND RADIO TELEGRAPHS

SECTION 1. Section 47 U.S.C.A. 201. (a) shall be added to title 47 of the United States Code, Telegraphs, Telephones, and Radio Telegraphs as follows:

The provision of space to a cable television system on or in any pole, conduit, or other support structure by any corporation or person is a public utility activity in interstate commerce and is an integral portion of interstate communications by wire and radio. All charges made for and in connection with said use shall be fixed by the Commission after hearing, and shall not exceed the additional costs incurred by said provider of space by and in connection with such use, plus a reasonable profit thereon.

#### JAYCEES CENTER FOR CHILD NUTRITION

**HON. ELFORD A. CEDERBERG**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. CEDERBERG. Mr. Speaker, it is with great pleasure that I take this opportunity to bring to the attention of my colleagues a national project of the U.S. Jaycees which I believe will make a substantial contribution to their goal of service to humanity and which will, in turn, help to solve one of the pressing social problems we face.

We are all aware of the need for providing the most adequate possible atmosphere for the education of our children. This means, of course, good teachers in adequate physical surroundings utilizing the best available educational techniques. But, to reach back to an old adage, it means further that we must work to create "a sound mind in a sound body." All of the educational expertise which we have available in this great country will have little effect on children who come to school too ill or hungry to learn.

On March 21, 1973, U.S. Jaycee President Sam Winer formally opened the offices of the U.S. Jaycees Center for Improved Child Nutrition in Bloomington, Minn. Under the direction of Robert

Benedict and his associate, David Jones, President Winer pointed out:

The feeding of American children has become a number one concern of the U.S. Jaycees.

In cooperation with other groups interested in the problem of nutrition for our school population, the Jaycees are moving forward with an effort to make certain that all of our children have available to them a sound nutritional program with which to meet the day.

I am particularly pleased to make note here of the fact that planning is rapidly being completed on a seminar which will be held on May 5 in my own State of Michigan. The Jaycees will attempt to outline a wide range of involvement methods to officials of the various school districts, and to local Jaycees, to assist in bringing the one thousand plus "no program" schools in Michigan into some kind of food service assistance.

In bringing this effort to the attention of the House I wish to associate myself with my good friend and colleague, the minority leader, who stated that he was "most pleased to learn that the Jaycees are currently directing their energies toward the area of child nutrition. I heartily concur with the Jaycees statement that, 'It just makes common sense to feed children.' " I wish the Michigan Jaycees, the national organization, and its new Office of Child Nutrition every success in their efforts.

#### THE LENNON CASE

**HON. EDWARD I. KOCH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, I am sure our colleagues are aware of the immigration case involving John Lennon and his wife, Yoko Ono. Mr. Lennon is being ordered to leave the United States because the law automatically bars from permanent residence anyone who has ever been convicted of a drug violation. His record shows a conviction for "possession of marihuana" in a British court in 1968.

Clearly, there are reasons why the immigration statute would be strict with aliens involved in drugs. But to treat an alien convicted for possession of marihuana the same way a dealer in heroin is treated is certainly unjust.

To deal with such cases in a compassionate manner, I have introduced a bill with 12 cosponsors to amend the Immigration and Nationality Act to allow the Attorney General, at his discretion, to waive the now automatic bar to immigration of aliens who have been convicted, at any time in their lives, of marihuana possession. This bill has been introduced in the Senate by Senator ALAN CRANSTON.

The inclusion in section 212(a)23 and 214(a)(11) of marihuana as an "excludable offense" for the purposes of admission to the United States and as a "deportable offense" occurred in 1960 when

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marijuana was a felony under both Federal and State law.

Since that time a number of changes have been made in both Federal and State laws with the National Commission of Marijuana recommending that penalties for the simple possession of marijuana be removed entirely. Only two States classify possession of marijuana as a felony. This offense, now recognized as a misdemeanor under Federal law, continues to prevent desirable aliens from being admitted to the United States.

I urge our colleagues to support this legislation.

## TAXATION WITHOUT REPRESENTATION

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, a development, which I believe has escaped the attention of the Members is the imposition of what amounts to a tax upon a tax, is very clearly described by Radio Station WGN, Chicago, Ill., in an editorial of April 8. I insert this editorial into the RECORD and direct it to the special attention of the members of the House Ways and Means Committee trusting that they will recognize the legitimacy of the point contained in the editorial.

The editorial follows:

## TAXATION WITHOUT REPRESENTATION

Two hundred years ago, Americans were complaining about taxation without representation. Now, we feel, there's new reason for complaint.

The federal government has ordered the airlines to enforce tight security measures at airport boarding areas . . . to discourage would-be hijackers. Metal detecting devices, people to operate them, other people to search hand luggage . . . all of these things cost the airlines money. So, the government has allowed the airlines to pass along the cost.

The domestic airlines of the nation and the government settled on the figure of \$57 million as the estimated cost of these security measures. Further estimating, on the number of passengers to be carried this year, brought the cost down to 34 cents per passenger. The airlines were told they could add this charge for each portion of an airline trip.

While no one likes having the price of anything go up, the 34 cents on a \$100- or \$200-ticket is not unreasonable. But, said the government, add the 34 cents into the ticket price *before* you compute the tax.

There is an eight percent federal tax on airline tickets. So, the 34-cent charge becomes 37 cents . . . those other three pennies going to Uncle Sam. It's not a lot of money . . . in relation to tax revenue and government spending we guesstimate it will bring four and a half to five million dollars into the federal treasury in the next year. But, the Constitution says *Congress* should levy taxes, not some administrative agency which, in effect, orders an increase in costs, permits the cost to be passed along to the general public, and then taxes the increase.

The surcharge, to defray security costs, is reasonable. But, the tax isn't. The airlines should be permitted to add the extra 34 cents after computing the tax.

## THE ENERGY CRISIS

## HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ARMSTRONG. Mr. Speaker, the United States is on the verge of an energy disaster.

Our country has been so rich in natural resources and productivity for so long that we have been isolated from any real resource sacrifices. Famine and shortages of other kinds almost seem un-American as if our country were immune to the problems plaguing other nations.

But the energy crisis is real and its effect will be felt in every household across the country. Americans will have to face skyrocketing fuel prices, rationing, restrictions on travel as well as on the ownership of automobiles and home appliances. We will probably have an energy czar with regional administrators and a typical costly governmental bureaucracy as well as an increasing dependence on foreign suppliers which will inevitably subject the United States to international blackmail by oil-rich potentates of the Middle East—unless we act quickly and decisively to close the energy gap.

It may not be too late to avert the worst consequences if Congress formulates energy policies based upon the realization that—

The United States has only 6 percent of the world's population but consumes 35 percent of the world's energy, more than the combined usage of the U.S.S.R., Germany, Japan, and Great Britain.

Domestic energy production has not kept pace; in fact, production of domestic crude oil and natural gas liquids peaked in November 1970 and has decreased by about 5 percent since that time. Even more ominous is the oil drilling rate—the drilling footage—which stands now only about half the rate of 1955. Significantly, the finding rate—volume of oil and gas found per unit of drilling effort—is also declining, a factor heavily influencing the supply and cost of production.

With gasoline consumption rising dramatically it is no wonder shortages are developing all over the country and gas rationing is just around the corner.

As a result of these trends in petroleum supply and usage we have become heavily dependent on imported oil; about one-quarter of America's oil comes from abroad today. It is estimated that within 12 years 50 to 65 percent of U.S. oil consumption will depend on overseas sources.

Obviously this has tremendous foreign policy implications as well as staggering financial consequences. The net cost of imported fuels already results in a sizable dollar drain, approximately \$2.1 billion in 1970. This deficit is expected to range between \$9 and \$13 billion in 1975 and may reach \$32 billion in 1985, if present trends are not reversed.

The magnitude of this problem is highlighted by the fact we already have the worst balance of trade in 70 years

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and by noting our total annual export of all goods and services is only about \$65 billion at present.

An even more imminent crisis is developing in natural gas, as probably anybody whose children were sent home from school this winter already knows. School and factory closings due to fuel shortages have been rare in the past but will occur with monotonous regularity in the future unless the present trend is reversed. In the last 6 years natural gas consumption has increased 37 percent while our proven reserves of gas have decreased 21 percent.

It is no exaggeration to describe the present situation as an "energy crisis." I therefore recommend the adoption of energy policies based on these considerations:

First. Energy policy and environment policy must be coordinated. In the last few years there has been an enormous outpouring of public interest in the environment. After decades of neglect we have awakened to the realization that we cannot go on squandering our great natural heritage of clean air, clean water, wilderness and natural areas and the other environmental resources with which our country is so richly endowed.

But somehow a lot of people have gotten the idea that environmental concerns can be measured in money; or, in short, if we are willing to spend enough money we can solve any environmental problem. This is not true.

For example, we all want to clean up air pollution. And certainly there is no problem that is more visible or of greater concern to Colorado than air pollution. So we all want to support the most rigid feasible air pollution control standards for automobiles. But here is the rub.

Implementing the 1975-76 Environmental Protection Agency—EPA—standards, which require a 96-percent reduction in emission levels from those allowed in 1970, has a huge environmental cost. I am not talking about the economic cost of higher priced automobiles and lowered engine efficiency. I am talking about fuel consumption. The difference in fuel efficiency from a 90-percent reduction to a 96-percent reduction will cost 3 million barrels of oil per day, 50 percent more than the expected flow from the Alaska pipeline which may never be built due to other environmental concerns. Here are two valid environmental concerns that clash head on.

Unfortunately, most Americans have no idea this kind of environmental tradeoff is involved in decisions now being studied.

Second. Let us recognize that ill-conceived Federal policies have actually fostered the energy gap. The Government ought to be doing everything it can to solve the problem instead of continuing price controls which are certain to make the situation worse.

The present shortage of natural gas is a logical result of the Government-decreed wellhead price of natural gas. At 25 cents per million Btu's it is far below the energy equivalent of crude oil at 60 cents, and heating oil at 80 cents. Even coal has risen to 35 cents. These

artificially low natural gas prices discourage exploration and development to provide new supplies while encouraging consumption of the cheap natural gas by many industrial users and utilities which might otherwise be using other fuels.

The same situation applies to the Government ceiling price on gasoline; this is the opposite of sound policy. Instead of encouraging further production and letting prices rise to reflect true cost, thereby discouraging unnecessary and wasteful use of gasoline products, this policy does just the opposite. At a time when a shortage already exists, the price ceiling discourages production and encourages consumption—a sort of Alice-in-Wonderland approach to the problem.

Third. Congress should support the President's recommended appropriation for Government energy research and encourage private research, particularly the development of oil shale and coal gasification which appear to be the only two promising sources for large-scale energy development.

Research in oil shale is particularly meaningful to Colorado. And it is essential that this research proceed at a measured pace now so shale can be turned into oil on a basis that is consistent with sound environmental standards. If this research is not given high priority now, at some later time oil shale development may be pushed through on a panic basis and environmental concerns could be left in the lurch.

Fourth. Congress should seriously consider an antitrust exemption for energy companies which wish to enter joint ventures for research and development of these projects. The economics of coal gasification and oil shale are so huge that it is unlikely any private enterprise, even the gigantic companies, will undertake these projects on their own. Since joint efforts could run afoul of the antitrust laws, the only alternative to Government research and development seems to be some kind of narrowly defined antitrust exemption, or, as a further alternative, a Government-industry joint venture.

Fifth. Congress should enact tax incentives, including investment credits advocated by the President, to encourage exploration, research and development of energy resources.

Energy policy should be coordinated by a single department of the executive branch and a similar coordinating effort should be undertaken by Congress. At present, energy policymaking in Congress is fragmented among many committees and administration is scattered throughout the executive branch. The delays, confusion and counter-productive efforts which result can be tolerated no longer.

I hope that my colleagues in Congress share the sense of urgency I feel about meeting the energy needs of America. It is an irony this energy-rich Nation of ours should be so close to disaster. Even the most decisive action will not head off some consequences of our past policies. Anything less than our strongest and best efforts is certain to end in disaster.

## EXTENSIONS OF REMARKS

### PENNSYLVANIA LEGAL PROFESSION SUPPORTS LEGAL SERVICES

#### HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

MR. BIESTER. Mr. Speaker, the merit of legal services activities and performance in past years is an active topic of discussion in Congress at the present time. Much evidence and testimony is being submitted for and against continuation of the legal services program—and, if it is to be continued, the exact manner in which it should be structured.

In my estimation, legal services has done a commendable job in helping the poor realize that lack of money need not be a barrier to the exercise of their basic rights. Critics of the program have tried to picture legal services as a politicized operation fighting causes at the expense of the simple and fundamental legal needs of the indigent. The General Accounting Office study and report of legal services performance issued March 21, refuted these charges and demonstrated how legal services attorneys have effectively and admirably represented the poor on behalf of those commonplace legal problems so many other persons—who know their rights and can afford the necessary legal fees—take for granted.

I am pleased to note that the Pennsylvania Bar Association, in its recent board of governors meeting, has passed a resolution strongly in favor of continuing the legal services program as an independent corporation.

Mr. Speaker, I would like to submit for the RECORD the Pennsylvania Bar Association resolution regarding the legal services program:

#### PENNSYLVANIA BAR ASSOCIATION RESOLUTION

Whereas, the ideal of equal justice is dependent upon a viable system of legal services available to the poor; and

Whereas, since 1965 the federal government has committed many millions of dollars through the Office of Economic Opportunity and the Department of Health, Education and Welfare to funding local programs to provide such legal services; and

Whereas, proposed regulations promulgated by HEW would eliminate legal services as an optional social service permitted to be provided by states to poor; and

Whereas, it is proposed that OEO be discontinued before July of this year and there is no present provision for transfer and continuation of the OEO-funded local legal services programs; and

Whereas, in Pennsylvania the substantial utilization of available federal resources, resulting in the sponsorship of HEW and OEO-funded programs in 26 counties—with 13 more soon to be started—is now threatened by the federal proposals; and

Whereas, the President of the United States has repeatedly committed his Administration to the creation of an independent national legal services corporation designed to continue providing the poor with access to the courts for redress of grievances;

Now, therefore, it is resolved that the Pennsylvania Bar Association urges:

(1) The Secretary of the Department of Health, Education and Welfare to adopt regulations which include legal services as an

optional service to be provided by states under social and rehabilitation services.

(2) The President of the United States to direct that existing OEO legal services programs be fully supported, and contract obligations be honored, until an independent corporation has been formed and is capable of assuming administrative responsibility for the legal services programs.

(3) The President and the Congress of the United States to move with dispatch to enact and adequately fund an independent legal services corporation capable of providing a full range of legal services to the poor.

(4) All federal programs providing legal services for the poor be designed to insure that the professional judgment of legal services lawyers be preserved free of restrictions inconsistent with the Code of Professional Responsibility.

### SMITHVILLE, N.J.

#### HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

MR. SANDMAN. Mr. Speaker, on May 1 the historic town of Smithville, N.J., will celebrate its 21st anniversary. It has become one of New Jersey's leading attractions, providing employment to 549 persons on an annual basis, and over 600 during the summer months. The town is visited by millions of people annually, and it is an inspiration to all who believe opportunity has not vanished in our country.

Fred and Ethel Noyes, whose love for south Jersey has been their prime motivation, acquired a neglected, forsaken, forlorn building that had been a stagecoach stop in 1787, and with an initial investment of only \$3,600 have developed the town to the point where it now occupies some 2,300 acres, three great inns, scores of restored buildings and village shops, a working farm, FAA and VA approved airfield, and a modest motel.

The current project is the restoration of a typical south Jersey crossroads village of the early 1800's. This restoration will occupy 1 square mile with more than 36 main buildings and other structures. Craftsmen will be working in many of the buildings just as they did over a century ago.

To Fred and Ethel Noyes, the historic town of Smithville is a lifelong dream come true for they are absorbed in preserving the historical significance of the area, and to remind people of their great heritage.

Mrs. Noyes is chairman of the Atlantic County Cultural and Heritage Commission, served on the Governor's Commission to Study the Status of Women in New Jersey, and is a member of the Lafayette Chapter of the Daughters of the American Revolution. She is also a member of the New Jersey Trust established by the State. She was named one of the top 10 businesswomen in New Jersey by the New Jersey Manufacturers Association, and Woman of the Year by the New Jersey Travel and Resort Association. She is a member of the board of directors of South Jersey Industries, and Atlantic City Hospital. Last month Mrs. Noyes

## EXTENSIONS OF REMARKS

was named the Nation's Best Dressed Woman Executive by a New York Fashion group.

Mr. Noyes, an artist of national repute, is also active in many business and cultural organizations.

It is interesting to note that the Noyes have maintained a fair employment policy since the inception of Smithville, long before the Government felt it necessary to legislate such a policy.

Now a publicly owned corporation, with Mr. and Mrs. Fred W. Noyes, Jr., as major shareholders—Mr. Noyes is president director, and Mrs. Noyes is executive vice president director—the progress and expansion of the town continues. In the "Old Village" restoration scheduled for completion in 1974, visitors will see a community that was but never will be again. Educators agree that this ambitious restoration merits study by young and old alike. The story of what Fred and Ethel Noyes have accomplished in just two decades should serve as an inspiration to us all.

THE NIGHT TERROR CAME  
KNOCKING

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MOSS. Mr. Speaker, it used to be in America that a man's home was his castle and protected from unwarranted government intrusion under the fourth amendment to the Constitution.

It appears now that certain people in the executive branch of our Government need a history lesson plus severe penalties to remind them of that fact.

I am referring to the recent invasion by Federal narcotics agents or goons—I am not sure what they are—of two private homes in Collinsville, Ill. The raids were made on the wrong houses and it turned out to be a night of terror for the innocent, law abiding families involved. They were beaten, cursed, and otherwise abused.

The conduct of the Federal agents was absolutely barbaric and could only remind one of the Gestapo tactics of Hitler's Nazi Germany.

I am today requesting a full and immediate investigation of this deplorable incident by the Special Studies Subcommittee of the House Committee on Government Operations.

Outrages of this sort must be stopped now. They are occurring much too often. I demand, as a Member of Congress, that all those involved in this injustice be brought to account for their actions.

Following is the text of an article which appeared in the Washington Evening Star and Daily News on April 29 describing this travesty:

THE NIGHT TERROR CAME KNOCKING

(By Andrew H. Malcolm)

COLLINSVILLE, ILL.—Herbert Giglotto was asleep with his wife in their townhouse apartment here the other night. He heard a crash by the front door. He stumbled from bed.

"One more step, you (obscenity) and you're dead," said a voice in the darkness. And Giglotto felt a gun barrel against his forehead.

One half hour later across town Don Askew, his wife Virginia and their son Michael were sitting down to a late fish supper.

Their dog Charlie barked. Mrs. Askew went to the living room, then gasped. "My God, Don, there's a man at the window."

There was, in fact, a man at every window. Each pointed a pistol inside. And three men stood by the door with shotguns.

Thus began a night of terror for two families here last Monday. Their doors were kicked in; their homes damaged, their arms shackled. And the screaming bearded men told some they were to die.

The long-haired, unshaven, poorly dressed armed men who burst into the homes shouting obscenities were federal narcotics agents hunting, with no known warrants, for something or someone.

They went, however, to the wrong houses. And when they realized their error, the men disappeared with no apologies.

"I think people should know," said Mrs. Giglotto, "that this sort of thing can happen in America now. God only knows how many families this has happened to."

The agents' actions here prompted charges of "Gestapo tactics," a \$100,000 lawsuit, some angry editorials, a federal investigation and a good deal of fear in this quiet southern Illinois community of 19,600, 15 miles east of St. Louis.

Except to confirm that the men involved were, in fact, narcotics agents, no one in the federal government would explain the incidents.

Herbert Giglotto is a 29-year-old boilermaker who lives with his wife, Evelyn, in a tri-level apartment. They have no children.

The had retired at 9:30 p.m. Monday because Giglotto arises for work at 5 a.m.

At 9:30 p.m. there was a crash. That was the storm door being ripped out. A second crash followed. That was the inside door buckling off its hinges.

Giglotto reached the top of the stairs when a man put a gun to his head.

The boilermaker turned to his wife. "Honey, we're dead."

"That's right, you (obscenity)," said the man.

He threw Giglotto face down on the bed and handcuffed his arms behind his back and said: "You move and you're dead. Who's that bitch?"

The room had filled with 15 men. They were tearing down shelves and ripping clothes out of closets and drawers.

"That's my wife," said Giglotto, "and this is our bedroom."

"Don't get smart," said the man. He cocked his pistol. "I'm gonna kill you."

Mrs. Giglotto pleaded hysterically for her husband's life.

"Shut up," the man said.

He ordered Mrs. Giglotto, who was clad only in a short green negligee, to lie on the floor. Another man threw a sheet across part of her exposed body.

The man had ripped open a screen and kicked in a back door that Askew had nailed shut eight years ago.

The men searched the home. "Do you know John Coleman?" they asked.

"No," replied Askew.

"I can't breathe," Mrs. Askew said.

"Take it easy, lady," one man responded. "We're federal agents and we've gotten a bum tip." They began to leave.

"Wait until the police get here," Askew said.

"We can't," the man said. "We've got four more places to go tonight. Here's a phone number. Call and they'll pay any damages."

The number was for the Bureau of Narcotics and Dangerous Drugs in St. Louis.

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In his stocking feet Askew followed the 25 men to the Collinsville police station, where the agents identified themselves to Chief Paul Cigliana and reportedly admitted they had no warrants.

On Wednesday the Askews sued the federal government for \$100,000 for violation of their civil rights. The Giglottos also retained an attorney. "I can't compete with a government like this," said Giglotto.

In Washington, Myles J. Ambrose, special assistant attorney general in charge of drug abuse law enforcement, ordered a "thorough investigation" and said "appropriate action" would be taken against any federal agents who acted "improperly."

"Every day I get madder," Giglotto said. "They acted like those German Gestapos. If they were representatives of the federal government, we're all in trouble."

There were crashes elsewhere. A television set, among other things, was thrown across a room. An antique plaster dragon was shattered. Cameras were bashed on the floor. Papers were strewn about.

Then one man flashed a small gold badge for an instant, but not long enough to read. And he rattled off a list of names that Giglotto did not recognize.

"You're going to die if you don't tell us where the drugs are," said the man.

"Please, please, before you shoot, check my wallet," screamed Giglotto, who says aspirin is the strongest drug he takes. Just then there was a voice on the stairs.

"We've made a mistake," it said.

Giglotto was released and the room emptied.

"Why, why did you do this?" Giglotto asked as he struggled to put on some pants.

"Boy, you shut your mouth," said one man. And he knocked Giglotto over, ripping his trousers.

Outside, a man was modeling one of Giglotto's construction hardhats. The Giglotto's pets—three dogs and a cat—had been thrown outdoors.

"(Obscenity) your animals," one man said. "I don't care about your goddamned pets."

And the men walked off down the street.

About that time 40-year-old Don Askew was returning from his East St. Louis gas station to his modest, six-room home in Collinsville's north side.

The dead-end street, a one-lane curving affair, is little-traveled.

So Arnold Blass, a 66-year-old next-door neighbor, was puzzled by the car that cruised back and forth. He had just cleaned a .22-caliber pistol and put it in the house.

Now Blass was in his backyard chatting with Jack Freiburg, a friend, and cleaning some freshly-caught carp.

Suddenly, they saw about 25 "raggedy-looking hippies" running across the vacant lot toward them. One pushed Freiburg, who knocked him down instead against an old ice-box. Another seized Blass' knife.

Then, a man produced a badge for a second. "Is that all the identification you've got?" asked Freiburg. "I can buy one of those in any dime store."

By then Mrs. Askew was screaming for the police. As Blass turned toward his house, three men barred his way, shaking their heads slowly.

"It's a good thing I didn't have my gun," Blass said later.

Askew thought the strangers were a motorcycle gang after his 16-year-old son. Then he saw the armed trio at the door.

"You kids go on home now before I call the police," he said, holding the door shut. Then, slowly, without a word, one of the men leaned back and kicked the foot just below the glass. The muddy footprint is still there.

Mrs. Askew ran screaming toward a bedroom. She fainted and hit her head on a table. Her son went for the phone. "Hold it, boy," said the voice in the window.

Then one man at the door waved a badge briefly. Askew opened the door promptly and stepped back. Only then did he see a pistol pointed at his back through the kitchen window and a man standing quietly by the bathroom with a shotgun in his hands.

#### TAX WITHHOLDING LAWS UNFAIR TO SCHOOLS

**HON. PAUL FINDLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FINDLEY. Mr. Speaker, this is the year when, hopefully, Congress will give consideration to reforming our Nation's tax structure. The inequities are legion, and the need for action is urgent. Section 403(b) of the Internal Revenue Code is one bothersome provision in the tax laws which imposes a significant burden upon the Nation's public schools. Last year I introduced H.R. 1380 to amend the Code to deal with the problem. Just before the Easter recess, I reintroduced the bill and requested the chairman of the House Ways and Means Committee to seek the administration's views upon it.

Section 403(b) of the Internal Revenue Code exempts from income tax of employees of section 501(c) organizations or public schools payments made by the employer to acquire certain annuities for its employees, within specified limitations. In Revenue Ruling 70-453, IRB 1970-35, 18, issued in September 1970, the Internal Revenue Service ruled that withholding of income taxes was required on the costs of life insurance protection under such section 403(b) annuities.

In order to administer a withholding tax system, the schools will have to: first, revise their payroll systems, whether they be by computer or by hand, so as to provide for the additional deduction of withholding taxes from the salary payments; second, incorporate the amount withheld in the receipt to each employee; and third, explain each change in the amount of taxes withheld.

According to one of my Illinois constituents, who has surveyed a representative sample taken from section 403(b) annuities, the annual premium for 173 annuities varied from \$50 to \$2,772. The average annual cost of life insurance was \$40.65. About one-half of the 173 annuities involved annualized premiums ranging from \$50 to less than \$400 with annual cost of life insurance ranging from \$3.05 to \$32.12. Based upon withholding at a 14 percent rate from monthly payments of a salary over a 12-month school period, this would amount to withholding of taxes on the cost of life insurance protection of 3½ cents to 37 cents per month. Based upon an average annual payment \$40.65, the withholding tax per month would be about 47 cents.

If the withholding is done once on an annual basis, the amount of tax withheld at a 14-percent rate would vary from \$.43 to \$6.59 on annual costs of life

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insurance protection varying from \$3.05 to \$40.65.

All of this will impose a substantial burden during the year if the withholding must be on a periodic basis, or at the end of the year if the withholding is on a one-short basis at the end of the year. A similar burden would be encountered if a less exact method were allowed of withholding on the basis of the cost for the previous year.

I am told that although the cost of life insurance protection in these cases is almost nominal in amount, it is not static. Since the life insurance element changes each year with a change in risk at the anniversary date of the policy, at least one change would be required each year. Moreover, the anniversary dates of the policies vary—depending on the date the policy was issued—so that changes are required throughout the year. Also, it is estimated that about 25 percent of the policyholders made other changes in life insurance component of the annuities during the year. The changes occur for a variety of reasons, including sabbatical leave, pregnancy, sick leave, financial inability, or greater financial ability. The annuitant can also discontinue the plan at any time, temporarily or permanently, requiring additional changes. Furthermore, since the employee's contract year may run from September 1 to August 31, there may be two contract years during each calendar year.

Each change in the cost of life insurance would require the school to change its payroll reporting to reflect the revised deduction of the amount of income taxes withheld and to report the change in the W-2 forms to the employees. There is also a complication in that there is a lag, which may amount to as long as 2 months, between the application for a change in the coverage and the time when it is approved. If the risk applied for differs from that determined, the amount of coverage for the cost of the life insurance would have to be revised. Any such change would require further adjustments to be made by the school in the amount of taxes already withheld and to be withheld.

It does not seem reasonable to me that the Treasury should require withholding under these circumstances. The costs and administrative burdens in reflecting these changes through withholding can hardly be justified. This is particularly true since it is very unlikely that there is any tax escape. The amount of compensation by way of life insurance costs is reported on the W-2 forms given to each school employee.

Moreover, the additional expense to State and local government agencies, as the employers, runs counter to the policy of the Federal Government to improve their fiscal situations.

In similar instances, tax withholding has not been required. For example, income tax withholding is not required with respect to payments made on behalf of an employee or his beneficiary to a qualified section 401(a) employee trust, and under a qualified employee annuity plan. Payments made under a qualified bond purchase plan described in section 405(a) of the Internal Revenue Code are

also exempt from withholding under section 3402(a)(12)(c) of the code by a provision adopted in section 7 of the Self-Employed Individuals Tax Retirement Act of 1962.

When the present statutory provision for section 403(b) annuities was adopted in 1958, the Congress provided "that the other major benefits accorded in the case of industrial plans should also be made available to the educational, charitable, and religious organizations whose pension payments qualify under the 20 percent rule—or to the extent they qualify under the 20 percent rule." Therefore, it extended three provisions to these annuities: the \$5,000 income tax exclusion for amounts paid with respect to an employee's death; an exclusion from the estate tax base of a decedent employee with respect to an employer's contributions; and an exclusion from the gift tax base with respect to an employer's contribution provided in the case of exercise by an employee of an election as to survivor benefits.

The overall congressional intention substantially to equalize the tax benefits of an annuitant of a section 403(b) annuity with those of annuitants under qualified plans should be applied equally to exempt from withholding payments under section 403(b) annuity plans to employees of schools and school districts.

The amount of tax involved in section 403(b) annuities is much smaller than that for qualified annuities, the administrative burdens of withholding under section 403(b) plans are inordinately great, and they fall for the most part on State and local government agencies.

The withholding tax system has its practical limitations. Withholding of income taxes is clearly an important device by which the Government insures that taxes are collected. However, where such assurance is otherwise available, withholding should not be required if the administrative burdens of withholding do not yield better tax collection results commensurate with the added burden of withholding. For example, the law does not require withholding on dividends and interest because it was felt that the reporting of such income was adequate and, therefore, that the administrative burden of withholding would not be justified.

Similarly, "unnecessary" withholding burdens have been taken into account by excepting from withholding group term life insurance premiums paid on behalf of employees which would otherwise be subject to withholding because they are in excess of the applicable limitations. Instead, the employer is required to file information returns as to the income element with the Government, and provide a copy to the employee. Again, the insurance component of 403(b) annuities is reflected as other compensation on the W-2 forms to be filed with the Government, with a copy to the employee.

Exemption from withholding on the life insurance component of section 403(b) annuities would be consistent with past practice and would recognize that administrative burdens far outweigh the

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minuscule protection of the revenue, if any, involved.

For that reason, Mr. Speaker, I have introduced H.R. 7257 to amend section 3401 of the Internal Revenue Code to exempt section 403(b) annuities from withholding. I hope that the House Ways and Means Committee will act quickly to bring this measure to the floor, and that the Congress will enact it into law.

## TRIBUTE TO BILL BENTON

## HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. CAREY of New York. Mr. Speaker, Bill Benton, the late publisher and owner of the *Encyclopaedia Britannica*, was not only a great man in his business capacity, but also in other respects. He was a humanitarian; he served on the board of an adoption agency, the Cradle, in Illinois. In fact, the Bentons adopted children from the agency by the handful. It was my pleasure to have met and talked with Mr. Benton a number of times. More often, I read and pondered his opinions and views. The combination of personal contact and study of his work lead to a lasting impression that here was a good man, a gifted man, a fine American—a very human being who gave a way to a better life through his own. The following story illustrates the humanness of this man, who passed away recently:

William Benton was memorable in a variety of ways, and one that I like to recall reflects an aspect of the man that is not widely known. Bill and Helen Benton had their first child, Charles, in 1931. (In fact, Benton's biographer Sidney Hyman tells us that Charles was not actually named for several days after his birth. He wrote to his mother that his wife "Helen seems to favor the name Charles William, partly because it was his [the baby's] father's name. I have absolutely put my foot down on having any juniors in the family. In fact, I have decided that there about 15 good names, all of which are perfectly all right and none of which makes much difference. George, Ralph, Robert, Thomas, Henry—what difference do the names make anyway")

Subsequently, the Bentons learned that they would be unable to have more children of their own, although they wanted more youngsters. They concluded that they would adopt an infant girl. At this stage of their lives, the Bentons were living in Chicago, where Bill was the "part-time vice president" of the University of Chicago, having retired at age 36 from the advertising business, a self-made millionaire, Robert M. Hutchins, then president of the University, and Benton's Yale classmate, told Bill about a pioneering adoption agency in nearby Evanston, and Bill and Helen Benton contacted the agency, The Cradle.

A distinguished physician, Dr. Frederick Schultz [sic], head of pediatrics at the University of Chicago Medical School looked into the prospects of adoption for the Bentons. Dr. Schultz had himself adopted three children from The Cradle. He reported to Benton that there were two baby girls at the Cradle that he had examined. One was ten weeks old, the other six, and both were healthy; the Bentons could adopt either with confidence.

Bill Benton gave way to the impulsiveness and generosity that so often characterized him. He suggested adopting both. Dr. Schultz concurred: it was a good idea. When Helen Benton saw the two infants, so did she, and that is how Louise Hemingway Benton and Helen Orr Benton joined the family of the great man we mourn.

Five years later in 1942, Bill and Helen Benton returned to The Cradle for a second son, John Benton. And repeatedly, throughout the years, the Bentons referred friends and business associates desiring to adopt babies to The Cradle. Both Bill and Helen served on its board, contributed to it, and often urged friends to do so. Indeed upon Bill Benton's death a number of his friends and associates marked his death by making contributions to the adoption agency that had meant so much to him in his lifetime.

Mr. Speaker, to me this story tells much about Bill Benton. He was a great man in the world of great affairs, and tough in political and business matters, but open-hearted before the little babies to whom he gave heart and home.

## TAX INCENTIVES FOR CHARITABLE GIVING

## HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, today I am introducing three bills to further encourage charitable giving in our country. The first bill is "the Higher Education Gift Incentive Act of 1973." This bill would permit taxpayers a 50-percent tax credit on contributions up to \$200 to institutions of higher learning. It is specifically designed to encourage more people to make small contributions to the college or university of their choice. Many people who would otherwise make such contributions do not now do so because they do not itemize and therefore cannot take advantage of the existing charitable deduction. My bill would thus give such people this new incentive for giving. Those who do itemize could still take the tax credit on their first \$200 and then claim the deduction on the remainder of their contributions.

The second bill I am introducing would reduce the existing 4-percent excise tax on foundation investment income to 1½ percent. When the 4-percent tax was included in the 1969 Tax Reform Act, it was with the thought in mind of producing revenues for auditing all charitable contributions. As it turns out this tax is bringing in far in excess of what is needed for such auditing, and foundations are proportionately limited in what they can pay out for charitable purposes. This bill would thus insure that adequate revenues from the excise tax are generating for the necessary auditing and at the same time make it possible for foundations to plow more of their money into worthwhile social projects.

The third bill I am introducing would also alter a provision contained in the 1969 Tax Act. Prior to that act, corporations making donations of inventory for charitable purposes were permitted a deduction based on the retail value of the goods. The 1969 act changed this

deduction so that it is now based simply on the cost of producing the goods. This has had a significant impact on drying up such contributions. The bill I am introducing today is offered as a compromise between the existing deduction and that permitted prior to the 1969 act. It would permit corporations which donate medical, surgical, and hospital supplies and equipment to recognized charitable organizations—other than foundations—for the care of the ill, needy, and infants, a deduction based on cost plus half the appreciated value of the goods, provided this amount does not exceed twice the cost of the goods. This latter provision or ceiling is aimed at preventing excessive deductions in the case of goods which have a high markup value.

It is my hope that when the House Ways and Means Committee resumes its consideration of tax reform legislation, it will not only preserve existing tax incentives for charitable giving, but that it will give serious consideration to the three bills I am introducing today.

## THOSE WHO KNEW

## HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GUDE. Mr. Speaker, too often we tend to overlook the mentally retarded, or far worse, purposely ignore their situation because it may cause us some uneasiness or discomfort. In so doing, we fail to realize that the retarded have every right to live as normally as possible, and should be responded to naturally and openly.

Last month, I had the pleasure of attending the luncheon-fashion show of the Montgomery County Association for Retarded Citizens. I was particularly moved by the eloquent remarks of Mrs. Lou Chapman, MCARC president, on the need for each of us to be, in effect, an advocate for the mentally retarded.

Regardless of what public or private sector programs we may devise, none will succeed without an element of compassion and advocacy.

I would like to share her remarks with my colleagues at this time, and urge that we all take a brief moment to reflect upon society's past attitudes toward the retarded and the need to insure that ongoing efforts to end the isolation of these individuals have this human element to which Mrs. Chapman speaks:

MCARC LUNCHEON-FASHION SHOW SPEECH BY LOU CHAPMAN, MARCH 24, 1973

On behalf of the Montgomery County Association for Retarded Citizens, I would like to add my very warm welcome to each of you. We are delighted that you are sharing this special day with us.

Many of you may know that MCARC is a parent association—formed twenty-one years ago by a group of parents who were concerned about the lack of services for their mentally retarded sons and daughters. What you may not realize is the basic function of MCARC is that of advocacy—advocacy on be-

half of every mentally retarded individual in the county and state, regardless of age or functioning level. Advocacy takes many forms, at many levels. Whether it involves a class action suit to secure the right to education for those individuals who have been denied this opportunity or whether it involves a word of encouragement and support to an individual who is experiencing difficulties in a job-training program, advocacy is action.

MCARC is committed to insuring for each of our mentally retarded citizens a life of dignity, an opportunity to develop to his fullest potential, an opportunity to experience *jolie de vivre*, joy in living. We are committed to creating a climate of understanding within the county so that mentally retarded individuals can remain in the community, as opposed to the traditional approach of isolation in large, dehumanizing institutions.

Because the mentally retarded *have been* isolated in the past, many people feel uncomfortable around them, do not understand them—they do not understand that mentally retarded individuals are more like us than they are different, that they experience the same feelings and emotions as we all do. That they respond, as each of us does, to kindness, respect, and love.

"Hate-filled," those who knew said. And he climbed sleepily into my lap . . . He buried his tousled head in my cool green sweatshirt and wrapped his grubby arms around my neck . . .

"Uncontrollable," Those who knew said. And he lay quietly beside me listening to my fairy tales and lullabies . . .

"Refuses to participate," Those who knew said. And he took my hands and let himself be led into the midst of dancing and singing . . .

"Will not cooperate," Those who knew said. And he stood beside me drying the dishes I had washed . . .

"Will not speak," Those who knew said. And we walked through the forest, talking of birds and squirrels and flowers . . .

"Incabable of love," Those who knew said. And he planted a slobbery little boy kiss on my cheek . . .

"Hopeless," Those who knew said . . . and he sang with me of stars and happiness . . . He smiled with me at silly jokes . . .

*Those who knew forgot about love\**

"Those Who Knew . . ." by Julie Parsons, TORCH (Idaho YARC) State President 1970-1971.

Each of us can be an advocate for the mentally retarded. It's really very simple. We can be an advocate by responding naturally when meeting a mentally retarded person, by extending the hand of friendship to him if we see a mother in the grocery store having a very difficult time with her mentally retarded son or daughter (and by the way, this always seems to be the place that the frustrations of living in a world that does not understand builds to the point of release for mentally retarded individuals), a warm smile of understanding to that mother, rather than a disapproving frown will furnish great support to her; we can be an advocate by accepting a group home in our neighborhood, by saying "Yes, the mentally retarded have a right to live as normally as possible."

It is really very exciting at this time to be involved with the mental retardation movement. Barriers that have stood for hundreds of years are coming down; slowly, but significant progress is finally being made. It is a time of great social reform.

I would like to extend an invitation to each of you to join us in becoming advocates for the mentally retarded. In becoming advocates, each of us truly will be experiencing joy in living.

Thank you very much.

## EXTENSIONS OF REMARKS

### HUNGARIANS STILL FIGHTING FOR FREEDOM

**HON. ROBERT PRICE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. PRICE of Texas. Mr. Speaker, on April 14 and 15 the Hungarian Freedom Fighter's World Federation held its 10th World Congress in Connecticut and reminded us of our obligation to honor those Hungarians, and people everywhere, who continue to resist in whatever way they can, the tyranny of communism. Today, when there is talk of détente, warming relations, and an end to the cold war, we too easily think in the larger terms of state relations, and ignore what a Communist dictatorship means to the individuals that must suffer under it. Moreover, some of us seem willing to forget that communism is not only the enemy of the Hungarians, who must bear with and brave its despotism, but is the enemy of all mankind that desires to enjoy freedom and live without fear of persecution and psychological depredation for believing in justice and human dignity.

In Hungary, a cold war is fought daily by people who long to be free. We need only recall the 1956 revolution that was mercilessly crushed by Soviet Russian troops to understand that Hungarians long for freedom so much that they have been willing to die for it.

On October 23, 1956, a Hungarian student demonstration in sympathy with those oppressed in Poland was the catalyst for a countrywide uprising against the Communist regime of Erno Gero.

For 13 days, Hungarians enjoyed the exhilaration of new-found freedom and the pace of life quickened as everyone marveled at the direction Hungary was taking. Then the heavy hand of the Soviet Union reentered the picture, and crushed the revived Hungarian freedom in favor of tyranny and oppression once again. The 13 days of freedom retreated into memory, replaced by months of embittered struggle that witnessed the worst of horrors. It was in this period that the real fight for freedom took place as the Hungarians used whatever was at hand to combat the Russian tanks that infested their cities like a plague. As the Russians reasserted control over their shaken empire, the Hungarians again experienced the humiliation of Russian intervention, bringing to mind that in 1848, it was the Russians who crushed the first Hungarian revolution and helped return the country to Hapsburg rule, and that after World War II, it was the Russians who imposed a Communist regime on Hungary.

When a nation finds itself unequal in physical strength to its adversary in a life or death battle, there is no glory, only tales of heroism and appalling stories about the cost in human life and misery. Once the revolution in Hungary was crushed, the Moscow-installed government began a reactionary purge of those who had resisted continued slavery. Thousands were jailed, many were exe-

cuted, including some of the highest leaders of the revolutionary government, and over 200,000 Hungarians fled their homeland to seek refuge from the nightmare they saw reconstituting itself.

The fate of the Hungarians has been less than pleasant; although their own personal resistance may be courageous and constant, they still live under a system that holds above them a meaningless ideology that is irrelevant and counterproductive, and still leaves them without any means to participate in the governing of their country. One senses that here is one of the greatest tragedies that can be perpetrated against any people, existence without purpose, and subsequent creation of a national psychosis of futility and dismay that makes an entire country apathetic.

This then is what has been wrought by communism, communism that some in this country are ready to overlook and discount as they seek accommodation for political and economic reasons. As the Freedom Fighter's Congress must be a ray of encouragement to the millions of Hungarians, prisoners in their own land; let its continued existence be a warning of what lies in store to all those who fall under the oppression of Communist regimes. The Communists have never abandoned their expressed goal of world conquest. We may scoff at that idea, but they do not.

### GOLDEN ANNIVERSARY OF ST. CHARLES PARISH

**HON. JAMES V. STANTON**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. JAMES V. STANTON. Mr. Speaker, yesterday, St. Charles Parish in Cleveland, Ohio, celebrated its golden anniversary. For 50 years, this fine parish has been serving the spiritual and social needs of our community, and on this occasion I extend Monsignor Corrigan and the members of the parish my warmest congratulations. May God continue to bless this group, and may it continue to prosper.

In honor of the St. Charles Parish, I would now like to insert into the RECORD a history of the parish which describes its activities from its founding in 1923:

#### HISTORY OF ST. CHARLES PARISH

The parish of St. Charles Borromeo was established in April 23 of 1923 with Father Nicholas F. Monaghan as its founding pastor. Father Monaghan, later Monsignor Monaghan remained pastor until his death in 1967. The second and present pastor, Monsignor Thomas C. Corrigan, was appointed in 1968.

In 1923, the infant congregation of thirteen families purchased land at Ridge Road and Wilber Avenue. A frame church was begun in 1923 and served the congregation until post war growth demanded a larger house of worship. The present beautiful basilica type structure was begun during the Marian Year of 1954. St. Charles Church has a seating capacity of 1100 and is the mother-Church of the Parma area. With Monsignor Corrigan as pastor, the parish is

also serviced by three associate pastors, Father Lawrence J. Bayer, Father Francis R. Sterk, and Father Ned Weist.

Children are important to St. Charles Parish. The parish school opened its doors in December of 1923 with three Ursuline Nuns as its faculty and sixty-seven students as its total enrollment. Classes began in two rooms in back of the old church with a potbellied stove for heat. The school has expanded significantly from those early days. Additions were added in 1927 and again in 1958. The latter addition included twenty-six classrooms; washroom facilities on each of three floors; a clinic; a lay teachers' lounge; a nuns' lounge; and a modern and adequately equipped kitchen. By 1966, the enrollment of St. Charles School had soared to 2,305 pupils. Its present enrollment totals 1,270 students, including seventy-eight kindergarten children. Twenty Ursuline Nuns, nineteen lay teachers, and ten teachers in special education compose the present faculty. Aside from regular classrooms, the school has a fully equipped library, Instructional Materials Center, art room, physical education program for both boys and girls and an extensively developed music program, both vocal and instrumental. The extracurricular sports programs are outstanding in their variety and overall involvement of students.

The St. Charles Religious Education Program for students attending public schools has an enrollment of 1002 pupils from grades one through twelve. The programs are staffed by a total of fifty-two teachers. Nine secretaries; seventeen home visitors; and six administrators operate the program.

In 1960, the present Parish Hall, the site of liturgical experiences, organizational, and social activities, was constructed to meet growing parish needs. In 1964, the present Convent was built. The sanctuary of St. Charles Church was renovated in 1971 to conform to the liturgical spirit of Vatican II.

St. Charles provides a host of activities to suit a variety of personal interests. The parish sponsors an adult choir, adult servers organization; adult lectors and commentators; adult ushers organization; a Holy Name Society; a Men's Sodality; a Senior Citizens organization; the St. Charles Ladies' Guild; the St. Charles Mens' Club; the Borromeon Club for married couples; the Carolus Club for young adults; the Monaghan Club for teenagers; and a variety of sports programs open to children and adults alike. St. Charles Parish also has its own Federal Credit Union with full banking services. Boy and girl scout programs are also part of the parish activities.

The Religious Education Program of St. Charles Parish is the purpose of this parish's existence. The life of the parish revolves around the Liturgy, the Holy Sacrifice of the Mass. Masses are offered daily in the Church with ten Masses offered each weekend to accommodate the worshiping community. Along with provisions for reception of the other Sacraments of the Church, the parish involves itself in providing various means of communicating the message of Jesus Christ. Adult Education Series are offered twice yearly; Inquiry classes for those interested in learning about the Faith are offered in group or individual instructions; classes in Theology are offered during the morning hours for women of the parish; sacramental preparation programs are held for parents and other interested parishioners concerned with the Holy Eucharist, the Sacrament of Penance, and the Sacrament of Confirmation; Baptism classes are held monthly for prospective parents; a Spiritual Renewal Program is currently being established. The parish has a developing Liturgical Commission. Each of the parish organizations has a spiritual orientation, the purpose of which is to bring each of its members through com-

## EXTENSIONS OF REMARKS

munity sharing, to a deeper knowledge and love of the Lord Jesus.

Thomas C. Corrigan, Rt. Rev. Monsignor, Native of Cleveland. Father, Chief Peter J. Corrigan, Cleveland Fire Department. Mother, Coletta (nee Gibbons) Brothers, Judge John V. Corrigan, Court of Appeals 8th District. Dr. Peter J. Corrigan, Doctor of Medicine.

St. Ignatius Elementary School, St. Ignatius High School, Honor Student, Athletics, Class and Organization Officer. John Carroll University 1939 A.B., Member Alpha Sigma Nu, National Honor Society. St. Mary Seminary, ordained priest 1945.

Social worker Men's Bureau, Department of Public Health and Welfare. Assigned as assistant pastor Our Lady of Mt. Carmel Church (East) 1945-50; Diocesan Director of Catholic Youth 1950-68. Pastor, St. Charles Borromeo, Parma 1963 to present.

Alpha Sigma Nu, Newman Honor Key Society, Silver Beaver, Boy Scouts of America, Papal Chamberlain 1955, Domestic Prelate 1960.

Representative Assembly, Welfare Federation of Cleveland, Board Member Greater Cleveland Council Boy Scouts of America, Board of Trustees of Catholic Charities, Board Cleveland Safety Council, Alumni Board, John Carroll University; Regional Director, Youth Department, National Catholic Welfare Conference, Chaplain State Council, Knights of Columbus, Chaplain Parma Fire Department. Board Ridgewood YMCA, Friends of Library Parma Regional, Parma Board of Education, Citizens Committee.

### TRIBUTE TO JOHN E. FOGARTY

#### HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

#### IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ST GERMAIN. Mr. Speaker, I would like to share a tribute to the late Congressman John E. Fogarty, which I received recently from a mutual friend.

It is more than 6 years now since the death of Congressman Fogarty. There are many Members on both sides of the aisle here today who served in this body with John, and who knew and admired him. To me he was a close friend and my mentor in my early days in Congress.

What J. Bernard Hurl says in his poem is true—that those who knew John Fogarty will never forget him.

The poem follows:

MARCH MEMORIES OF JOHN E. FOGARTY

(By J. Bernard Hurl)

March will soon be gone but memories linger on—

Memories of those we are not likely to forget; Those whom we loved and admired in days now gone

And the month of births are in our memories yet.

Oh, yes, we still recall and continue to remember

Him who left us just six short years ago.

We missed the little green bow tie on last St. Patrick's Day

And the Irish smile we all had grown to know.

Your birthday on this 23rd would have marked your 60th year,

You left without a last goodbye.

But one thing you can be sure of, let there never be a doubt,

Memories and thoughts of you will never die.

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I have no desire to continue to recall and recollect,

The sadness felt by so many when you left. But neither do I hesitate to keep those memories green

And likewise your loving family left bereft. Another past President has joined you there, Which means two under whom you served; Two great men whom we shall not forget And our thoughts shall never swerve.

Yes, another March is going and the recollections are not kind

But the great God's ways are strange we often find: But "His will be done" as it is in Heaven, and John, Remember in your prayers Those not likely to forget you and whom you have left behind.

Requiescat in pace.

### "ABETTING" IS A CRIME, TOO

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

#### IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, Life Newspapers, an outstanding chain of publications, has as one of its special features a column in which various staff members contribute their own individual viewpoints. In their April 15 issue, Mr. Sean O'Gara, a member of the Life staff, commented in what I believe to be an especially effective fashion on the basic question raised by the seizure of Wounded Knee by the radical Indian movement.

The article follows:

"ABETTING" IS A CRIME, TOO

(By Sean O'Gara)

Out of the welter of truths, half-truths, rumors and speculation emanating from Wounded Knee, S.D., have come substantiated reports that the self-styled "leaders" of that Indian Insurrection circa 1973 are being abetted (if not controlled) by radical would-be heirs apparent to Tom Hayden, Jerry Rubin and Abbie What's-His-Name.

This revelation comes as no surprise; it was suspected all along because the modus operandi was apparent. (Radicals don't use particularly new techniques, only new terrain.)

What is surprising is that the Federal government has pussyfooted so long, bending over backwards when bending is neither justified nor feasible.

The radicals imposing their will on the embattled Indians calling for redress of past wrongs (whether or not the wrongs are real or redress justified) should never have been allowed to infiltrate the Pine Ridge reservation; they should have been arrested on the spot.

To acknowledge their whimpers that they are acting within their Constitutional rights as Americans is sheer poppycock; the Wounded Knee fiasco began with the kidnapping of innocent hostages (a crime once punishable by death), escalated to the wounding of a peace officer, and is continuing as an armed defiance of the law.

Aiding and abetting these crimes is and should be as punishable as the crimes, themselves; in truth, the radicals slopping up beer and cheap wine at Wounded Knee are guilty not only of the aforesaid crimes, but of compounding them further.

With the all-out assistance of the drama-conscious television cameras and fuzzy-minded, scoop-conscious national news pundits, they have been engaged in a field day

in South Dakota, chiefly because the lawful agencies at the scene no longer have the charisma to maintain public support nor the courage to fulfill their obligations.

The radicals have boasted that they have taught the Indians to plant the barricades with dynamite to blow up attacking Federal armor; if this is so, and any deaths (Federal or Indian) result, the radicals, red, white or black, should be charged with Murder One.

But that eventuality is as remote as the Great Manitou sharing a pipe with George Armstrong Custer.

There is a whale of a difference between honest dissent or protest and the armed insurrection at Wounded Knee, but radicals apparently are immune to justice under the law.

It is the time that our governmental agencies were again instilled with the intestinal fortitude of the men who wrote the U.S. Constitution behind which the radicals are hiding—and Wounded Knee, S.D., is as good a place as any to start.

**HON. GERALD R. FORD'S 1973  
QUESTIONNAIRE**

**HON. GERALD R. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GERALD R. FORD. Mr. Speaker, each year I send a questionnaire to my constituents in the Fifth Congressional District of Michigan in order to better inform myself regarding their views and opinions.

This year my questionnaire deals with a variety of subjects including a proposed congressional spending ceiling, Federal tax credits to defray part of the cost of tuition paid by parents to send their children to nonprofit, nonpublic elementary and secondary schools, restoration of the death penalty, abortion, and amnesty.

For the information of my colleagues, my questionnaire is as follows:

**JERRY FORD 1973 QUESTIONNAIRE**

1. Do you favor having Congress adopt an annual spending ceiling even if it means cutting existing programs?

2. Should Congress give the President the power to raise or lower tariffs as a weapon in trade negotiations with other countries?

3. Congress now appropriates nearly \$1 billion annually for mass transit. Should Congress, in addition, allow the use of Highway Trust Fund monies for mass transit?

4. Should Congress pass a law protecting the claimed right of newsmen not to reveal the identity of news sources?

5. Do you favor Federal tax credits to defray part of the cost of tuition paid by parents to send their children to nonprofit, nonpublic elementary and secondary schools?

6. Should the death penalty be restored nationally for such crimes as premeditated murder, wartime treason, and skyjacking and kidnapping which result in death?

7. According to the recently signed peace agreement, the United States agreed to contribute to the post-war reconstruction of North Vietnam. Do you agree with this provision?

8. On abortion, which do you favor?

A. A constitutional amendment to prohibit abortion in all but extreme circumstances.

B. A constitutional amendment restoring to the states the power to regulate abortions.

C. Allowing the Supreme Court decision on abortion to stand.

**EXTENSIONS OF REMARKS**

9. How do you feel about amnesty for deserters and draft-dodgers?

A. I am opposed to amnesty.

B. I favor amnesty.

C. I favor amnesty for those willing to serve two or three years in some sort of government service.

(Note.—Spaces were provided for "his," "her," and "18-20 year old choices.")

**BAIL: EQUAL JUSTICE FOR ALL?**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RANGEL. Mr. Speaker, the bail system in New York State could be considered typical of State bail procedures all over the country. The accused is granted pretrial release after he posts a certain amount of money with the court. The purpose of this procedure is to insure the defendant's appearance at all court proceedings.

The appellate division of the New York State Supreme Court recently upheld the constitutionality of the State's bail system. The Legal Aid Society, which filed the brief, contended that when a defendant was unable to raise bail money and was detained, his chance of being convicted and of receiving a longer sentence after conviction was substantially higher than for the defendant who was able to post bail.

The court replied:

It is not because bail is required that the defendant is later convicted. It is because he is likely to be convicted that bail may be required . . . The factors for allowing bail, when properly applied, generally lead to a conclusion that those denied bail are more likely to be convicted [and this] shows the system is working.

In other words, if the defendants who cannot raise bail and are detained before trial are convicted more often and do receive longer sentences, it is not because of the effect of detention, but rather that the judge had correctly predetermined their guilt when he was setting bail.

This type of reasoning is extremely fallacious and ignores all of the disadvantages that are imposed by the present system of monetary bail on an indigent defendant when he is detained.

But I feel a basic question concerning the use of money bail still has not been raised. If two men are accused of the same crime, why should the rich man be released on bail while the poor man remains in jail only because of lack of money? As Justice William Douglas once said:

We have held that an indigent defendant is denied equal protection of the laws if he is denied an appeal on equal terms with other defendants, solely because of his indigence. Can an indigent be denied his freedom, where a wealthy man would not, because he does not have enough property to pledge his freedom?

Apparently in New York, and most of the other States, this is exactly what happens.

Indigents are detained, because of their indigence. The States spend exor-

bitant amounts of money to house and feed these detainees. They are then forced to remain in jail for months awaiting a trial and are convicted more often and receive longer sentences than their freed counterparts.

It is difficult to say what should be done about these inadequacies, but as the following New York Voice editorial points out, the Appellate Court took a step in the wrong direction:

**THE BAIL SYSTEM**

The Appellate Division, in upholding the State's bail system, disappointed many of us who had hoped for a more serious questioning of why poor people must languish in jail while others can purchase their freedom. Although being poor imposes hardships in every aspect of life, the penalty of imprisonment due to poverty is an especially hard cross to bear.

The suit, which was brought by the Legal Aid Society, tried to show that people that have trials following pre-trial imprisonment are more likely to receive harsh sentences. Legal Aid Society interprets this to mean that the defendant is at a great disadvantage going from the cell to the courtroom. The court interpreted the same statistics to mean that "those denied bail are more likely to be convicted," hence that is why the judges set a high bail or denied bail in the first place. This shows "the system is working," the court said.

According to this reasoning, the judges would consider whether a defendant is going to be convicted in considering how to set bail. But we think there is something wrong with a system where the judiciary pre-judges the evidence, predicts the outcome and sets bail accordingly. Even if judges were shrewd in guessing correctly, how could anyone defend such a system? Besides, regardless of the judges' actions and reasoning, there are still some prisoners that can afford to meet any bail that is set, and some that can meet no bail. The superior wisdom of judges cannot explain why the former fare relatively well in court, while the latter do not. In our view, it is a simple case of the poor suffering from a triple disadvantage: incarceration, poor legal counsel, and less ability to muster a proper defense following pre-trial imprisonment.

The court cannot deny the connection between indigence and long jail terms. Nor should it so lightly dismiss the Legal Aid Society's data showing the role that the bail system plays in this chain of events. It would have been more understandable if the court had argued (apologetically) that there is nothing as yet to replace bail, rather than to pretend that "the system is working" the way it should.

Surely no bail procedures should endanger the safety of the community, but if adequate bail reform could be enacted with speedy trial provisions, the problems that now exist could be eliminated. Most of the indigents that the Legal Aid Society is referring to could have been released on some form of supervised personal recognizance. If these defendants could then be tried within 60 days, there would be virtually no chance of recidivism, since it has been demonstrated that the great majority of recidivist crime takes place between 90 and 240 days after arrest.

New York State, like most of the other States, is responsible for its present situation, and only swift action can remedy the situation. Hopefully, if this case is appealed, the New York State Court of Appeals will lead the way.

## WASHINGTON NEWS NOTES

## HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HOSMER. Mr. Speaker, each month I release to various individuals and organizations within my district an informal newsletter called "Washington News Notes." The May issue follows:

WASHINGTON NEWS NOTES, MAY 1973

Child abuse prevention bill.—Have you ever seen the sad pictures of children who have been beaten, burned or poisoned by parents who lost their self-control and took it out on the child? "More children die each year at the hands of neglectful or abusive parents or guardians than from any known childhood disease." Congressman Hosmer expressed these thoughts in introducing the National Child Abuse Prevention Act of 1973 to authorize a \$60 million Federal grant toward new programs for treatment and prevention of child abuse. "Nationwide" thousands are beaten, burned, and poisoned and an estimated 700-800 die each year. "It's a national disgrace," he added.

Long Beach girl wins national VFW Democracy Speech Contest.—Miss Cindy Fridy daughter of Mr. and Mrs. Kenneth Fridy of Long Beach recently won the 26th Annual National Speech Contest of the Veterans of Foreign Wars for her talk, "My Responsibility to Freedom." It has been reprinted in the Congressional Record, the official document of Congressional activity. Congratulations Cindy!

Summer intern.—Each year every member of Congress is authorized a college student from his district for summer employment as a "Congressional Intern." Miss Judy Johnson of Long Beach, an American History student at Stanford, is Congressman Hosmer's nominee this year.

Budget cuts prevent 15% increase in taxes.—President Nixon is on the side of the average taxpayer. Since taking office, he has brought the individual taxes down by \$19 billion; corporate taxes on the other hand have increased by \$4.9 billion. His actions to cut Federal spending will produce savings to the American's taxpayers of \$55 billion over the three year period 1973-1975. Without these savings maintaining a balanced budget at full employment would require a 15% increase in personal income taxes.

Flood insurance.—Since December, the danger of floods from the Santa Ana River has been greatly publicized. The Federal Insurance Administrator lists two types of flood insurance which are available. The program is a cooperative effort between the Federal Government and the insurance industry. For more information write: Federal Insurance Administrator, U.S. Department of Housing and Urban Development (541 7th Street, S.W., Washington, D.C. 20410), or simply contact Congressman Hosmer.

Governmentese.—Just to keep you up-to-date on governmentese or government gobbledegook if your prefer, the *Wall Street Journal* has corralled some recent coinage. An appointee will "office" across the street from the White House. Briefing reports have become a "verbal information opportunity." Statisticians now "annualize" figures instead of putting them on a yearly basis. President Nixon must wonder whatever became of his request for clear, simple governmental communication.

Cutting the budget.—According to *Water Desalination Report*, Congressman Craig Hosmer's "knife edge with words has earned him the reputation as one of the best orators in the House." Here's a sample from his

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extemporaneous arguments against two amendments proposed to boost a spending item:

"The basic issue is whether these functions should be carried on in light of the fiscal situation of the United States government. . . . I want to compliment the authors of this amendment. They have raised the bureaucratic art to its finest hour. This is the quintessence of the legislative double shuffle. The two amendments in combination illustrate a delicate maneuver by the staff of bureaucrats. In that interplay they rival the artistic delicacy of the minut. They deserve our highest commendation. Condemnation, that is, not commendation . . ."

Heroin legislation.—President Nixon has proposed tough legislation to assure the jailing of heroin pushers. Under the legislation those arrested with less than four ounces would be sentenced to 5-15 years in jail. If the pusher is arrested with over four ounces he would face 10 years to life. Four ounces of heroin is enough to supply 180 addicts for a 24 hour period. The street value of four ounces is from twelve to fifteen thousand dollars.

A second conviction of felony involving heroin would require a sentence of life without parole.

## BLACK LUNG CLINIC

## HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BYRON. Mr. Speaker, last Wednesday, in Lonaconing, Md., a "black lung clinic" was held at the VFW Hall. It was my pleasure to sponsor this clinic, which had as its purpose, aid, advice, and assistance to miners and their dependents who had already filed claims under Public Law 92-303 or who wished to file for the first time. Mr. James Robertson and Mr. Thomas Armbruster from the social security office in Cumberland assisted at the clinic as well as Mrs. Helen L. Harvey, Mr. Larry Ageloff, and Mr. Harold G. Wancer from the Social Security Administration in Baltimore. This clinic would not have been possible without their assistance and that of Mr. Hugh Johnson and Mr. Vince Rini in the Social Security Administration.

I would like to share with my colleagues an account from the Cumberland News describing the clinic and its participants. The article follows:

[From the Cumberland (Md.) News, Apr. 26, 1973]

FOUR HUNDRED FORMER MINERS, WIDOWS ATTEND FIRST BLACK LUNG "CLINIC"

(By Jan P. Alderton)

Some 400 strong, miners and widows of miners shook off the steady rain of yesterday and streamed into the Lonaconing VFW home to lay claim to black lung benefits.

A handful had toiled in Western Maryland deep mines for as long as 50 years. Others said they labored in the mines only two or three years, but they wanted to come "just to see" if they are eligible for a monthly government check.

The occasion was Sixth District Congressman Goodloe E. Byron's black lung clinic and its results were unexpected. Billed as the first of its kind ("It's the first one we've heard of that a Congressman has arranged," a Byron aide said), the clinic was scheduled to

last from 9 a.m. to noon. Instead it stretched into the afternoon hours and when it ended more than 400 persons had been interviewed.

Most of the claimants went away confident that their applications will be accepted: "If my lungs are all right, then they've gotta be made out of iron," Chester Green, a 35-year veteran of mining said.

"How long did your husband work in the mines? . . . Have you been examined by a doctor yet? . . . When did you first file for black lung benefits?" The questions were repeated time and again by the team of Baltimore-Cumberland social security workers conducting the interviews.

The clinic location was appropriate. The fortress-like VFW Home was for years used as a horse stable for the Jackson Coal Mining Company.

The people milling around in the upper-floor barroom had for the most part not traveled far, for most were residents of the Georges Creek and the Tri-Towns area. But there were others; most notably a resident of Leesburg, Va., and another from Towson and one from New Kensington, Pa.

To be eligible for black lung benefits, they were told, the miner must have contracted the disease as a result of his mining. There is no age limit for eligibility, nor is there a minimum on the number of years worked in the mines to be able to draw benefits.

To get the benefits, the miner must also be disabled. If he worked in the mines for 10 years or more and has the disease, then the Social Security Administration automatically assumes that mining was the culprit. However, miners working less than 10 years and having black lung can still get benefits.

Black lung isn't pretty, the old miners were telling a reporter. Your breath is short, they said, and you cough a lot if you've got a bad case. You also have to heave up the coal-black sputum.

The federal benefits, which Congress extended and expanded in 1972, have eased some of the pain. The checks can go from \$169.80 to \$339.60 a month, depending on several factors, including family size.

Allegany and Garrett counties are the only Maryland areas to have the black lung problem. In neighboring Washington only two black lung claimants.

Deep mining in this area stopped about five years ago when the Consolidation Fuel Company closed up the last underground tunnel. Stripping still abounds, producing a yearly average of over one million tons of coal.

## FIFTY TWO NEW SIGNERS

Of the 400 claimants yesterday, 52 signed up for the first time. James E. Robertson, manager of the local Social Security office, believes many if not all of those people would never have tried for benefits if Rep. Byron's clinic had not been held.

The others who were not "first timers" were much like Chester Green, who relates that he signed up three years ago and is still waiting. Now 67 years old, Mr. Green said his first X-ray turned out all right and the black lung benefits were rejected. But he insists that he is ill and he says he made his mistake by not blowing hard enough when he took the breath test that is also required for the benefits.

Mr. Green said he spent all of his 35 years in deep mines. "I worked in some of the toughest there ever was in their time," with most of his mining career spent in Westernport mines, he recalled.

Perhaps because of his three years' efforts to get benefits, Mr. Green has come to believe that all is not perfect with Congress' Coal Mine Health and Safety Act which makes black lung benefits possible.

His theory is: "I believe they're cutting welfare out for some of them and putting them in black lung. Some of them didn't fire enough coal to be eligible for anything."

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"That may be," Democratic Rep. Byron said, but he added that he is inclined to think otherwise and overall the black lung program has been of immense help to his Allegany and Garrett constituents.

Mr. Byron said he feels the miners in by-gone days were ignored even though they "provided the basis for the industrial society we have today." In that light he believes the country owes the miners assistance.

#### COULDN'T KEEP UP

James W. Blubaugh believes something is owed to him. Mr. Blubaugh says he's been plagued with black lung ever since he was in the Army when "I couldn't keep up with the rest of the men in calisthenics." The Midland resident said he first began his coal career working as a boy at the tipples, later moving into deep mines for 3½ years.

Walter Smith, 76, of Midland, also wants benefits. From the time he was 18 years old he worked, on and off, in mines. The doctor has now told him he has a pulmonary lung condition but his benefit claim is pending in the Baltimore Social Security office.

James W. Alexander, another Midlander, has been turned down for the benefits, but he is trying again. Seventy years old, Mr. Alexander spent 44 years in deep mines, much of the time at Ocean Number 1, and he said "dust as thick as smoke" was the rule rather than the exception. He's due to report to Sacred Heart Hospital May 10 for another breathing test.

Rep. Byron said yesterday it may be necessary to conduct another clinic. "We'll have to assess the results of this one," he said.

The people said the clinic is a good idea and they spent much of the day pumping Mr. Byron's hand in appreciation.

#### SCHOOLBUS SAFETY GAINS SUPPORT IN PENNSYLVANIA

#### HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ASPIN. Mr. Speaker, the problem of building safe schoolbuses is gaining wider and wider attention throughout the Nation.

Recently the schoolbus division of the Bureau of Traffic Safety in Pennsylvania announced its intention to adopt parts of the VESC-6 standard.

VESC, the Vehicle Equipment Safety Commission is a compact of States which develops various safety standards. VESC-6 is the proposed schoolbus safety rule.

Various forms of VESC-6 have already been adopted in the State of Maryland and Illinois. Presently, the State of Wisconsin is considering adoption of regulations very similar and possibly identical to VESC-6.

While I commend the efforts of various States to develop safe schoolbuses, clearly Federal legislation is needed. I have introduced the School Bus Safety Act of 1973 which would provide for the introduction of comprehensive schoolbus safety standards within 6 months after passage of the bill.

A recent newspaper article detailing Pennsylvania's action follows:

#### PENN DOT GETS TOUGH ON SAFETY

Pennsylvania Department of Transportation has taken the initiative in the field of traffic safety.

#### EXTENSIONS OF REMARKS

Julius A. Trombetta, director of Penn DOT's Bureau of Traffic Safety, announces the School Bus Section has notified all school bus manufacturers that the state plans to adopt three additional safety regulations to go into effect Jan. 1, 1974.

Most important of the three would set minimum metal thickness and body strength of structural joints for steel components of school bus bodies.

Pennsylvania is the first state in the nation to adopt rigid guidelines as set forth by the Vehicle Equipment Safety Commission last year. The VESC, a group made up of safety representatives from all states, is charged with establishing vehicle safety standards.

The new regulation is intended to insure that all metal sheets used to manufacture school bus bodies for use in Pennsylvania are of uniform thickness and are attached to the underlying framework by fasteners to better protect passengers.

The regulation would require greater strength at the joints of the inner and outer sheet metal panels of the bus to reduce the possibility of separation in an accident.

#### THE REVISED SOCIAL SERVICE REGULATIONS

#### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FRASER. Mr. Speaker, on April 26, HEW Secretary Caspar Weinberger released a revised version of the new regulations for the social services program.

Several private organizations have already prepared summaries of the new regulations that House Members might find helpful.

At this point in the RECORD, I would like to insert memos prepared by the National Governors Conference and the Washington Research Project Action Council:

#### MEMO FROM NATIONAL GOVERNORS' CONFERENCE

New social services regulations were announced today by HEW. Primary changes from February proposed regulations include:

1. Regulations to be effective July 1, 1973, with the following exceptions:

(a) requirement that 25% non-federal matching for new purchase of service agreements be funds over and above fiscal year 1972 non-federal funds expended for social services is to be effective February 15, 1973. However, such new money requirement changes for July 1, 1973-June 30, 1974 period to require that three fourths of the 25% matching be funds in addition to fiscal year 1973 expenditures.

(b) All mentally retarded who under the old regulations have been eligible for services will be grandfathered-in to continue to be eligible until January 1, 1974 when new program standards for cash aid to disabled become effective.

(c) All migrant children who under the old regulations have been eligible for day care services will be grandfathered-in to continue to be eligible until January 1, 1974.

2. States will be allowed to set an income eligibility standard for free social services for families, aged, blind, and disabled at a level which does not exceed 150 percent of a States welfare payment standard. In addition child day care also can be provided on a sliding fee basis for families whose income is between 150 and 233 percent of a States welfare payment standard.

3. Day care services for children which may be provided now also include day care for mentally retarded children or because of the death or continued absence of a parent, in addition to child care related to the employment or training of the parent.

4. Required redetermination for eligibility for current recipients is changed from every three months to every six months.

5. Private donated funds may be used for non-federal matching but with strengthened safeguards against reversion to donor.

6. Relaxes requirement for development of service plan for individuals by not requiring specific procedures for prior authorization before provision of social services.

7. Those eligible for foster care to also include, at the option of the State, those placed in foster care at the request of the legal guardian, in addition to those placed by judicial determination.

8. Legal services to be eligible for federal reimbursement primarily related to the extent necessary to obtain or retain employment.

WASHINGTON RESEARCH  
PROJECT ACTION COUNCIL,  
Washington, D.C., April 27, 1973.

To: Persons interested in social services.  
From: Judy Assmus.  
Subject: Final regulations on social services to be issued May 1, 1973.

The final regulations on social services will be published in the Federal Register on May 1, to be effective July 1, 1973. The major changes from the February 16 draft are:

An increase in income eligibility to 150% of the state's payment standard;

Allowance of private donated funds, with strict controls;

Expansion of optional services to include day care for the mentally retarded and some very narrowly defined legal services.

The following is a summary of provisions of the new regulations of particular concern.

1. *Eligibility for Services*—The income criteria for eligibility for services as a potential recipient has been changed to 150% of the state's payment standard. The February 16 draft limited eligibility to 133½% of the state's payment level. (The payment standard, in some states, is significantly higher than the payment level. See HEW chart attached.) In addition to the income criteria, however, a potential recipient's resources may not exceed permissible levels for financial assistance under the state's welfare plan.

In the case of day care, services may be provided until a recipient's income reaches 233½% of the payment standard, if the state establishes a sliding fee schedule for participation of those with income between 150% and 233½%.

Former recipients continue to be eligible for services they were receiving while on assistance for three months after they leave the rolls, regardless of their income. After that three month period, they could be re-certified as eligible as potential recipients if their income does not exceed the 150% figure (or 233½% in states that opt for expanded day care services).

2. *Recertification*—The final regulations require recertification of eligibility for services once every six months, for both current and potential recipients.

3. *Types of Services*—The final regulations still require only three mandatory services for families and children—family planning, foster care, and child protective services. For adults, states are required to provide only one of a list of services.

The list of optional services is still exclusive (i.e., states no longer have the authority to provide additional services not listed in the regulations), but it has been expanded slightly, to include day care for mentally retarded children and some very narrowly defined legal services. (Legal services are de-

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fined as services of a lawyer in solving legal problems "to the extent necessary to obtain or retain employment." All other legal services, including class actions, community organization, lobbying, political action, criminal cases, and fee generating cases, are specifically excluded.)

4. *Child Care*—All child care is an optional rather than a mandatory service; and is still limited almost totally to care "for the purpose of enabling the caretaker relatives to participate in employment or training." The definition has been expanded slightly to include cases of death, continued absence from the home, or incapacity of the child's mother and the inability of any member of the child's family to provide adequate care (as provided in the revenue sharing act which established the spending ceiling for social services). Day care may also be provided for eligible children who are mentally retarded.

Federal matching funds will be available for day care for families whose income does not exceed 233½% of the state's payment standard. Such services would be provided, however, at the option of the state, with the state establishing a sliding fee schedule for participation of families with incomes between 150% and 233½% of the standard. (The language of the regulations leaves open to question whether a state may establish fees below 150%, but SRS officials stated that program guides will clarify this.) Outgoing SRS Acting Administrator Phil Rutledge said in a briefing on April 26 that SRS will issue "guidelines around the fee schedule," but would not "dictate" what the fee would be. He said that each state would establish its own fee schedule, subject to SRS approval. The fees could not be used to make up the state's 25% matching share.

The final regulations require that day care facilities and services must comply with "such standards as may be prescribed by the Secretary." SRS officials said that the 1968 Federal Interagency Requirements will continue to apply, until new federal standards are issued—which they predict will be three or four months away.

There is still no requirement for parent participation on the state's day care advisory committee, nor any provisions for parent participation in the choice of day care services for the child or determination of the adequacy of such services.

The language of the draft regulations prohibiting use of social services funds for subsistence has been changed in such a manner that SRS officials assure that funds will be available to pay food costs of day care programs. In addition, the new regulations allow federal match for the costs of medical examinations required for a child to enter a day care program, if such costs are not covered by Medicaid.

Federal financial participation is still not allowed for licensing or enforcement of licensing standards.

5. *Private donated funds*—Private donated funds, but not in-kind contributions, can be used as the state's share. The new regulations retain the language of the current regulations on the use of private funds, with one additional restriction. Under current regulations, a donating organization may not be the sponsor or operator of the activity being funded. Under the new regulations, a donating organization may not be the sponsor or operator of the type of activity being funded. Rutledge emphasized that, while the regulations governing the use of private funds are essentially the same as the existing ones, SRS intends to begin enforcing them "tightly," and that there will be additional issuances in program guides controlling the use of such funds.

6. *Recipients Rights*—The final regulations do not restore the old fair hearings requirements, but merely call for a "grievance sys-

tem." There is no language in the regulations indicating any recipient participation in the choice of services, although families and individuals are "free to accept or reject services," and acceptance of a service may not be a prerequisite for receipt of any other service or aid, except with regard to WIN.

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DR. ROBERT FENTON CRAIG,  
AN OUTSTANDING COMMUNITY  
LEADER

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HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DANIELSON. Mr. Speaker, I would like to take this opportunity to call the attention of our colleagues to the illustrious career of Dr. Robert Fenton Craig, who will be honored this week by a testimonial banquet at the Century Plaza Hotel in Los Angeles.

For several decades, Dr. Craig has been extremely active on behalf of many outstanding causes in our country. Lawyer, journalist, chautauqua circuiteer, businessman, pioneer broadcaster, investment counsellor, national guardsman, political worker, and eminent educator, but first of all a great American; the list of his activities and accomplishments over the years is truly impressive.

Born and raised in Wymore, Nebr., Dr. Craig was graduated from the University of Nebraska and the University of Nebraska College of Law. He is married and devoted to Elaine Adams Craig; they have three children.

It was during the depression that Dr. Craig decided to move to California, where he was admitted to the Bar of the State of California and began the practice of law in 1932 in Hollywood. When he joined the faculty of the University of Southern California in the 1940's, he continued his law practice as well as the operation of two commercial enterprises.

During the 1950's, Dr. Craig served as legal counsel, officer, director, and business adviser to no less than 20 corporations. He was also the executive director and general counsel of the California Landscape and Irrigation Foundation. From 1961 to 1963 he was chairman of the University of Southern California Faculty Senate and, at the same time, he became general counsel and director of the Quality Water Committee of the Pacific Water Conditioning Association, Inc., and director of the Water Quality Education Program.

So many professional activities—and the above list is only partial—would absorb the energy and exhaust the capabilities of most people. But Dr. Craig's involvement in civic and philanthropic endeavors is equally as impressive as his professional achievements.

In 1938 he handled Chinese-American Community relocation in Los Angeles. He was chosen adviser to the Trojan Knights of the University of Southern California, in which capacity he served for 15 years. He has been a director of the Legal Aid Foundation of Los Angeles, and was

a member of the Los Angeles Committee of the Committee for Better Schools. He was appointed to the Board of Building and Safety of the city of Los Angeles in 1963 and to the Board of Harbor Commissioners of the Port of Los Angeles in 1968. He served as President of both boards. After serving as a trustee of the Hear Foundation, Dr. Craig was elected to a 2-year term as president in 1971. Recently, he celebrated his 50th year as a DeMolay and as a "Past Master Councilor" of the Lincoln Chapter of the Order of DeMolay. In 1971 he was elected "Fellow" of the Society for Advancement of Management. He has also been a member of the Panel of Civil Arbitrators of the American Arbitration Association, and a member of the Advisory Board of the Harbor Occupational Center operated by the Los Angeles Unified School District. He served as president of the University of Southern California Faculty Club and was on the President's Council of Pitzer College. He was also the founder and first president of the Trojan Shrine Club.

In addition, Dr. Craig is a member of the American Management Society, the American Bar Association, the American Judicature Society, the American Economic Association, the American Society of Political and Social Science, the American Society of Political Science, the Los Angeles Philanthropic Society, the Academy of Management, the American Association of University Professors, and the Los Angeles World Affairs Council.

His biography is included in Who's Who in the West, Who's Who in Commerce and Industry, and Who's Who in Education.

Many honors have been bestowed on Dr. Craig over the years. He was chosen to be master of ceremonies and host at the University of Southern California Songfest of 1958, the only faculty member so honored by the students of U.S.C. He received the Honorary Tommy Trojan Award and, in 1968, the Dean's Award of the School of Business and Graduate School of Business Administration of the University of Southern California.

Chosen a "Master" by the University of Nebraska in 1970, he was honored at the Nebraska campus. He was also the recipient of the Alpha Kappa Psi Faculty Award from the Alpha Zeta Chapter "in recognition of and in appreciation for Dr. Craig's 27 years of faithful service to U.S.C. and for his untiring efforts during that time to enrich the lives of his students, to develop their character and to inspire them to high endeavor."

In 1971, the Blue Key Honor Fraternity honored him through the creation of annual awards designated as the "Dr. Robert Fenton Craig Achievement Awards," which are bestowed by students on a number of people "who have made the greatest contribution to student life and the University of Southern California" each year.

Dr. Robert Fenton Craig has made invaluable contributions to our Nation as well as to his own community. Many of his friends will be present at the banquet in his honor this week to say "thank you." I would like to join them in thanking this truly outstanding American.

## WORLD WITHOUT BORDERS

## HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DRINAN. Mr. Speaker, recently I read in *Commonweal* a review by Peter J. Henriot of a book, "World Without Borders," written by Lester R. Brown and published by Random House. This review so heightened my interest that I secured a copy of the book. I consider this book "must" reading for all important decision makers in our society, certainly all of my colleagues in the Congress. I insert Father Henriot's stimulating review of this book at this point in the RECORD:

[From the *Commonweal*, Jan. 19, 1973]

## WORLD WITHOUT BORDERS

(Reviewed by Peter J. Henriot)

One of the most significant books of the decade—in terms of debate stirred and policy affected—was published last spring. *The Limits to Growth*, by Donella H. Meadows *et al.* This "Club of Rome" study raised profound questions of technical, political and ethical nature about the future of our globe. Given the inescapable fact that we live in a finite world, how do we adjust to an equilibrium society which is also an equitable society?

Unfortunately the implications of the "Club of Rome" study were not readily available to a large general audience because the book tended to be long on complex equations and short on concrete examples. For this reason, *World Without Borders* will be especially welcome. Lester Brown, a Senior Fellow at the Overseas Development Council in Washington, fills his study with one example after another of the unified global society in which we live today. Brown's framework is similar to that put forth in *The Limits to Growth*: either we recognize our interdependence and accommodate ourselves to a finite earth, or we perish.

With lucid style Brown sketches an overview of the late 20th century—marked by per capita increase in income, per capita decrease in natural amenities, and the increase of indirect effects (mostly negative) of economic growth. At every point he emphasizes the inter-relationship of problems. This is especially true in his discussion of the environmental crisis and its integral link to the widening rich-poor gap in the world: "... global cooperation on the scale needed to preserve the eco-system on which the quality of life in the rich countries depends must await a much more serious effort by the rich to reduce the widening rich-poor economic gap."

The U.S. citizen might tend to see life in a "world without borders" as influenced most strongly in the years ahead by population growth. At the present world growth rate of two per cent, there will be twice as many people on earth at the start of the 21st century as there are now. Serious—in terms not just of quantity of people but of quality of life—as the growth rate is, it is not seen as the most serious problem by the nations of the Third World. Rather, these nations feel most keenly their economic dependence on the rich countries, a dependence maintained and fostered by the structures of a global economy which clearly favors the haves over the have-nots.

The author presents a startling picture of the impact of U.S. business throughout the world when he compares the gross national

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products of nation-states with the gross annual sales of multinational corporations. General Motors is eighteenth on a list of 100, beating out East Germany, Belgium, Switzerland, Argentina, and Czechoslovakia in the top twenty-five. Standard Oil of New Jersey, Ford, General Electric, Chrysler and IBM are all in the top fifty. Terms of trade, industrial development plans, employment policies, and other key economic decisions—these are made in board rooms in the U.S. and have a powerful influence around the world, especially in the poor countries. If we look honestly at the business scene, it is clearly unrealistic to think of the U.S. in any "isolationist" sense.

One key issue which does emerge dramatically in Brown's study is the issue of distribution of wealth. The challenges of the remainder of this century—environmental deterioration population growth, the increasing rich/poor gap, rising unemployment, widespread hunger, intense urbanization—are all challenges which are not going to be met without a reordering of priorities that will of necessity mean a more sparing lifestyle for the rich nations. This basic issue of social justice will be a special challenge for Americans. Six percent of the world's population, we Americans have no right—not do we have promise of continued tolerance—to consume forty percent of the world's resources.

One element in Brown's study I would like to have seen more fully developed is the political emphasis. In his discussion of "a new social ethic" for a global society, he does say that a political person is required, a woman or man who takes political steps to see that the public interest is assured in the pursuit of quality of life. But Brown's political analysis is limited and his practical suggestions sparse. We are all talking these days about "changing structures," but not enough of us are putting that goal into concrete action-terms, especially at a global level.

It would be difficult to recommend this book too highly. It is precisely the right book at the right time. When we Americans are currently feeling some inclination to turn in on ourselves and our domestic woes, we need this kind of shock-treatment to oblige us to realize our need for a global vision. We are not going to solve the problems in the U.S. by looking at them solely in U.S. terms. In a "world without borders," interdependence is a keen fact of life—or death.

EDITORIAL SUPPORT FOR  
PERIPHERAL CANAL

## HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HOSMER. Mr. Speaker, on April 25 and April 27 KHJ-TV serving the Los Angeles-Long Beach metropolitan area of southern California aired an excellent editorial supporting the legislation cosponsored by several Californians in the Congress to construct the Peripheral Canal. The editorial follows:

## PERIPHERAL CANAL

The State of California has made commitments to supply water to southern California, with its millions of people. It has been voted by the people, and more than five billion dollars approved for the vital State water project. However, a handful of opponents, some quite vocal, some misguided, and

others plainly interested only in flushing their own industrial wastes into San Francisco Bay, are threatening to block the project. They wish to eliminate the important Peripheral Canal, which will not only transport water to the millions south of the Tehachapi, but will improve the environment of the great Delta area, preserving the land, bringing better water, and saving the great bass and salmon fisheries of that bay Delta area. Water agencies at all levels, fish and wildlife groups, cities, counties, and Federal wildlife and reclamation authorities all favor the canal. It will actually enhance the environment of great areas of the State of California. But the diehards are still fighting to sink this vital project. Both Governor Reagan and former Governor Brown agree on this one, along with most authorities on water problems. Let your Congressman and State legislators know we want the canal built, before inflation gets to the canal fund.

## WOMEN'S RIGHTS AND WOMEN'S LIB

## HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. McCLORY. Mr. Speaker, for those of us who have been vigorous proponents of the so-called equal rights amendment, it would seem well to pause and reflect on the wisdom of this measure—and to reject the extremists' positions which have been advanced by so-called women's lib militants on the one hand, and those who advocate a subordinate role for women, as members of the "weaker sex" on the other.

In a recent editorial appearing in the April 16 issue of the *Christian Science Monitor*, the current status of the equal rights amendment, as it struggles for final ratification as the 27th amendment to the U.S. Constitution, deserves our thoughtful attention.

Mr. Speaker, I am pleased to attach this editorial for the edification of my colleagues in the Congress, as well as our counterparts in the various State legislatures:

## WOMEN'S RIGHTS AND WOMEN'S LIB

When discussing the feminist movement of the '70's, we must be clear what we are talking about.

The terms "women's rights" and "women's liberation" are not identical but have gotten confused in the public mind. And the confusion, we believe, is to a large extent responsible for the current opposition to ratification of the equal rights amendment, adopted by Congress a year ago. (To become law the ERA must be ratified by 38 states. So far 28 states have ratified it; nine have turned it down.)

The recent series in this newspaper on "Today's feminism" pointed out the need to straighten ourselves out on this matter of terminology. Our reporter quoted from a speech by Catherine East, executive secretary of the presidential Citizens' Advisory Council on the Status of Women.

In her analysis, which we recommend to all those who have doubts about the ERA, Mrs. East said: "The term, women's liberation, can be appropriately applied only to a small segment of the women's rights movement . . . the branch of the movement that

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had its origin in the student activities of the early '60's. These women, primarily radical feminists, have thus far been mainly concerned with analyzing the origins, nature, and extent of women's subservient role in society, with an emphasis on the psychology of oppression. . . ."

She went on: "The women's rights movement is largely composed of the kind of women that are in the National Association of Women Lawyers, the General Federation of Women's Clubs, the National Federation of Business and Professional Women's Clubs, the Women's Equity Action League, the YWCA, and the League of Women Voters, and they are, by and large, pretty conservative as a group. It's these organizations that have secured passage of the Equal Rights Amendment by Congress and are lobbying for state ratification. It is these groups that are working for reforms in education and in other areas of society. They are not trying to overthrow the government, abolish the family or force all women into employment. They are seeking . . . to make the family a real partnership and to make freedom of choice for women a reality."

NOW, the National Organization for Women, one of the most active of the new feminist groups, operates as a kind of bridge between the more radical women's liberation groups and the older organizations. It is playing a useful role in calling attention to the inferior status of women and the rationale for reform.

The fundamental demand of the women's rights movement, then, is for equality under the Constitution and under the law, and for freedom of choice for a woman to decide what she does with her life.

It is important to realize that this does not mean an attack on the institution of marriage and family or on the essential qualities of womanhood. Instead as Catherine East says, the emphasis is on making the family a "real partnership," in other words on strengthening the institution of family by broadening and equalizing its basis.

Some of the women's liberationists carry their pursuit of egalitarianism and their drive to wipe out the feminine stereotype to extremes, and it is this radical approach which would endanger the family and threaten the nobility and dignity of woman. But the extremists, as our reporter pointed out, represents only a small minority.

Back of the new feminist movement is a yearning of women for fulfillment and for the full expression of their potential in society. It is part of a ferment taking place in human thinking—an impulsion for progress which fundamentally is a force for good. The pity is that the term "women's lib" is being so loosely and inaccurately used.

In our view the equal rights amendment deserves early ratification. For this it is essential that the issues be clearly understood.

## WHAT IT MEANS TO BE AN AMERICAN

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FREY. Mr. Speaker, I was privileged last Friday night to be a guest on the Alan Courtney radio show, a program which has been broadcast nightly from Miami for 24 years.

Mr. Courtney, as moderator of "America's Original Open Phone Forum," has just completed two essay contests: "What It Means To Be An American," and "Our Flag."

Responses to both these essay contests

ran into the hundreds as listeners from Jacksonville to Key West told what the American flag meant to them and about how proud they are to be Americans.

I would like to share with you one of the winning poems read by Mr. Courtney. It is by 10-year-old Gregory Stephen Deptuch, a fifth-grade student at St. Thomas Apostle School in Miami:

What It Means To Be An American  
(By Gregory Stephen Deptuch)

I'm just a boy  
But I know I'm free.  
That's what America means to me.  
I'm proud of our men  
Who have had to fight  
For what our country knows is right.  
So I could go  
To church and pray.  
That I might go to school each day.  
And one day soon,  
A man I'll be.  
I'll make my country proud of me.

## SKIP BAFALIS' QUESTIONNAIRE

HON. L. A. (SKIP) BAFALIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BAFALIS. Mr. Speaker, from time to time I plan to send out a comprehensive questionnaire to the residents of my congressional district to ask their opinions on various issues which Congress must resolve. I am certain that their answers to these controversial questions will be a great help to me in the important decisionmaking process. I am planning to send out the following questionnaire in the near future:

## WHERE DO YOU STAND?

My Fellow Floridian:

As your Congressman, I have the responsibility to represent you and your views. But, in order to follow that mandate, I need to know how you and your neighbors and friends stand on the important issues facing the 93rd Congress.

As a favor to me, would you take the few minutes necessary to fill out the attached questionnaire and return it to me?

As the Congressman for the 10th District of Florida, I will be called upon daily to make critical decisions affecting you and your future. I want to make those decisions with your opinions, your interests and your needs in mind.

I regret that the press of time precludes individual acknowledgement of each questionnaire received. However, rest assured that once the responses are tabulated, I will report to you with the results. I also will submit the results to the Congress and the President.

Also, if you wish to receive my free newsletter, "Washington Report," on a regular basis, be sure to check the box on the return portion and include your name and address.

Sincerely,

SKIP BAFALIS,  
Your Congressman.

1. Of the issues listed below, which three do you consider most important and deserving of top Congressional priority? (circle three)

a. Education; b. Crime; c. Welfare reform; d. Drug abuse; e. Tax reform; f. Consumer protection; g. Military defense; h. Rural development; i. Mass transit; j. Environmental protection; and k. Space exploration.

2. Would you be willing to pay more for

products if their use and manufacture could be made pollution-free? (circle answer) Yes, No, undecided.

3. Do you favor removal of the earnings limitation for Social Security recipients? (circle answer) Yes, no, undecided.

4. Do you oppose amnesty for those persons who left the United States to avoid military service during the Vietnam war? (circle answer) Yes, no, undecided.

5. Do you believe the President should refuse to spend all of the money appropriated by the Congress when such expenditures would increase the national debt? (circle answer) Yes, no, undecided.

6. Would you be in favor of a constitutional ceiling on federal spending to limit appropriations to expected revenues? (circle answer) Yes, no, undecided.

7. Now that the U.S. and Cuba have reached an anti-skyjacking accord, do you favor steps toward reestablishing diplomatic ties with the Castro regime? (circle answer) Yes, no, undecided.

8. Would you favor federal programs to curb air, water and noise pollution if it meant higher taxes? (circle answer) Yes, no, undecided.

9. Federal farm controls and supports should be: (circle one) a. Phased out within five years; b. Continued substantially as is; c. Made permanent with increased supports; d. Made permanent with reduced supports; and e. Continued, but with a limit on supports to any one farm.

10. In its efforts to rebuild war-ravaged Indochina, should the United States provide funds for reconstruction of North Vietnam? (circle one) Yes, no, undecided.

## THE 200TH ANNIVERSARY OF HARFORD COUNTY'S BIRTHDAY

HON. WILLIAM O. MILLS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MILLS of Maryland. Mr. Speaker, I wish to respectfully submit for the RECORD a resolution introduced by Councilman John W. Hardwicke of Harford County, Md., honoring the 200th birthday of that county. It is indeed a great honor for me to bring to the attention of this Nation this grand occasion. I include at this point resolution No. 5 in recognition of all Harford Countians: COUNTY COUNCIL OF HARFORD COUNTY, MD.—

RESOLUTION No. 5

Be it resolved, that the celebration of the 200th anniversary of Harford County's birthday is an historic occasion and is worthy of National recognition; and

Be it further resolved, that Harford County is deserving of special recognition as the nation's Bicentennial approaches, since the first declaration of independence in America was signed at Bush; and

Be it further resolved, that on numerous occasions in times past the United States has issued commemorative coins to celebrate important anniversaries for cities, counties and states;

Be it further resolved, that the County Council of Harford County hereby respectfully requests the Congress of the United States to order that a commemorative half dollar symbolizing Harford County's Bicentennial be struck; and

Be it further resolved, that the government and people of Harford County will be grateful to Congress for such recognition of Harford County's Bicentennial;

Be it further resolved, that a copy of this resolution be sent to First District Congressman William Mills and that he be requested

to introduce into the House of Representatives appropriate legislation to effectuate the purposes of this resolution.

## FEDERAL LANDS IN ALASKA

### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. YOUNG of Alaska. Mr. Speaker, during my recent visit to Alaska, I had the opportunity to testify before the Federal-State Land Use Planning Commission which is just beginning a series of 45 public hearings in Alaska and the "Lower 48" concerning the status and future use of Federal lands in Alaska.

These hearings, concerning Interior Secretary Morton's withdrawals of more than 127 million acres of land in the public interest and for possible inclusion of as many as 80 million acres in the national conservation system of forests, parks, wildlife refuges and wild and scenic rivers, mark a unique and commendable departure from established patterns.

The Commission, an advisory agency established by the passage of the Alaska Native Claims Settlement Act of 1971, is taking the question of land use to the people and asking them their views before, and I stress the word "before," the Federal Government makes its decisions. The Commission is involving people in its difficult and important planning job. The hearings will be held in Washington on May 29 and 30, affording my colleagues and other interested citizens the opportunity to offer their views on land use and the national interest in Alaska.

It is with this in mind that I here offer my recent testimony:

TESTIMONY OF THE HONORABLE DON YOUNG,  
CONGRESSMAN FOR ALL ALASKA BEFORE THE  
FEDERAL-STATE LAND USE PLANNING COM-  
MISSION IN ANCHORAGE, ALASKA, APRIL 23,  
1973

Mr. Josephson, members of the commission, Mr. Bingham, ladies and gentlemen: It is both an honor and a privilege for me to be here today, to address the Commission on this, the first in its series of 45 public hearings on the future of Alaska. I thank you for affording me that opportunity.

Ostensibly, you have convened to hear testimony on lands withdrawn by Secretary of the Interior Rogers C. B. Morton under section 17(d)2 of the Alaska Native Claims Settlement Act of 1971.

But in reality, these Commission hearings, like the Commission's recommendations, will have enormous effect on the future of Alaska. The decisions that will be made by this body, the decision-making that will begin here, today, by and large will shape the course of history for Alaska's development in the next 100 years.

That is the subject this body is addressing now. It is the subject Secretary Morton will keep in mind this summer when he weighs the Commission's recommendations. And, it is the subject I will bring before the Congress when the Secretary makes his formal proposals regarding the D-2 lands this December.

And so, with Alaska's future in mind, and the Commission's ability to help shape that future in the interests of all Alaskans at hand, I would like to offer my views.

Just having returned from the nation's capital, I feel as though I have made a

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journey back in time. There, I found crowds and congestion, and evidence of that uniquely American ability to replace fields with freeways in the name of immediate convenience. Planning is not apparent, only reaction to change, to growth. A planning commission such as yours no doubt could have alleviated some of the urban problems that now plague our major cities.

But here in Alaska, the opportunity still exists to plan wisely for the future rather than just blunder into it. So let us think, if we will, about Alaska's future—what the Great Land means to Alaska and the nation now, and also what it will mean, what we want it to mean, 100 years from now.

Some general projections are clear.

Already, Alaska is a provider.

Her fisheries have produced as much as one-fifth of the entire North American salmon catch.

The vast forests of Southeast Alaska have only recently begun to yield sustainable harvests of timber, and to provide employment for Alaskans.

Of gold and copper and oil, you are already familiar. So I need not remind you that Alaska is perhaps America's richest storehouse.

The tundra deserts that cap our biggest oil fields provide nesting grounds for millions of birds, many of which fly to Alaska each spring from as far away as South America.

The same forests that make possible a \$100 million a year timber industry also give Alaska some of its most spectacular scenery. They also provide habitat for the state's abundance of wildlife.

This is Alaska's past and its present.

Together with our knowledge of the things around us, the ways in which other nations, cities and states have planned their futures or mis-managed them, we can see that Alaska's role as a producer can only increase. In the Congress, for example, where the battle for the Trans-Alaska pipeline is beginning to take shape, the Representatives of the other states are coming to realize that the nation desperately needs Alaska's oil.

And, as we all know, there are other ways of producing besides pumping oil.

Alaska's burgeoning tourist industry has shown that producing can also mean sharing our spectacular mountains and fiords and forests with visitors who take with them only memories and snapshots.

So, we can begin to think of Alaska's future as a provider of natural resources, and then subdivide those resources, like Mt. McKinley, into those like timber and fish and oil, and also those whose value stems simply from their existence.

No one can sell the mountain, but everyone can profit from the view.

Our renewed awareness of ecology has shown us how all things are mutually dependent on each other. But as you sit to consider, say, the need to protect caribou calving grounds, or the seasonal effects of wind and rain and fire and ice upon the land, I ask you to remember one element of the ecological cycle that too often is forgotten: man.

As much, no, even more than we need to consider wildlife or mineral production, we need to give thought to man and his needs.

And while I commend the Commission for its innovative step in planning of going to the people to hear their views before—rather than after—making decisions and recommendations, I want to make it clear that our planning is for men, not for muskrats or mountain lions or money, but for men.

Considering the 79 million acres now classified as D-2 lands, and the additional 48 million acres classed D-1 in the national interest, I ask that you use restraint in your recommendations.

Since the Commission was formed, nearly a year ago, you have heard request after request for land: land for wilderness, land for forests, land for Native selections, land for parks, land for mines, land for wildlife.

I ask you to consider land for people.

Alaska is not a pie to be sliced and apportioned according to the appetites of different federal agencies.

First and foremost, Alaska belongs to Alaskans.

Second, it belongs to the nation.

Of the 79 million acres now classified as D-2 lands, the U.S. Forest Service has already identified 39 million acres its specialists consider suitable for new national forests. Presently, 22 million acres are already set aside as federal forest in the Panhandle and along Prince William Sound.

The Interior Department agencies, the Bureau of Sport Fisheries and Wildlife, the National Park Service and the Bureau of Outdoor Recreation, have yet to unveil their plans for new refuges, new parks and wild and scenic rivers.

Park Service planners have already proposed doubling the size of Mt. McKinley National Park to protect the animals, but after half a century of Park Service management, McKinley's single road still does not meet even the Park Service's minimum requirements.

No one, it seems, is looking out for the interests of the people the agencies are constitutionally sworn to protect.

In the area of the Yukon Flats, the drainage that surrounds my home at Fort Yukon, planners have identified 11 million acres as being suitable for protection as a wildlife refuge for birds.

If this Commission recommends that 11 million acres be set aside as a nesting ground, other users of the land and of the Yukon River which historically has been Interior Alaska's major artery of commerce and transportation, will be neglected. If, at some future date, Alaska and the nation need that land for some other purpose, it will be nearly impossible to do if the Congress has already locked the lands away for a single purpose.

Look at the other states. Texas, California and Louisiana have all found it possible to protect nesting grounds with refuges. But those refuges were selected on the basis of specific need in specific locations. And they measure at most a few thousand acres. Here it has been proposed to lock away an area of 11 million acres for but a single use.

The birds can be protected. They must. But it is foolhardy to lock up an area half the size of the State of Kentucky for a single purpose to the exclusion of all others.

In the other states I mentioned, the birds and other forms of wildlife are protected. They co-exist and prosper under careful management in close proximity with such development as cities and even oil fields.

Has the Swanson River petroleum complex on the Kenai Peninsula endangered the moose population? Of course not.

With careful study and wise planning, the myriad demands for land in Alaska can be satisfied. That is the reason the Commission exists, not to see how much land it can put away.

The land is there. It always has been and always will be.

The Alaska Native Claims Settlement Act that established the Commission only gave the Secretary of the Interior the prerogative to select lands in the national interest. It clearly did not order him to parcel it out to federal agencies whose management policies and overall goals are sometimes in conflict with each other and the needs of the nation.

I say set aside only the bare minimum of what's needed, if, and that's a big if, it must even be done now at all. There are many valid needs for Alaska's land. This we agree on.

There will be many more in the future. While you consider the needs of caribou and the needs of Alaska's own people. I ask that you consider also the needs of the nation for Alaska's resources.

Since I went to Washington a little over a month ago, I've heard a lot about wilderness.

And, after a decade of living above the Arctic Circle, I think that I am entitled to a few thoughts of my own on the subject.

By definition, wilderness means wild place. It's wilderness only so long as there are no people. From the minute the first man sets foot in a wild place, it ceases to be wilderness. But if land is classified as a true wilderness, and set aside for that single purpose, there can be no room for man.

The Commission can perform a great service for the people of Alaska and the nation, I believe, if it leaves room for them and their human needs. And to do that, Alaska's lands must be managed to derive maximum benefit for every land user, no matter whether in the final analysis it is determined that the users are fish, trees, people or caribou.

With the multiplicity of valid demands for specific land uses, I recommend that the Commission embrace the multiple-use concept of land management to ensure Alaska and the nation equity in the wisest possible use of Alaska's vast land resources. Thank you.

#### PRIVATE PENSION PLANS SHOULD BE GOVERNMENT REGULATED

#### HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BROOMFIELD. Mr. Speaker, for too long private pension plans have been vulnerable to fraud, mismanagement, and unscrupulous eligibility requirements buried within pages of fine print. Too many Americans retire only to learn that they have not qualified for the hard-earned pension benefits that they reasonably felt they deserved.

Private pension plans throughout the United States now have assets in excess of \$160 billion and they have enrolled more than 35 million people. Make no mistake about it, private pension plans are big business. Yet, incredibly there is no Federal regulation of the management and operation of these programs upon which so many people rely so heavily for economic security.

Studies have shown that despite these immense assets and the many well-intentioned and professionally operated funds, all too often retirement plans fail to deliver their promised benefits. Worse, there is very little that the cheated retiree can do to recoup his losses.

It is hard to believe, Mr. Speaker, that in this day and age a burgeoning multi-billion-dollar business can operate so freely outside the arm of Government inspection and review. This is especially true of an industry where so many documented examples of hardship and broken promises have been prevalent. Hardly a week goes by without some new story about the abuse of pension funds or the denial of pension benefits. We know of people who have been laid off or fired only months before they would have been eligible for their pensions. Firms go bankrupt, move, or merge leaving career employees with at best reduced pension payments.

In an effort to weed out the basic inequities recurrent throughout our private pension system I have introduced legislation which provides a wide range of necessary and prudent reforms.

#### EXTENSIONS OF REMARKS

My bill will plug the loopholes which make pension plans such easy victims of fraud and embezzlement. It would create uniform rules for pension eligibility and call for pension "portability" so that anyone can switch from one job to another without losing years of service to his pension.

By creating minimum vesting standards, my legislation would ensure that workers are not cheated out of their retirement pay by unnecessarily rigid eligibility requirement. I propose that after 8 years a person should be assured 30 percent of his pension. He would thereafter accrue an additional 10 percent for each extra year of work so that after 15 years he would be entitled to his full pension.

In order to allow pension participants to switch from one job to another without loss, a central clearinghouse would be created. Various pension programs would be able to register with this clearinghouse. Thus, as long as an individual takes a new job with a firm that has a registered pension plan he will not lose any of his previous time.

Surveys have demonstrated that 92 percent of the people enrolled in plans requiring 11 or more years of participation for benefits and 73 percent of those in plans requiring 10 years or less are not qualified to receive any benefits when they leave their jobs.

This portability provision is even more valuable for middle-aged and older workers who can become virtual prisoners on a particular job because they fear the loss of pension benefits.

By the same token, a major prejudice against the hiring of older workers would be eliminated. Employers are reluctant to hire people near retirement age because they do not wish to absorb the full cost of their retirement. Under this scheme, all former employers, not merely the last one, would share in the payments of pension benefits.

Lastly, Mr. Speaker, this legislation would require that all pension plans participate in a federally sponsored insurance program to insure their assets against fraud and mismanagement.

This program would work in much the same way that the Federal Deposit Insurance Corporation insures individual bank accounts. Since such a program would obviously require much more stringent auditing and reporting practices, the opportunity for embezzlement would be drastically reduced. Insurance costs would be relatively minimal and would act as a buffer against those few pension plans which might suffer from poor investment administration.

Mr. Speaker, it is fair to say that the lifetime savings of millions of Americans depend to a great extent upon the basic reforms outlined in my legislation. Congress has an opportunity to provide substantial security to the American worker in an area where he is most obviously vulnerable. Too many have already suffered the consequences of our haphazard and unregulated pension system. Before more meet the same fate, I hope Congress will give this measure careful and proper consideration.

April 30, 1973

#### THE REAL CULPRIT

#### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. LONG of Maryland. Mr. Speaker, many have searched for simple causes and cures for the present inflation. Most Americans fear the complexities of economics—it is often termed the "dismal science." Yet, unless we are willing to face some harsh economic facts of life, a number of which I have pointed up in my own remarks on the floor, we will continue to be plagued with inflation. I bring to the attention of my colleagues a well-reasoned and direct letter by a thoughtful woman. The following letter by Mrs. Ellen R. Sauerbrey of Baldwin, Md., appeared in the April 19, 1973, Baltimore County weekly Jeffersonian:

#### THE REAL CULPRIT

*Editor, the Jeffersonian:*

Perhaps the most serious implication of the current uproar over food prices, is the total public confusion about who is to blame. The housewife pickets the supermarket, Congressmen cast about for unscrupulous "speculators, the business man blames union wage rates, while the union member looks suspiciously at the farmer or the entrepreneur.

The confusion reflects the general lack of understanding of basic economic principles and the total failure of our education system and our communications media to present the facts. This is a very dangerous shortcoming because the true causes will worsen until they are recognized.

The three obvious and direct contributors to the cost of food are the farmer, the "middleman" and the market place. Because they are readily identifiable they come in for the lion's share of criticism, yet in each case a study of the facts demonstrates the fallacy of blame.

Over the past 20 years, the price the farmer receives for food has climbed a total of six per cent while prices at the checkout counter have increased about 50 per cent. During these same twenty years, average wage rates throughout America have increased a total of 130 per cent. Through his costs have gone up sharply, the American farmer has increased productivity so greatly that he has been able to absorb the higher costs and farm prices have shown little increase. For example, in 1950 the farmer received about 32 cents a pound for prime beef. By 1971 his price was only a little over 33 cents a pound. By mid March of this year, the farmer was receiving about 48 cents a pound, an increase that reflects in part the higher feed grain prices caused by the Soviet wheat and corn deals. If the price of beef had risen at the same rate as wage increases, the farmer would today be getting about 74 cents per pound. Clearly the farmer is not the culprit. He is due credit for meeting increased costs with increased efficiency.

The supermarkets, which are targets of today's boycotts, may be driven out of business tomorrow if their profits are forced much lower. Chain store profits have declined steadily over the past decade. They now average one-half a cent profit on every dollar sold. Five of the 10 large chains lost money in 1972. The housewife expects plenty of free parking, air conditioned modern stores, shopping at all hours of the day and night, no line at the check out counter and an inventory of all her favorite brands. The chains must buy the food, warehouse it, distribute it to the local stores, price it, put it on the shelves and check it out at the

cash register. And for all of its investment in modern stores and equipment, the chain store settles for less than a one cent profit. What housewife is willing to accept a one per cent profit on the money she puts in the bank?

The "middlemen" are the eight million workers in processing, warehousing, transporting and marketing agencies. The middleman accounts for about 76 per cent of the increase in food costs today as compared to 20 years ago. The big item which stands out in middleman costs is labor. Overall labor costs in the food trade have gone up 300 per cent in the past 20 years (over twice the national average). The largest single item in pricing food is labor, representing 44 per cent of the total food cost. Does that mean, then, that the middleman is the culprit? That is too superficial a conclusion. The root of the problem lies much deeper. High labor costs in the food industry are just a part of the overall wage price spiral of inflation.

Inflation has affected the price of all goods and services. Food costs, statistics show, have been less affected than most other areas of daily life. However, since food is a day-to-day necessity, not a luxury, those on a fixed income or those whose salaries have not kept pace with the average are caught in the squeeze. Rising food prices have thus become an emotional target for the victims of inflation.

Although it must be acknowledged that other factors such as weather, exports of feed grain, foreign demand of U.S. meat, and greatly increased per capita consumption of beef and poultry in this country have an effect, the main culprit in the long term rise in food prices is inflation.

As with the symptom—the rising price of food, few people know who to blame for the disease itself—*inflation*. Business blames unions, unions blame employers, the consumer blames both, and the culprit goes undetected.

The true culprit is chronic deficit spending by the federal government. Theoretically, the government finances its spending programs by taxation. But taxes are unpopular and do not win elections. The trick is how to spend more without taxing more. The government, it must be remembered, has nothing to spend that it has not first taken away from the people.

The government finances its deficits by "selling" bonds to the banking system. For every \$1.00 worth of government debt financed through the Federal Reserve System, the system permits over \$5.00 worth of credit expansion, which means over \$5.00 worth of new money has been created out of thin air. The government has increased the paper money supply but has backed it with nothing of value. The result is that there are more paper dollars in circulation competing for the same amount of available goods and services (or beef and potatoes). The effect is the same as if another bidder arrives at an auction sale with an endless supply of dollars and drives up the prices of all that is put up for bids.

Whether through taxation or credit expansion (i.e. inflation) the taxpayer has surrendered his purchasing power to the government. As he surrenders more and more of his purchasing power, he is left with less freedom of choice as to how to spend his money. When purchasing power is lost through taxation, the housewife can see why she has less money to buy meat and potatoes. Inflation, however, is insidious. It also results in the housewife having less money to buy meat and potatoes, but the shopper who is unaware of basic economic principles is unable to identify what has robbed her of purchasing power.

Given the choice, how many American housewives would willingly trade their ability to buy meats, fresh produce and convenience foods regularly and steaks occasionally for the nebulous promises of a high

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priced government spending program that benefits some pressure group? Yet this is exactly the choice she must make. If she opts for a welfare state, she must be willing to pay for it. Instead of picketing the supermarket, the housewife should let her voice be heard by those who spend her money—the administration and Congress of the U.S.A.

Food is still a good buy for most of our citizens. Americans today spend a much smaller percentage of their after tax income for food than they did 20 years ago, and because of the productivity of our agricultural system, spend less than any other nation in the world. But as inflation pushes all prices upward, the clamor for controls grows ever louder. Ironically much of the noise comes from Washington from those who create the federal deficits, the resulting inflation, and price increases. Controls have never worked anywhere. They discourage productivity, destroy incentive, reduce supplies, encourage black markets and ultimately force prices even higher if goods are to remain available.

The lack of economic training in our educational institutions and by our news media is producing a citizenry that is so unaware of how our system works, that it may in ignorance demand the slaughter of the goose that lays the golden egg.

ELLEN R. SAUERBREY.

### COLTEN HIGH SCHOOL BAND ACHIEVING INTERNATIONAL REPUTATION

#### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BROWN of California. Mr. Speaker, I would like to take just a moment to pay tribute to one of the finest high school bands in the Nation—the Yellow Jacket Band of Colton High School. Since Colton is my hometown, I am particularly proud of the honors which this group has accumulated.

The Yellow Jacket Band began the 1972-73 marching season with the Ontario 500 parade and performance at the racetrack before an audience of 160,000 people.

The band received the Mayor's Trophy Award at the Colton Mexican Fiesta parade and the drum major received the first-place trophy for his performance.

At the San Bernardino Hire the Handicapped parade the Yellow Jacket Band took the sweepstakes trophy and the drum major received another first place trophy.

At the Azusa Golden Day's parade the band placed second, the drum major placed first, and the percussion section received a third place trophy.

The Yellow Jacket Band received a superior music award and a second place trophy at the Escondido half-time competition.

At the Santa Monica El Primo parade the band won the music sweepstakes award along with second place band, second place percussion, and fifth place drum major awards.

At the Hawthorne band review the Yellow Jacket Band won a second place

trophy and a first place drum major award.

Riverside was the scene of the bands next win: a sweepstakes trophy plus a first place drum major award.

For the second consecutive year the band has been invited to the La Mesa Western States Band Tournament, where the top 10 bands from the Western United States are judged in concert, sight reading, parade marching and field show areas of entertainment.

#### INVITATIONS FROM ABROAD

As the Yellow Jacket Band's fame began to spread, more invitations came in. Dr. William Revelli asked the band to attend the International Music Tournament in Vienna, Austria. Colton's stars were asked to attend the Star Festival in Brussels, Belgium, and compete with 10 other top U.S. high school bands. The group received a telegram inviting them to the International Band Festival in Vienna. And the city of Geneva, Switzerland invited the band to participate in the 1973 Geneva Youth Festival this coming August.

The band considered all these, as well as other invitations they had received. All were tempting, but the time and money involved would not permit them to accept more than one of the major European invitations.

After much deliberations they chose the Geneva Youth Festival for the educational and cultural opportunities it offered the members of the band. The festival will be under the leadership of Dr. Clarence Sawhill, director of UCLA bands, and Mr. Jack Coleman, music education director for the Walt Disney Co.

The young participants in this festival, both Swiss and American, should find this a very broadening experience that will contribute to their intellectual, psychological, and spiritual development. Their social and artistic interaction will result in a better understanding of people from other nations, and lay a foundation for international friendship and cooperation in other areas in the future. These students will be prepared to lead the way in building a stronger and more peaceful future for generations yet to come.

I congratulate the Colton High School Band for the honors it has received and wish the members well on their European tour this summer.

### THE CLEAN WORLD CLASS

#### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ROSENTHAL. Mr. Speaker, I would like to take this opportunity to commend the noteworthy efforts of the "Clean World Class," 5-309 of P.S. 24 in Flushing, Queens.

This group of fifth graders, led by Ms. Ruth Lerman, their teacher, is currently engaged in projects designed to educate themselves and others about the deteriorating quality of our environment.

## EXTENSIONS OF REMARKS

Toward that goal, they have designed a song book, complete with illustrations depicting various themes in our fight against pollution. The students have written lyrics, set to popular melodies, which call the Nation's attention to growing air, water, land, and noise pollution, as well as to its sources. In addition, the class is in the process of making an ecology film to be shown during the latter part of May.

One can only be gratified by this display of social concern by those so young. A special tribute should be paid to those educators and parents for instilling in these young people a sense of awareness of the world around them.

As legislators we have clear responsibilities to insure that the Earth will indeed be inhabitable in the years to come, for these children and for the rest of society. Moreover, we must strive to guarantee a safe and healthful environment in which our progeny can flourish and enjoy those benefits from which we, ourselves, have profited. A perpetually rich and fruitful America is still salvageable if only we heed these voices.

I would like to insert the work of the "Clean World Class" in the RECORD, so that it may inspire others to a similar awakening:

SONGS OF REVOLUTION AGAINST POLLUTION  
(By the Clean World Class)

## TEACH THE WORLD

(Contributed by: Ronnie Porselli To the tune of: "I'd Like to Teach the World to Sing".)

I'd like to teach the world to stop  
Polluting all the earth,  
And see the meadows bright and clear  
And give it a new birth.  
It's the thing to do  
Keep the water clean  
That's the way it should be  
For you and me.  
I'd like to teach the world to be  
Very very clear  
And clean the air  
So we can bear  
With all these crazy things.

## GARBAGE WALTZ

(By Helen Starrou, Tune "Clementine")  
Oh pollution, oh pollution  
Why don't people really care?  
We pollute the land we live on  
And the water and the air.

With all this garbage, all this waste stuff  
All these papers all around,  
No one even makes an effort  
To lift it off the ground.

DIRTY LAND LULLABY—TUNE: "TWINKLE"  
(By Joanne Campisi)

Dirty, dirty polluted land  
Can't you find a helping hand  
Up above the world so high  
Smoke 'll surround us by and by.

Dirty, dirty polluted land  
Won't someone lend  
A helping hand?

## POLLUTION TANGO

(Contributed by Marra Schneider, From West Side Story's "America")

There is pollution in America!  
Lots of pollution in America!  
Loads of pollution in America!  
Find a solution for America!  
We started pollution in America!  
Let's stop pollution in America!  
If we don't find a way for America,  
Soon there'll be nothing of America.  
There are polluters on American land  
A polluted America is not so grand!

## YANKER DODO?

(Lyrics: Earl Estwick. Tune: Yankee Doodle)  
Stop polluting our good air  
With fumes from all the autos  
And keep the wastes and chemicals  
Out of our good waters.  
Let's all stop polluting now  
We can do it somehow  
Get to work, don't wait and see  
Let's have a cleaner country.

## ALL CHOKED UP

(Tune: Jimmy Crack Corn. Lyrics: Mark Kafalas)

When I was young I breathed  
Fresh air from the trees  
Then I got older  
And started to cry  
The birds, trees, fish  
All would die.

## Chorus

Pollution, pollution  
Oh yes I care  
Pollution, pollution  
Oh yes I care  
Oh please just go away.

The birds and bees all  
Fly away  
We hope they will return  
one day  
Smoke, smoke  
Cough away  
And hope you don't  
Have to pray.

## OH POLLUTION

(By Debra Crisci)

Oh pollution, oh pollution  
Is there ever a solution?  
It's a pity, it's a pity,  
Dirt is ruining our city.  
Oh pollution, oh pollution  
Oh pollution, go away,  
You just make our world all ugly  
In all different sorts of ways.

## PEOPLE, PEOPLE

(By Elizabeth Lieberman)

People, people, I've been thinking  
About the soda we've been drinking  
Throwing garbage in a can  
Will help to make  
A cleaner land.  
All of us can find a solution  
To rid us now of this pollution.  
Get together, hand in hand  
We can clean up all our land.  
Someday we may all go under  
From some polluter's stupid blunder  
We can fight, fight everyday  
For a cleaner world  
In every way.

## YANKEE DOODLE

(By Linda Jackson)

Yankee Doodle went to a city  
That was very dirty  
The smog and dirt were fighting to  
Make him leave that city.  
Yankee Doodle, fight right back  
Fight to clean that city  
Don't let smog and dirt and filth and  
muck  
Take away our city.

## POLLUTION NURSERY SONG

(Lyrics: David Wu. Tune: Mary's Lamb)

Oh yes we have a dirty land,  
dirty land, dirty land  
Yes we have a dirty land  
With pollution all around.  
And everywhere we walk, walk, walk  
Yes everywhere we walk, walk, walk  
Pollution's to be found.

## BORN FREE

(Lyrics: Richard Baron)

Garbage—as far as your eye can see  
The smoke from the chimneys  
Pollutes our air.  
Fresh air—no longer existing

Let's keep on insisting  
Pollution must stop.  
Pollution—we must find a solution  
Or else life will end  
One Day!

## POLLUTION ROCK

(By Gary Clarke to the tune of Jeremiah)  
Pollution is a horror  
It's messin' up this world  
Everywhere you go  
You can see it being thrown  
It's messin' up my world.

## WHITE CHRISTMAS?

(Lyrics contributed by Steven Thompson)  
I'm dreaming of a breath of clean air  
With every dirty breath I breathe  
May pollution get out of our hair  
May the rest of our days be fair.

## MARY HAD A LITTER BAG

(By Linda West)

Mary had a litter bag, litter bag, litter bag  
Mary had a litter bag  
Wherever she would go!

## ARE YOU SLEEPING?

(Lyrics: Jay Rabin)

Are you breathing? Are you breathing?  
Listen now! Listen now!  
Pollution's gonna get us.  
Pollution's gonna get us.  
Get it first! Get it first!

## CLEAN WORLD CAROL

(Tune: Jingle Bells. Words: Joey Sevita)

Dirty streets, smelly air  
Everywhere we go.  
What will happen  
To our country  
Is what we want to know!  
Waters muddy, fishes dying  
In the world today  
The time has come  
To clean it up.  
We'd better not delay!

## POLLUTION, POLLUTION

(Tune: Reuben Reuben. Words: Cheryl Sussman)

Pollution, pollution, we don't need it.  
Look around our dirty town.  
There's garbage here  
And litter there  
A polluted city, everywhere!

## MEMBERS OF THE CLEAN WORLD CLASS

David Wu, Marra Schneider, Sandra Leal, Joanne Campisi, Steven Thompson, Debra Gisa, Earl Esturck, Linda Jackson, Helen Stavrow, Linda West, Donna Hart, Lori Dembowitz, Dawn Dait, and Joseph Sevita.

Cheryl Sussman, Elizabeth Lieberman, Joseph A. Sena, Michael Cabezon, Mitali Bose, Susan Zaager, Richard Baron, Oronzo Porcelli, Marak Kafalas, Jamie Tannenbaum, Vincent McCoy, David Lee, Jay Rulin, and Gary Clarke.

## NAVY STUDY SUPPORTS CULEBRA CEASE-FIRE

## HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. LEGGETT. Mr. Speaker, in the debate over the shelling of the tiny island of Culebra, the Defense Department has continued to argue that the Puerto Rican Island is a vital element of the Navy's Atlantic Fleet Weapons Range.

Well, I visited the island and found that quite the contrary, the island contains no strategic qualities that could not be duplicated elsewhere—except per-

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haps the fact that Culebra is probably the only weapons range in the world where 1,000 inhabitants double as potential targets. A recent article by Richard D. Copaken in the *Christian Science Monitor* has echoed my assessment.

Mr. Copaken points out that a recently released Navy study concluded that a number of uninhabited island alternatives were "suitable for conduct of all of the required types of naval gunfire and aircraft-weapons exercises," and that at least one uninhabited site was admittedly superior to Culebra for Navy training. This finding clearly contradicts former Secretary Laird's evaluation that "the present Culebra complex is clearly superior in every regard to the alternatives considered," and mandates a cessation of the nearly 2,000 yearly hours of naval shelling of the island.

This shelling has gone on for 37 years. Miraculously, there have been very few casualties, but there have been some. One civilian has been killed, and one Culebran child has been disfigured while playing with a dud. Moreover, nine Navy personnel were killed when their observation post on Culebra was mistaken for the target, and numerous shells have landed throughout the town.

I say that it is high time that we put a stop to this carelessness. Puerto Rico's Resident Commissioner Jaime Benitez and Senator HOWARD BAKER have introduced bills which would force the Navy to stop all training activities on the island by July 1975. More importantly, Secretary of Defense, Elliot L. Richardson, agreed during his confirmation hearings to review the Laird decision. I would hope that in his review he takes cognizance of the Navy report, and ends 37 years of American insensitivity to the wishes of the Puerto Rican people.

At this point in the RECORD I insert for the benefit of my colleagues the April 11, 1973, *Christian Science Monitor* article entitled, "Culebrans Ask U.S. Navy for Cease-Fire":

#### CULEBRANS ASK U.S. NAVY FOR A CEASE-FIRE

(NOTE.—Mr. Copaken, a former White House Fellow, has served for the past several years as Culebra's Washington counsel. As such, he has been concerned with both the people and environment on this Puerto Rican island, which provides target areas for U.S. Navy training. The Navy maintains: "The Culebra complex offers such advantages over all other alternatives studied that none of these other alternatives can be considered reasonable.")

(By Richard D. Copaken)

**CULEBRA, PUERTO RICO.**—Some 726 Spanish-speaking, United States citizens reside on this tiny Puerto Rican island. For the most part, they fish or farm. Culebrans are poor, but they love their island home. Unfortunately, so does the U.S. Navy, which uses one-fourth of it as a convenient Caribbean training target.

Culebra has been bombed, shelled, and strafed continuously since 1936. Annually, the Navy invites navies from 20 nations to join in shelling the island.

Despite Defense Department promises that the Navy would find another training target, bombs and shells are still dropping on Culebra—and being opposed by Culebrans and Puerto Rican Government officials. The controversy may reach a climax in this Congress as the result of a bipartisan bill sponsored by 33 senators, including Majority

#### EXTENSIONS OF REMARKS

Leader Mike Mansfield (D) of Montana and Minority Leader Hugh Scott (R) of Pennsylvania to terminate all Navy operations at Culebra by July 1, 1975.

Culebra is a magnificent volcanic outcropping in the Atlantic, halfway between the main island of Puerto Rico and the Virgin Islands. Less than three by seven miles, this municipality of Puerto Rico is blessed with perfect weather, abundant wildlife, and pink and white sand. Over the last thousand years, currents and geography conspired to produce some of the finest coral formations in the entire world just off Culebra's coast.

Culebra's northwest peninsula serves as the target for offshore naval shelling; keys off Culebra's west coast are bombarded in air-to-ground operations. Two towns, Dewey and Clark, are within two to three miles of the targets. Some families live even closer.

The Navy asserts it protects Culebra's environment because its maneuvers keep man's despoliation to a minimum. Culebrans don't accept the premise that continuous bombing and shelling is a necessary price of preservation, and they challenge the Navy's record as protector.

Approaching Culebra by plane, one is struck by its beauty. Blue-green waters spread from shore. Dark swaths cut through a remarkably transparent sea, signaling enormous beds of coral below. Lagoons and lush green mountains, dotted with thousands of soaring birds, complete the picture of an idyllic natural wonderland. But as the plane circles closer, the Navy's contribution comes into view. Amid nesting sooty terns and some rare and endangered species of birds, including the nearly extinct Bahamian pintail, lie target tanks and gaping craters—the pock-marked scars of naval shelling.

Culebrans experience constant anxiety. The Navy boasts of its safety record: Only one civilian killed, another child disfigured while playing with a dud, and nine Navy personnel killed when their observation post on Culebra was mistaken for the target. But, sporadically, shells have landed throughout the community. One hit a cistern less than 50 yards from the Town Hall in Dewey. A Defense Department report concluded that the gross error rate at Culebra is "unduly high . . . where there are nonparticipants within the weapons' delivery range." The Navy officer in charge of World War II training at Culebra observed: "It is a miracle that more Culebrans have not been killed."

Besides posing a continuing threat to an entire community, Navy shelling and bombing destroyed irreplaceable coral and fish, as well as birds in great numbers. Even though President Theodore Roosevelt set aside Culebra's keys as a National Fish and Wildlife Refuge in 1909, he authorized the use of these islands for "naval . . . purposes."

Surrounding Culebra are some of the oldest living corals in the world, still in a state of climatic growth. They are breathtaking, as is the rich marine life they nurture. Naval training has taken its toll on both.

Culebra suffered an ecological disaster in 1970. The Navy, carrying out orders to rid Culebran waters of more than 30 years of accumulated duds, stacked all shells it could find on one of the most magnificent coral reefs in the entire Caribbean and then began detonating this ordnance.

After several smaller explosions destroyed considerable coral and massacred thousands of fish, angry Culebrans complained to Rafael Hernandez Colon, then Senate President and now Governor of Puerto Rico. He secured local counsel who went to federal court in San Juan on behalf of the Culebrans, seeking a temporary restraining order pending completion of an environmental-impact statement by the Navy as required by the National Environmental Policy Act.

When the matter came before Federal Judge Hiram Cancio on Dec. 7, 1970, the U.S. attorney representing the Navy persuaded the judge that his client would not conduct

further explosions pending full review by the court and, consequently, that there was no immediate threat of irreparable harm.

At the very moment the Navy's counsel was giving these assurances—and unknown to him—a Navy demolition team pulled the pin for another ordnance-removal operation on Culebra's coral. When the Judge learned of the explosions, he immediately issued a temporary restraining order. For Culebra it was unfortunately late. A Navy study conceded that this explosion "left a crater 15 feet deep and 100 feet in diameter."

#### ALTERNATIVES STUDIED

In October, 1970, President Nixon signed a law directing the Secretary of Defense to study all possible training alternatives to Culebra. Three months later, Navy Secretary John Chafee signed a "peace treaty" agreeing to reduce activities on Culebra and to seek an alternative site.

When the congressionally directed study was published in April, 1971, showing that Culebra could be replaced, Secretary of Defense Melvin R. Laird promised the Puerto Ricans that he would transfer all Navy operations away from Culebra by no later than June, 1975. Pending release of a second congressionally mandated study that sought more detailed information on alternatives to Culebra, Secretary Laird reaffirmed his commitment in a Nov. 4, 1972, telegram to then Governor Luis Ferre. This was made public in Puerto Rico.

But on Dec. 27, 1971, Mr. Laird abruptly reversed himself and announced that Navy shelling at Culebra would continue indefinitely and at least until 1985. He claimed his reversal was based on a secret Navy study.

#### SUITABLE SITES FOUND

At the time it was assumed that this study found no suitable alternative to Culebra and that this information came to the Secretary after his November telegram to the Governor. When this study was declassified last month, however, Culebrans learned it concluded that a number of uninhabited island alternatives were "suitable for conduct of all of the required types of naval gunfire and aircraft-weapons exercises," and that at least one uninhabited site was admittedly superior to Culebra for Navy training. The study was dated Oct. 16, 1972—several weeks before Mr. Laird reaffirmed his commitment to terminate Navy shelling at Culebra.

The Culebrans and Puerto Rico returned to Congress in their pursuit of the promised peace. Sen. Howard H. Baker Jr. (R) of Tennessee and Hubert H. Humphrey (D) of Minnesota introduced S. 156, a bill to terminate all Navy operations at Culebra by no later than July 1, 1975, by ending Navy funds for such operations beyond this date. Thirty-three Senators now cosponsor S. 156. And during his confirmation hearings, the new Secretary of Defense, Elliot L. Richardson, agreed to review Mr. Laird's reversal.

#### DETERMINATION VOICED

All four men elected Governor of Puerto Rico throughout its history, representing three political parties, and the Mayor of Culebra, strongly endorsed S. 156. Shortly before taking office, Puerto Rico's newly elected Governor, Rafael Hernandez Colon, reacted to Secretary Laird's reversal with unbowed determination:

"So now it is up to the United States Congress to make a decision. My intention and that of the people of Puerto Rico is to stop the Navy from its arbitrary use of Culebra as a target-practice range. We'll persist in that position."

Culebra and all Puerto Rico continue to hope that Congress or Secretary Richardson or President Nixon will make good on the promise of the United States Government to end the shelling, but the legislative and political process is slow. In the meantime, shells and bombs continue to fall on Culebra.

DEDICATION TO MAYOR BRADLEY  
D. NASH

## HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GUDE. Mr. Speaker, on April 14, 1973, the people of Harpers Ferry, W. Va., gathered to honor their mayor, Bradley D. Nash. A newly constructed flagpole with the American flag waving at its mast was dedicated to the mayor in recognition of the devoted service he has given the people of Harpers Ferry.

I was honored to have the opportunity to share in this ceremony at Harpers Ferry, where history, mountains and rivers flow together in majestic beauty. And I would like to call the attention of my colleagues to the generous gift Mayor Nash made to the National Park Service and to the people of America. Mayor Nash donated funds for the Park Service to sponsor an annual conference on the environment to be held at Harpers Ferry. Truly, Mayor Nash's gift is a reflection of his public awareness and service.

Mr. Speaker, I would like at this time to insert into the Record the comments made by the distinguished senior Senator from West Virginia, Jennings Randolph, at the dedication ceremony:

REMARKS BY SENATOR JENNINGS RANDOLPH  
(D.-W. VA.), CHAIRMAN OF THE COMMITTEE  
ON PUBLIC WORKS, U. S. SENATE, AT THE  
DEDICATION OF A FLAG STAFF IN HONOR OF  
MAYOR BRADLEY D. NASH AT HARPERS FERRY,  
W. VA., AT 11:00 A.M., ON SATURDAY,  
APRIL 14, 1973

The invitation for me to participate in the ceremony today was a welcome one for several reasons. It is a joy to return to our State, as spring skips across our mountain tops. As Helen Marshall said in a verse entitled, "April", "There is a feeling of promise in the Air."

In this instance, I am doubly pleased to be present because of my love for Harpers Ferry and the work that goes forward here.

A positive force in the development of this unique community is the man we honor today. I have known Bradley Nash for a long time. He is not only the chief elected official in Harpers Ferry, but he is a leader to whom people look with confidence.

Bradley combines the traits of intelligence, enthusiasm, energy and vision. Harpers Ferry has many historical and scenic assets to recommend it, but one of its greatest assets must surely be his Honor the Mayor, and the other good people who work together to strengthen this favored land.

My personal association with Harpers Ferry goes back many years. I am gratified to have been able to help in securing the recognition of the Federal government of its prominence as a historical site.

The history of Harpers Ferry goes deep into our Nation's past. Thomas Jefferson, the chief author of our Declaration of Independence, came here. George Washington, first President of our country, came here. General Robert E. Lee came here. Abraham Lincoln came here. I pause, as I feel we can almost hear their footsteps.

Harpers Ferry shared a vital role in the development of the United States, first as a frontier outpost and later as an important point on the trail west. Harpers Ferry is also remembered for the events that occurred here just over a century ago when social and political questions of that crucial time were focused in this community by John Brown.

## EXTENSIONS OF REMARKS

Many of the dilemmas faced not only then but now can be more fully understood, if not solved, by a study of the history of this area.

There is, therefore, a historical heritage here, a heritage that we recognized must be preserved as an important part of the American past. Harpers Ferry not only has much to tell about the maturation of the American nation, but from it we may partly learn how to cope with contemporary problems.

We owe much to the people within the National Park Service for the skillful, sensitive and enthusiastic manner in which they have approached the preservation of Harpers Ferry.

But Harpers Ferry is not an isolated memorial to the events that took place here in the past, regardless of the impact they had on the course of history. Harpers Ferry today is a living park. It is a historical community but it is one in which people live and labor in the 20th Century. It is also a training center for the National Park Service personnel who go from here to many parts of the country. Harpers Ferry also is centrally located in an area of great historic significance and scenic beauty. To the south and to the West, in our State, are two of our great national forests. There are also numerous other areas which have played roles in the development of our country.

Abraham Lincoln said, "we cannot escape history." Fortunately, Harpers Ferry does not desire to escape its past. That past is the basis for the future of this community; a future dedicated not only to teaching our American heritage, but to providing a place for Americans to escape from the routines of every-day life.

Hundreds of thousands of work-wearied people will exchange at Harpers Ferry this year, their tedious tasks for an exhilarating visit here to refresh their physical bodies and renew lagging spirits. Following their sojourn here, they will return to their homes, a host of happy travelers with minds and also souls restored.

With the support of the National Park Service and with the leadership of citizens like Bradley Nash, we are assured that Harpers Ferry has a future filled, with not only promise, but the realization of a better life.

ELIMINATING POVERTY BY  
REDEFINITION

## HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RANGEL. Mr. Speaker, the Nixon administration is presently involved in an effort to eliminate poverty, not by attacking its root causes, but by merely changing its definition.

Apparently, the present definition of what constitutes poverty will be modified by including in a family's total annual income all the noncash benefits they receive, such as food stamps, medicaid, and so forth.

By doing this, millions of people will suddenly be pushed above the income level now used to define poverty—\$4,137 a year for a family of four.

The advantages that would be gained from this procedure are fairly obvious. The Nixon administration would like to be able to produce figures that demonstrate that the number of poor people in this country has dropped to a record low during the last 4 years.

The fallacy involved in defining poverty in this manner is pointed out in

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the following editorial that appeared in the Washington Evening Star. If non-cash income is going to be counted as income for lower income Americans, then it should also be counted for middle- and upper-class Americans as well. If this was done, the administration would find the results to be quite embarrassing.

Poverty cannot be eliminated by redefinition—it can only be hidden by statistics to serve the interests of the Nixon administration.

The editorial follows:

## JUGGLING POVERTY FIGURES

The federal definition of poverty, and the dollar statistics accompanying that definition, have never really been satisfactory. For one thing, they depend on rather arbitrary lines of demarcation. Today's official poverty definition applies to a family of four, not living on a farm, with an annual cash income of less than \$4,137. It invites the question: Is the family with a \$4,138 income not poor?

More is involved than that. As the Sixties progressed with sustained prosperity, the number of people classed as in poverty declined substantially, from nearly 40 million to 25 million. The decline might have been more dramatic, because the Sixties also saw the creation of a maze of federal subsidies for the poor, from food stamps and medicaid to manpower training and housing assistance. But these are non-cash subsidies, the Census Bureau only counts cash income in adding up the poor.

Now the word is out that the Nixon administration, through an interagency team, is quietly examining ways to recompute the income figures used to define poverty. No doubt the recomputations will include non-cash income, with the result that several million more people will magically disappear from the poverty category.

Besides making everybody feel good at the White House, this analytical departure makes a certain amount of sense. As shown by a recent Congressional study of welfare disparities, there are plenty of families getting about \$3,000 in cash each year and the equivalent of several thousand dollars more in multiple non-cash benefits. It seems strange to count these families as poor while exempting a \$4,500 a year family that doesn't qualify for other programs.

But there is another side to all this. As pointed out by Mollie Orshansky, HEW's redoubtable expert on the statistics of poverty, we have a huge middle and upper-middle class in this country, many of whom benefit enormously from non-cash income. Start with the expense account. Move on to company-paid health insurance, pension premiums, vacations and continuing-education plans. And then to commodity discounts many employees enjoy, and all the on-base privileges and subsidies handed to the military.

To be consistent, the Census Bureau would have to count non-cash income for all Americans. If it were ever done, it might well show an even wider gap than now appears to exist between America's high, middle and low-income groups. And that wouldn't make the White House happy at all.

## FREEDOM OF INFORMATION

## HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MOSS. Mr. Speaker, on April 12, our colleague the gentleman from Penn-

sylvania (Mr. MOORHEAD) testified before a joint hearing by three Senate subcommittees on needed amendments to the Freedom of Information Act.

I commend the remarks to all Members of the House of Representatives and urge that they give unanimous support to this effort to improve one of the most important laws of the United States.

The text of the testimony follows:

#### FREEDOM OF INFORMATION

(Statement of the Hon. William S. Moorhead, Chairman, Foreign Operations and Government Information Subcommittee of the House of Representatives Before the Subcommittee of Administrative Practice and Procedure of the Senate Committee on the Judiciary Jointly with the Subcommittee on Separation of Powers of the Senate Committee on the Judiciary and the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations in support of S. 1142 and H.R. 5425 to Amend the Freedom of Information Act)

Mr. Chairman, I greatly appreciate the opportunity to testify at this joint meeting of these important subcommittees today on a subject which is central to the basic concept of democracy. At no time in recent years has the problem of government secrecy so pervaded our political process. The tug-and-pull between the Executive and Legislative branches which is built into our system serves a useful function if normal checks and balances are operational and unimpaired.

No matter what political party is in control, the free flow of information necessary in a democratic society is not an issue of political partisanship. Administrations have historically abused their power to control public and Congressional access to the facts of government. Administrations of both parties have claimed some form of an "executive privilege" to hide information. The conflict is not on partisan political grounds but on Constitutional grounds between the legislative and executive branches of government. An indication of this is the fact that eight Republican members of our committee have cosponsored legislation to limit or restrict the use of "executive privilege."

But this administration has reversed the trend away from the most blatant abuses of "executive privilege". This administration has turned our system of government backward, back down the path which leads to an all powerful political leader—call him president, dictator or king—who arrogates unto himself the right to know and against the elected representatives of the people whether in a Parliament or a Congress.

A recent Congressional Research Service study made for the House Foreign Operations and Government Information Subcommittee points out that the growth of the claim of "executive privilege" to hide the facts of government really began in 1954 during the Eisenhower Administration. I would like to submit a copy of this study for your record.

Congressman John E. Moss, the former chairman of my subcommittee, was responsible for convincing three presidents to limit the use of "executive privilege" to a personal claim of power, and the claim was used sparingly against the Congress by Presidents Kennedy and Johnson.

The CRS study reveals that President Nixon has, thus far, set an all-time record in utilizing the dubious doctrine of "executive privilege". It also shows that, despite his written assurance to our subcommittee in April, 1969 that he would adopt the same Kennedy-Johnson groundrules limiting its use, such rules have been violated by Administration subordinates at least 15 times.

I have always felt that, while the Executive has no inherent right to withhold anything from the Congress, a spirit of comity and recognition of the need for certain con-

#### EXTENSIONS OF REMARKS

fidences and privacy between the branches has led the Congress to recognize privileged communications between the President and his closest advisors. This is the way it should be—but only if this spirit of cooperation is not abused by either branch.

Unfortunately, the present Administration has built a stone wall between itself and the Congress. This wall, much like the one in Berlin, has grown stone by stone until on March 12, 1973, Mr. Nixon capped it off with an amazing "blanket privilege" proclamation, extending to the entire Executive branch. As I understand the new theory, it applies to all past, present, and future White House aides who might be summoned to testify before Congressional committees. Thus, if a President wanted to keep secret the number of roses in the White House garden in the interests of national security, under the Nixon claim, he could invoke the privilege on behalf of his close "personal advisor", the White House gardener, and, according to a Justice Department witness before my subcommittee, this decision would not be subject to review by Congress or court. Such White House policies and claims are as ridiculous as their claims that "Executive privilege" is an historical doctrine that dates back 200 years.

Mr. Chairman, before turning to a discussion of freedom of information matters, I must comment on the amazingly arrogant performance by the Attorney General before this panel on Tuesday and on his exposition of the Administration's doctrine of the "divine right" of the Presidency. I submit that this is a doctrine of monarchial origin at best, or at worst, a totalitarian dogma espoused by "banana-Republic" dictatorships.

Our system of government places the ultimate power in the hands of the people. Congress is the people's representative in the exercise of that power for the public good. All of us have been elected by our constituencies and have taken an oath to carry out that solemn obligation. Unless they have changed the law school curriculum since my day, ours is still a government of laws, not men. I never thought the day would come when any Attorney General of the United States could have the audacity to proclaim that, in effect, Congress had no power to order any employee of the Executive branch to appear and testify before Congress if the President—in his almighty wisdom—barred such testimony.

Only two persons—the President and Vice President—of the millions who make up the vast bureaucracy of the Executive branch of our government are elected by the people of the United States. At that, they are elected indirectly through the Electoral College system and only once every four years. All other Executive branch officials are appointive—the result of Congressional action in the establishment and funding of Federal programs which they administer. This includes the countless number of faceless, politically-appointed bureaucrats as well as the faceless civil servants who exercise life-and-death power in administering Federal programs under authority delegated to the Executive by the Congress. They have always been and must always be responsible to Congress because they are the creatures of Congress—not the Executive. They are the servants of the people and the people's Representative—not their masters.

The Attorney General was the Administration spokesman chosen to assert the "divine right" of the Presidency. As we all recall, it was not too many months ago that many in this body raised serious questions during the hearings on his nomination concerning his qualifications for the office. It is ironic, in view of the sweeping claims he has enunciated here, that it was only after the President "permitted" his assistant, Mr. Peter Flanigan, to appear before the Judiciary

Committee to discuss the Administration's handling of the ITT anti-trust case that the log-jam was broken and the Attorney General's nomination was finally cleared for floor action. If the "divine right" doctrine had been in effect last year, it might be that someone else might be warming the seat of the Attorney General's chair today.

As the chairman of an investigating subcommittee of the House Government Operations Committee, I submit that it is absolutely essential for the Congress to have full access to all information and all Executive branch employees if we are to be able to perform our vital role as a "watch-dog" (with teeth) to make certain that the Representatives of the people are able to carry out our oversight duties as well as to perform our legislative functions required under the Constitution.

While the thrust of these hearings is the right of Congress to receive information from the Executive, I am most pleased that this panel is also considering the public's "right to know" what its government is doing. In this regard, I wish to now turn to a discussion of S. 1142 and H.R. 5425, amendments to the Freedom of Information Act, which I have sponsored in the House with some 42 other Members of both parties and which the chairmen of these three Senate subcommittees and other distinguished Senators are sponsoring over here.

Just seven years ago, the Congress passed the Freedom of Information Act. In many ways this is an historic piece of legislation, because for the first time it was legally recognized that Government information is public information available to everybody without the need to show a special interest or need to know. This was a unique legislative proposition which, as far as I know, is not yet recognized anywhere else in the Western world. It is my understanding that Canada, Australia, and some Western European countries are now closely studying our Freedom of Information Act.

While the Freedom of Information Act presumed the public availability of *all* government information, it also recognized that some information must necessarily be withheld from the general public because its release could truly damage the national defense or foreign policy, or because release of the information could compromise individual privacy, abridge a property right, inhibit a law enforcement investigation, or seriously impede the orderly functioning of a government agency. In order to provide the fullest possible access to public records, however, the Congress clearly put the burden on the government to prove the necessity for withholding a document and clearly indicated that an exemption from public release of a document was permissive and not mandatory.

Some five years after the effective date of this act, the House Foreign Operations and Government Information Subcommittee held comprehensive investigatory hearings on the administration of the Freedom of Information Act. Our fourteen days of hearings and other investigative work showed conclusively that the administration of the Freedom of Information Act by the Executive branch fell seriously below the standard expected by the public and the Congress. The major problem areas fell into the following categories:

(1) the Executives's refusal to supply information by use of the exemptions in the Act was the rule rather than the exception;

(2) long delays in responding to requests often made the information useless once provided;

(3) delaying tactics during litigation extended both the time and the costs to the individual citizen beyond reason; and

(4) lack of technical compliance with the requirements of the Act, as interpreted by the agency, often led to a refusal to supply requested information.

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In sum, Mr. Chairman, the Congress mandated that the Government supply all requested information to the public except within certain limited areas of permissive exemption. The Executive branch has generally rejected this basic mandate and, instead, has relied in large part on bureaucratic subterfuge to defeat the purposes of the Act.

I should state, however, that the picture is not all black. The Government Operations report of last September (H. Rept. 92-1419), based on our hearings, recommended a number of remedial administrative reforms. I am pleased to note that many agencies have already adopted some of them. However, administrative reforms within the agencies are not enough. Experience with the Freedom of Information Act shows the need for substantive amendments to the Act itself to strengthen and clarify its provisions. They are contained in the legislation now before the subcommittee.

## SECTION-BY-SECTION ANALYSIS OF S. 1142 AND H.R. 5425

Mr. Chairman, let me now turn to a discussion of the major provisions of this measure—S. 1142 and H.R. 5425.

Section 1 (a) provides that agencies must take the affirmative action of publishing and distributing their opinions made in the adjudication of cases, their policy statements and interpretations adopted, and the administrative staff manuals and instructions which are available to the public. The present requirement that this information be made available for inspection and copying has not been adequate inducement to most agencies to actually make this information available in useful form.

Section 1(b) provides that agencies will be required to respond to requests for records which "reasonably describes such records." This substitutes for the present term "identifiable records" which some agencies have interpreted as requiring specific identification by title or file number—generally unavailable to the person making the request. I feel that any request describing the material in a manner that a government official familiar with the area could understand is sufficient criteria for identification purposes.

Section 1(c) provides for a specific time period for agency action on freedom of information requests. The present act contains no such time limits for the government to respond. The hearings showed that many requests went unanswered for periods of thirty days to six months. This new section will require the agency to respond to original requests within 10 working days and appeals of denials within 20 working days. These time periods are based on portions of Recommendation No. 24, issued by the Administrative Conference of the United States after a study of the Act in 1971. Under our proposed new section the agency is not required to actually forward the information within the ten-day period, for we recognize that in many cases the requested information may legitimately take more time to obtain from regional offices. However, the agency will be required to respond within ten days—either by making the information available or indicating whether or not the information will be made available as of a certain date; if the determination is that it cannot be provided, the agency response must state the specific reasons. Administrative appeals must be acted upon within the twenty-day limit. Two agencies, the Departments of Health, Education, and Welfare and Justice, have already amended their regulations to require responses within the ten-day period, as recommended. I feel that other agencies will not be burdened by such a statutory requirement.

Section 1 (d) clarifies the present require-

ment that the District courts examine contested information *de novo*, by requiring that in all cases the *de novo* examination include an examination of the content of the records *in camera* to determine if the records must be withheld under the exemption or exemptions claimed by the agency. A second requirement specifically directed to the present section 552 (b) (1) of the Act directs the courts to look into the contents of documents considered exempt for reasons of national defense or foreign policy in order to determine if the contested documents should, in fact, be withheld under this exemption. This new section is made necessary by the Supreme Court decision in *EPA v. Mink* (410 U.S. —) decided on January 22, 1973. In this case the Court held that judges may not examine *in camera* classified documents and thus exempt under section 552 (b) (1) and need not, at their discretion, examine the contents of documents claimed exempt under section 552 (b) (5).

The import of this decision is to allow the government to claim, merely by affidavit, that certain material is exempt from the public. This would effectively destroy the judicial oversight so necessary to the adequate functioning of the Freedom of Information Act. Original sponsors of the freedom of information legislation have always felt that the *de novo* requirement in the Act required a true examination of the records by the courts. This amendment will clearly spell out that original Congressional intent and requirement.

It has been argued that this requirement might put an excessive burden on the courts if they are forced to examine each contested document. I do not think this is the case. During five years of litigation under the Act, the District courts have evidenced no problems in examining the contested documents claimed exempt by Federal agencies under sections 552(b) (2) through (9). While there has been a reluctance to examine *in camera* those documents classified for alleged "national security" reasons, I do not feel that the requirement of judicial examination will place any unnecessary burden on the courts. As many of us in the Congress realize, the security classification system is a nightmare of inconsistency, over-classification and over-protection of many documents which, if made available to the public, would only expose official incompetence rather than official secrets. If the Freedom of Information Act is to achieve its desperately needed level of effectiveness, the judgments of the Federal agencies must be subject to meaningful oversight both by Congress and the courts.

Section 1(e) deals with foot-dragging by Federal agencies in freedom of information litigation. The problems encountered by administrative delays in response to requests has been compounded by delaying tactics during litigation. Under the Federal Rules of Civil Procedure the government is allowed 60 days to respond to complaints. However, a study made for our hearings of cases filed in the U.S. District Court for the District of Columbia showed that, in 20 out of 31 cases, the first responsive motion by the government was not filed even within the 60-day limitation, one case taking 137 days for the government to respond. Theoretically, the government should be able to respond to a complaint in very short time, for it should be assumed that if the administrative appeal denial was properly made, the defendant agency had already fully researched the law and developed a sound case for the denial.

Under a 1969 memorandum of the Attorney General, all administrative denials which could result in litigation, in the opinion of the agency, must be discussed with the Office of Legal Counsel of the Department of Justice—prior to issuing the final denial. Thus, both the agency and the Department

of Justice should be ready to defend an action by the time the administrative process is completed. For this reason, this legislation would require the government to respond to complaints within 20 days—the same time allotted private parties under the Federal Rules of Civil Procedure. The amendment would also allow the courts to award costs and attorneys' fees to successful private litigants. One of the bars to litigation under the Act is the high cost of carrying through a Federal court suit. There is ample precedent in civil rights cases for the award of costs and fees to prevailing parties, and I feel that this authority in the hands of the court would clearly be in the public interest.

As I have previously stated, Mr. Chairman, the tactics often employed to defeat the purposes of the Freedom of Information Act include delay, unreasonable fees, and unreasonable identification requirements under subsection (a) of the present act as well as overly restrictive and often incorrect interpretations of the exemption provisions in subsection (b) of the Act.

We are hopeful that the amendments to subsection (a) of the Act will correct most of the procedural abuses. The amendments to subsection (b) which I will now discuss are designed to clarify the original intent of the Act by limiting, as much as possible, the types of information which can properly be withheld by Federal agencies.

## ANALYSIS OF SECTION 2

Section 2(a) of S. 1142 & H.R. 5425 amends present subsection (b) (2) by clarifying the original intent of Congress that only internal personnel rules and internal personnel practices are exempt from mandatory disclosure. Some agencies have interpreted the current language as exempting internal personnel rules and all agency practices. A new provision has also been added which further restricts the scope of the exemption by exempting only those internal personnel rules and internal personnel practices, the disclosure of which would "unduly impede the functioning of such agency." This additional language will further restrict the types of information that can be claimed by an agency as being exempt from disclosure.

Section 2(b) of the bill amends present subsection (b) (4) by clarifying the present vague language in the Act. Under the proposed new language, the exemption would apply only to trade secrets which are "privileged and confidential" and financial information which is "privileged and confidential." The present section in the Act has been interpreted by the Department of Justice to exempt information which may be considered trade secrets, confidential financial information, other types of nonconfidential financial information, and other information neither confidential nor financial but which was obtained from a person and considered "privileged."

Section 2(c) of the bill amends present section (b) (6) by limiting its application to medical and personnel "records" instead of "files" as in the present Act. This will close another loophole we have noted in our studies whereby releaseable information is often co-mingled with confidential information in a single "file" and therefore all information contained in that "file" has been withheld.

Section 2 (d) of the measure amends present section (b) (7) of the Act by substituting "records" for "files" as in the prior amendment. The new section would also narrow the exemption to require that such records be compiled for a "specific law enforcement purpose, the disclosure of which is not in the public interest." It also enumerates certain categories of information that cannot be withheld under this exemption such as scientific reports, test, or data; in-

spection reports relating to health, safety or environmental protection, or records serving as a basis for a public policy statement of an agency, officer or employee of the United States, or which serve as a basis for rule-making by an agency.

The present investigatory file exemption is often used as a "catch-all" exemption by some Federal agencies to exempt information which may otherwise be available for public inspection, but which is held within a "file" considered to be investigatory. The new language will protect that information necessary to be kept confidential for legitimate investigatory purposes, while requiring the release of that information which, in itself, has no investigatory status other than its inclusion within a so-called investigatory file.

Subsection (c) of the present Act would also be strengthened by language in S. 1142 and H.R. 5425. The present section merely states that "... This section is not authority to withhold information from Congress." Additional language has been added in these amendments to clarify the position that Congress, upon written request to an agency, be furnished all information or records by the Executive that is necessary for Congress to carry out its functions.

Finally, a new subsection (d) would be added to the present Act. Section 4 of the bill establishes a mechanism for Congressional oversight of the Freedom of Information Act by requiring annual reports from each agency on their record of administration of the Act, requiring the submission of certain types of statistical data, changes in regulations, and other information by Federal agencies that will indicate the quality of administration of their information programs.

Mr. Chairman, I am convinced that these amendments can help reverse the dangerous trend toward "closed government" that threatens our free press, our free society, and the efficient operation of hundreds of important programs enacted and funded by Congress. It will help restore the confidence of the American people in their government and its elected leadership by removing the veil of unnecessary secrecy that shrouds vast amounts of government policy and action.

We must eliminate, to the maximum extent possible, government preoccupation with secrecy because it cripples the degree of participation of our citizens in governmental affairs that is so essential under our political system. Government secrecy is the enemy of democracy. Secrecy subverts, and will eventually destroy any representative system.

The enactment of this legislation in this Congress will make it far more difficult for the Federal bureaucrat to withhold vital information from the Congress and the public.

#### NEWSMEN, NOT GOVERNMENT, LIFTED THE WATERGATE

#### HON. FRANK THOMPSON, JR. OF NEW JERSEY IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. THOMPSON of New Jersey. Mr. Speaker, we have all been astonished and dismayed at that series of events which have collectively become to be known as the Watergate scandal. I have refrained from making any public commentary on these events in the knowledge that the facts are being brought

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to light by some of the most distinguished investigative reporting we have witnessed in modern times.

The importance of the press in this case cannot be over estimated. Therefore, I think it appropriate to place before the House commentaries that appeared in the Burlington County Times and the Camden Courier Post. These commentaries need no other introduction from me:

NEWSMEN, NOT GOVERNMENT, LIFTED THE  
WATERGATE

(By Thomas P. Flynn, Jr.)

There is mounting pressure in every statehouse and in the nation's capital these days for some type of shield law for newsmen. And, hand-in-hand with that, there is a growing concern that the principles embodied in the First Amendment of the U.S. Constitution are being undermined.

This week the national news magazines, the television and the daily newspapers are focusing on an event of such magnitude that the case for a shield law for newsmen must be brought home forcefully to the nation's citizens.

Watergate is a dirty word in the Republican lexicon these days. And rightfully so.

It demonstrates clearly that the bugging of Democratic headquarters in Washington last year was known in the White House and permitted to continue.

More important, when it first came to light it was denied vigorously by White House spokesmen.

Just take some of the statements coming out of the White House. Nixon, himself, back in August denied that anyone "Presently employed was involved in this very bizarre incident."

His press secretary, Ron Ziegler, accused the press of "shabby journalism" two months later. And again in March of this year denied anyone in the White House had any "involvement or prior knowledge" of Watergate.

As everyone knows by now, these statements are simply not true. Ziegler now calls these statements "non-operative," which has to be a fancy way of saying the White House lied.

What is important in this sordid mess is that it has only come to light through the efforts of the Washington Post which refused to believe Ziegler and other White House spokesmen.

The Post reporters persisted in digging into the circumstances surrounding the Watergate bugging and kept the story alive.

Eventually a tough federal judge put some pressure on the seven defendants and it now begins to look like the entire story will become public knowledge.

The significance of the Washington Post's contribution should not be overlooked.

Sen. Lowell Weicker, R-Conn., speaking on another issue, claims that every major scandal of the past 30 years has come to public attention through the efforts of the press, rather than through the efforts of governmental law enforcement agencies.

The First Amendment was drafted by men who had lived during the days of tyranny and they knew the value of freedom of information.

Thomas Jefferson, for example, said given a choice of "government without newspapers or newspapers without government, I'd prefer the latter."

Some people in the present administration in Washington would disagree violently with Jefferson.

There are many well known cases of federal prosecutors moving against reporters who are attempting to perform their duties.

Their duties may not be as dramatic nor as well publicized as the Watergate case, but they are fulfilling the same function of providing a free nation with vital information.

Watergate is a classic case in favor of freedom of the press.

Without the news media, the actions of some of the highest officials in the nation would have gone unnoticed and the atmosphere of fraud and deceit, which already is so pervasive in this country, would have spread still further.

Any lawmaker, state or federal, who takes the trouble to study the Watergate case and still doesn't believe in a strong shield law is deluding himself.

And any prosecutor or judge, federal or state, who is mindful of the Watergate case and still attempts to stifle the press, is doing his office a disservice and is dealing Democracy a serious setback.

#### U.S. ASSISTANCE TO ISRAEL

#### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HAMILTON. Mr. Speaker, I would like to bring to my colleagues attention some information regarding U.S. assistance to Israel and Israel's debt to this country resulting from purchase of military materiel. This information was supplied by the Agency for International Development and the Department of Defense was made available to the Subcommittee on the Near East and South Asia. It should be noted that the debt repayment schedule listed covers only the repayment of principal on military items sold. This table would be classified if interest repayment was added:

#### U.S. ASSISTANCE TO ISRAEL IN FISCAL YEAR 1973

##### 1. Supporting Assistance:

Congress authorized and appropriated \$50 million from Supporting Assistance funds in the FY 1973 foreign assistance legislation. These funds are programmed for general economic development support to meet Israel's budget resources gap so that economic growth and increasing requirements for social services can continue despite heavy defense expenditures. Counterpart Israeli pounds generated by the FY 1973 grant will be used to help finance programs through the ministries of Education, Health, and Labor.

##### 2. Housing Guarantee Program:

In FY 1973 A.I.D. has made available \$25 million in private loans for middle and low-income housing construction in Israel. Much of the additional housing will be used to house arriving immigrants, a critical requirement.

##### 3. PL 480:

PL 480 Title I sales programs on concessional terms (loans) during FY 1973 totaled \$56.7 million, and food commodities for Voluntary Relief Agency Title II (grants) programs will total about \$400,000.

##### 4. Resettlement of Refugees Program:

In FY 1973 Congress provided \$50 million to assist Israel with the costs of settling European Jews who wish to emigrate. The Department of State is responsible for this activity.

##### 5. Section 214 of the Foreign Assistance Act—American-Sponsored Schools:

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Assistance to American-sponsored schools and hospitals in Israel in FY 1973 was \$5.5 million. The assistance for FY 1973 is as yet undetermined. Estimated at \$5 million.

## 6. Military Assistance:

In addition to economic and immigration assistance, the U.S. also provides substantial credits for military items to Israel in support of its defense program. (\$300 million total of which \$150 million DOD Direct and \$150 million DOD Guaranty).

## 7. Export-Import Bank Credits:

U.S. assistance to Israel also includes long-

term loans and financial guarantees from the Export-Import Bank. As of December 31, 1972, \$18.5 million was authorized. Estimated total to be \$25 million.

Summary Total Assistance for FY 1973:  
(In thousand dollars)

Supporting Assistance	\$50
Housing Guarantee	25
PL 480	57.1
Refugees Resettlement	50
American Sponsored Schools (Estimate)	5.

Military Assistance 300.  
Export-Import Bank 25.

Total Assistance \$512.1

## ISRAELI DEBT TO THE UNITED STATES GOVERNMENT FROM MILITARY EQUIPMENT PURCHASES

As of 15 February 1973 the total debt to U.S. financing sources (USG and commercial) for arms purchases, FY 1953-1973 was \$1,145.8 million. This is the principal amount only, interest on outstanding amount of indebtedness is additive thereto.

## CREDIT EXTENDED BY 1959-FISCAL YEAR 1973

[In millions of dollars]

	Total	U.S. DOD direct	Private/U.S. guaranty
Total credit program	\$1,322.3	\$1,032.3	\$290.0
Less: Downpayments	13.7	13.7	13.7
Net credit extended	1,308.6	1,018.6	290.0
Less: Payments by Israel	152.8	152.2	10.6
Net amount due (principal program value only interest additive)	1,145.8	866.4	279.4

## ESTIMATED PAYMENTS OF PRINCIPAL TO BE MADE BY ISRAEL

Net Amount due	Fiscal year—								Fiscal year 1981 and beyond	
	1973	1974	1975	1976	1977	1978	1979	1980		
Total	1,145.8	42.4	78.3	87.5	94.0	101.6	102.5	101.3	102.5	435.7
USG Commercial (USG guaranty)	866.4	39.2	36.9	36.1	42.6	54.6	55.5	64.3	101.5	435.7
	279.4	3.2	41.4	51.4	51.4	47.0	47.0	37.0	1.0	

Note.—Israeli military supply debt repayments.

## WOMEN ARE VITAL IN DEFENSE CENTER MANAGEMENT

## HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. EILBERG. Mr. Speaker, there have been a great many complaints lately about discrimination against women in employment both in private industry and the Government.

Unfortunately, in most cases these criticisms have been justified, but I would like to call attention to an installation in my northeast Philadelphia district where this problem does not exist.

In a recent article in the Philadelphia Inquirer it was noted that more than half of the professional buyers of heavy-duty industrial equipment at the Defense Industrial Supply Center are women and that they were chosen solely for their ability.

At this time I enter this article in the RECORD:

## WOMEN ARE VITAL IN DEFENSE CENTER MANAGEMENT

(By Trudy Prokop)

If women make up almost 40 percent of the labor force, as the Bureau of Labor Statistics says they do, then, one wonders, where are they?

They are typing (12 percent), cooking, cleaning and working in private homes (6 percent), clerking in stores (5 percent) and teaching school (4 percent). In jobs where visibility is greatest—such as corporate management—women are seldom seen.

Yet, more than half of the professional buyers at the Defense Industrial Supply Center are women—a field usually dominated by

men. Of 133 procurement buyers at DISC, 85 are women who buy bearings, steel, chains, rope and other hardware used by the United States Armed Forces.

DISC buys \$150 million worth of industrial type items a year from industry and has an inventory of 600,000 items or an inventory valued at \$267 million. Sales total more than \$193 million a year, according to Brigadier General E. P. Braucher, commander at the Northeast Philadelphia-based center.

"These ladies are professionals who apply the same basic techniques to thrift and value-hunting to their jobs that they intuitively use while shopping for food and clothing," said Gen. Braucher.

When Mary Sopko buys a sophisticated bearing, for instance, she must insure that it will withstand rugged and constant use on land, in engine and generator components exposed to dust, mud, shock and vibrations as a vital part in helicopter rotors.

Several desks away sits Mrs. Ida Dinerstein, who buys metal screening. It is a heavy gauge and must be strong enough to deflect a mortar shell. Other screens are made with very close mesh to keep out the smallest insect at military installations. Current purchases of screening by Mr. Dinerstein and others in DISC, if unrolled and laid end to end, would reach from New York to Detroit or 750 miles.

Dorothy Cornelius, Mrs. Belle Slotnick and Mrs. Mary D'Agostino and others buy screws, nuts and bolts. Most of these items, although seemingly of the ordinary type, are manufactured under rigid military specifications for use in delicate systems of sophisticated weapons.

Mrs. Miriam Kall and Mrs. Julia Kornfeld purchase electric and telephone cable which must be able to withstand the elements. Underground and underwater applications for the procured wire requires pressure testing and sealing to insure the reliability of the wire in vital communications applications.

Substantial savings have resulted from the thrifty buying techniques. Mrs. Edith Birch,

another buyer, recently bought a large quantity of lead-plated washers for the Air Force. She had saved the taxpayers a total of \$32,970 by applying her feminine sense of frugality.

When the government runs its own company store, it takes on the posture of what every businessman strives for—an efficient, well-run profitable operation.

"From the capital account, merchandise is bought and then 'sold' to the Army, Navy, Air Force and Marine Corps. They pay us in dollars. Those dollars are used to buy new merchandise to continue sales. If the merchandise purchased doesn't sell, we have markdowns and dollars are lost from the capital fund."

"In that respect, as any merchant dealing in profit and loss, DISC must assure that only items purchased sell and we do this with a minimum of investment," said Gen. Braucher.

How does a person get a job as a procurement buyer?

All promotions are competitive. Personnel must appear before a promotion panel and are selected on their knowledge of buying, experience, training and education.

DISC also have a trainee program for college graduates.

## FURTHER INFORMATION ON THE ACCURACY OF THE 1970 CENSUS AND HOW IT RELATES TO EDUCATION PROGRAMS

## HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. QUIE. Mr. Speaker, on April 17 I inserted into the RECORD some remarks reflecting my concern over the accuracy of census data, particularly as it relates

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to the distribution of funds under title I of the Elementary and Secondary Education Act of 1965. In that insertion I noted the fact that in 1960 the census missed 2.7 percent of the population. At that time information on the accuracy of the 1970 census had not yet become available. Since then the Census Bureau has released that information, and I am inserting into the RECORD the New York Times story of April 26 reporting on that new study.

Although the problem is in general rather serious, I am particularly concerned that the error rate for black children under age 10 has increased so substantially since 1960. The rate now stands at 8.6 percent of that age group, compared with 5.3 percent in 1960. Since a large number of minority children benefit from title I, I am particularly concerned that the continued use of census data may serve to prevent needed funds from reaching areas where those children are enrolled. This latest story only serves to support my conviction that the only accurate way to reach children with educational needs is to find out who they and where they are and then to assist the school district in meeting those special needs. My bill to amend title I, H.R. 5163, accomplishes those purposes.

The article follows:

#### CENSUS SAYS IT OVERLOOKED 5,300,000

(By Bill Kovach)

WASHINGTON, April 25. The Census Bureau estimated today after a new analysis that it had overlooked 5,300,000 Americans in the Census of 1970.

Bureau statisticians pointed out that the estimated error—approximately 2.5 per cent of the previously reported total of 203,235,000 people counted—was significantly smaller than errors in the two previous national head counts. But it acknowledged the increased importance of accurate figures now that they are the basis for distribution of millions of Federal dollars through revenue-sharing programs.

Despite the acknowledgement of an undercount today, Census officials say the new figures will not be used to change the population figures upon which revenue shares are allocated or the apportionment of population in designing districts for elected offices.

The reanalysis was done primarily as a check on the techniques used in an effort to refine them for a more accurate count in 1980.

Because the bureau is allowed by law only to report people counted, the final 1970 total population figure will not be revised on the basis of today's estimate of undercounting.

Even though census data are the basic tools used in hundreds of governmental decisions—ranging from allocations of revenue sharing funds to apportionment of election districts—the bureau says it is not possible on the basis of the reanalysis to readjust the population figures.

Reliable figures in internal migration and other factors that have changed since the 1970 Census are such, they say, that an adjustment of specific city, county or state figures is not possible without having an entirely new Census.

Although an analysis of the undercount by the bureau disclosed that two-thirds of the number missed were whites, those blacks missed in the counting amounted to a much higher rate (7.7 per cent of the total) because of the smaller size of the total black population.

The unusual announcement of the analysis,

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unrequested, of its own work by a Government agency was made today by the acting director, Robert L. Hagan.

"The 1970 Census was probably the best ever taken," Mr. Hagan said, "but, like its predecessors it was imperfect."

Because of better counting techniques, such as integrating postal data, introduced since the 1960 Census, he added, it is estimated—based on the 1960 experience—that about 2.3 million people who would have been missed were included in the original 1970 Census and helped reduce the final margin of error.

The 5.3 million estimate of the number of persons missed in the count is not a fixed figure but what the bureau calls "the best estimate" within a range of error that extends from 4.8 to 5.8 million people.

The undercounting rates for the 1960 and 1950 censuses—the only others subjected to detailed analysis—were 3.3 percent and 2.7 per cent respectively.

Key elements in the re-analysis of the 1970 Census included the following:

The undercount for whites was 3.45 million (1.9 per cent) and 1.88 million for blacks (7.7 per cent).

The only large segment of the black population in which the undercounting in 1970 was worse than in 1960 was in the coverage of black children under 10 years of age. The omission rate there was 8.6 per cent, compared with 5.3 per cent in 1960.

The bureau was unable, because of no reliable data, to make any estimate on the number of Spanish-speaking Americans missed in the 1970 Census.

Because of the composition of the undercounted population—largely black and presumably urban—statisticians conceded that some areas were "more undercounted than others." But, they add, their information indicates that the most undercounted area could not be more than 3 or 4 per cent of the total reported figure.

The estimate of undercounting was arrived at by Census statisticians by calculating the "expected" total population as of April 1, 1970, from other sources.

Such sources included checking birth records, Medicare and Social Security applications, immigration and death statistics. By a series of such analysis, the bureau was able to come up with total population figures that could be checked against those produced by the actual census.

#### PROBLEM FACTORS

The actual count figures are always questionable, these officials point out, because of certain factors that have always hidden people from Census takers.

Among the factors that made the 1970 Census vulnerable to an undercount, they say, are the following:

Increased resistance to Census takers because of changing life styles and more alienation and distrust of authority.

The existence of a number of organized attempts to protest the Census as an invasion of privacy.

The reluctance of some Census takers to work, especially at night, in some urban areas.

Although Census officials declined to discuss details of such things as "resistance to Census takers," it was clear they were talking about families who wished to avoid the inclusion in the count of draft-age sons and of welfare recipients reporting male residents.

They were at a complete loss to understand the wide margin of error in reporting the number of black children under 10 years of age.

"As far as we can determine," one official said, "there is no reason whatsoever not to report such children and the only theory we have now is that something in the way the questionnaires were made out prevented an accurate count."

The reanalysis of the census did not give an estimate of the undercount of Spanish-speaking Americans because of unreliable basic data. Birth records kept by the states usually indicate a white or black birth, but in many cases do not identify parents as Spanish-speaking. Birth records are a basic tool in the reanalysis of census data.

## CASE STUDY OF PENTAGON OBFUSCATION

### HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. REES. Mr. Speaker, at a time when the administration is bemoaning so-called excesses in the domestic budget, and is acting on those excesses by cutting the life out of programs which are essential to millions of lower income Americans, I think it is fitting that we also examine waste in our defense budget.

The administration's facilities realignment announced April 16 by the Department of Defense confirms the conclusions reached in an article appearing in the April 1 issue of the Americans for Democratic Action Legislative Newsletter. The study points out that the Defense Department has employed nearly 10 times as many civilians as the Department of Health, Education, and Welfare.

While I applaud the reduction in non-essential personnel, I fear that the President's deep cutbacks in domestic programs will prevent the easy transference of manpower from a wartime to a socially oriented peacetime economy. The article which I am inserting in the CONGRESSIONAL RECORD supports the intentions of those who attempt to tell the American people that a lowering of the defense budget is not synonymous with an endangering of national security.

The newsletter follows:

#### A CASE STUDY OF PENTAGON OBFUSCATION— DOD MANPOWER COSTS

One of the main reasons the Pentagon gives for an increasing defense budget is high manpower costs. Manpower assures 56 percent of the FY 1974 defense budget, or \$43.9 billion of the total \$79 billion in outlays.<sup>1</sup>

Yet the Pentagon is never quite clear about what constitutes that high figure. In reality, while a large proportion of the \$43.9 billion goes for men and women in the armed forces, another large part is spent on civilian bureaucrats.

It is estimated that by June 30, 1973, there will be 1,012,000 DOD full-time permanent civilians. The Pentagon sees no further decrease in FY 1974; in fact, it projects a slight net increase.<sup>2</sup> While 1,012,000 civilians represent a substantial decline from the Vietnam highpoint, there is much room for further reductions of DOD bureaucrats.

#### EVEN NIXON AGREES

Even President Nixon agrees that the number of DOD civilians can be reduced. In his Nov. 9, 1972, interview with the Washington Star-News, Nixon was very clear on the subject:

Footnotes at end of article.

When I speak of Defense, in terms of the hardware of Defense, in terms of the military personnel in Defense, the cuts that can be made certainly are minimal, except when we get mutual agreement with other countries. But in terms of the masses of civilian employees who are getting in the way of each other over in the Pentagon and around the country, they are going to have to take a thinning down.

But the Pentagon has no such thinning-down plans for FY 1974. The overall level of DOD civilians will remain the same despite a reduction of more than 30,000 civilians, because their places will be taken by 31,000 soldiers becoming civilian.<sup>1</sup>

#### CONFUSION OVER MANPOWER COSTS

When the Pentagon discusses the high manpower costs consuming 56 percent of its budget, it leaves the inaccurate impression that this money goes to pay the poor grunt a decent wage, and not to pay bureaucrats. This implies that manpower costs can't be cut without cutting the number of men in uniform.

The resulting confusion of politicians is understandable. Note the statement of Senate Majority Whip Robert Byrd (D-W. Va.) on the Senate floor Feb. 22, 1973, while defending the high military budget: "What I am saying is that 56 percent of this budget is to pay people, and yet we are going to have a lower overall manpower level—2.2 million—than we have had at any time since the Korean war."<sup>2</sup>

However, that 56 percent figure, as previously noted, includes those 2.2 million military personnel *plus* another million civilians—and other categories.

Or follow a subsequent dialogue that same day between Byrd and Senate Appropriations Committee Chairman John McClellan (D-Ark.) on manpower costs:

Mr. ROBERT C. BYRD. Yes. And the military pay increases and increases in military retirement result from laws which we ourselves have passed.

Mr. McCLELLAN. Yes. There was a substantial increase in legislation Congress passed last year, and it was a deserved increase in my judgment. Now we have to make additional appropriations for it. This necessarily increases the cost of Government.

Mr. ROBERT C. BYRD. Yes. And the only way to cut that is to cut down the manpower level which has already been cut to 2.2 million in the 1974 budget.

Mr. McCLELLAN. Whether that can be further reduced is a matter of opinion. I am not prepared to say, but as long as we have the present level of forces, it takes this amount, 56 percent, of the total budget to meet this cost.

Mr. ROBERT C. BYRD. To pay people.

Mr. McCLELLAN. To pay the people; to pay servicemen.<sup>5</sup>

#### WHAT THE 56 PERCENT FIGURE INCLUDES

Actually, Byrd and McClellan are mistaken. The tremendous manpower costs can be cut without touching the 2.2 million men in uniform (although that amount would appear to be ripe for cutbacks as well). It can be cut by slicing away the fat among the civilians.

In reality, of the \$43.9 billion slated for FY 1974 manpower outlays, \$13.5 billion will be paid for DOD civilians. In other words, more than \$1,000,000,000 a month will be paid to these civilians. And when the Pentagon uses its 56 percent manpower cost figure, it is including 17 percent of the entire defense budget for civilians.

The following is a chart which breaks manpower costs into various components:

#### Estimated DOD Manpower Outlays for FY 1974<sup>6</sup>

\$13,512,344,000, 17%, Civilian personnel payroll.

\$24,384,300,000, 31%, Military personnel payroll.

## EXTENSIONS OF REMARKS

\$5,271,900,000, 7%, Retired pay.  
\$763,216,000, 1%, Family housing.  
\$43,931,760,000, 56%, Total estimated manpower outlays.

#### DOD IN COMPARISON WITH OTHER AGENCIES

The Department of Defense employs many more civilians than any other federal agency. As of January 1973, DOD employed 1,080,782 full-time and part-time civilians. The next largest is the quasi-federal postal service, which employed 677,746 civilians in January. Next came the Veteran's Administration with 193,072, HEW with 118,950, Treasury with 111,615 and Agriculture with 109,200. No other federal department or agency employed more than 100,000 civilians.<sup>7</sup>

As these figures show, the Pentagon dominates the civilian bureaucracy in the U.S. government. Even HEW, with its supposed swollen bureaucracy, has about one-tenth as many civilians in its employ as does DOD.

Of its million plus civilians in January 1973, the DOD employed 978,838 inside the U.S. and 101,944 abroad. Thus the Pentagon employs almost two-thirds of the 158,429 U.S. federal personnel working in other countries.<sup>8</sup> And this figure does not include more than 100,000 foreign nationals working for DOD under contract or under agreement with a foreign power in support of U.S. military forces.

As for Congressional oversight of the Pentagon's activities, the legislative branch employed 32,787 people in January 1973 to monitor the activities of the million DOD civilians and the 2.2 million military, in addition to Congress' other legislative, investigative and oversight functions.<sup>9</sup> A total of 55 staff members work for the Senate and House Armed Services committees. It is little wonder that Congress performs so little oversight of the DOD.

#### A PROPOSAL TO REDUCE THE CIVILIAN PERSONNEL LEVEL

While DOD civilian personnel have been cut from their Vietnam war high, this group has avoided its fair share of cuts in the Pentagon pruning process. At a minimum, the civilians should be reduced in the same proportion as the military.

To use a mathematical formula, the military level will have declined from an end strength high of 3,547,000 during the Vietnam war to 2,233,000 by the end of FY 1974.<sup>10</sup> This is a decrease of 37 percent in military personnel.

The civilian personnel, which reached a wartime end-strength high of 1,287,000<sup>11</sup> should be similarly reduced by 37 percent. Thus a 37 percent reduction of the previously high level of 1,287,000 would bring the civilian personnel level to 811,000—and into line with the military cutbacks. The new level will mean a further reduction of the FY 1974 civilian level by 202,000, or a potential savings of \$2.7 billion in outlays. And a cutback of 202,000 just about matches the normal DOD attrition rate, which totaled 201,183 for the last complete fiscal year, 1972.

If President Nixon follows through with his words of November 9, \$2.7 billion can be saved with little hardship.

#### FOOTNOTES

<sup>1</sup> The Budget of the United States Government—Fiscal Year 1974.

<sup>2</sup> Pentagon statistics supplies at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

<sup>3</sup> Former Asst. Secretary of Defense Robert Moot's budget briefing of January 27, 1973.

<sup>4</sup> Congressional Record, February 22, 1973, p. 5099.

<sup>5</sup> Congressional Record, February 22, 1973, p. 5100.

<sup>6</sup> Entire chart from statistics supplied by DOD Comptroller's office on March 14, 1973, by phone.

<sup>7</sup> Additional Report of the Joint Committee on Reduction of Federal Expenditures, Joint Committee Print No. 348, January 1973, p. 17.

<sup>8</sup> *Ibid.*, p. 7.

<sup>9</sup> *Ibid.*, p. 1.

<sup>10</sup> Pentagon statistics supplied at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

<sup>11</sup> *Ibid.*

## FIRE PREVENTION AND SAFETY REGULATION

### HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ASPIN. Mr. Speaker, I am introducing today a comprehensive package of fire prevention and safety legislation. The same legislation has been cosponsored by 65 Members of the House led by our distinguished colleague from Connecticut (Mr. STEELE).

Every day over 6,600 fires occur taking the lives of more than 12,000 men, women, and children and causing an estimated \$3 billion of property damage annually.

Last year alone 210 firefighters died in the line of duty. During the 10-year period of 1960 to 1970, 795 firefighters died—83 more than policemen killed in the line of duty. In 1970 38,000 firefighters in New York City alone were injured or burned.

The time is now to enact legislation that will improve our ability to fight fires and help save lives, particularly the lives of firemen—who do one of the toughest and most dangerous jobs in the world.

We are asking our Nation's 2,175,000 firefighters in more than 40,000 departments to combat the immense and increasing firefighting problem with technology and equipment that is decades old. We are not providing our firefighters with sufficient funds for training and education. Since we ask our firefighters to engage in the Nation's most dangerous profession, we must give them the adequate equipment and training.

As a result I have introduced nine separate pieces of legislation that will help us improve our ability to combat fires.

One bill, provides for the creation of a national fire academy. We need in our Nation an institution which can centralize training and education in the prevention and fighting of fires.

A second bill provides the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay up to one-half of the cost of training programs for firemen. Just as the LEAA has paid for further education and training of our policemen, this legislation will allow the Federal Government to pay half of any tuition or fees connected with a fireman's training.

A third bill allows the Secretary of Commerce to make grants to accredited institutions of higher education to pay up to one-half the cost of fire science programs. At present there are only two colleges in the entire Nation

offering a 4-year course in fire protection engineering and last year a total of only 12 men were graduated with degrees in this science. Clearly, there is a need to expand research and education at the college level that will improve our ability to stop fires.

The fourth bill provides financial aid to local fire departments for the purchase of advanced fire fighting equipment. A fifth bill provides funds for purchasing conventional firefighting equipment and for the purchase of self-contained breathing apparatus that could save the lives of many firefighters.

The sixth bill would extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs. We are simply doing too little research in finding ways to prevent fires. Prevention should be our No. 1 priority.

While I have cited some statistics concerning fires, unfortunately comprehensive detailed information on the problem of fires and fire prevention is not available. Another bill I have introduced would establish a national fire data and information clearinghouse. In addition to gathering data on the problem of fires, it would make information available to local fire departments, individual firemen, students, and associations concerning fire prevention.

Finally, two bills which I am introducing take dramatic steps forward in fire prevention itself. One would extend the provisions of current law concerning flammable fabrics to cover construction materials used in the interiors of homes, offices, and other places. Simply put, extremely flammable material could no longer be used to build buildings or furniture. It is highly flammable material that can turn a minor fire into a deadly holocaust. The legislation would also authorize the Secretary of Transportation to set forth special regulations for the transportation of flammable, hazardous materials. We must take the greatest care in transporting flammable materials in order to prevent accidents that often lead to tragedies.

In sum, Mr. Speaker, these nine bills will allow this Nation to significantly slow down the rapid increase in the numbers of fires and their toll in human life.

#### BANKERS TO REAP TAX-FREE PROFIT ON ARMS LOANS TO ISRAEL

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. RARICK. Mr. Speaker, while the banks of the Federal Reserve System are on orders from Washington to tighten money and credit to American businessmen, they are being invited to bid on providing the lowest possible interest rate on a \$50 million military loan to Israel.

The purpose of the Federal Reserve's new role as financial broker for Israel is "to provide private financing for the purchase by the Government of Israel of

#### EXTENSIONS OF REMARKS

defense articles and services from U.S. sources." There should be little difficulty finding bankers willing to extend the loan since income realized from the transaction will be free of income taxes and other U.S. taxes.

To make it easier, the loan "will not be subject to the lending limits of national banks" and will be backed by the full faith and credit of the United States.

All the stops have been pulled to see that the Israeli military gets the jets, tanks, guns, and other armaments it seeks.

The President's attempted justification for impounding funds for domestic programs was that if this were not done, an increase in income taxes already levied on U.S. citizens would be necessary.

It is strange that while threatening the American taxpayer with a bigger tax bite from his paycheck, the administration allows the big bankers and trust companies to reap a tax-free profit from military loans overseas.

I insert the following excerpted material from the Federal Register:

[From the Federal Register, Vol. 38, No. 81, Apr. 27, 1973]

#### LOAN TO GOVERNMENT OF ISRAEL GUARANTEED BY UNITED STATES UNDER FOREIGN MILITARY SALES ACT, AS AMENDED

(Public Notice of Invitation To Bid by Financial Institutions)

##### I. INVITATION TO BID—CLASSES OF BIDDERS

The Secretary of the Treasury, acting for the Secretary of Defense by this notice and under the terms and conditions hereof invites bids on the interest rate on a \$50 million loan to the Government of Israel. The loan is described in section II hereof. Bidding hereunder shall be subject to the "Regulations Governing the Sales of Treasury Bonds Through Competitive Bidding" (31 CFR 340) insofar as applicable.

The purpose of the loan is to provide private financing for the purchase by the Government of Israel of defense articles and services from U.S. sources under the Foreign Military Sales Act, as amended, Public Law 90-626, October 22, 1968, 82 Stat. 1326; 22 U.S.C. 2571-2793 and Executive Order 11501, December 22, 1969, 34 FR 20169.

Bids will be received only from incorporated banks, trust companies, recognized dealers in investment securities, and other financial institutions doing business in the United States. Bids must be submitted to the Federal Reserve Bank of New York in accordance with the provisions of the last section hereof.

##### II. DESCRIPTION OF LOAN AGREEMENT—COMMITMENT FEE

(3) The principal is to be repayable in 10 equal consecutive semiannual installments commencing on April 30, 1974, as indicated in exhibit C attached to the loan agreement. Interest is payable on a fixed semiannual basis beginning on October 31, 1973, and thereafter on April 30 and October 31 of each year until the entire principal has been repaid. Interest is payable with the principal beginning on April 30, 1974.

##### III. UNITED STATES GOVERNMENT GUARANTY OF LOAN—GUARANTY FEE

The loan agreement provides that the obligation of the lender is to be conditioned upon the issuance by the United States of a guaranty of timely payment of principal and interest by the borrower. The guaranty will further provide that the United States agrees that any claim which it may now or hereafter have against any beneficiary for any reason whatsoever shall not affect in any

way the right of any other beneficiary to receive full and prompt payment of any amount otherwise due under this guaranty.

The guaranty, which is authorized by the Foreign Military Sales Act, will be made by the Government of the United States acting through the Department of Defense. The act provides that "any guaranties issued hereunder shall be backed by the full faith and credit of the United States."

##### IV. TAX EXEMPTIONS

(a) There will be no—

(1) Federal income tax resulting from section 7.1 of the loan agreement which will provide that the borrower shall pay to the lender the guaranty fee charged to the latter by the Department of Defense; (The lender will be acting merely as a conduit).

(2) Federal stamp tax;

(3) Interest equalization tax; or

(4) Tax imposed by the Government of Israel.

(b) The interest paid on the loan by the Government of Israel will constitute income from sources without the United States in the hands of the lender or any holder of the promissory notes or participations in the loan. Since the interest is foreign source income, there will be no U.S. withholding under any circumstances.

#### V. THE LOAN, PROMISSORY NOTES, PARTICIPATION—ELIGIBILITY FOR PURCHASE BY NATIONAL BANK AS COLLATERAL FOR TREASURY TAX AND LOAN ACCOUNTS, ETC.

(a) Because of the guaranty, the loan, the promissory notes and the participations are deemed to be fully and unconditionally guaranteed obligations of the United States backed by its full faith and credit. Accordingly, they will not be subject to the lending limits of national banks or to the limitations and restrictions concerning dealing in, underwriting and purchase of investment securities.

#### THE LINDENWOLD LINE—DOESN'T RELIEVE TRAFFIC CONGESTION

#### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. FRENZEL. Mr. Speaker, a recent article in Minnesota Motorist, the AAA magazine in my State, asked whether or not mass transit as we know it today really helps to relieve traffic congestion. The AAA is not known as a transit advocate, but it should interest all transit people. The article examines the performance of the famed Lindenwold Line connecting downtown Philadelphia with Lindenwold, N.J. They conclude that it has failed to solve the congestion problem it was designed to relieve. Apparently peak hour traffic on the Walt Whitman and Ben Franklin Bridges is now slightly heavier than when the line opened despite the fact that the train costs only 50 cents while bridge tolls have doubled.

Those of us who feel we need to encourage development of a more balanced transportation network may have cause to wonder whether we presently possess the kind of mass transit technology which will attract people away from their cars. Not just Philadelphia, but cities throughout the world are experiencing an increasing crush of automobile traffic despite the presence of traditional fixed rail systems. It begins to appear we are

## EXTENSIONS OF REMARKS

spending enormous sums of money on systems that may be able to solve the congestion problem. Before we proceed to pour billions more into these systems, we need some hard-headed thinking about what our transit objectives should be in terms of ridership and how we are going to meet them realistically.

The article follows:

## THE LINDENWOLD LINE

Recently, the American Automobile Association (AAA) decided to examine the proposition that a good rapid transit system would reduce congestion and bring benefits to highway users, thus meriting a share of highway user taxes.

A study was conducted of the operations, financing and results of the Lindenwold rapid transit line in metropolitan Philadelphia.

The Lindenwold line is a relatively new rail rapid transit line connecting Lindenwold, N.J., with downtown Philadelphia. It is clean, fast, highly automated and passes through a densely populated travel corridor. It incorporates many of the newer features which are included in the new San Francisco BART and Washington, D.C. METRO lines.

Its first two years of operating experience in 1969 and 1970 provided a unique opportunity to measure actual performance, against the benefits which its promoters stated would accrue if the system were built.

High on the list of expected benefits was a reduction of traffic on Ben Franklin and Walt Whitman Bridges. Public claims were made that the new system would be economically self-sufficient . . . would reduce the need for highway facilities . . . and would provide better transit service.

Another reason offered for developing the line was that it was "essential for the orderly growth of the Southern New Jersey area," and that it would contribute to "the maintenance of a strong Philadelphia central business district."

The line was built with \$25 million in accumulated reserves of bridge toll revenues, and bond funds backed by bridge tolls. The original plan was to have toll bridges support only the initial \$25 million "seed" money, with fare revenues raising the operating expenses and other debt service.

What AAA found was this:

Peak-hour traffic on the two bridges is about the same, even a bit heavier than before the Lindenwold line opened. It has done little to reduce traffic congestion.

Revenues from the line have not met operating expenses and no income is available to meet debt service. All debt service and some of the operating expenses are being paid for by bridge revenues.

The Delaware River Port Authority does not have sufficient funds to continue work on two additional bridges which it has begun, and is increasing tolls again.

Bus transit service along the corridor has deteriorated because of competition of the Lindenwold Line.

Rather than reducing dependence on cars for the commuter trip, a Lindenwold station survey indicates just the opposite effect. Because 43 percent of the commuters using the Lindenwold Line also used cars for part or all of their commuter trip as well as the Lindenwold Line.

What has apparently happened is that the former transit user who used to walk to a bus stop now drives or is driven to the transit station. Although there are more than 8,000 cars parked daily in and around station parking lots, over one half of these are now driven daily by people who formerly used bus service.

The average Lindenwold Line rider pays 50 cents for his ride. The cost of that ride in 1970 was \$1.30. So, each rider on the Lindenwold Line receives a subsidy of 82 cents per ride from those who are continuing to pay

tolls on Walt Whitman and Ben Franklin bridges.

The motorist was treated rather badly. Congestion on the bridge has not been significantly relieved, but his tolls have doubled!

The study reveals that the Lindenwold rider receives a substantial benefit from the line. He gets a fast, inexpensive ride into downtown, paying much less than the actual cost of the transportation.

Regular users of previous public transit along the route who are able to avail themselves of the line receive better service.

Land owners and developers in downtown Philadelphia and along the New Jersey rail transit corridor are enjoying an increase in their market area in terms of time accessibility, and downtown employers have a larger potential labor market.

Roughly 4,000 commuters who formerly drove to Philadelphia and now take the line receive better transportation at one-third its actual cost.

But what are the real lessons we learn from the Lindenwold study?

The alleged benefits from diversion of motorists' tolls or highway user taxes are not unique to the Delaware River Port Authority. We hear the same glowing accounts of expected benefits wherever rail transit is suggested as a substitute for highways. Here are some:

1. Cost—Project costs were underestimated. The Lindenwold line was expected to cost only \$44.6 million. Changes in the system, additional construction and land acquisition, plus inflation raised the eventual cost to \$94.5 million.

2. Time available for service—The line was expected to be in operation two years after construction was authorized. Although construction was authorized in 1963, the line didn't open to its first customer until six years later.

3. Ridership—Patronage was highly overestimated. The revenue bond prospectus of 1969 estimated annual ridership of 16,000,000 by 1970. Actual ridership was 8,600,000, or about half the estimated figure.

4. Revenues—Income from the line was also greatly overestimated. Rather than being adequate to amortize capital expenses as projected, revenues have not even been sufficient to cover operating and maintenance expenses.

5. Requirements for subsidy—The deficit in revenues created a correspondingly large increase in the need for subsidy of the line.

6. Beneficiaries—Those who paid the most for the line, the motorists, and were expected to benefit the most, have actually received little or no benefit, while others have received substantial benefits at little or no cost to themselves.

If you have any reaction to the Lindenwold Line experiment, and this story, we'd like to hear from you.

## LANGUAGE BANK

## HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. GONZALEZ. Mr. Speaker, I am introducing a bill to establish a "Language Bank," under the auspices of a Presidential Commission which would have the function of preserving the non-English language resources of this Nation.

For some time now I have sponsored this proposal because I feel it is essential for us to focus attention on what should

be one of the most important functions of a world which strives to live in peaceful coexistence—meaningful communication. Oftentimes it is difficult enough for us even to communicate with each other in a common language—and so the problem compounds when we cannot create a direct link with the other person's "code." Naturally, then, in my estimation, there is no question but that our country should have a goal of studying and preserving foreign languages. My bill would help establish a national policy to identify, preserve, and improve our country's foreign language resources.

Unfortunately, the focus of our country as a whole has been in trying to "Americanize" any person who reaches our shores as soon as possible, at any cost, and as a result of the pressures exerted, we find that the persons who have a rich linguistic and cultural background from another country soon lose it or suppress it. And, on the other hand, our school systems provide for the education of our schoolchildren in foreign languages. And even then, there is a question as to whether the foreign language studies are adequate enough.

What a waste, then, it seems to discourage the development of a second or third language of immigrants and of young children who have been fortunate enough to learn a language other than English. How much better it would be if we had an active and enthusiastic policy pervasive in our society to encourage foreign language development; and to effectively use the foreign language resources which we are squelching or letting wither away by not tapping its source.

Despite the fact that this country is rich with diverse peoples and cultures, to date there is no agency or branch of Government in charge of a full-scale incentive program to encourage social, educational, and political associations, educational institutions, and educational systems at the State and local level to develop programs to preserve foreign language resources.

Fortunately, we have taken some steps in the direction of moving our attention toward bilingual education, and stressing more and more the need for studying another language other than English. Under the Office of Education's Division of Foreign Studies, in particular, there have been two clearinghouses established dealing with "linguistics and uncommonly taught languages," and on the "teaching of foreign languages." This provides for accessibility of hard-to-get instructional materials and research for educators and researchers. But though the Office of Education and the Congress have provided some leadership, I believe we have to go a step forward.

Today, most secondary and college curricula offer French, German, and Spanish—and the other Western languages, and the Eastern languages such as Arabic and Chinese are left out altogether.

I hope you will agree with me that we should establish a language bank so that we can provide a good foundation for meaningful communication amongst

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the peoples of mixed cultures in our country, and with those across borders and oceans. Let us not allow our present policy to continue—allowing our foreign language resources to wither, with occasional crash courses offered to bridge the gap with our neighbors.

**PRESIDENT IS HURT BY "PALACE GUARD"**

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, as we return from our Easter recess, new developments in the Watergate are breaking and we all look forward to the President's address this evening. During the recess, news stories continued to break and editorial commentary properly grew. I insert into the RECORD at this point what I believe is an especially appropriate column by Frank van der Linden which appeared in the Star/Tribune publications of Sunday, April 22, 1973.

The article follows:

**PRESIDENT IS HURT BY "PALACE GUARD"**

(By Frank van der Linden)

WASHINGTON.—Republicans worrying over the political damage of the Watergate mess, see only one potential benefit arising from it—a possible shake-up in the rigid White House staff system that isolates President Nixon from his friends in Congress and the outside world.

Few voices are raised on Capitol Hill in defense of the presidential aides whose names have been dragged into the unsavory political spy case, through second-hand, third-hand and hearsay reports after closed sessions of Sen. Sam Ervin's select investigating committee.

Although Ervin—to the surprise of everyone who expected him to run a judicious inquiry—has permitted "Joe McCarthyism" of the worst sort, its victims are not being pitied by members of Congress. The reason is that practically every senator and representative, at one time or another, has been infuriated by the arrogance or rudeness of some official in the executive establishment.

The President does not know of these frustrating incidents, any more than he knew about the Junior G-Men who, in his name, dreamed up and carried out the juvenile cops-and-robbers burglary of the Democratic party's headquarters. He is kept in the dark by the very staff system which he set up for the laudable purpose of freeing himself from time-wasting trivia so that he could concentrate upon major problems, especially in foreign affairs.

One flat in this system is that its managers constantly screen the President from hearing government officials or members of Congress whose advice would be contrary to their own. Like the palace guard surrounding a king, they stay close to the throne and jealously shooe any rivals away.

This is true in every administration, of course. Sherman Adams guarded the palace gate for President Eisenhower, and Presidents Kennedy and Johnson had their favorites around the throne. President Truman did not find out, until too late, about the income tax "fixes" which were so scandalous that both his own appointments secretary, Matt Connelly, and assistant attorney general, T. Lamar Caudle, went to prison after being convicted of implication therein.

**EXTENSIONS OF REMARKS**

"President Nixon," one Republican commented, "is being hurt because the same staff mentality that led to the Watergate incident in the first place still exists there in the closed-in, 'cover-up' attitude which goes from Bob Haldeman at the top all the way down to his underlings at the bottom."

"These are men from advertising, public relations and promotion backgrounds who have never been elected to office and don't know how to deal with Congress. They treat Congress as if it were merely one more agency, like the Agriculture department or the Labor department, to carry out their orders in the name of the President."

The few White House aides with Capitol Hill experience try to show the palace guardsmen how to woo the proud and often touchy moguls residing there. Sen. Ervin himself is one who should have been called in by the President several times and thanked for delivering Democratic votes crucially needed to beat down "end-the-war" amendments. But Ervin says he has never been invited to the White House, and it's too late for such courtesies now.

Republicans in Congress frequently complain they get no better treatment; and sometimes they seek revenge in little ways. The House Republicans recently elected Bob Michel of Illinois as chairman of their campaign committee by about a 2-to-1 margin over Clarence (Bud) Brown of Ohio. Brown was hurt by the repeated charge that "Bud is the candidate of the White House staff." By rejecting him, the congressmen struck one blow against Bob Haldeman and Company.

**LOCAL IMPACT OF THE NIXON BUDGET**

**HON. MICHAEL HARRINGTON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. HARRINGTON. Mr. Speaker, on Friday, April 6, I held hearings in Lowell, Mass., on the local impact of the Nixon budget on the Fifth Congressional District. I wanted the opportunity to explain to the voters there the effects the budget will have on their lives, and I wanted to be better informed myself about this effect. From both points of view, the hearings were a marked success.

I previously held hearings in Lynn, Mass., on the effect on the Sixth Congressional District. These hearings have been sufficiently successful that I will hold subsequent hearings across the State of Massachusetts, using the same techniques for gathering information that have proved so valuable to date. I urge other Members to hold similar hearings in their own congressional districts, and my office will offer any assistance we can provide to help make your hearings a success.

Witnesses from throughout the Fifth District, representing towns and cities, councils on aging, the labor movement, schools, hospitals, community action programs, housing programs, the police, and private interest groups testified before me on the serious consequences of the proposed curtailment of Federal programs. The Fifth District stands to lose \$23 million.

Massive amounts of Federal aid come to every locality in the form of categori-

cal grants. We seldom realize how much we are enabled to provide services to our citizens only because of this governmental help. Municipalities would either have to lose vital services or increase their tax rates by tremendous amounts.

In just one program, title I of the Elementary and Secondary Education Act, which provides funds to school districts for aid to disadvantaged children, almost \$2 million has entered the Fifth Congressional District. If we were to lose that aid, the quality of education in our schools would suffer immeasurably. And this is only one program of dozens that the President intends to end or severely curtail.

This budget has been depicted as a reasonable document, but it is not. It is a thoughtless work that does not separate successful programs from those that need improvement, nor examine all the needs of the people of the United States. This budget merely ends Federal aid for many vital programs and throws the burdens and responsibilities back on the shoulders of States and municipalities, who have not the resources of the Federal Government. The costs for maintaining these programs will go to the already overburdened local taxpayers, or else we will settle for an inferior quality of education, health care, housing and a polluted environment. I do not think this is a real choice.

The effects of the budget cuts will be severely felt by local cities and towns, particularly in the area of education. The following programs, which exist in many cities and towns, are funded by the Federal Government. These will be terminated under the proposed Nixon budget for fiscal year 1974.

Title I—aid to the disadvantaged has provided moneys to improve educational programs to meet the needs of educationally disadvantaged children in low-income area.

Title II—library resources: Nearly all public school systems in the area and the State have received funds for library media resources every year since 1966.

Title III—aid to innovative education: This program is designed to create innovative models supplementing the regular school curricula, and has had a great deal of success throughout the State.

Title VIB—education for the handicapped includes two programs which are designed to provide handicapped children with special tools of learning so they can successfully participate in school programs.

Nutrition and health, drug abuse education, occupational, vocational, and adult education, aid to State departments of education, environmental education, and NDEA audio-visual equipment all receive "Zero" dollars in the Nixon budget, while bilingual education and dropout prevention, though not terminated, are severely cut.

Titles, I, II, and III of the Library Services and Construction Act provide extension of library services to areas without developed libraries, strengthen regional resource centers, provide for construction of new libraries or renovation or remodeling, and help provide in-

## EXTENSIONS OF REMARKS

terlibrary cooperation. Despite remarkable gains and benefits in all these areas, these programs are terminated in the Nixon budget.

Massachusetts received \$3,582,471 under the special milk program in fiscal year 1973 to help pay the cost of milk for schoolchildren. The Nixon budget terminates this program in all schools except those not having hot lunch programs.

School assistance in federally impacted areas has been terminated for category "B" students whose parents do not live on Federal property, depriving local school districts of a substantial amount of money.

The following persons, representing many aspects of programs and funding affected by the proposed cutbacks and terminations participated in the hearing:

Mayor Ellen Sampson of Lowell.

Mayor John J. Buckley of Lawrence.

Ashton Smith, president, Lawrence General Hospital.

City Council Gail Dunfey, board of directors, Community Teamwork, Inc.

Frank O'Connor, chairman, board of directors, Greater Lawrence Community Action Council, Inc.

John Mullen, community services representative, Lowell Central Labor Council.

Archie Kenefick, chairman, Lowell Council on Aging.

Paul Tsongas, Middlesex County Commissioner and former chairman, Elderly Affairs Committee of Lowell City Council.

Frank Keefe, assistant director, Northern Middlesex Area Commission.

Sgt. George Costos, Office in Charge of Planning and Research, Lowell Police Department.

Joseph Roark, director of Federal and State programs; Dracut School System.

Kathleen Ahearn and Marianne Laviere, students at Lowell State College.

Richard Williams, president, Greater Lowell CP-PAX.

The specific statistics released at the hearings are as follows:

## STATISTICS RELEASED

## ACTON

ESEA, Title I—Amount Available Under Federal Grant: \$13,815. 45 children served under program. Four full-time, four part-time employees.

ESEA, Title II—\$1,375.

Vocational Education Part H Work-Study—\$5,798, loss of jobs for students.

School Assistance in Federally Impacted Areas.

Acton—Boxborough High School, \$55,332. Elementary Schools, \$31,023.

Education for Handicapped—1972, \$21,500.

Open Space Grant—Application filed and approved, \$134,355. Grant has not been received by town.

## ANDOVER

Total School Enrollment: 6,358.

ESEA, Title I—Amount Available Under Federal Grant: \$30,986. 175 students served, 40 full-time employees.

ESEA, Title II—Amount Available Under Federal Grant: \$4,343.

School Assistance in Federally Impacted Areas—\$56,548.

Special Milk Program—\$7,767, 1,600 Students served.

Education for Handicapped—Title B, \$30,789, 400 students served. Five full-time employees.

Vocational Education, Title II—\$37,914 for fiscal 1974.

## ASHBY

ESEA, Title I—Amount Available under Federal Grant Fiscal Year 1973: \$4,893.

ESEA, Title II—Amount Available under Federal Grant Fiscal Year 1973: \$899.

School Assistance in Federally Impacted Areas—\$6,900.

## BEDFORD

School Enrollment: 3,988.

ESEA, Title I—Amount Available Under Federal Grant Fiscal Year 1973: \$10,937. 50 students served, 8 full-time employees, 4 part-time.

ESEA, Title II—Amount Available Under Federal Grant Fiscal Year 1973: \$2,477.

School Assistance in Federally Impacted Areas—\$394,678.

Special Milk Program—\$2,000.

## BILLERICA

Total School Enrollment: 9566.

ESEA, Title I—Amount Available under Federal grant: \$93,973. 135 students served, 40 full-time employees.

ESEA, Title II—Amount available under Federal grant: \$5,465.

Vocational Education Part II Work-Study—\$14,000. 35 students served.

School Assistance in Federally Impacted Areas—\$130,416.

Basic Water and Sewer Grant—Applied for grant totaling \$1,665,000 in fiscal 1973. Received \$375,000. The rest of the grant is in doubt.

## BOXBOROUGH

Population, 1500. Elementary School Enrollment: 270.

ESEA, Title II—Amount Available under Federal Grant: \$177.

School Assistance in Federally Impacted Areas—\$2488 in fiscal year 1972.

Grants for Public Libraries, Title I—\$1,000 received fiscal year 1973. Same amount was anticipated for fiscal 1974.

## CARLISLE

School Enrollment: 600.

ESEA, Title II—Amount Available under Federal grant in fiscal 1973: \$443.

School Assistance in Federally Impacted Areas—\$16,835 in fiscal year 1973.

Education for the Handicapped—10 students. \$21,624 in fiscal year 1973.

Open Space Grants—Application filed and approved for \$200,000. Money not received.

Construction of Public Libraries, Title II—Application filed for \$52,000, waiting approval.

## CHELMSFORD

School enrollment: 8,990.

ESEA, Title I—Amount available under federal grant \$43,173 in fiscal 1973. 300 students served, 39 full-time employees, 35 part-time.

ESEA, Title II—Amount available under federal grant, \$5,473.

ESEA, Title III Aid to Innovative Education—Amount available under Federal grant, \$103,058 in fiscal year 1973.

NDEA, Title III Audio-Visual Equipment—\$6844 in fiscal 1973.

School Assistance in Federally Impacted Areas—\$196,810.

Special Milk Program—\$9558.

## CONCORD

ESEA, Title I—Amount Available under federal grant, \$9,642 in fiscal 1973.

ESEA, Title II—Amount available under federal grant, \$2,399 in fiscal year 1973.

School Assistance in Federally Impacted Areas—\$72,000.

Special Milk Program—\$2,300.

NDEA Title III Audio-Visual Equipment—\$5,000 in fiscal year 1973.

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## DRACUT

School Enrollment: 4,452.

ESEA, Title I—Amount Available under federal grant, \$47,634 in fiscal 1973, 225 Students served. 49 Full-time employees, 1 part-time.

ESEA, Title II—Amount available under Federal grant, \$3,118 in fiscal 1973.

Drug Abuse Education—\$1,250 in fiscal year 1973.

Vocational Education Special Needs—\$4,000. 80 to 90 people served. 1 full-time employee, 3 part-time employees.

School Assistance in Federally Impacted Areas—\$50,000. Fiscal 1973.

Special Milk Program—\$6,624. Fiscal 1973.

## GROTON

School Enrollment: 1,325.

ESEA, Title I—Amount Available under federal grant, \$6,764 in fiscal 1973, 85 students served, 11 full-time employees, 1 part-time.

ESEA, Title II—Amount Available under federal grant, \$1,061 in fiscal 1973.

Title III, Aid to Innovative Education—\$7,000, 420 students served, 35 teachers served by program in fiscal 1973.

Environmental Education—\$1,500 in fiscal year 1973.

Drug Abuse Education—\$2,510 in fiscal year 1973.

School Assistance in Federally Impacted Areas—\$26,000 fiscal 1973.

Special Milk Program—\$2,400 in fiscal year 1973.

## LAWRENCE

School enrollment: 9,931.

ESEA, Title I—Amount available under federal grant, \$465,362 in fiscal 1973. 2,000 students served. 125 Full-time employees.

ESEA, Title II—Amount available under federal grant, \$7,623 in fiscal 1973.

ESEA, Title VII Bilingual Education—\$100,000 in fiscal 1973. 180 students served, 22 full-time employees, 1 part-time.

Nutrition and Health Education—\$65,000. 5,000 students served, 20 full-time employees, 25 part-time in fiscal 1973.

School Assistance in Federally Impacted Areas—\$45,561 in fiscal 1973.

Title III, Adult Education—Grant to states, \$15,000 in fiscal 1973. 10 full-time employees.

Rent Supplements—\$200,000 in fiscal 1973, 250 people served.

Low Rent Public Housing—\$300,000 in fiscal 1973, 4,500 people served.

Basic Water and Sewer—Applied for \$155,000 turned down by HUD.

Title II, Construction of Public Libraries—\$254,619 in fiscal 1973.

## LEXINGTON

School enrollment: 9,081.

ESEA, Title I—Amount available under federal grant, \$33,819 in fiscal 1973, 210 students served, 43 full-time employees.

ESEA, Title II—Amount available under federal grant, \$16,000 in fiscal 1973.

Title III, Aid to Innovative Education—\$95,000 in fiscal 1973.

Occupational, Vocational and Adult Education—Consumer and Homemaking—\$14,000 in fiscal 1973, 30 students served, 3 full-time employees.

School Assistance in Federally Impacted Areas—\$156,000 in fiscal 1973.

Education for the Handicapped—State and federal grant, \$278,000 fiscal 1973.

Open Space Grants—\$38,526 in 1973, applied for \$67,250 in fiscal 1974. Funds have been impounded.

## LITTLETON

School enrollment: 1,810.

ESEA, Title I—Amount available under federal grant, \$13,240 in fiscal 1973, 60 students served, 18 full-time employees.

ESEA, Title II—Amount available under federal grant, \$1,120 in fiscal 1973.

*ESEA, Title III Aid to innovative education*—\$1,484 in fiscal 1973.

*School Assistance in federally Impacted Areas*—\$13,500 in fiscal 1973.

*Special Milk Program*—\$1,625 in fiscal 1973.

#### LOWELL

School enrollment: 16,900.

*ESEA, Title I*—Amount available under federal grant, \$665,294 in fiscal 1973, 1,500 students served, 200 full-time employees, 15 part-time.

*ESEA, Title II*—Amount available under federal grant, \$12,217 in fiscal 1973.

*ESEA, Title III Aid to innovative Education*—\$94,000, 1,500 students served, 8 full-time employees in fiscal 1973.

*Occupational, Vocational and Adult Education Special Needs*—\$20,000 in fiscal 1973. Application for fiscal 1974 filed for \$30,000. 40 students served, 6 part-time employees.

*School Assistance in Federally Impacted Areas*—\$109,300 in fiscal 1973.

*Title III Adult Education*—\$15,000 in fiscal 1973, 150 students, 10 part-time employees.

*NDEA Title III Audio-Visual Equipment*—\$10,000 in 1973.

*Rent Supplements*—\$249,757 in fiscal 1973. 1,000 people served. Planning to have additional 150 leased units in 1974. \$74,410 will be needed above the 1973 funding level to meet the needs of the community.

*Low rent Public Housing*—\$1,200,000 for modernization. \$1,400,000 will be needed in fiscal 1974.

*Community Development Programs-Urban Renewal*—\$3,000,000 in fiscal 1973. An additional \$3,000,000 will be needed in fiscal 1974.

*Open Space*—\$445,933 in fiscal 1973. \$150,000 will be needed in fiscal 1974.

#### METHUEN

School Enrollment: 6,112.

*ESEA, Title I*—Amount Available under federal grant, \$65,271 in fiscal 1973. 180 Students served, 4 full-time employees.

*ESEA, Title II*—Amount Available under federal grant, \$3,682 in 1973.

*ESEA, Title III—Aid to innovative education*—\$6,383 in 1973. Requested \$16,369 for fiscal 1974.

*Occupational, Vocational and Adult Education Special Needs*—Would like to apply for \$37,483 in fiscal 1974.

*Vocational Education Work-Study*—Would like \$25,558 in fiscal 1974.

*Vocational Education Distributive*—Would apply for \$30,053 in fiscal 1974. Received \$11,515 in fiscal year 1973.

*School Assistance in Federally Impacted Areas*—\$68,520 in fiscal 1973.

*Special Milk Program*—\$9,704 in fiscal 1973.

*Education for the Handicapped*—Would apply for \$24,691 in fiscal 1974.

*NDEA, Title III Audio-Visual*—\$6,296 in fiscal 1973. Planned \$7,500 fiscal 1974.

#### NORTH READING

*ESEA, Title I*—Amount available under federal grant, \$30,220 fiscal 1973. 56 students served, 7 full-time employees, 5 part-time.

*ESEA, Title II*—Amount available under federal grant, \$2060 in fiscal 1973.

*School Assistance in Federally Impacted Areas*—\$37,500 in fiscal 1973.

#### PEPPERELL

*ESEA, Title I*—Amount Available under Federal Grant Fiscal Year 1973: \$23,026. 35 students served. 2 Full time employees.

*ESEA, Title II*—Amount Available under Federal Grant Fiscal Year 1973: \$1,717.

*School Assistance in Federally Impacted Areas*—\$34,000, Fiscal Year 1973.

*Education for the Handicapped-Title VI-B*—\$15,000, Fiscal Year 1973 for mobile speech lab.

*Basic Water and Sewer*—Preliminary stages were being developed for \$1.8 million grant, although formal application to HUD was not made. Fiscal year 1973.

## EXTENSIONS OF REMARKS

### TEWKSBURY

*School Enrollment*: 6,846.

*ESEA, Title I*—Amount Available Under Federal Grant Fiscal Year 1973: \$49,649. 120 students served. 6 full time employees. 1 part time employee.

*ESEA, Title II*—Amount Available Under Federal Grant Fiscal Year 1973, \$3,896.

*NDEA, Title III Audio Visual Equipment*—\$13,692, Fiscal Year 1973.

*School Assistance in Federally Impacted Areas*—\$8,870, Fiscal Year 1973.

*Special Milk Program*—\$9,182, Fiscal Year 1973.

*Basic Water and Sewer*—Application for \$1,180,000 grant for a sewer system was in the initial planning stages.

### TOWNSEND

*ESEA, Title I*—Amount Available Under Federal Grant Fiscal Year 1973: \$11,801. 40 students served. 8 full time employees. 4 part time employees.

*ESEA, Title II*—Amount Available Under Federal Grant Fiscal Year 1973: \$1,154.

*School Assistance in Federally Impacted Areas*—\$3,705 in Fiscal Year 1972.

### TYNGSBOROUGH

*ESEA, Title I*—Amount Available Under Federal Grant Fiscal Year 1973: \$16,262.

*ESEA, Title II*—Amount Available Under Federal Grant Fiscal Year 1973: \$769.

*School Assistance in Federally Impacted Areas*—\$14,000, Fiscal Year 1973.

*Special Milk Program*—\$3,200, Fiscal Year 1973.

School enrollment: 1,160.

### WESTFORD

School Enrollment: 2,000.

*ESEA, Title I*—Amount Available Under Federal Grant Fiscal Year 1973: \$21,586. 100 students served, 2 full time employees. 12 part time employees.

*ESEA, Title II*—Amount Available Under Federal Grant Fiscal Year 1973: \$2,223.

*School Assistance in Federally Impacted Areas*—\$53,000, Fiscal Year 1973.

### WILMINGTON

School Enrollment: 5,208.

*ESEA, Title I*—Amount Available Under Federal Grant Fiscal Year 1973: \$39,286. 80 students served. 3 full time employees. 1 part time employee.

*ESEA, Title II*—Amount Available Under Federal Grant Fiscal Year 1973: \$4,360.

*ESEA, Title III Aid to Innovative Education*—\$25,000 in Fiscal Year 1973.

*Nutrition and Health*—\$18,000 in Fiscal Year 1973. 25 students served. 11 full time employees. 1 part time employee.

*School Assistance in Federally Impacted Areas*—\$45,000 in Fiscal Year 1973.

### MANPOWER AND EMERGENCY EMPLOYMENT PROGRAMS

Federal programs including Manpower Development Training Assistance, the Neighborhood Youth Corps, and the Emergency Employment program have provided important and worthwhile work to many of the citizens of the 5th Congressional District. These programs are being terminated or severely cut back.

Not only will this mean an increase in the already too high unemployment rate of the area, but services that are necessary to cities and towns will be lost or municipalities will have to increase their budgets in order to continue these programs.

Under the Emergency Employment Program vital services were provided to towns and cities. In some areas this meant increased police protection, rehabilitation of public buildings, improvement of park areas. These are jobs that cities and towns had not been able to afford on their own.

During the month of July, 1972, the peak period under the Emergency Employment

Program, 412 people were employed in 18 cities and towns in the 5th Congressional District. In some of the small towns this meant only one employee; in Lawrence, 135; in Lowell 120.

People employed under EEA were often those members of our society who have the most difficult time finding work; Vietnam veterans, people over 45, and those under 22.

*Peak period employment under EEA, July 1972, by city and town*

Andover	22
Lawrence	135
Metheun	29
Dunstable	2
Bedford	2
Billerica	18
Chelmsford	19
Dracut	19
Westford	3
Groton	1
Lexington	4
Littleton	2
Lowell	120
North Reading	7
Pepperell	1
Tewksbury	9
Tynsborough	1
Wilmington	18

The Emergency Employment Program has meant that in one month \$304,100 was brought into the 5th District in the form of salaries.

### ELDERLY

Programs that have been terminated that affect the elderly include many of the housing programs such as rent subsidies, non-profit sponsor housing which allowed non-profit organizations to build housing for low income groups including the elderly, and rent supplements. More important may be the loss of various social services provided by community action agencies and Model cities agencies; these include the Meals on Wheels programs, the Elderly Outreach program and the Satellite Feeding program.

One of the most severe changes that will increase the costs to the elderly is the proposed Nixon change in the deductible under Medicare. The amount the elderly will have to pay to supplement Medicare hospital and physician payments will rise appreciably.

### Hospital care

#### At present:

For the first 60 days, \$72 deductible. 61st to 90th hospital day, \$18 per day deductible.

#### Nixon plan:

Full cost of 1st hospital day (average \$90). 10% of full cost of each hospital day after the 1st (Average \$15 per day).

A two-week hospitalization would cost an elderly person a minimum of \$300.

### Physicians cost

#### At present:

Physicians average, \$600.

Medicare patient pays, \$168.

#### Nixon plan:

Physicians average, \$600.

Medicare patient pays, \$124.

For those people on Medicaid, all dental care has been eliminated.

In the 5th Congressional District there are more than 40,000 people receiving Medicare.

### HEALTH AND MENTAL HEALTH

#### Advance funds for Medicare

When Medicare was started, the federal government advanced operating funds to the hospitals on the basis of projected Medicare patients. This practice has continued so that the hospitals could operate.

The Nixon Administration is discontinuing this practice and demanding return of the funds advanced this year.

This will mean that district hospitals will have to return \$435,000 to the Federal Government by July 1, 1973. Most of the hos-

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pitals will have to borrow these funds at a commercial interest rate to survive.

*Current financing to be returned*

Nationally	\$300,000,000
Massachusetts	7,000,000
District:	435,000
St. Joseph's Hospital	85,000
Lowell General Hospital	60,000
Lawrence General Hospital	150,000
Emerson Hospital	50,000
Bon Secours Hospital	90,000

*Hill-Burton construction*

The Hill Burton Hospital Construction Act is terminated as of June 30, 1973, and there is no money for it in the President's 1974 budget. This means that there will be no construction funds for much needed additions, improvement, or modernization of hospitals or long term care facilities.

This program has been very helpful to the hospitals in the district:

St. John's Hospital received \$400,000 for outpatient and emergency room expansion in 1973.

Lawrence General Hospital received \$66,000 for a major addition in 1973 and was planning on \$400,000 for additional construction in 1974.

St. Joseph's Hospital received \$300,000 for a new building in 1965.

Emerson Hospital had applied for a substantial amount under Hill-Burton and now has no chance of funding.

*Nursing capitation grants*

All capitation grants for nurse's training are cancelled in the proposed budget. This will raise tuitions at nursing schools throughout the state for thousands of students. Lowell State College received \$42,000 for nursing capitation grants in 1973.

*Community mental health*

There will be no new program money for community mental health. This program has stimulated the establishment of some 30 federally funded centers throughout New England, helping to move care away from costly and ineffective long-term and custodial care in state mental institutions.

In Massachusetts, grants totaling some \$4 million per annum have been made through the program. Merely to maintain existing and planned services will cost Massachusetts \$7,986,000.

*In the 5th District:*

The Harry C. Solomon Mental Health Center in Lowell has a staffing grant for \$500,000. This center will lose all federal support in 1974.

The Concord Area Comprehensive Mental Health Center has a \$225,000 grant and will lose all federal support in 1976. It also had a \$150,000 Children's Service's grant approved, but now it will not be funded because of impoundment.

Lawrence Hospital had applied for a \$50,600 grant for mental health services and will now not be funded. A half-way home for mentally retarded adults is also in serious jeopardy.

There is no evidence that patient fees, third party payments, nor state and local governments can support existing centers at current levels of services, not to mention future needs, thus leaving community mental health emasculated.

*OEO PROGRAMS*

Two community action agencies—Community Teamwork, Inc. (Lowell) and the Greater Lawrence Community Action Council (Lawrence)—serve a twelve community area in the 5th Congressional District. They have successfully dealt with the problems of low-income families.

Community Teamwork, Inc. received \$2,474,993 in fiscal 1973 and was responsible for bringing a total of \$3,934,000 in revenues into the community, serving 87,447 people in the process. Under the proposed fiscal '74

## EXTENSIONS OF REMARKS

budget, CTI is in jeopardy of losing \$651,566 various programs including the Merrimac Valley Housing Development Corporation and Emergency Food and Medical Services.

CTI also provided assistance in finding suitable housing, and counseling tenants, consumers, and others. The efforts of the Community Organizational Programs have resulted in the formation of some 25 community groups which are now functioning independently. These include special councils for the elderly, for the Spanish-speaking. In addition CTI was responsible for over 400 people in jobs. Jobs were also found for 900 youths during the summer months.

The Greater Lawrence Community Action Council received \$1,390,922 in fiscal 1973 and served a total of 29,858 people in four cities and towns. The Neighborhood Youth Corps contracted employment for 710 teenagers with supportive counseling.

The Senior Citizens program included a reduced fare transportation system, development of hot lunch programs, and aid to councils on aging.

With the President's planned termination of all OEO programs, all the directly-funded anti-poverty programs will be lost, but also lost will be the administrative arm of many other manpower and counselling programs.

*LOWELL MODEL CITIES*

One of the most important programs begun under the Johnson Administration is the Model Cities Program. The goal of this project was to improve inner cities, to make them once again livable. Under the Nixon budget, the Model Cities Program will be terminated.

Model Cities was originally intended as a five year program that will be phased out after only four years of existence. The first three years were budgeted at \$1.75 million each year.

In the fourth year the budget was reduced to \$573,000, a cut of 66%. Most of the programs will either be eliminated outright or reduced. Approximately 40 to 45 people will lose their jobs.

The Model Cities Project was able to serve 12,000 people directly or indirectly in the city of Lowell. Now Model Cities will only be able to serve 7,000 people directly or indirectly.

*EDUCATION PROGRAMS*

Budgeted formerly at: \$288,000.  
Now: \$148,000.

This program included a masters degree internship with Lowell State College. This will be eliminated. Twenty intern slots are eliminated along with the services the interns gave to the surrounding schools and teachers.

*UPWARD BOUND*

Model Cities working with Groton Prep School eliminated.

Six other programs of education are reduced.

*SOCIAL PROGRAMS*

*Day Care:*

This program serviced 45 children and adults. This will be terminated.

*Programs for the Elderly:*

Funded in the past at: \$76,000.  
Now: \$58,000.

Programs Reduced will include:

Meals on Wheels.

Satellite Feeding.

Programs Eliminated Entirely:

Elderly Outreach.

Loss of 4 or 5 jobs.

*HOUSING*

Funded formerly at: \$180,000.

Programs terminated:

Neighborhood Development.

Paint-Up Campaign.

Subsidized Development, 235-236.

Lead Paint Poisoning Program.

*CONCENTRATED CODE ENFORCEMENT PROGRAM*

Has planned on \$600,000 in loans to improve housing, will receive nothing.

*TRAFFIC IMPROVEMENTS*

Will be cut for the fourth year.

*ENVIRONMENTAL PROTECTION AND DEVELOPMENT*

Funded formerly at: \$380,000.

Now: \$25,200.

Programs eliminated:

Old Canal Walk.

Open Space Program.

International Mall.

Faculty for Human Development.

*EMPLOYMENT AND JOB TRAINING*

Funded formerly at: \$70,000.

Now: \$18,200.

Programs eliminated:

Transportation to employment (jobs, work).

Youth Summer Employment Program.

*RECREATION AND CULTURE*

Funded formerly at: \$103,000.

Now: \$50,800.

Programs eliminated:

Summer Camp Project.

Cultural activities in music, drama, and ceramics.

*CRIME PROGRAMS*

Funded formerly at: \$34,300.

Now: \$5,600.

Programs eliminated:

Police Community Relations.

Academic Assistance.

In Service Training.

*LOWELL MODEL CITIES*

*HEALTH*

Formerly funded at: \$175,000.

Now: \$120,000.

Programs eliminated:

Alcoholism Outreach.

Preventive Dentistry.

Preventive Sanitation.

Family Planning.

However Model Cities will maintain the detoxification center for alcoholism.

*CITIZENS PARTICIPATING PROGRAM*

Funded Formerly at: \$127,000.

Now: \$65,000.

Field Services Project terminated—Six jobs lost.

*HIGHER EDUCATION*

Approximately 400 local students receive some form of federal financial aid while attending Lowell State College or Lowell Technological Institute. It is estimated that as many as half of these students would not be able to attend college without financial aid.

The three basic programs of financial aid are the Educational Opportunity Grants, the National Direct Student Loan (formerly National Defense Loans) and the Work-Study program. The Nixon budget terminates the first two programs and weakens the third.

242 students at the two colleges received \$141,231 in Educational Opportunity Grants in 1973. This program would be ended and replaced by the Basic Opportunity Grant for which most students whose families earned between \$7,000 and \$12,000 a year would not be eligible. Lowell State had planned on receiving \$70,000 in fiscal 1974 under the EOG program, Lowell Tech, \$109,800.

The Direct Student Loan program is terminated in the Nixon budget. Through this program direct loans are made to students through their schools. The President proposes replacing this with the guaranteed loan program. However, past experience has shown that students with proven need have the most difficult time obtaining such loans from commercial banks. 108 students at Lowell State and 225 students at Lowell Tech now receive direct student loans.

More than 330 students at the two colleges participated in the work-study program. Approximately \$120,000 were earned by the students during the year. Both colleges had hoped to expand their work-study programs. However, changes under the programs will

mean that more students will be able to work fewer hours under the work-study program.

### WATERGATE—IN NIXON TRADITION?

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. MOSS. Mr. Speaker, I include the following article which represents careful and responsible research by a true and professional newscaster. I would like to call my colleagues' attention to this analysis by Richard Rodda, published in the Sacramento Bee on April 29, 1973:

#### WATERGATE—IN NIXON TRADITION?

(By Richard Rodda)

Was President Richard Nixon personally involved in the Watergate episode?

As the scandal builds to a crescendo, many Nixon followers cling to the belief the President is the victim of a massive betrayal by the White House staff and the Committee to Re-elect the President. Some are stunned, shocked and disillusioned.

But an army of Nixon detractors—grown from a minority on election day, to be sure—may be astounded at the magnitude of the scandal but they are not surprised. Watergate, to them, typifies the Nixon modus operandi.

Authors of "An American Melodrama," a story of the 1968 presidential campaign, sum up the anti-Nixonite attitude: "His opponents have usually found in him a special dishonesty, a deviousness, summed up in the indestructible nickname Tricky Dick. The same perception, no doubt, gave wing to that outrageously successful slogan: 'Would you buy a used car from this man?'"

Beginning with his first campaign for Congress in 1946, Nixon has been the man in charge of his political affairs, down to the minute details. He emphasizes this in his own book "Six Crises," published after his 1960 loss of the presidential race to John F. Kennedy.

Nixon recalls a meeting in the Waldorf-Astoria Hotel in New York in which his campaign staff asked him to deliver a speech on the religious issue, Kennedy, being the first Roman Catholic ever elected to the White House.

"Everyone in the room that night thought I should make such a speech," wrote Nixon, "In the end, I voted 'no'—and since I was the candidate, this was of course a 'majority' vote."

Just two years ago Nixon emphasized he was his own boss in his campaigns. Noting that the Republicans did not do so well in the 1970 congressional elections, Nixon said in a television interview that, had he run the campaigns, some of the crude attacks on dissenters would not have happened.

"Incidentally, when I am the candidate, I run the campaign," he remarked.

It was in his losing 1962 campaign for governor of California, however, that Nixon's involvement in shady aspects of the campaign was exposed.

The Democratic State Central Committee obtained a court order prohibiting continued distribution of campaign postcard questionnaires by an organization calling itself "Committee for the Preservation of the Democratic Party." The questionnaire implied the Democratic party would "be destroyed" by the re-election of Gov. Edmund G. Brown. The results of the poll were pub-

### EXTENSIONS OF REMARKS

licized as reporting the "voice of the rank and file Democrat."

Nearly two years later the litigation was settled by a judgment of the Superior Court in San Francisco. This contained a stipulation that the questionnaire was paid for by the Nixon for governor committee and that the poll was distributed by the committee and its contents "revised, amended and finally approved by Mr. Nixon personally."

Cancelled checks by the Nixon committee totalling \$70,000 were part of the record.

Among those with active roles in the Nixon campaign then were H. R. Haldeman, campaign chairman; Maurice Stans, Southern California finance chairman; Los Angeles attorney Herbert Kalmbach; Caspar W. Weinberger, Northern California finance chairman; Ronald Ziegler, public relations representative; and Herbert Klein, San Diego newspaperman. All have been associated with Nixon in his White House days.

Haldeman, Stans and Kalmbach are involved in the widespread charges of espionage, payoffs, and perjury surrounding the Watergate bugging and burglary of the Democratic national headquarters in Washington.

Nixon entered politics in 1946 when he challenged and defeated Rep. Jerry Voorhis, D-Los Angeles county. He used a strategy that was destined to carry him to victory in a number of political wars—pinning the "pro-Communist" label on his opponents.

He charged that Voorhis, a five-term respected member of the House of Representatives, had a voting record that was "more Socialistic and Communistic than Democratic."

"He might even have beaten me fairly, given all the circumstances of 1946," wrote Voorhis many years later.

#### RED BAITING STRATEGY

In 1950, when Nixon defeated Helen Gahagan Douglas for the U.S. Senate, his "red baiting" strategy was intensified.

As a congresswoman from Los Angeles County, Mrs. Douglas had an anti-Communist voting record as genuine as that of any House member. She supported the Marshall Plan, the Point IV program, Reciprocal Trade Agreements and aid to Korea.

But when Nixon got through with her she was being called the "pink lady." He used a distorted version of her voting record, which linked her as a fellow traveler with Rep. Vito Marcantonio of New York, well known for his Communist leanings. What was omitted from the record was that on many occasions Mrs. Douglas and Nixon himself voted together.

The Nixon campaign played hard on the "guilt by association" theme, referring frequently to "Mrs. Douglas and her Communist friends."

When Nixon jumped into national politics as the Republican nominee for vice president in 1952, he turned his wrath against President Harry S Truman, Secretary of State Dean Acheson and Adlai Stevenson, Democratic nominee for president.

According to Nixon, Acheson suffered "color blindness"—a form of pinkeye toward the Communist threat. He said Truman, Acheson and Stevenson were "traitors to the high principle in which many of the nation's Democrats believed."

#### WARREN CROSSED?

The maneuvering which led to the selection of Nixon as Dwight D. Eisenhower's running mate in 1952 is a lesson in deceit, according to Nixon critics. To this day supporters of Earl Warren, candidate for the GOP nomination, charge that Nixon "double-crossed" California's distinguished governor. As a member of the delegation pledged to Warren, Nixon was working behind the scenes on behalf of Eisenhower.

Nixon's love for political intrigue comes

out forcefully in "Six Crises" when he discusses the Alger Hiss case. It is a cloak-and-dagger mystery, as Nixon tells it. It resembles some of the mysterious aspects of Watergate—secret slush funds, Mexican bank accounts, unexplained thousands of dollars in \$10, \$50 and \$100 bills, and hidden records.

The Hiss investigation, which brought Nixon into the national limelight before he was nominated for vice president, featured concealed documents, a midnight rendezvous, the celebrated pumpkin papers, and clandestine meetings.

The outcome was that Hiss, a former State Department official, was convicted of perjury after he has been accused of once being a Communist by the late Whittaker Chambers, a confessed one-time Communist.

Another Nixon attribute in his earlier campaigning was the use of the Communist ploy also on the defensive.

#### FUND CRISIS

This is made abundantly clear as Nixon relates his second crisis—The Fund. The New York Post, in 1952, had published a story that a number of Nixon's wealthy friends had set up a special \$18,000 fund for him while he was in the Senate.

The story broke when Nixon was campaigning on a whistle-stop train in the San Joaquin and Sacramento Valleys. At first he declined to comment. But when the train was about to pull out of Marysville a voice from the crowd shouted: "Tell us about the \$18,000."

"That did it," wrote Nixon. "Despite all our plans to ignore the attack, I could not see myself running away from a bunch of hecklers. I wheeled around and shouted, 'Hold the train!'"

Nixon then explained to the crowd:

"You folks know the work that I did investigating Communists in the United States. Ever since I have done that work the Communists and the left wingers have been fighting me with every possible smear. When I received the nomination for the vice presidency I was warned that if I continued to attack the Communists in this government they would continue to smear me. And believe me, you can expect that they will continue to do so. They started it yesterday. They have tried to say that I had taken \$18,000 for my personal use."

"What they didn't point out is that rather than charging the American taxpayer with the expenses of my office, which are in excess of the amounts which are allowed under the law, what I did was to have these expenses paid by the people back home who were interested in seeing that information concerning what was going on in Washington was spread among the people of this state . . ."

#### CHECKERS SPEECH

A few days later Nixon made his famous "Checkers" speech over a national radio-television network, giving his life story with its early hardships. The story appealed to the public and to Eisenhower, who rejected requests that Nixon be dropped from the ticket.

In 1962 Nixon closed his campaign for governor with a statewide television address charging he was the victim of a "malicious smear campaign."

But the Fair Campaign Practice Committee of California took a look at complaints filed during the campaign. It condemned the Republican campaign tactics on three counts: Distribution of a booklet entitled "Communist Dynasty in California", issuance of a leaflet by a "Citizen's Fact Finding Committee" on Gov. Brown and the mailing of the postcard questionnaire by the so-called "Committee for the Preservation of the Democratic Party."

The committee was composed of four Republicans and four Democrats. The late N. C. Templeton of Sacramento, a Republican, was cochairman.