

Jackman, George T., xxx-xx-xxxx  
 Jeffers, Donald A., xxx-xx-xxxx  
 Josehart, Harold E., xxx-xx-xxxx  
 Kelley, Robert E., xxx-xx-xxxx  
 Kemp, Harold L., xxx-xx-xxxx  
 Labrecque, Joseph L., xxx-xx-xxxx  
 Lock, John H. A., xxx-xx-xxxx  
 Mason, Jaque V., xxx-xx-xxxx  
 McHardy, Louis W., xxx-xx-xxxx  
 McLaren, C. R., xxx-xx-xxxx  
 Muirhead, James A., xxx-xx-xxxx  
 Olson, Clarence F., xxx-xx-xxxx  
 Roisum, Robert C., xxx-xx-xxxx  
 Roseman, Arnold S., xxx-xx-xxxx  
 Rosenthal, Charles, xxx-xx-xxxx  
 Terrell, Leroy S., xxx-xx-xxxx  
 Timour, John A., xxx-xx-xxxx  
 Tucker, Guy H. Jr., xxx-xx-xxxx  
 Vick, James A., xxx-xx-xxxx  
 Ward, William S., xxx-xx-xxxx  
 Williams, Earl M., xxx-xx-xxxx  
 Willis, George M., xxx-xx-xxxx  
 Wiser, Rey L., xxx-xx-xxxx  
 Wotring, Robert W. J., xxx-xx-xxxx  
 Young, John H. Jr., xxx-xx-xxxx  
 Ziegler, H. E. Jr., xxx-xx-xxxx

## ARMY MEDICAL SPECIALIST CORPS

*To be Lieutenant colonel*

Haag, Charles M., 208-18-7559.  
 Hartman, Charles W., xxx-xx-xxxx  
 Santosespada, Carme, xxx-xx-xxxx  
 Ulrich, Frank T., xxx-xx-xxxx

## VETERINARY CORPS

*To be Lieutenant colonel*

Sawyer, John C., xxx-xx-xxxx

The following officers for appointment in the Reserve of the Army of the United States, under the provisions of Title 10, U.S.C., Sections 591, 593, and 594:

## MEDICAL CORPS

*To be lieutenant colonel*

Bailey, Richard H., xxx-xx-xxxx  
 Bradford, Thomas G., xxx-xx-xxxx  
 Campbell, John B., xxx-xx-xxxx  
 Didier, Edward P., xxx-xx-xxxx  
 Vaughn, James W., xxx-xx-xxxx

The following named officers for appointment in the Army of the United States, under the provisions of Title 10, U.S.C., Section 3494:

## MEDICAL CORPS

*To be lieutenant colonel*

Conteras, Jose J., xxx-xx-xxxx  
 Diaz, Miguel G., xxx-xx-xxxx  
 Gleichauf, John G., xxx-xx-xxxx  
 Kovacic, Joseph J., xxx-xx-xxxx

The following named Army National Guard officers for appointment in the Reserve of the Army of the United States, under the provisions of Title 10, U.S.C., Section 3385:

## ARMY PROMOTION LIST

*To be colonel*

Andrews, Eric H., xxx-xx-xxxx  
 Cook, Ernest W., Jr., xxx-xx-xxxx  
 Dabadie, Joseph L., Jr., xxx-xx-xxxx  
 Healey, Joseph A., xxx-xx-xxxx  
 Hinrichs, Warren W., xxx-xx-xxxx  
 Johnson, Walter L., xxx-xx-xxxx  
 Jones, Robert Q., xxx-xx-xxxx  
 Mulrooney, Francis T., xxx-xx-xxxx  
 Scholl, Sidney J., Jr., xxx-xx-xxxx  
 Sherman, Harold S., xxx-xx-xxxx  
 Stewart, Edwin P., xxx-xx-xxxx  
 Stone, Richard B., xxx-xx-xxxx  
 Tatnall, Phillip R., xxx-xx-xxxx  
 Tucker, Harold J., xxx-xx-xxxx

Ueberroth, Arthur J., Jr., xxx-xx-xxxx  
 Wolf, John W., Jr., xxx-xx-xxxx

## MEDICAL CORPS

*to be colonel*

McLaughlin, Max V., xxx-xx-xxxx  
 Tillman, William F., xxx-xx-xxxx

The following named Army National Guard officers for appointment in the Reserve of the Army of the United States, under the provisions of Title 10, U.S.C., Section 3385:

## ARMY PROMOTION LIST

*To be lieutenant colonel*

Bennett, James F., xxx-xx-xxxx  
 Birch, Robert D., xxx-xx-xxxx  
 Darby, Harry C., xxx-xx-xxxx  
 Davis, Jack R., xxx-xx-xxxx  
 Decatur, James A., xxx-xx-xxxx  
 Della Bitta, Larry H., xxx-xx-xxxx  
 Engel, William F., xxx-xx-xxxx  
 Fretterd, James F., xxx-xx-xxxx  
 Grady, Russell, J., xxx-xx-xxxx  
 Herbst, Richard D., xxx-xx-xxxx  
 Jarrell, Richard P. M., xxx-xx-xxxx  
 Larkin, Richard G., xxx-xx-xxxx  
 Lockwood, Roy L., xxx-xx-xxxx  
 McLeod, Claude H., xxx-xx-xxxx  
 McPhaul, Elbert Jr., xxx-xx-xxxx  
 Moody, Charles H., xxx-xx-xxxx  
 Nielsen, Chris, Jr., xxx-xx-xxxx  
 Schueler, Donald A., xxx-xx-xxxx  
 Stark, James M., Jr., xxx-xx-xxxx  
 Tidler, John W., xxx-xx-xxxx  
 White, James E., xxx-xx-xxxx  
 Williams, Lawrence C., xxx-xx-xxxx  
 Wood, Bobby G., xxx-xx-xxxx  
 Yearout, James L., xxx-xx-xxxx  
 Zalopany, Peter E., xxx-xx-xxxx

## EXTENSIONS OF REMARKS

## A SALUTE TO ST. JOHN'S HOSPITAL DURING NATIONAL HOSPITAL WEEK

## HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. JONES of Oklahoma. Mr. Speaker, today, as a continuation of my tribute to the hospitals in my district during National Hospital Week, I would like to salute the historical accomplishments of the Sisters of the Sorrowful Mother and their institution, St. John's Hospital.

Gen. John J. Pershing broke ground for St. John's Hospital and School of Nursing, Inc., in 1920, and the doors of the 50-bed hospital were opened in 1926 to serve the community of Tulsa—then an oil-boom town. But the Sisters of the Sorrowful Mother, the Catholic order which owns and operates the hospital, had a monumental struggle to place even these few beds at the city's disposal.

The hospital continued to expand, as one unit after another was completed and put into service. In 1926, admissions were close to 2,000. By 1936, they were over 5,000; and in 1945 almost 11,000 patients were admitted.

During the 10-year period 1943-53 hospital admissions doubled, and the polio epidemic of the early 1950's saw 10 iron lungs in simultaneous use at St. John's, with additional chest respirators to help out. Bed space was short in all areas—cots lined the halls in the ob-

stetrical department and waiting rooms were converted into patient rooms.

The Salk vaccine has brought polio under control; and research has made iron lungs a thing of the past. St. John's has continued to build, and is now up to 552 beds. Their technical people and equipment are top quality. Their medical staff is talented and dedicated. All of this is used to save lives that could not have been saved a decade—or even a few years—ago. Just last month a 4-hour-old infant, critically ill with hyaline membrane disease—where the lungs are unable to open after contracting—was successfully treated, and has gone home to his happy parents.

The only iron lungs you see at St. John's now are historical objects; but history is repeating itself in the crowded conditions. Again waiting rooms are sacrificed for patient bed space, and the demand for more and more diagnostic services and outpatient treatments has also cut down on room for beds.

But the Sisters of the Sorrowful Mother and others in administrative positions at the hospital have been busy. There has been a logical progression of building plans, and early in 1971 the Tulsa Area Health and Hospital Planning Council approved the construction of a 14-level medical-surgical tower. This North Tower, which will bring total beds to 603—with the capability of going to 723—is being built with no interruption to patient care. Nor will their vital programs of teaching and research be lessened.

A leader in medical education, St.

John's achieved a 100-percent quota on filling their intern slots this last year. They also take an active participation in residency programs and maintain a school of nursing, school of medical technology, and school of radiological technology.

Voluntary charity is an important part of this hospital's philosophy. Last year over 19,000 visits were recorded from patients unable to afford a private physician.

Their last increase to patients on semi-private rooms was in 1969, and in March of 1970 for some intensive care rooms.

An affirmative action employer, over 30 percent of St. John's employees are blacks, and educational opportunities are offered to each of their 1,700 plus employees. They were awarded the "Employer of the Year" distinction by the Oklahoma Rehabilitation Association for employment of the handicapped.

Earlier this year—just 53 years to the exact day from their first groundbreaking—and even using the same shovel used by Gen. John G. Pershing—ground was broken for St. John's North Tower. Completion date for this project is scheduled for late 1975.

For the record, it is important to point out that private financing has been arranged. Funds to repay the \$40.8 million—which includes all associated loan costs—will be obtained by St. John's through an amount set aside monthly for depreciation. Moneys have been earmarked for this purpose since 1969, and these funds are now invested so that accumulated interest is continually

added to the original and ongoing investment. This loan is the second largest Federal Housing Authority-insured hospital loan in the United States. Ten banks have already been lined up by the Lomas & Nettleton Co., national mortgage banker, to issue Government National Mortgage Association Certificates.

Planning never stops at St. John's Hospital, and they are achieving the seemingly impossible task of a coexistence between economics and progress.

#### UNIVERSITY OF TEXAS AT AUSTIN STUDENT NEWSPAPER WINS KUDOS

#### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. PICKLE. Mr. Speaker, with praise and awards being bestowed on various newspapers and newsmen, I want to point out that the University of Texas student newspaper, the Daily Texan, has also been singled out as an outstanding paper.

Today, on the heels of awards for Watergate reporting, the American press stands tall in the saddle.

Mr. Speaker, awards for the Daily Texan are a yearly affair, considering that the University of Texas at Austin paper has been cited for outstanding journalism for 3 years in a row. I ask that the full story on this paper's distinction be placed in the RECORD as follows:

#### DAILY TEXAN WINS AWARDS IN JOURNALISM COMPETITION

(By Gayle Reaves)

For the third consecutive year, The Daily Texan has swept the field in the annual Southwestern Journalism Congress awards for college newspapers, winning 11 first place spots.

The awards were announced Friday night in Dallas.

The Texan accumulated more than twice the number of total points in judging as the second place paper from Oklahoma State University. North Texas State University in Denton placed third.

Editor David Powell and fall managing editor Cliff Avery received the first place award for the best single issue, for the Nov. 8 Texan reporting the results of national, state and local elections.

First place in the best spot news category was taken by staffers Bill Bray, Mark Peel, and Bruce Powell for their story on the riot in Travis County Jail last fall.

Texan staffers took first and second places in the best general news category. Steve Renfrow took top honors with his coverage from South Dakota of presidential hopeful Sen. George McGovern on election eve and John Triplett placed second with an advance story on the debate in the Texas House over insurance reform during last summer's fourth special session.

Texas photographers landed several of the awards. John Van Beekum's work took first place in general photographs and second in feature photographs. First place in sports photographs went to The Texan's Mike Fluit, as well as second in general photographs.

Other Texan first place awards were taken by Mark Sims in Page 1 makeup, Quin Mathews for best editorial page, Cicely Wynne in movie reviews and Suzanne O'Malley for best magazine article.

First and third places in the special editions and supplements category were taken by Texan staffers. Steve Hogner and Suzanne Schwartz took first with their New Students Edition, and Avery and Dotty Griffith won third with the supplement on primary elections.

The Texan supplement, Pearl, was named the best general readership campus magazine.

#### SENATOR JESSE HELMS PAYS TRIBUTE TO YOUNG AMERICANS FOR FREEDOM

#### HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. SYMMS. Mr. Speaker, on April 14 of this year, I had the pleasure to introduce Senator JESSE HELMS of North Carolina, at a dinner held in his honor. The dinner was hosted by a local chapter of Young Americans for Freedom. This organization—YAF—devoted a great deal of time and resources to Senator HELMS' campaign and to mine.

Senator HELMS' speech that evening was a glowing tribute to this organization of dedicated young conservatives. In these times when political principles have taken a distant back seat in the American political scene, I feel that my colleagues in the Congress should have the benefit of Senator HELMS' thoughts. Consequently, I am including in my remarks the text of the Senator's speech:

#### REMARKS BY SENATOR HELMS

Greetings. The past decade was a topsy-turvy era on American campuses. And I cannot escape the notion that things are a bit topsy-turvy here this evening. We have got three things reversed.

First, I am here to be honored by you. But you are the people who have earned the highest reward to which any American can aspire—you have earned the heartfelt gratitude of the American people—because you have been willing to stand up and be counted for principles that deserve to survive.

There is another thing reversed tonight. I am privileged to be your guest tonight because I am a Senator. But I would not be a Senator had it not been for the wisdom, energy and dedication of citizens like you.

And there is another paradox about this evening. As regards the future, any good that I may do in the Senate will not be nearly as significant as the good that you and others like you can do for our troubled Nation.

Let me elaborate upon these three points.

You—the high-principled young men and women in the Young Americans for Freedom, have been front line fighters in the most serious, most bitter, most important struggle that ever confronted the American educational system. You have been fighters—and you have won.

In the 1960's, on campus after campus, the pattern was the same. One after another, a relatively small band of left-wing extremists sought to capture control of one institution after another, for the purpose of turning it into a politicized instrument for waging war against American society.

On campus after campus the extremists met little resistance from spineless faculty and administrators.

And on campus after campus the militants found their task made easier by the apathy of the silent majority of students. Most students were serious but docile. They wanted to get on with their studies, but they did not

understand that there are times when people must struggle for their rights—indeed, fight for their very honor.

But on campus after campus there was a small but determined band of dedicated young Americans ready to fight for the freedom of their institutions. Through the Young Americans for Freedom, the silent student majority found its voice.

From one end of this Nation to the other, while the major news media were mesmerized by the antics of the student leftist, the young Americans for Freedom were organizing the fight for freedom. While the drama of the past decade was being acted out, student leftists got the headlines and the television coverage, and the satisfaction of being the darlings of the media.

But if and when any honest history of the past decade is written, conservative students will get the credit for having won the fight, for having calmed the storm. The leftists won the publicity, but they lost the war. The conservatives wanted to be effective, and they won the lasting gratitude of the silent majority of their own generation.

That is one reason why I think it is you, not I, who deserve all the honors we can give. But there is another, more personal reason why I want to honor you tonight. The plain truth is that I would not be a Member of the United States Senate were it not for the hard work and valuable counsel I received in my campaign from young men and women like you.

When I allowed myself to get talked into running for the Senate, I knew two things. I knew I needed help. And I knew I wanted the kind of help that dedicated young American conservatives can give.

I got it. I shall never forget those lonely days, early in our campaign last year—those days when we were groping for the handle, trying to put together a campaign organization with very little money and with scarcely more hope.

And then was when a call came from Atlanta, from a young friend who said, simply: "Do you need me, sir?"

You bet I needed Harold Herring, and he was there within a couple of days with a new bride, and with his sleeves rolled up, ready to go to work on what had already been declared by the pundits as a "hopeless cause."

I had met Harold some years ago, when he was a college sophomore. He had come to my office at the television station asking for help in his efforts to promote YAF. It seemed to me at the time—and it still does—that it was a remarkable thing for one so young to undertake, in North Carolina, a cause that was unquestionably worthy yet so impossibly remote in terms of potential success.

But, then, the very fabric of America has been spun of impossible dreams that came true.

So I am proud that Harold Herring is still standing by my side, and I by his, to this very day. He is my very competent and efficient Administrative Assistant. I need not identify Harold to you as a former State Chairman of YAF for North Carolina and Georgia; a former member of YAF's national board of directors, and a former southern regional representative of YAF.

Two other splendid Young Americans for Freedom are members of my Senate staff. They are:

Charlie Black, now a legislative assistant on our Senate staff, worked tirelessly in our campaign last year. Charlie is a former national director of YAF, and a former director of chapter services in the national YAF office, and a former state YAF chairman in Florida.

George Dunlop, a former YAF state vice-chairman for North Carolina, who is now our Senate field representative for Eastern North Carolina.

Other YAF leaders who served last year in key positions in our campaign are:

David Adcock, a member of the National Board of Directors and a former State Chair-



man of North Carolina YAF served as our State Youth Co-ordinator.

Bill Saracino, a member of the National Board of Directors and former State Chairman of California YAF served as a Special Assistant.

Tim Baer, the State Chairman of Florida YAF served as Field Representative for the Piedmont area of our state.

Jim Minarik, a member of the National Board of Directors served as Director of Scheduling.

Phil Aldridge, the Southern Regional Representative of YAF served as an Advance Man. Pat Reilly, Western Regional Director of New York YAF served as Special Assistant to me in last year's campaign.

Three other full-time members of our campaign staff were chapter level leaders of YAF. So, as you can see, our campaign last year and our Senate staff this year have been delightfully infiltrated by YAF people.

It is, as the Prince of Denmark once observed, a consummation devoutly to be wished, and vive la infiltration.

I am not one of those persons who was thirsting to get into the Senate. This is so, because I do not believe government is as important as it thinks it is, and I do not think government should be as important as it has become.

But because our government is so big and powerful;

Because our government is up to its elbows in everyone else's business;

Because our government is up to its jaws in granting favors;

Because our government is so confoundingly maddlesome;

Because of all these reasons, there never is a shortage of people who want to help a person get elected to the Senate.

There always are a lot of people who think that if they help you get elected, you will help them in their scramble for government favors. They want the government to do profitable things for them.

But there are *never* enough people who want to help someone get into the Senate so that the Senate will do less.

There *never* are enough people who believe, as Lord Balfour believed, and as I believe, that the politician's duty is to tell people what government *cannot* do.

But the fact that, today, I am a Member of the Senate, testifies to the fact that in 1972, at least in North Carolina, there were enough people like Young Americans for Freedom—people who believe in honest government for the country, instead of more government for themselves.

And I am not the only man in the Senate today who benefited from the help of dedicated conservative young people. Jim Buckley of New York is another. Pete Domenici of New Mexico is another. Jim McClure of Idaho is another. And there are others.

The fact that there are as many conservatives as there are in the Congress is powerful testimony to the effectiveness of organized conservative young people.

And that is a second reason why, in this topsy-turvy world, I should be honoring *you*.

But there is a third reason why I should be honoring you. It is this. I know that you can do more for the country outside of government than I can do from inside government.

I am not being modest.

I mean what I say.

As a conservative, I have always been deeply skeptical of the power of government to solve the problems of individuals and societies. And nothing I have seen thus far in my tenure in Washington has changed my mind.

The government is now proving that it cannot control what some bureaucrat thinks is the "rational" price of a pork chop. Are you surprised about that? I am not!

The government cannot run local schools better than local people can. Are you surprised by that? I am not!

The government cannot spend and spend

and spend and spend without decreasing the value of the dollar and increasing the price of everything else. Are you surprised about that? I am not!

We conservatives understand that government is a blunt instrument. A wise man has recently written that government can do only two things—it can wage war and inflate the currency. But when government bites off much more than that, it is biting off more than it can chew.

Government today pretends to be a cure-all for every ailment, real or imagined, that people have. I think it is more accurate to say that, all too often, government is the disease for which it pretends to be the cure.

And I think the most important social task in the United States today is to drum this truth into the consciousness of the American people and the politicians they must try to endure.

And this is where Young Americans for Freedom comes in.

As members of Young Americans for Freedom, you are not the "property" of any party.

You are free from entangling alliances in the sense that you can speak out for principles, with a persistence and a consistency that our parties cannot match.

Today your job is to tell the truth to government, and to tell the truth about government to the American people.

We in this city can easily forget how hard it is for people elsewhere to understand the reality behind Washington appearances. Most Americans are too busy with their private lives to pay close attention to the details of government. And as we well know, Americans certainly cannot rely on the news media to give them the truth.

Am I exaggerating? I think not. Just consider the matter of the current budget—Mr. Nixon's budget submitted for fiscal year 1974.

Now, to hear the liberals in Congress tell it, you would think the President had drastically cut federal spending.

And to hear the liberal media tell it, you would think the President was repealing the New Deal and the Great Society all in one fell swoop.

For once I wish I could believe what the liberal politicians and their media friends are saying. But, as usual, they are wrong—dead wrong.

The facts—the facts that the mass of Americans do not get to hear—are very different.

Here are some facts!!

The new budget does not cut spending drastically. It does not cut spending at all.

The new budget calls for an *increase* of \$19 billion over the last budget. That is a staggering sum.

In fact, this \$19 billion *one-year* increase is *larger* than the *total* of all federal spending in the one hundred and twenty-six years from 1789 through 1906.

Let me emphasize this.

If you took all the federal spending—every dollar of it—from the year we ratified the Constitution, through the entire nineteenth century, and six years into the twentieth century, and piled all those dollars up, you would have a pile of dollars no bigger than the pile of dollars by which the 1974 budget exceeds the 1973 budget.

Do you want some more facts?

This new budget calls for a *planned deficit* of \$13 billion. The deficit probably will be closer to \$20 billion. But, just for fun, let's suppose the deficit is kept to "only" \$13 billion. Do you realize that it was not until the second year of the second World War—until 1942—that the total annual tax receipts of the U.S. Government in any year equalled the sum of this year's *planned* deficit.

That is right. In no year prior to 1942 did federal receipts exceed \$13 billion.

Do you want still more grim facts about this so-called "austerity" budget?

Try this fact.

Today the Soviet Union has a larger standing Army, a larger strategic arsenal and more ongoing military programs than we have.

But under this new Nixon budget we will spend more than 50 percent more for *domestic* programs than for the defense of this country.

Think of it!

The facts prove that we need a stronger defense. The facts prove that domestic spending programs have failed. Yet the new Nixon budget increases *domestic* spending relative to defense spending.

Do you want even more facts about this so-called "austerity" budget? Consider this.

Seven percent of this budget will be spent just to pay interest on the national debt. We will spend as much this year in interest on the national debt as FDR spent in the first four years of the New Deal.

Why are we paying so much on the debt? Because the debt is so large.

Why is it so large? Because more than one-fifth of the national debt has been piled up just since 1968!

Now, I have only burdened you with this recitation of appalling statistics to emphasize two points.

First, we are not even close to winning the battle for smaller, more responsible government.

Second, the terrible facts about our serious condition are not really getting through to the American people.

There are precious few people in this country who stand for the politics of public principle as opposed to the politics of private gain. There are precious few people who can be counted on to stand against the tide of liberal opinion, the tide of liberal distortion. And we also need to stand against the tide of propaganda that always comes from whatever group is in power.

I know some people will think it rude of me to mention this. Some people think it is disloyal to inject a note of reality into the Administration's presentation of its new budget as a great roll-back of Federal spending.

Well, I am just sorry. I was not sent to the Senate to be a cheer leader for half-measures.

I was not sent here to serve a particular party or a particular administration or a particular President. I campaigned as a man loyal only to certain principles and I was sent here to defend those principles. And that is why I feel so at home here tonight.

Young Americans for Freedom are young Americans free from the old bankrupt ideologies that have produced the fat, flabby, swollen and nearly bankrupt government of today.

You are free to serve as keepers of the American conscience. You are free to fight the loneliest fight of all—the fight for the spiritual values that alone make a nation worth serving—or worth saving.

The problem, as I say, is to get the facts across to the American people.

I have illustrated this problem with reference to runaway spending, a problem that is no where near to being solved. But I do not want you to think that I think spending is the most fundamental problem facing this country.

Far from it. The passion for spending money—the frantic belief that money can solve the deepest longings of our lives—only reflects a more basic problem.

Somehow, many Americans have come to believe that we can spend our way to national greatness and strength.

But the frantic way our government spends money attests more than just misguided political thinking. The full budget reflects a spiritual emptiness that is the gravest threat to the Nation.

No nation can spend its way to greatness and strength, any more than an individual can become better by amassing material possessions. If America is to continue to be great, it will be because some people care enough to stand for the principles that made

her great. These principles—limited government; freedom; self-reliance; and love of God—must be the special concern of organizations like Young Americans for Freedom.

And that is why I say things are topsyturvy when you gather to honor me. I know full-well that Senators are less important, less valuable, less essential than dedicated citizens armed with the philosophy of freedom. There is always a full set of Senators. But there is not always a full battalion of people, like yourselves, ready to defend the politics of principles.

None of us can *forecast* our destiny. But we can (—and we must—) decide what we want to be, and what we want to try to do.

You have done this. But it is not a one-time decision. Life is a *continuous series* (of judgments) and *decisions*. Not a day passes without each of us being required to look to our conscience, (and our ideals,) and our principles.

I claim no particular qualification for offering advice. I can simply tell you what has worked for me.

This is not to suggest that I am any paragon of success, and certainly not of wisdom or virtue. But I do enjoy a certain sense of serenity in terms of not worrying about decisions.

Long ago, I adopted a set of governmental, economic (and personal) principles which I believe were right. Many who have disagreed with me have called me all sorts of names—none of which has ever bothered me. Sticks and stones, (as the saying goes,) may break my bones—and all the rest of it.

I do not intend to sermonize, but let me suggest, (my young friends,) (with all of the earnestness and sincerity in me,) that you must begin with an absolute faith in God!! Don't be reluctant (or ashamed) to practice your faith, or to articulate it—because . . . We never stand taller, than we are on our knees, asking guidance and forgiveness.

I mentioned our unpredictable destiny a moment ago. None of us has any assurance (whatsoever) that we will even be here tomorrow morning, or even five minutes from now.

And it doesn't really matter. What really matters is how we spend these next minutes, (or hours,) or years. Or, (more accurately,) it matters how we "invest" our time, rather than merely spend it.

Nobody knows (better than I) that there's nothing "great" about Jesse Helms. I have never pretended that there is. But each of you has the potential of greatness of spirit. You have most of your years ahead of you—most of your opportunities lie ahead. Live (every day) with your conscience, and with your principles—and never "follow the crowd" simply to be "following the crowd." Find out, (first,) where the crowd is "going"—and then decide if that's where you want to go.

So, I come here tonight to express my gratitude for what you are, but—more importantly—what you can be . . . and what can mean to a great nation which desperately needs your character and dedication.

Thank you for having me here tonight. And, most of all, from the bottom of my heart, I thank you for being what you are—proven servants of the Nation, and a beacon of hope for the future.

God bless you.

#### JOURNALIST FROM FLORIDA WINS PULITZER AWARD

**HON. LOUIS FREY, JR.**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. FREY. Mr. Speaker, Mr. Clark Hoyt, a fine journalist from Miami, Fla.,

is one of this year's winners of the Pulitzer prize.

Mr. Hoyt won the coveted award for his responsible investigative reporting of the events surrounding the composition of last year's national democratic ticket.

I am proud to say that I know Mr. Hoyt personally.

My contact with him and my knowledge of his fine reporting abilities stem from his previous assignment with the Knight newspaper chain.

Mr. Hoyt covered the Florida beat for the Miami Herald for 2 years and I found his reporting to be as accurate and responsible during that time as it was during the assignment which won him the Pulitzer.

I know my colleagues join me in congratulating Mr. Hoyt and the Knight Washington Bureau Chief, Mr. Robert Boyd, for winning this highest of journalism awards.

#### COAST GUARD PROTECTION OF FISHING VESSELS

**HON. MARGARET M. HECKLER**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, one of the most worthwhile functions of the U.S. Coast Guard is the surveillance of vessels which might interfere with U.S. fishing vessels in the great expanses of our Atlantic and Pacific coastal waters. It is of special importance to me since this activity represents the life work of many of my constituents.

According to testimony given in hearings held recently by the Committee on Merchant Marine and Fisheries, Adm. Chester R. Bender, commandant of the Coast Guard, stated that the number of boardings of foreign-flag vessels was 18 for calendar year 1971; 33 for 1972; and two for 1973, as of March 23. These figures do not include routine inspections made with permission of the foreign vessel's master. I believe this to be a significant accomplishment, considering that the Coast Guard is charged with many other varied duties—ranging from search and rescue to oceanography, meteorology and polar operations. I am gratified to learn that the high endurance cutters—HEC—involved in the ocean station service will be able to spend even more time on the fisheries patrol because of the gradual phasing out of the ocean station program. This is in conformity with an amendment I sponsored during the appropriation process in the last Congress, which granted \$1,000,000 for the purpose of close coastal patrol.

While I appreciate the continued increase in the number of cutter-days for fisheries patrol, I must express concern over the decommissioning of the Coast Guard cutters *Mendota* and *Escanaba*, whose recent responsibilities were mainly focused on the close coastal patrol, and the transfer of two of the newer cutters from Boston to Seattle. It must be noted that three of the remaining six cutters stationed in New England are 36

years old, some 11 years over the 25-year nominal age planned for such vessels. I hope that the Coast Guard has firm plans for a proper replacement program. Men who risk their lives daily on the high seas deserve the full protection that only the Coast Guard can provide.

Those who share the concern of the fishing and lobster fleets are confident that the Coast Guard will continue its 190-year record of proved accomplishment, and will always be prepared to meet the responsibility of protecting U.S. vessels in home fishing areas, and on the high seas.

#### IT IS TIME TO STOP THE BOMBING AND BEGIN BUILDING AGAIN HERE AT HOME

**HON. ROBERT N. C. NIX**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. NIX. Mr. Speaker, I have introduced a Joint Resolution 536, which would cut off all appropriated moneys for bombing in Cambodia and Laos.

I have specifically restricted my resolution to Cambodia and Laos in order to spotlight what I believe to be the President's lack of constitutional authority to carry out such bombing in Cambodia.

In addition, it seems to me that the bombing in Cambodia and Laos, but more especially in Cambodia, has not achieved its objectives.

For instance, in Cambodia insurgent troops continue to advance against the Cambodian Army regardless of our air support. They are now 2 miles from downtown Phnom Penh. If they continue to advance at all they would walk our bombing into Phnom Penh.

The bombing costs at least \$4.5 million a day and we have been bombing for at least 11 weeks. The cost of such bombing will soon approach \$300,000,000 for bombs and gasoline. Damage to our planes has not been figured into these cost figures.

Beyond the question of the bombing as an instrument for winning the hearts and minds of the Cambodian people is the issue of whether or not the President has the constitutional authority to carry out such bombing.

If the President has the authority to carry out military action on this occasion in Cambodia by virtue of his office, he can begin a battle anywhere, anytime, with anyone.

The usual props for constitutional presidential combat are not present.

American troops, property or lives are not in danger.

The Tonkin Gulf resolution has been repealed.

The SEATO agreement according to Secretary Dulles' testimony before the Senate Foreign Relations Committee at the time of ratification hearings was not designed to deal with internal subversion. We have had no consultations with the remaining and active member countries belonging to the SEATO pact and Cambodia, a protocol state, a nonmember has declared its neutrality as to SEATO.



We have no agreement with Cambodia, certainly not a treaty ratified by the Senate.

There has been no congressional action committing us to the defense of Cambodia. In fact in section 7(b) of the Special Foreign Assistance Act of 1971, as amended the Congress specifically stated:

(b) Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense.

The same section forbids the introduction of American military personnel, intelligence personnel, or even police into Cambodia. Yet the President feels that he is within the letter of the law in introducing mass bombing into Cambodia even though he is forbidden to send American policemen under our AID programs.

The issue is one relating to our own Constitution and not to international law for which a precedent can be found for any national action.

Litigating such an issue as the President's authority to conduct military operations in these circumstances would be so time-consuming that the point of Presidential authority would be academic by the time the decision was handed down.

Therefore, I have introduced Joint Resolution 536 in order to stop the spending of Federal funds for bombing which will have the effect of stopping it. I would point out to Members of the House that the Secretary of State has referred to the defeat of such measures in the past as authority for Presidential action. I hope therefore, that Members consider carefully this resolution and that it is enacted to end destruction in Cambodia and Laos.

It is time to stop the bombing and begin building again here at home. We need and need badly funds spent on destruction for programs for Americans and America.

I would also like to point out to Members that my Subcommittee on Asian and Pacific Affairs will hold hearings on the Cambodian situation tomorrow, May 9, beginning at 10:30 a.m. and on May 10, beginning at 9:30 a.m. in room 2255 of the Rayburn Building.

#### COLTON ELECTRICAL DEPARTMENT HONORED FOR 5-YEAR ACCIDENT- FREE WORK RECORD

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. BROWN of California. Mr. Speaker, my home town, the city of Colton, recently was honored by the American Public Power Association for the astonishing safety record maintained by Colton's electrical department. The department has now gone for 5 straight years without a single accident, which I am sure you will agree is an enviable record.

The APPA may envy Colton's record,

since the association's members are all city-owned electricity systems, but they overcame their envy and gave Colton this special award. Only five other similar awards were given out in the entire Nation, I might add.

Mr. Speaker, as we consider various industrial safety legislation which may come up this year I think we might keep in mind Colton's record. More than 54,000 man-hours were put in just last year by the electrical department—that's just in 1 year, mind you—and not a single accident in 5 years. I, for one, am going to be just a little bit more skeptical when some of these industry representatives tell me that proposed safety laws are unrealistic, or that a certain level of accidents "can't be avoided." I am going to tell them to go look at the electrical department of the city of Colton, and then come back and tell me what they can and cannot do.

Before I sit down, Mr. Speaker, I think I should add that a record like Colton has achieved does not come about without some very dedicated and competent work from both the leadership and employees of the department. I have been a member of the International Brotherhood of Electrical Workers for over 20 years, and I have some familiarity with the field. Therefore, I would like to take this opportunity to commend Superintendent Harold Preece and every one of the workers in the department for the superior jobs which they have obviously been doing. And I hope that I will have the opportunity to stand up here 5 years from now to announce that they have doubled their record.

#### PULITZER PRIZE WINNER ROGER BOURNE LINSKOTT

**HON. SILVIO O. CONTE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. CONTE. Mr. Speaker, yesterday's announcement of the 1973 Pulitzer Prize brings to national and international attention what we in the Berkshires of Massachusetts have long recognized, the talent of Roger Bourne Linscott, associate editor of the Berkshire Eagle and former editorial page editor of that same fine newspaper.

Mr. Linscott, who has captured the Pulitzer Prize for editorial writing, is well known in my hometown of Pittsfield, Mass., for the thoughtful and thought-provoking articles that daily flow from his pen.

Speaking as one who has been the subject of Mr. Linscott's essays on more than one occasion, I can testify that his observations are always forthrightly put, incisive and based on all of the knowledge of a situation that he can gather.

Although Roger Linscott does not work in invective, his gentlemanly articles are often far from gentle—not skirting an issue but hitting it headon.

The Pulitzer Committee characterized his work in this way in announcing the criteria on which it based Mr. Linscott's award:

For distinguished editorial writing, the test

of excellence being clearness of style, moral purpose, sound reasoning and power to influence public opinion in what the writer conceives to be the right direction, due account being taken of the whole volume of the editorial writer's work for the year.

A native of Winchester, Mass., Mr. Linscott is a Harvard graduate. After discharge from the Navy, following duty in the South Pacific during World War II, he joined the staff of the New York Herald Tribune. At the Tribune, he was the author of the "On the Books" column in the weekly book review.

He came to the Eagle in 1948 and has been on the staff ever since that time. This past December he was promoted from editorial page editor to associate editor.

I know that all of my distinguished colleagues join me in extending congratulations to this fine journalist.

#### THE 25TH ANNIVERSARY OF ISRAEL

**HON. MICHAEL HARRINGTON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HARRINGTON. Mr. Speaker, "Next year in Jerusalem"—those words, fervently spoken each year at the feast of Passover, were once just a hope, a dream.

Now that the dream has become a reality, and the state of Israel is celebrating its 25th birthday, the words are still spoken. They are said in gratitude by those Jews who, once homeless and despairing, have found a home in Israel. They are said in joy by those Jews who, content to live outside Israel, see Jerusalem as their spiritual home, the place where the soul can rest. And they are said in expectation by those Jews who, eager to leave countries where they cannot practice their faith, must surmount obstacles before they can come to the Promised Land.

Israel is 25 years old. That fact in itself is remarkable—a testimony to the courage and endurance of the nation.

For sheer physical survival in a land surrounded by countries which resent the very existence of Israel has been a demanding, constant problem and has consumed a good deal of the nation's energies.

Yet despite what seemed to be almost insurmountable political, economic, and geographical problems; despite three wars, Israel has not only survived but prospered.

Out of a barren land, the Israelis have created a flourishing, healthy state which can proudly take its place among the nations of the world.

The Israelis have made the Negev Desert bloom. They have also built a viable economy and a rapidly growing industrial capacity. In the last 5 years, Israel's industrial output has more than doubled and its currency reserves have hit an all-time high of \$1.2 billion, Newsweek magazine reported.

There have been some problems, of course—problems faced by any society coming of age: poverty, inflation, tensions created by attempting to integrate

people of diverse social and cultural backgrounds. Yet the Israelis recognize these problems and are making serious attempts to solve them.

But the greatest, and most tragic, problem is that there is still no lasting peace. As Prime Minister Golda Meir once observed:

Israel has known only armistice lines until 1967, and since then, only cease fire lines. We have never known frontiers of peace.

It is sad to see, as Israel celebrates its 25th birthday, the tanks and heavy artillery going through the ancient streets of Jerusalem, sad to note that Israel must spend roughly half its budget on defense.

The Israelis have had enough of war. They want peace.

Israel will "not rest until the cherished peace has been established between us and our neighbors," Deputy Premier Yigal Allon said at birthday celebrations at Safad, scene of some of the most bitter fighting in the 1948 War of Independence.

The Israelis richly deserve a chance to live in a society free from hostility, free from fear.

We sincerely hope the next 25 years will bring that peace.

#### RECOGNITION OF CONGRESSMAN SHUSTER

#### HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, I rise today in recognition of my good friend and colleague from Pennsylvania, Mr. SHUSTER.

In my judgment, the gentleman from Pennsylvania is one of the truly bright, capable young freshmen whose presence in the Congress represents a valuable asset not only to the people of his congressional district but to the Nation as a whole.

It is truly unfortunate that Mr. SHUSTER's many constituents did not have the opportunity to witness his recent participation in the debate on the House version of S. 502—the Federal Aid Highway Act of 1973. His eloquent, effective, and persuasive performance on the floor was, in my judgment, a key factor in maintaining the integrity of the Highway Trust Fund through passage of the Wright-Clausen amendment of the Public Works Committee-approved bill.

This, however, is only part of the story of BUD SHUSTER's talented and capable service in the Congress. I have had an opportunity to view his performance in a variety of complex, challenging situations, and I am sure that I speak for the entire membership of the House Public Works Committee when I say that Congressman SHUSTER is a well-respected, hard-working, and dedicated Member whose keen insights and sound judgments are highly valued. We who hold senior ranking positions on the Public Works Committee will be calling on Congressman SHUSTER more and more in the future to accept a broader leadership

role in advancing legislation through our committee.

As one who originally cosponsored his membership on the House Public Works Committee, it gives me great pleasure to note the outstanding performance of the distinguished Representative of Pennsylvania's Ninth Congressional District.

#### FREEDING THE CHANNELS OF INFORMATION

#### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HORTON. Mr. Speaker, the events of recent months point up the urgent need for Congress to assume responsibility in freeing the channels of communication in Government. The Government's obligation to keep the public informed fully and currently has been undergoing serious erosion. Our society is now facing a crisis in Government, a crisis caused to a large extent by the executive branch's increasing reluctance to trust the judgment of the people or their representatives in Congress. The misuse of the doctrine of executive privilege, the failure to effectively administer the Freedom of Information Act, the harassment of newsmen, the overclassification of information, and the continued closing of advisory committees in contravention of the law are all part of one pattern designed to shield the executive branch from the purview of the public. The future health of our society requires this state of affairs to be terminated. The time has come for Congress to assume its constitutional responsibility.

To this end, I have authored several legislative proposals to open up the channels of information. A most important one involves a major strengthening of the Freedom of Information Act. Hearings are now being held on this proposal, H.R. 4960, as well as legislation introduced by Congressman MOORHEAD of Pennsylvania, and on Monday I presented the following statement in support of this important issue:

STATEMENT OF CONGRESSMAN FRANK HORTON ON H.R. 4960, AMENDING THE FREEDOM OF INFORMATION ACT, BEFORE THE FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE, MAY 7, 1973

Mr. Chairman, I welcome your scheduling of hearings on H.R. 4960 and H.R. 5425 to amend the Freedom of Information Act. Both H.R. 4960, which I co-sponsored with you and several other members, and H.R. 5425, which you have authored, are designed to strengthen the public's right to be informed of their government's activities. Nothing can be more essential to the safeguarding of our democratic society—now in the midst of a severe shock.

George Washington stated that secrecy was a form of deceit. How true those words ring today when executive privilege, security classification, executive secrecy, and harassment of newsmen have been orchestrated to a degree unknown before in our society in an effort to conceal wrongdoing from Congress and the public.

Our form of government—in fact the foundations of our society—rest upon an informed citizenry and their representatives in Congress. To participate effectively in the

decision-making process and to maintain a watchful eye over those who administer the laws, Congress and the public require access to information which they believe necessary and pertinent. This is even more true today than it was 100 or 200 years ago because the management of our society has come to be centered to an increasing degree in the Federal Executive Branch. What is worse, perhaps, is that until recently, at least, there has developed an acceptance in the public and in many Members of Congress that secrecy in government—not to mention central direction of government—are good and essential activities.

I hope that this state of mind will now change in light of current events and that Congress and the public will now exert their rights fully—as conferred upon them under the Constitution—to obtain all the information they require.

To this end this subcommittee has held a series of hearings recently on legislation co-authored by Congressman Erlenborn and myself which sets necessary and narrow limits on the use of executive privilege. Soon this subcommittee plans to issue a report recommending changes in the security classification system. And, here today, we are exploring the means in these hearings to strengthen the hand of the people to find out what their government is doing.

Some seven years ago our Government Operations Committee initiated the Freedom of Information Act. This law provides that all information in the possession of Federal agencies shall be made available to the public except information falling within nine specific categories (e.g., classified data, internal communications, investigatory files, trade secrets). This constituted an important breakthrough—one not yet attempted by any other country if I am not mistaken. In hearings held last Congress which explored the administration of this Act, we were informed that the Act has served the public well on many occasions. Without question, vastly greater amounts of information are now being made available to the public than occurred prior to the law's passage. But, the hearings also brought to light many problems and failures in the administration of the Act. Among these failings were:

Serious bureaucratic delays in responding to requests for information.

Need of individuals to pursue cumbersome and costly legal remedies.

Inadequate record-keeping by agencies. Undue specificity required in identifying records.

Narrow interpretation of the Act, thereby excluding greater amounts of information from disclosure.

Imprecise wording of statutory language, leading to inconsistency in interpretation and a restrictive interpretation of the Act's provisions.

Promulgation of legally questionable regulations.

Overclassification of millions upon millions of government documents.

Following closely on the heels of these findings was the Supreme Court decision in *EPA v. Mink*. This decision, in my opinion, sadly misinterpreted the Freedom of Information Act and the intent of Congress in enacting it. Two exemptions incorporated into the Act provide that a Federal agency has the discretion to withhold information if it is classified for national security purposes under statute or executive order or if it constitutes an internal agency communication which would not have to be disclosed in a court of law. Overturning a lower Federal court order upholding a request by 33 Members of Congress for information in the Government's possession concerning the Amchitka nuclear test explosion, the Supreme Court held (1) that the lower court's finding that the exemption could not be used as a shield for withholding was erroneous and that the government agencies involved could withhold such information on the basis



of the above two claimed exemptions and (2) that the lower court could not challenge an agency's classification of documents and was not required to challenge an allegation that documents were properly withheld on the basis of the internal communication exemption.

This decision of the court cannot be allowed to stand, nor can we continue to permit the Freedom of Information Act to be administered in its present form.

To meet these objections, I have introduced H.R. 4960.

Title I of this bill overturns the *Mink* decision and directs a Federal court to look behind an agency's claim of security classification or internal communication and decide for itself whether a requested document meets the narrow requirements of the law regarding exemption from public disclosure. Moreover, the title seeks to put a stop to the practice of some agencies which have commingled exempt material with non-exempt information in order to screen the entire lot from public view. The courts are authorized to make those portions of a document public which are not covered by an exemption unless to do so would seriously distort the meaning or seriously jeopardize the integrity of the exempt portions.

Title I also amends three existing exemptions under the Freedom of Information Act to further narrow their application and to further clarify their meaning.

One such amendment would restrict trade secrets and other commercial or financial information to those instances in which some other law specifically confers an express grant of confidentiality and in which the agency in receipt of the information specifically confers an express written pledge of confidentiality. This amendment is designed to overcome the practice under the existing exemption to (1) confer confidentiality on the basis of the Freedom of Information Act itself, (2) to exercise the exemption in cases of other types of confidential or privileged information, and (3) to extend confidentiality solely on the basis of a claim for protection made by the supplier of information rather than under an express grant of confidentiality. At this point, Mr. Chairman, I urge your subcommittee to seek the views of other witnesses on the ramifications of my proposed amendment on the protection of trade secrets.

A second amendment narrows the internal communication exemption which has been widely used to date to withhold information from the public. The amendment would limit the exemption to internal memos or letters which contain recommendations, opinions, and advice supportive of policymaking processes. This is the primary area, I believe, which such an exemption is designed to protect.

The third amendment seeks to alter the exemption on investigatory records compiled for law enforcement purposes. This exemption has also been widely used to conceal information by extending its coverage to include inactive or closed investigative material, as well as that which, if revealed, would not hinder effective law enforcement. The amendment narrows coverage under the exemption to investigatory records to the extent that their production would constitute a genuine risk to enforcement proceedings, or a clearly unwarranted invasion of personal privacy, or a threat to life.

Improving the contents of a law without enhancing enforcement procedures will be of little or no benefit, however. To accomplish the latter, therefore, Title II of H.R. 4960 creates a seven-member commission—four members to be appointed by Congress and three by the President for a term of 5 years—to assist the Federal courts in determining whether requested information is being properly withheld by an agency under the Freedom of Information Act. As has been recognized by courts and other authorities, such assistance is essential because the courts at present lack sufficient time or ex-

pertise in many instances to enforce the act effectively. In addition to the courts, the bill also authorizes Congress, committees of Congress, the Comptroller General of the United States, and Federal agencies to petition the commission for a review of an agency's denial of information. An individual citizen may also obtain a review by the commission if three members of the commission agree to a review. Authority to enforce the Freedom of Information Act would remain with the courts and the findings of the commission would only be advisory.

However, a commission finding that an agency has improperly withheld information from the public shall constitute prima facie evidence before the court that information has been improperly withheld. This shall have the effect of placing the burden of proof upon the agency in the court proceedings to show that its action in refusing to make information available is consistent with the law.

Finally, H.R. 4960 provides in Title III for certain additional amendments to the Freedom of Information Act which, as a result of subcommittee hearings last Congress, were found to be necessary if the public is to have access to all the information it is entitled to. These amendments first, lay down reasonable time limits for an agency to respond to a request for information, second, authorize a court to award reasonable attorney's fees and court costs to private parties who have been found to have been improperly denied information by a Federal agency, third, direct a court to enjoin an agency's improper withholding of information, and fourth, require agencies to file annual reports with the appropriate committees of Congress detailing their administration of the Freedom of Information Act.

Mr. Chairman, almost seven years ago Congress took a giant step toward throwing the doors of informational freedom open to the public. Disclosure of information was to be the rule, not the exception; the burden of disclosure was to take precedence over the burden of concealment. Regrettably, these requirements have all too often been ignored or interpreted too narrowly. The state of our society today and the need to maintain effective restraints upon a giant Federal bureaucracy require that more stringent steps be taken. I believe enactment of H.R. 4960, amending the Freedom of Information Act, together with that on executive privilege, will go far to correct existing imbalances.

Mr. Chairman, a number of excellent proposals are pending before this subcommittee. I am confident that with the leadership of Chairman Moorhead, my colleagues Mr. Moss and Mr. Erlenborn, and indeed all the members of this subcommittee, a tremendously important piece of legislation will emerge from these hearings.

#### U.N. DIPLOMATIC DEADBEATS SHOUT: "CHARGE"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. RARICK. Mr. Speaker, diplomatic deadbeats from the United Nations have been using their diplomatic pouches to carry around an abundance of unpaid bills and fixed parking tickets, and according to reports local New Yorkers are "up in arms."

An international incident may be brewing on Manhattan Island. Businessmen, doctors, shopkeepers, and telephone company officials who have extended credit to the U.N. crowd want to get their money, but in many cases the deadbeats have skipped town leaving a string

of unpaid bills blowing in the breeze. U.S. embassies abroad have been pressed into service as collection agencies to try to recover at least some of the money from the foreign governments.

More than a dozen individual diplomats are reported to be in danger of having their residential telephone service disconnected for nonpayment. Some missions are said to have run up thousands of dollars in telephone bills, and refused to pay them for several months.

The U.S. taxpayer ends up footing the bill for the U.N. crowd's bad debts. The business people who sold them goods on credit can declare the loss as an "UN-collectable debt" on their income taxes.

In addition to their financial habit of ripping off local business people, the neo-international citizens are accused of using their diplomatic immunity to flout United States and local laws. Police report that during the past 26 months a total of 7,982 parking tickets have been issued to the 1,300 diplomatic-licensed cars in New York. Most diplomatic cars are not ticketed out of courtesy. So the ones that do receive citations are in flagrant violation of the law and present a hazard to local citizens—such as parking in front of fire hydrants.

The U.N. internationalists consider themselves a breed apart from the laws governing the rest of society. They are working for peace, not justice, law, and order.

Rather than ticketing the world citizens' automobiles, New York police may serve the safety of the city better by towing them away. And while they are at it—tow the entire U.N. away—to Moscow, Havana, Peking, or Hanoi. However, the diplomatic deadbeats may find it more difficult to live on credit there.

The related newscippings follow:

[From the Evening Star and Daily News,  
May 5, 1973]

#### U.N. DIPLOMATIC DEBTS

UNITED NATIONS, N.Y.—U.N. missions of several foreign governments and more than a dozen diplomats are in danger of having their telephone service cut off because of unpaid bills, U.S. officials warned today.

And New Yorkers "are up in arms over undisciplined and dangerous parking practices" such as leaving diplomatic cars at fire-plugs, a U.S. report to the U.N. Committee on Host Country Relations said. It disclosed that, starting June 1, it will be harder for U.N. diplomats to get their parking tickets fixed.

This was the second time in less than a year that the United States has complained formally to the committee about the conduct of certain U.N. diplomats and missions. Out of diplomatic courtesy, however, the offenders were not named.

A U.S. complaint to the committee last June stressed unreasonably large imports of tax-exempt liquor and cigarettes by U.N. missions and diplomats. The implication was that the goods were being resold.

William E. Schaefele Jr., a U.S. official at the United Nations, said most large imports have dropped off, although, "in certain instances, very large orders seem to continue."

The latest complaint stresses unpaid bills. "Diplomats have left New York leaving strings of unpaid bills, unpaid loans, unpaid credit card accounts and unpaid medical bills," Schaefele said. "I am not exaggerating when I say, frankly, that the situation is most serious."

"Telephone service is essential to our

work, yet there are several missions in New York today on the verge of having their telephone service cut off," he continued.

"One mission owed \$5,000 in March and still owes \$3,000; another did not pay its phone and Telex bill for seven months. There are more than a dozen individual diplomats today who are in danger of having their residential phones cut off."

In some cases, the problem is the long time it takes for foreign governments to transfer money to their people in New York. U.S. embassies in some foreign capitals have had to press for payment of the unpaid bills, U.S. sources said.

On an average night in Manhattan, 20 cars with "DPL" diplomatic plates are found parked overnight in front of fire hydrants, Schaefe said, adding: "Human life is at stake. Parking in front of fire hydrants is just not an acceptable practice in New York."

He reported that police issued 7,982 parking tickets to diplomatic cars in New York during the past 26 months, but this covered only the most flagrant violations. "Most DPL cars are never ticketed," he explained.

He also reported that 63 of the 1,300 diplomatic-licensed cars in New York are driving around with expired 1972 plates.

#### LINDA FUGATE, CHATTANOOGA, WINS FIRST PLACE IN TENNESSEE'S "ABILITY COUNTS" SURVEY CONTEST

#### HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. BAKER. Mr. Speaker, a high school senior from Chattanooga, Miss Linda Fugate, has won first place in the 25th annual "Ability Counts" survey contest cosponsored by the Governor's Committee on Employment of the Handicapped, the State department of education, the Disabled American Veterans, and the Tennessee State Labor Council, AFL-CIO.

Linda, who attends Redbank High School in Chattanooga, won a \$1,000 cash scholarship for her report on the subject: "Employment of the Handicapped: Tomorrow's Challenge." In addition to placing first in the State competition, her report was judged second best in the Nation and she received a \$600 prize during the annual meeting of the President's Committee on Employment of the Handicapped last week in Washington.

All Tennessee has reason to be proud of Linda Fugate. She not only understands the problems of the handicapped and their role in today's society, she works constantly to improve their everyday enjoyment of life. She works with deaf people who attend the White Oak Baptist Church in Chattanooga. She uses sign language to interpret songs and sermons. She also translates daily news broadcasts into sign language for the benefit of the deaf.

It is my privilege to bring her prize-winning report to the attention of my colleagues. I submit Linda Fugate's report, "Employment of the Handicapped: Tomorrow's Challenge," in the RECORD, as follows:

#### EMPLOYMENT OF THE HANDICAPPED: TOMORROW'S CHALLENGE

(By Linda Fugate)

A child is born with a clubfoot. In ancient

times this child would have been left to die of starvation and exposure, along with any others who were considered weak or defective. The mentally retarded were once locked in dungeons or exhibited as public spectacles. The old were abandoned as soon as they were of no use to their people.

Yet today we believe that every human being born into the world has the right to live a full and meaningful life, regardless of his handicaps. We dream of a world where the blind, the deaf, the lame, and all other handicapped people can find a useful place in our society and enrich our lives by their own happiness. This dream is yet unfulfilled. It is tomorrow's challenge.

The first phase of this challenge is to find jobs for the handicapped. The ancients realized correctly that a society cannot long exist supporting the helpless. Yet employment of the handicapped does much more for the individual than for the group: it is the only way to give the handicapped person the sense of independence and security which everyone needs.

Employers are more willing to hire the handicapped today than ever before because of the drastic reduction in absenteeism, in turnover, and in accidents noted when the handicapped are given a chance. Many employers also observe that disabled people tend to be more proud of their jobs; therefore, they try harder to do their best work than do other employees. However, there are still many barriers to be overcome in finding jobs for the handicapped. The main barriers are the lack of understanding, the time and effort required for selective placement, the extra time and expense of job orientation, and the unusual risks of some handicaps. This last barrier is being overcome to some extent by better placement and by the good safety records of the handicapped, but it is still a problem in some cases.

These barriers are greatest to those with the severest handicaps. Consequently, only one-third of the blind are employed; one-half of the paraplegics; one-fourth of the epileptics; and one-seventh of those with cerebral palsy. Disabled veterans and the handicapped from extreme poverty situations also present a special challenge, for they may need encouragement and motivation to overcome their frustrations.

Yet if the handicapped are sometimes frustrated, we must not be. Remember that Beethoven, Thomas Edison, and Alexander Graham Bell were deaf; Magellan and Handel were lame; John Milton was blind; and Franklin D. Roosevelt was paralyzed. Truly it is ability that counts, not disability. Let us continue the work that has already been started in bringing out the ability of the handicapped. It may take some extra effort to learn sign language for the deaf, or to count taxi fare for a mentally retarded person on the job, or to move a blind person's work station closer to the door, but our efforts will be amply rewarded.

The second phase of our challenge is to train the handicapped for and to place them in the jobs found for them. Chattanooga is fortunate to have four major organizations for training and/or employing the handicapped: Vocational Rehabilitation Center, Abilities Incorporated, Goodwill Industries, and Orange Grove Center. The Vocational Rehabilitation Center identifies the handicapped, refers them to proper agencies, and provides funds from state and federal sources to pay for training and other services. This center helped 12,000 people in 1972. Abilities Incorporated, organized and managed by Mr. Mize Lawrence, a Korean War amputee, provides very practical on-the-job training and employment for about 60 people at present in a sheltered workshop. Goodwill Industries provides a variety of useful services which include pre-vocational evaluation, work conditioning and training, placement in other work opportunities, and either temporary or permanent employment in its own sheltered

workshop. This workshop also employs about 60 people at present.

Orange Grove Center is another valuable service agency rendering assistance especially to the mentally handicapped. Orange Grove has approximately 475 students in its structured school program, 275 workers in on-the-job training and the sheltered workshop, and 80 people who received training at Orange Grove now working in the community.

The really great challenge of vocational training is to coordinate the many organizations across the country which work with the handicapped and link them with federal agencies working on matters concerning the handicapped, so the voices of the disabled will be heard. This is the ultimate goal of the Physically Handicapped Subcommittee of the President's Committee on Employment of the Handicapped.

The final consideration of our challenge is social. First, the handicapped person must accept his own disability and have the will to succeed; second, the public must be aware of and accept the handicapped. Chattanooga is a prime example of public awareness and interest. Almost every industry in Chattanooga hires some handicapped people. Brock Candy Company has won a state award and the national American Legion Award for employment of the handicapped. Chattanooga is blessed with Hamilton County and Chattanooga classes for educable mentally retarded, the Siskin's 365 Club, Moccasin Bend Psychiatric Hospital, whose work in chemical therapy has been phenomenal, and many others. But we have more than organizations here—we have people who care. People from about six counties in our area have just given approximately \$80,000 to the March of Dimes Telerama. Recently Shoney's Restaurant gave one day's profits to the mentally retarded, and the Psi Kappa Chapter of the Alpha Phi Omega is planning a "Bike Hike" for the Chattanooga-Hamilton County Mental Health Association next May. Yet the way is only being paved. Do we really understand the epileptic? Do we accept the alcoholic? Do we respect the mentally retarded janitor? This is tomorrow's challenge.

#### POSTAL SERVICE ISSUES STAMP HONORING COPERNICUS

#### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. DULSKI. Mr. Speaker, the opening feature of Nicolaus Copernicus Week was the issuance of a special commemorative stamp honoring the great son of Poland, Nicolaus Copernicus, whose theory about the universe changed the course of science.

Nicolaus Copernicus, whose baptismal name was Mikolaj Kopernik, was born 500 years ago in Torun, Poland, and the scientific communities throughout the world lead the way this year in honoring his pioneering contributions to modern science.

In recognition of the quincentennial, the U.S. Postal Service issued a special 8-cent commemorative stamp at a formal ceremony in the auditorium of the National Museum of History and Technology, at the Smithsonian Institution.

The stamp was designed by Alvin Eisenman, modeled by Howard C. Milder, and engraved by Albert Saavedra and Arthur W. Dintaman.

At the stamp ceremony, David Chalmers, Smithsonian Assistant Secretary for Science, presided. The excellent in-



vocation was given by the Very Reverend Walter J. Ziemba, president-rector of Saint Mary's College and Seminary, Orchard Lake, Mich.

The official welcome was extended by the Secretary of the Smithsonian, S. Dillon Ripley, and the honored guests were introduced by Daniel J. Boorstin, Director of the National Museum.

#### GREETINGS FROM POLAND

Greetings from Poland were extended by Janusz Groszkowski, honorary chairman of the Copernican Quincentennial Symposium.

The principal address was by Murray Comarow, Senior Assistant Postmaster General, substituting for Postmaster General E. T. Klassen. Mr. Comarow presented special souvenir albums to the honored guests and received in turn special albums from Poland presented by Mr. Groszkowski.

The response was by Peregrine White, of the National Academy of Sciences, which cooperated fully with the Smithsonian Institution in arranging the well-attended and inspiring weeklong scientific symposium.

It is fitting at this point to express my sincere commendation and appreciation to both the Smithsonian and the National Academy for their all-out effort and cooperation in giving national—and international—recognition to the Copernicus quincentennial. No stone of potential was left unturned.

Mr. Speaker, Nicolaus Copernicus Week—designated by President Nixon for the week of April 23 as a result of my legislation—now is history, but the memory lingers on. The interest and response to the Copernican quincentennial have been most gratifying.

Without question, the honors paid this year to Poland's famous son have done much to enhance the relationship and understanding between our two countries and, particularly, to convey to our citizens the depth and wealth of Polish heritage.

Mr. Speaker, as part of my remarks, I include the texts of Mr. Comarow's speech, Father Ziemba's invocation, two scientific dedications, and two newspaper articles:

**SPEECH BY MURRAY COMAROW, SENIOR ASSISTANT POSTMASTER GENERAL, AT COPERNICUS STAMP CEREMONY, APRIL 23, 1973**

One of the more pleasant rituals of our society, it seems to me, is to honor a great man or woman with a humble, useful postage stamp.

Copernicus, whose awesome presence we evoke today, is undoubtedly smiling his approval from the heavens he set straight.

This great Pole is generally perceived as the man who moved the Earth from its starring role at center stage to its more appropriate position as a minor spear-carrier in the wings. He was more than that.

He was a theologian, an economist, a diplomat, a physician, and a humanitarian. He took degrees:

1. In mathematics and astronomy from Cracow
2. In canon law from Bologna
3. In law from Ferrara
4. In medicine from Padua

As an economist he advised the King of Poland on monetary and tariff reforms. As a diplomat, he was involved in Poland's relations with the Teutonic Knights.

As a theologian, he saw himself as God's

servant: this man, obsessed with the pursuit of scientific truth, yet found time to settle Polish peasants on abandoned farms, and work among the poor as a physician.

#### BUT NOT A STAMP COLLECTOR

I trust you will not feel let down if I tell you what Copernicus was not. He was not a stamp collector.

It is true that stamps had not yet been invented—the word comes, as you know, from the impression or “stamp” of a seal into soft wax—but still, such a man . . . well.

Copernicus' theory that the Earth revolved around the sun was roundly condemned, of course, by the establishment of his day, and well beyond. But too late, for this man was as practical as he was wise. He delayed publishing his great book for some years, and when he did, in 1540, he dedicated it to Pope Paul III.

Even so, Martin Luther called Copernicus “a fool who wishes to reverse the entire science of astronomy.” And the Vatican did not remove his works from its index of prohibited books until 1822.

Now, of course, he is claimed by all. Germans say that he is really a German. Italians point out that he studied in Italy. Greeks say that their astronomer Aristarchus had the idea 2,000 years before Copernicus. Other nations have yet to be heard.

It puts me in the mind of Louis Agassiz's remarks that “Every great scientific truth goes through three stages. First, people say it conflicts with the Bible. Next, they say it has been discovered before. Lastly, they say they have always believed it.”

#### COPERNICUS STANDS TALL

No matter. These competing claims cannot diminish this great man of the Renaissance. He belongs to all of us, in his towering genius, and his simple humanity.

Not that we necessarily deserve him. The first edition of his immortal book sold seven copies. Today, distinguished scientists, diplomats, and artists join with the rest of us to salute him.

The world will honor Copernicus in many ways this year. This beautiful stamp, designed by the brilliant Alvin Eisenman of the Yale School of Art, is our way, our tribute, at this ceremony.

This is an unusual occasion. The Citizens Stamp Advisory Committee, which agreed on Copernicus, rarely goes beyond our national borders for stamp subjects.

Nor do men of science often find themselves on our stamps. I'm afraid, although we did do one on Albert Einstein a few years ago.

Today we remind ourselves that there are minds which transcend national boundaries. Some call this the Age of Aquarius. It might better be called the Age of Copernicus.

**INVOCATION BY FATHER WALTER J. ZIEMBA, PRESIDENT-RECTOR OF SAINT MARY'S COLLEGE AND SEMINARY, ORCHARD LAKE, MICH.**

God of the House of Jacob, Yahweh, Adonai, Father who art in Heaven, Lord, Hope and Strength of all who trust in You, bow our heads and bend down to listen to our prayer.

You Who in the beginning created the inverted bowl of the heavens and this spinning ball of earth, who said “Let there be light,” shed Your Light upon us as we gather on this great day of special joy to mark the five-hundredth anniversary of the birth of one of your gifted genius-children—Mikolaj Kopernik: Nicolaus Copernicus.

Divine Master, You make blessings to fall from the heavens, You give clouds to prepare the rain for the earth, You make the grass to grow on the mountains, and see to it that herbs are for the service of all.

You bless and sanctify, open Your hand, and all are filled with good; and if You turn away Your Face, all shall be troubled. You have made all men to Thy own image and

likeness; You have made our American nation a member of the world's family of nations; You have blessed its people with physical resources, technical know-how, and potential wisdom to sustain prosperity.

We want to obey Your every wish, the Law by which we move along the way of Your providence. We gather as your family Your children, to give You thanks and invoke Your blessings. How often in the past we realized that we are but reeds swaying in the wind, as we searched for stability that only Your grace can give us.

Heavenly Friend and Companion, through life man has learned so much: that life is always both a tear and a smile, a joy and a pain, a blessing and a cross, a coming and a going, a living and a dying, a losing and a finding.

Through the genius-talents for your son, Nicolaus Copernicus, posterity has been endowed with new and fresh insights into Your creation, has been given a new world-picture new power for progress. Through his searching and creative mind, You taught us new respect for Your laws—in the universe, in nature, among men, among nations of men.

For Copernicus, Life was a rock and God's law a chisel with which he carved that rock in Your image and likeness, who stood in Your sunlight and drew light from Your Law, who knew that man can muffle the drum or loosen the strings of the lyre, but that none can command the skylark not to sing.

Inspire us, Bountiful and Provident Creator, as you did your servant Nicolaus, with the courage to face truth, to harmonize astronomy with theology and philosophy with science; inspire us with the strength to give evidence, as did your servant Nicolaus, of our sense of responsibility for the common good of all, to make crystal clear our will for peace and harmony with all, to preserve and revere the rich and hallowed cultural and religious traditions of our forefathers—as did your servant Nicolaus of his Polish forefathers—so worthy of our imitation, to remember, as did your servant Nicolaus, that to work is to fulfill a part of God's dream for this earth and the total universe, to love those who nourished our needs and helped shape our life's foundation stones, and to fear nothing save that knowing what is the truth and what is right, we fail to do it.

Give unto all of us the grace to serve You courageously, together, working in redemptive charity toward the religious advent of Your eternal kingdom, wherein as Isaiah said, “The eyes of the blind shall be opened, and the ears of the deaf shall be unstopped; then shall the lame man leap as the hart, and the tongue of the dumb shall be free, and the redeemed shall come with praise, and everlasting joy shall be upon their heads.” We ask these blessings; we ask Your blessing. Amen.

#### THE QUINCENTENNIAL—A FESTIVAL OF RENEWAL

(By Dr. Wilton S. Dillon, Smithsonian Director of Seminars)

What is night, and how is it produced? This seemingly elementary question brought forth some revolutionary answers by a man who, born 500 years ago, is being honored all over the small planet which produced him.

The quincentennial of the birth of the father of modern astronomy, Nicolaus Copernicus, now is reflected in a commemorative stamp issued today by the U.S. Postal Service. It gives further recognition of our intellectual debts to the man who dared to say that the earth revolves around the sun, and thus paved the way for modern space exploration. An American unmanned space observatory called Copernicus already orbits the earth with its ultraviolet telescope. UNESCO and the International Council for Scientific Unions have declared 1973 Copernicus Year. Recent issues of the Congressional Record and proclamations of govern-

ors of a number of American states give new energy to public education about the meaning of the Copernican revolution for modern mankind, and a recognition of the cultural patrimony of Americans of Polish ancestry. The Polish-American Congress has helped to stimulate continent-wide tributes in many American communities.

The first day of issue ceremony of the Copernicus stamp launches a major international symposium, "The Nature of Scientific Discovery," under auspices of the National Academy of Sciences and the Smithsonian Institution. The symposium, organized in cooperation with the Copernicus Society of America, is embellished by exhibitions of Renaissance treasures from Cracow, Polish crafts and graphic, medals, film premieres, newly commissioned music by Leo Smit, Sir Fred Hoyle, and Leon Kirchner, public forums on innovation in technology and education, a visual presentation by Charles Eames, and a new portrait of Copernicus by Leonard Baskin—in short, a Renaissance cultural festival in modern idiom. The U.S. National Commission to UNESCO has joined with the Smithsonian in sponsoring "Education Day honoring Copernicus April 26. Under separate auspices, Copernicus will receive further tribute this week with a Kennedy Center concert of traditional and contemporary Polish music, and Polish Day activities near the Washington monument.

#### MAN BEHIND TRIBUTES

Who was the man behind these tributes, and why the celebration?

Born Mikolaj Kopernik or Niklas Kopernik in Torun, Poland, February 19, 1473, the Renaissance genius, best known by his Latin name, represents nothing less than the origin of modern science, a half-millennium of progress in understanding the physical universe.

(Serious students of Copernicus in English should consult the works of Prof. Edward Rosen, City University of New York, who will be honored this week by the Copernicus Society of America for his new biographical work on Copernicus contained in Rosen's *Three Copernican Treatises*. New York: Farrar, Strauss, and Giroux, 3rd edition, 1971. See also Rosen's article, "Copernicus' Place in the History of Astronomy," *Sky and Telescope*, February, 1973.)

Left fatherless at age 10, Nicolaus was brought up by his mother's influential brother, the Bishop of Warmia, and at age 18, in 1491, started his studies at the royal Jagiellonian University in Cracow, then the capital of Polish kings. There he learned from the observational and computational tools (exhibited today in the Smithsonian) which helped launch his diverse career. He studied canon law at Bologna, medicine at Padua, and received a doctorate from Ferrara before returning to Poland in 1505, where he spent his adult life as canon for the Cathedral of Frauenburg (now Frombork). There, starting in 1512, he wrote *Concerning the Revolutions of the Heavenly Spheres*, published in Nuremberg in 1543—the work destined to overthrow the long-held view that the earth was the center of the universe. His masterwork, printed the year of his death, acted like a delayed time bomb exploding scientific and religious dogmas. Protestant and Catholic authorities were more comfortable with seven centuries' acceptance of Ptolemy's geocentric theory than the sun and planets moved around a fixed earth. Invention of the telescope helped confirm Copernicus' theory.

#### HIS MATHEMATICAL SKILLS

Though centuries before computer technology evolved to help astronomers, Copernicus produced tables in his *De Revolutionibus* which reflect his decades of penetrating reflection and precise computation. His mathematical skills also were reflected in a treatise on coinage which anticipated Gresham's Law.

Though anticipated himself by a Greek astronomer, Aristarchus, 2000 years earlier, Copernicus was the first man to work out the numerical details so that the positions of the planets could be predicted in a sun-centered system. Before Copernicus, the prevailing common sense idea was that the sun, after rising in the east in the morning, and passing nearly overhead at noon, disappeared from sight in the west and then went behind or below us to produce night. But Copernicus calculated that the sun was at absolute rest: night occurs at those places where, as the planet rotates on its axis once every 24 hours, the light from the sun is cut off by the opaque bulk of the earth itself. Kepler, Galileo, and Newton extended his revolutionary theory to produce the foundations of modern science. Celestial motions no longer could be explained in terms of strivings inherent in matter itself.

By assigning the earth its true place in the cosmos, Copernicus, according to Prof. Rosen, made an imperishable contribution to cosmological thought. He serves as an important reminder of the curiosity, discipline, and versatility needed today in an epoch marked by social and intellectual fragmentation. Some blame science and technology for environmental problems and fail to recognize that new Copernican revolutions are required to solve them. Copernicus' legacy provides a focus and a model for individual and cultural renewal. As a churchman, patriot, physician, economist, diplomat, mathematician and painter—in addition to his work as astronomer—Copernicus combined gifts which still can pop up in new combinations in new generations, within the same individual. The persistence of the Copernican spirit may be analogous to the survival of the Polish nation and the overseas carriers of Polish culture who make up Polonia.

"In an age of specialization, the tribute to Copernicus, who embodies the Renaissance ideal, should have special meaning for the continuing education of modern Americans, and other people in the world who need such reminders of the interdependence of learning," S. Dillon Ripley, Secretary of the Smithsonian Institution, recently wrote. "Though identified with Poland, Copernicus transcends ethnic and national origins."

The Smithsonian Magazine observed that Copernicus has become one of the immortals. (Special articles on Copernicus appear in both the March and April, 1973 issues.) He is one of the names like Plato, Shakespeare, and Leonardo da Vinci, which shed a permanent glow of glory on the nations which can claim them for their own. German and Italian cultures contributed to making Copernicus a great European. (Coincidentally, the first day of issue of our stamp to Copernicus falls on Shakespeare's birthday.)

#### BASIS FOR HUMILITY

Yet, along with national pride in his achievements, the Copernican legacy brings with it a basis for humility. "Psychologically, Copernicus' contribution to man's self-image was far more important even than his epochal correction of astronomers' ideas," the *New York Times* observed in a birthday tribute. "His work exposed the folly of human arrogance. Before Copernicus, men could imagine their home planet was the center of the universe and mankind thus the focal point of creation. Today, after centuries of development of Copernican ideas we know that the earth and this solar system are a relatively unimportant byway in a universe with billions of stars and of similar solar systems."

And for what Copernicus means to earth-bound truth-seekers today, in the face of declining public support for science. Prof. Owen Gingerich of the Smithsonian Astrophysical Observatory and Harvard University, wrote: "From his 'remote corner of the world' Nicolaus Copernicus set into motion not only the earth, but the entire spirit of inquiry that has so richly increased our understanding of the universe. But the ultimate

reason for the anniversary celebration—and indeed its challenge—is a rededication to preserve the fragile freedom of inquiry and the resources that make inquiry possible." Prof. Gingerich serves as editor of a volume, "The Nature of Scientific Discovery," to be published next year by the Smithsonian Press. (See also his "The Copernican Celebration," in *Science Year, The World Book Science Annual*, 1972, Field Enterprises Educational Corporation, and "Copernicus and the Foundation of Modern Science," *UNESCO Courier*, 1973.)

Another legacy of United States participation in Copernicus Year will be a popular book of essays on Copernican and quasi-Copernican revolutions being assembled under the auspices of the National Academy of Sciences and the editorship of Prof. Jerzy Neyman of the University of California, Berkeley. Destined for the general public and younger students, this new work will give further testimony to the universal man who made such an "imperishable contribution" to human thinking about the cosmos.

Such thinking may be as practical as survival. "If a man is not to disappear he must learn to know himself and the universe through which his planet soars," Neil Armstrong said. "Copernicus lifted eyes to the stars and this one year birthday party hardly seems long enough."

COPERNICUS—DEDICATION BY KENNETH F. LEWALSKI, RHODE ISLAND COLLEGE

It is good to be reminded on this anniversary of Copernicus how much a single individual can do to bring about a change in the consciousness of man . . . an occasion to reflect upon the power of mind . . . an eternal monument to the power of ideas in history. As a man of the Renaissance, Copernicus was both a scientist and humanist. He represents our continuing quest for an integrated understanding of man and nature, a harmony between science and society, and the mastery of man over himself and his universe.

[From the AM-POL Eagle, Buffalo, N.Y., Apr. 26, 1973]

#### POSTAL SERVICE DEDICATES COPERNICUS STAMP

The U.S. Postal Service Monday officially dedicated a commemorative stamp to the memory of Nicolaus Copernicus.

The Smithsonian Institution & National Academy of Sciences in Washington sponsored a symposium observing the 500th Copernican anniversary.

The seven-day ceremony was launched Sunday night with a concert featuring a cantata, Copernicus, Narrative and Credo, composed by Leo Smith of the State University of Buffalo.

Rep. Thaddeus J. Dulski (D., Buffalo), who introduced the congressional resolution that designated this week as Nicolaus Copernicus Week, was on hand at the dedication at the Institute.

A pen which was used by President Nixon to sign the resolution, Mr. Dulski announced, had been sent to him by the president, and he, in turn, will give it to the Buffalo & Erie County Historical Society.

The dedication was made by Murray Kamarow, senior assistant postmaster general. A number of bound volumes of the first day was presented by Mr. Kamarow to Ambassador Witold Trampeczynski.

Guests at the ceremony included Dr. Matt A. Gajewski, of the Buffalo Board of Education, Arthur Kosciński and Chester Kendra, all members of Adam Plewacki American Legion Post Stamp Society in Buffalo.

Also attending were the following: Buffalo Committee, Dr. Francis Siemankowski, Buffalo State College; Fred Jablonski, Buffalo Copernicus Exhibit Committee; Chester Jarmusz, also Buffalo Copernicus Exhibit Committee.



[From the Buffalo (N.Y.) Evenings News,  
Apr. 24, 1973]

**COPERNICUS STAMP UNVEILED AT POSTAL  
SERVICE CEREMONY**  
(By Roland Powell)

WASHINGTON.—The U.S. Postal Service Monday officially dedicated a commemorative stamp to the memory of Nicolaus Copernicus.

Copernicus, born Feb. 19, 1473, in Torun, Poland, is best known for the theory that the earth rotated around the sun instead of being the center of the universe.

His 500th anniversary observance includes a current symposium here sponsored by the Smithsonian Institution & National Academy of Sciences.

The week-long ceremonies were launched Sunday night with a concert featuring a cantata, "Copernicus, Narrative and Credo," composed by Leo Smith of the State University of Buffalo . . . held in the Smithsonian's National Museum of History & Technology. Among those on hand was Rep. Thaddeus J. Dulski (D. Buffalo) who introduced the congressional resolution that designated this week as Nicolaus Copernicus Week.

Mr. Dulski announced that the pen used by President Nixon to sign the resolution had been sent to him by President Nixon and he, in turn, would give it to the Buffalo & Erie County Historical Society.

The dedication was made by Murray Kamarow, senior assistant postmaster general. Mr. Kamarow presented a number of bound volumes of the first day to members of the Smithsonian, the National Academy of Sciences and to Ambassador Witold Trampczynski.

Guests at the ceremony included Dr. Matt A. Gajewski, of the Buffalo Board of Education, Arthur Kosciński and Chester Kendra, all members of Adam Plewacki American Legion Post Stamp Society in Buffalo.

**WAR SCARS**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. RANGEL. Mr. Speaker, now that the Vietnam war is officially over, and words such as "honor" and "victory" are bandied about with increasing frequency, it is time to face reality. The harsh reality of the difficult adjustment ahead for our Vietnam veterans.

In the New York Post of April 18, Harriet Van Horne wrote an interesting and necessary column entitled "War Scars." It is now submitted for this body's collective interest.

**WAR SCARS**

(By Harriet Van Horne)

One of the solemn idiocies of war is trying to add up the total cost in dollars and sense, and ignoring the agonizing cost in shattered lives, national despair and a demoralized military system.

The Pentagon, ever modest in its public calculations, has estimated the cost of the Vietnam war at \$110 billion. That's a staggering sum, all right, but it's only the beginning.

The Pentagon estimate takes no account of the billions in aid to Saigon, Cambodia and Laos. It ignores the long range cost of veterans' benefits and medical care, which will eventually total \$220 billion. It ignores the loss to the Gross National Product of the 55,000 war dead, currently written off as a waste of \$33 billion in human labor.

It was not a lovely war, and Robert Leachman, the distinguished economist, has said that the ultimate cost of our Vietnam adventure will be \$400 billion, plus.

A good part of that plus is the damage to human lives—to the fighting men and their families, to the society that produced them and must now share their anguish, their reentry pains. Some terrible truths about the mental suffering of Vietnam vets are finally beginning to surface. We shall ignore them at our peril.

For years to come, these men will constitute one of our most serious social problems. For theirs are the sort of problems that cannot be cured by college on the GI bill, or by a few months of "rap sessions" with a psychotherapist.

"Vietnam veteran syndrome" is a new phrase born of peace and entering the language as a scream in the night.

To say that our veteran population is alienated, is to understate the matter. Dr. Robert Jay Lifton, the Yale psychiatrist who has made an 18-month study of servicemen's psychoses, says the men are "hurting" and desperately in need of help. Sadly, a great many of them avoid contact with the Veterans' Administration because it is linked in their minds to the military establishment, which they have come to hate and distrust.

One of the scarring aspects of the Vietnam war, Dr. Lifton has written, was that it offered "no honorable encounter, no warrior grandeur." Instead there was a malignant obsession with body counts. "Only killing could affirm power, skill and worth," the psychiatrist notes.

Killing for the sake of killing has left deep scars in the veterans' minds. Many are violence prone and their drug addiction is a particularly vicious kind.

The Federal Prison Authority estimates that 30 percent of the nation's prison population now consists of Vietnam veterans. From 23 to 27 per cent of Vietnam-era veterans admitted to psychiatric care have attempted suicide. Several psychiatrists have said that they expect the suicide rate among veterans to increase as the years pass. The memories, the guilt, the bitterness do not recede under the influence of home cooking and the love of a good woman.

I was impressed—and deeply troubled—by a sensitive article in the current Redbook on Vietnam Veterans by Catherine Breslin. One telling anecdote says all you need to know about war nerves: A young woman, having left her bed in the night, silently returned to the side of her sleeping husband. The pressure on the mattress woke him. Barely conscious, he struck her fiercely, breaking her nose.

A psychologist, James Smith, is quoted as saying that "No group in America is potentially as dangerous as the veterans."

A psychiatric researcher at Harvard studied 60 ex-Marine enlistees for a period of two years. During that time, two were indicted for murder and five for attempted murder. Later, the researcher, Charles Levy, was consulted in eight widely scattered trials of veterans who had committed major crimes, including murder, kidnapping and rape. Their control had snapped, in every case, during a "flashback condition" in which they felt themselves completely and unaccountably back in Vietnam.

Society, one observer has said, requires nothing of the Vietnam veteran except "invisibility." We are guilty about this war and morally responsible for the young Americans sent to fight it. Dr. Lifton has summed up our mood perfectly: "Even Americans who have not seen Vietnam feel something of a national descent into Existential evil, a sense that the killing and dying done in their name cannot be placed within a meaningful system . . . The result is a widespread, if vague, feeling of lost integrity at James approaching moral-psychological disintegration."

A bitter, four-page newspaper comes to my desk occasionally, published by Vietnam Veterans Against the War. Says a recent issue, "Home with honor—what kind of joke is that?" Is it an honor to stand in the un-

employment lines, to starve while going to school on the pinched and begrudging GI bill? the editorial asks.

Miss Breslin worries that there are not enough benefits, enough therapists, enough jobs. It's an enormous, soul-destroying problem. And the basic question must be stated: Is there enough concern, enough love, enough decency in this land to cope with the Post-Vietnam Syndrome?

**REPEAL THE SECOND LAW OF  
THERMODYNAMICS**

**HON. CRAIG HOSMER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HOSMER. Mr. Speaker, it is common these days to receive pontifical suggestions for the relief of the energy crisis. Mostly these have us turning to solar power or geothermal sources or controlled hydrogen fusion and the like at once, without an intervening period of research and development. A man in England is selling do-it-yourself kits whereby methane gas to run automobile engines is generated from manure power. The opposite side of this coin is the proposition of conserving and reusing energy. The demand for new energy is thus cut back or eliminated by the conservation and reuse of old energy, usually in the form of Btu's which have been salvaged. As explained in the following article from Nuclear News magazine for May, written by Bill Minkler, all these things can set in motion the necessary prerequisites for legislative repeal of the Second Law of Thermodynamics:

**OUR TOWN'S FUEL CRISIS—SOLVED**

(By Bill Minkler)

Two months ago I told you about our town's fuel shortage, and how we shivered all winter. Now we've solved the problem and can face next winter without fear.

Our solution is based on an established electrical engineering technique, which, in case you haven't heard of it, I shall now describe. This will be today's science history lesson, so please take careful notes. There will be a quiz at the end of the hour.

When electricity was discovered in 1800 by Alessandro Volta and his young assistant Thomas Watson, it was shown that electric current is the flow of electrons along a wire. Early motors, toasters, iron, etc. had only one wire, which carried electrons from the power company to the appliance. The used electrons were simply dumped into the air.

No atmospheric pollution resulted from this, because the electrons rose quickly to the stratosphere and formed an invisible cloud, which we now call the Van Allen belt.

However, since the electrons were being discarded after one use, and since natural matter contains less than 0.03 percent electrons by weight, an acute electron shortage developed. A separation plant was established at Oak Ridge, Tenn., to strip electrons from matter by gaseous diffusion for distribution to power companies. Heavy elements were used, as these contain more electrons per atom than light elements. But since known heavy element deposits were quite limited, it was feared that electricity was doomed. The convenient automatic appliances, with their familiar single black wire, would soon disappear.

Fortunately, a young genius from New Jersey named Thomas Edison got the idea—why not use two wires? One to carry electrons to the appliance, and the other to recycle them back to the generator. Edison's

scheme proved so successful that it was adopted immediately.

With the electron population thus stabilized, the gaseous diffusion plant was needed only for expansion and make-up of irrecoverable losses. And Edison soon devised a way to eliminate it altogether. He found that by attaching a third wire to an appliance, and tying the other end of the wire to a sewer pipe, electrons would rise out of the ground to the appliance along this third wire by jet pump action. The rise rate was greater than sufficient to make up all losses, and so he termed this phenomenon "electron breeding." From thenceforward Edison's three-wire concept was designed into all large appliances, and the diffusion plant was turned over to the government for experiments on an obscure metal called uranium that will probably never amount to anything.

Recalling Edison's success at conserving electrons, the engineers at our local Gas Co. said, why not adapt his method to conservation of BTU's—the tiny particles of heat energy we had been throwing away after one use just as early appliance users had thrown away electrons?

Realizing that BTU's don't travel on wires, the engineers researched ways of capturing and storing them. They found that the best way is to pick the used BTU's off the floor with insulated tweezers and pack them in thermos jugs. By soaking them in water first to remove their labels and then crushing them underfoot, it is possible to pack two or three million used BTU's into a one-gallon container.

Neighborhood Recycle Centers have been established, manned by authentic recycle workers in sweatshirts and beards. All of us flock there with our weekly buckets of BTU's (except the French restaurant on Main Street, which brings calories—these must be packed separately). Since March our town's seasonally adjusted fuel consumption has dropped 90 percent, and the Town Council has voted to repeal the Second law of Thermodynamics.

#### WATERGATE EDITORIALS

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. MICHEL. Mr. Speaker, two editorials from the Peoria Journal Star, one from the April 30, 1973, edition entitled "Nixon's Timing Problem" and the second from the issue of May 2, 1973, entitled "Watergate Lynching Parties" discuss some aspects of this Watergate mess in a down-to-earth, commonsense manner which is typical of so many of our grassroots newspapers and I include both editorials in the RECORD at this point:

#### WATERGATE—NIXON'S TIMING PROBLEM

(By C. L. Dancy)

The fun and games these days for those who, a year ago, were calling Mr. Nixon a murderer and a warmonger who had no intention of ending the war, center around whether or not he was sinful last August when he accepted White House Aide Dean's assurance that the Watergate burglary did not involve anyone in the White House.

It ranges from those who argue, in tune with the way they argued about the China visit being a fraud and the Russian treaty talks a pretense—that-would-never-happen, that Nixon was probably the author of the Watergate "bugging"—or "covered up" and tried to dismiss it when he did find out about it—to those who say he was a chump to believe Dean and proceed as if nobody near him was touched by it.

The presumption that Nixon authored or knew about the plan is akin to the pre-

sumption 20 years ago that the Truman administration had to have somebody who was responsible for Alger Hiss, and that the Soviet "spy" couldn't be operating at a top echelon "all alone."

If you supported Senator Joseph McCarthy's line of reasoning in 1952, you could reasonably take the same attitude today and find Nixon "guilty" by the process of "guilt by association," and proceed with his "character assassination," ala Carl Rowan and others.

If you denounced these methods as immoral, sinful, and a clear violation of American basic principles, you really are obliged to give Mr. Nixon the same benefit of the doubt as you demanded then.

It doesn't work that way in practice, of course, but it does in principle—and when the practice is reversed to suit political prejudices, we have to recognize that it is unprincipled action.

But what about the "cover up," which innocently or deliberately was fostered by Mr. Nixon? That is a legitimate charge, although the language may be strong. He certainly did belittle the whole matter, dismiss the idea that it might require investigation of his own official family, etc.?

That action does not commend him highly. Does the criticism of his belittling the matter commend most of the present baying hounds of the Senate any better, however?

Let us go back to the scene of the "crime"—to last August, when the best evidence currently available tells us that Mr. Nixon was told the White House was "clean" or "safe" in the Watergate affair—which had just broken.

What was he doing last August?

It was the climax of a whole series of carefully executed chess moves, with all of them somewhat up in the air at the same time for the grand finale—the Russian arms treaty, the breakthrough to diplomatic ties with China, the opening phase of real peace negotiations with Hanoi, and the election itself dead ahead.

Can you think of a political figure on the scene today who at such a critical juncture in the labors of four years as head of state would have said: "Drop everything, and give this Watergate burglary the first priority! Announce a full White House investigation—and don't worry about the Chinese, the war, the Russian treaty, or the election and its effect on our success at this juncture in any of these matters."

Who would not have said: "Get this Watergate thing on the backburner, as best you can, where it will do the least possible harm, while we finish the job in Vietnam and this Chinese-Russian-Vietnamese triple play."

Would you believe Charles Percy would have taken the first or the second course?

Hubert Humphrey?

Ed Muskie?

George McGovern?

Ted Kennedy, of all people!

Who?

Who among the critics?

Can you honestly find one that you truly believe would have gambled last August with the state of the world to make a grand personal gesture about a piece of political spying at Democratic headquarters by four "buggers?"

I can't.

Then, what kind of standard are we talking about, and where is the Superman we seek to bring to power?

Even Abe Lincoln put the Civil War and freedom for the slaves ahead of investigating Lafayette Baker (another over-zealous "spy.")

#### WATERGATE LYNCHING PARTIES

(By C. L. Dancy)

There is one demand in the Watergate case that is totally impossible and unreasonable,

and the commentators who have been fostering it (and the politicians) need to be remembered for their irresponsibility.

These are the demands to have "the President" clear up the whole thing by "naming names" and spelling it all out.

Such an action on his part would extend the very "executive power" and violate the limitations of powers that said commentators and politicians have been howling about.

It would make the chief executive, suddenly, the prosecutor, judge and jury over a criminal matter. Among other things, it would make a constitutional trial virtually impossible and thereby guarantee acquittals for anyone accused after such a massive public "conviction."

The President cannot pre-empt the grand jury.

He has no such authority, and if he did so, the same critics would then, indeed, crucify him for such an irresponsible and arrogant act—and they would be right, for a change.

As it stands, the legal process has been mightily abused—but it is that legal process which has been grinding away and moving this matter forward.

We do not cure the real evils—or imagined evils—of this affair by abandoning due process.

In their fervor people forget that the real "crime" involved in the Watergate charges is precisely that—a violation of process.

"Bugging" to get information is what is alleged here.

Eavesdropping on the opposition is what this is all about.

It hardly improves the morality of operations if we corrupt due process totally in pursuing that case.

At this point, Watergate is the Crime of the Century because it is the News Story of the Month . . . and it is the News Story of the Month in part, because the world is rather quiet for a change, and the Congress isn't doing anything but make hay out of it either.

But if there is any legal process here involving the President, it is not his proclaiming "guilty verdicts" by fiat instead of by judicial trial—it would have to be one with the President as defendant—in an impeachment proceedings.

If Congress wants to pursue this case, that is the only possible proper and Constitutional way they can do so . . . and that would chain them rather quickly to much more restrained and responsible "due process" as well.

The circus approach to Watergate is becoming as disgraceful as the bugging of the INN was in the first place.

It is not improving the moral climate of our government and our society—it is corrupting it still further.

We've gone all the way through the McCarthy Method now, from "guilt by association" to "character assassination" to demands for "guilt by accusation" without trial.

Let's do it right. Political lynching hardly elevates the participants, and will have a future, soberer evaluation. Some folks grabbing for headlines these days may find that when they thought they were building their careers—they were disqualifying themselves for future consideration.

It is time to remember the advice Ralph Waldo Emerson gave to the Phi Beta Kappa society when he was asked to talk about the "duties" of the American scholar—and instead of proclaiming them the leaders and the wave of the future, he advised them to keep their perspective to recognize that "a pop-gun is still a pop-gun even when the ancient and honorable of the earth proclaim it to be the crack of doom . . ."



PROFESSORS, POLITICS, AND  
THE GOVERNMENT

## HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, the autumn edition of the Midwest Quarterly featured an article by Clifford E. Landers and Arthur E. Nudelman entitled "Professors, Politics, and the Government" in which the two men offered some challenging views on the Ph. D. glut.

Mr. Speaker, Dr. Landers is a distinguished member of the political science faculty at Jersey City State College and his views are highly respected in the academic world. I know that my colleagues will find the article he coauthored well worthy of their time.

The article follows my remarks:

[From the Midwest Quarterly, vol. XIV, No. 1, autumn 1972]

PROFESSORS, POLITICS, AND THE GOVERNMENT

(By Clifford E. Landers and  
Arthur E. Nudelman)

The United States has established a tradition of underutilizing certain of its natural resources while nonetheless maintaining a high level of material prosperity, a luxury available only to a fortunate few of the world's nations. The paradox of poverty in the midst of plenty has become a hoary cliché to Americans long accustomed to vast surpluses of grain rotting in storage while hundreds of thousands at home and tens of millions abroad suffer from malnutrition.

For all its profligateness, however, America has historically maximized its use of its one most irreplaceable natural resource—the brainpower of its citizenry. Endowed by its Creator with roughly the same proportion of genius as any other nation, the U. S. has extended educational opportunity to a larger percentage of its population than any other country, with results which are obvious to the most casual observer. If nations in the third world can be said to suffer from intellectual underdevelopment (i.e., failure to tap their resources of potential brainpower), the United States today reflects the opposite tendency. It has unconcernedly generated a population explosion among highly specialized personnel which could conceivably undermine the very system which produced it.

*Origins of the problem.* While it is an exaggeration to say that American government functions from one crisis to another, governmental machinery in this country does seem to respond more rapidly and more decisively when faced with what decisionmakers perceive as a threat. Wartime acts are the obvious example, but even in peacetime the tendency is still evident. For our purposes the relevant case is the Soviet sputnik of 1957. Beeping its way across the then-uncrowded heavens it touched off a revolution of major proportions in the higher education system of the United States, a revolution which even now has yet to run its full course.

Faced with the Russian *fait accompli*, the U.S. responded in the only way it knew, in a manner which had served so well in the past—it appropriated money. A seemingly endless cornucopia opened up for educational undertakings even remotely related to "national defense"—and what wasn't? The National Defense Education Act among its multitudinous provisions set aside funds to train teachers in many fields but especially in mathematics, the physical sciences, and foreign languages—not coincidentally three of the hardest hit fields in the current academic recession which we shall discuss later.

In a kind of educational defense mobilization the nation geared up to produce scholars in the fields which the government deemed "critical."

It took a few years; mobilization never takes place immediately. But by the mid-1960's our graduate schools had begun pouring out record numbers of Ph.D.'s in all fields, with the concentration in the NDEA-impacted fields mentioned above. In an expanding economy unparalleled in this century there were jobs for all, and some positions even went begging in the rush to lure bright young Ph.D.'s into government posts, defense industries, and teaching. The euphoria lasted three or four years, but like the stock market in 1929 it was to come crashing down almost, it seemed, overnight. By late 1969 the situation was clear for all to see; suddenly many a new doctoral sheepskin had become the ironic symbol of shattered dreams. As one embittered Ph.D. in physics remarked after months of fruitless searching for employment, "With that diploma and a dime you can make a phone call."

In the last two years the academic recession has worsened, and it has not yet bottomed out. In 1970 this country produced 27,000 new doctors of philosophy; last year the figure was almost 30,000, despite the ready evidence of a job shortage. Theoretically doctoral programs require about three years to complete, but the average time is 5.7 years because the majority of students take a job and finish their dissertation away from graduate school. It will probably be 1974 before the nadir is reached and supply-demand curves begin to approximate rational proportions. Those who have already started Ph.D. programs will want to finish them, while even now graduate school enrollment, *mirabile dictu*, was up by one percent in 1971, according to the Council of Graduate Schools. Admittedly the growth rate has declined from the 7.5 percent it averaged from 1968 to 1970.

What are the new Ph.D.'s finding when they leave the campus and seek a job? To quote from one disillusioned mathematician, "B.A. + M.A. + Ph.D. = 0." Take the case of Betty B., a 25-year-old Ph.D. in math who lives in Houston. After applying at four colleges, ten junior colleges, and three high school districts in the area, she contemplated secretarial work and even a job as a waitress before she found a position teaching undergraduate engineering students at her alma mater. Considering the discrimination against females which exists even in Academia, she feels herself lucky.

Less fortunate is a 32-year-old Ph.D. in political science who has been out of work since September of 1971. He is in a field (Latin American government) in which demand has dropped while NDEA funding was increasing output. A former assistant professor at a well known state university, he is now hopefully applying to schools which two years ago he would have considered a stopgap at best.

Experts predict things will get worse before they get better. Lewis B. Mayhew of Stanford foresees 67,000 doctorates annually by 1980, while the need for new teachers with the Ph. D. is actually declining. Allan M. Cartter, one of the nation's foremost authorities in the field, has stated that curtailment of college expansion during the next decade means that replacement of personnel during the coming twenty years will be dependent on death and retirement only—about two percent per annum, hardly a bright prospect for those now starting out.

The effects of the crunch are manifold, but some of the more obvious which may come about include lower starting salaries for new Ph. D.'s, larger teaching funds, more rigorous publication demands, especially on younger professors, and in some schools a diminution of academic freedom stemming from the reluctance of academicians to speak

up for rights lest they be thrown into a hostile job market.

Painful as these effects are on the individuals involved, the consequences for the nation are even more ominous. For the first time in its history America is facing a period when unemployment among the highly trained threatens to outstrip joblessness among the unskilled and semiskilled. Already the national unemployment rate—slightly over six percent at this writing—is surpassed by physicists and some other physical science categories.

What happens to the "overeducated" who become unemployed? During the Depression many of them succumbed to the lure of communism, an alternative today thoroughly discredited. In the 1970's the alienated turn elsewhere. As one young history professor on the West Coast told me, "If (this college) ever went under and I couldn't find another job, I think I'd become a full-time revolutionary." A romantic, a visionary? Perhaps. But the fact is indisputable that modern technology has made Everyman a potential terrorist, and even undergraduate chemistry majors have the knowledge and access to materials needed to construct a plastic bomb. Embittered, disillusioned, angry at "the System," the jobless academician might become the likely dupe of terrorists, anarchists, and other anti-Establishment forces.

We do not mean to over dramatize. Perhaps not one out of a hundred would find such a path appealing, but despair can be a politicizing force, and many who were apolitical in their laboratories and classrooms would become radicals after months of futile search searching for a non-existent job. Can any system, however snug and secure, afford the luxury of creating hundreds and even thousands of malcontents, many possessing the intellect and training to wreak havoc within that system? The lesson of history is clear on one point: revolutions are engendered by the intelligentsia, a scion of the middle class.

Post-1945 developments have given the period the label Age of the Guerilla. Algeria, North Vietnam, Cuba—all underline the role of the irregular in bringing down an established government. This is not likely to happen in America, but Watts, Newark, and other urban riots point up the inescapable conclusion that a small group, even a leaderless mob, can create disorder far out of proportion to its numbers. Latin America provides numerous illustrations of the use of "symbolic violence"—e.g., exploding a bomb at midnight in a soccer field—aimed at reminding the authorities of what might have been, the same explosion during an internationalized violence. Although American campuses are quiet at the moment—some would say forebodingly so—the possibility for renewed radicalization still exists, and what better leader than an ex-academician?

The problem, then, is more than just a small number of unemployed Ph. D.'s. Besides the obvious humanitarian question involved, there is the hard-to-answer contention that any society which casts on the discard heap its most highly trained and intelligent members forfeits any claim to their support. Comparisons are indeed odious, but one recalls Nazi Germany's refusal to utilize Jewish intellectuals even where no suitable substitute existed, and Hitler's prejudice against "Jewish physics" may have cost him the secret of the atomic bomb and hence the war. Can America simply cut adrift large numbers of its specialized talent to sink or swim during the next decade or so? If it does so, it is at its own risk.

*Some proposals.* First it must be recognized that the so-called glut of Ph. D.'s is an artificial creation. There is no true surplus, merely underutilization. During the 1960's, simultaneously with its effort to generate more Ph. D.'s quickly, the U.S. educational system allowed its student/professor ratio to slip disastrously. In the period 1965-70 the ratio increased ten percent, meaning

that the average professor was meeting 33 students for every 30 he had taught just five years before. By merely maintaining the ratio of 1965 this country could have created another 50,000 teaching jobs and obviated unemployment in higher education. That this was not done is to the discredit of a system which pays lip service to constant upgrading of its institutions. Priorities at that time were such that the war in Southeast Asia and the race to the moon must take precedence. Today the war is winding down and the moon bears an American flag, but the student/professor ratio continues to worsen. The chance has been lost, and a recessionary economy precludes anything but a holding action in higher education.

Solutions have been proposed, but most are half-measures at best. One such idea is to restructure the curriculum so students can get a Bachelor's degree in three years instead of four. Commendable, certainly, but hardly the answer to the difficulties outlined above. Ronald Peleris, a physicist with the Brookhaven National Laboratory, has gone so far as to advocate the elimination of the Ph. D. degree—not the course work, just the degree itself. By eliminating the degree, he contends, the student would gain greater flexibility and avoid overspecialization, thereby increasing his acquaintance with a variety of fields and broadening his employability.

Without going into the merits of this proposal, we must admit that the Ph. D. degree does in general encourage "knowing more and more about less and less" and sorely needs reforming. The median number of years spent in acquiring Ph. D. in English is 9.7, four more than the national average for all fields. One can but stand in awe at the perseverance of those who finally win their union card. But whatever its defects, the Ph. D. is here to stay; competing degrees such as the Doctor of Arts are foredoomed to second class status. Part of the problem, to be sure, is to find some method of eliminating the glaring shortcomings of existing doctoral programs while retaining their positive features, but that is not the main thrust of this essay.

Ultimately the supply and demand curve will exert its inexorable sway over higher education as it does over all economic activities, but until then there is an urgent need to take steps to ameliorate the problem. Loath as we are to suggest a further extension of the federal bureaucracy, truth compels us to argue that only the federal government has the resources to deal with a situation of this magnitude. The states, faced with dwindling funds and rising demands, could not act effectively even if tight-fisted legislatures were in the mood to expand appropriations to colleges which many feel to be breeding grounds for radicals and anarchists. Business has traditionally restricted its participation to endowments and foundation largesse. In short, only federal government has the wherewithal to meet the challenge.

For political reasons the government must approach the problem gingerly. To the average taxpayer, already financially overburdened and constantly on the verge of revolt, higher education has a rather low priority. Barring another Russian space spectacular such as landing men on Mars, it is unlikely that American colleges and universities will witness another windfall such as marked the period 1958-65. The approach, then, should stress utilization of a vital national resource, the providing of jobs for those willing to work. This is something which the average American understands and sympathizes with; many now living benefited from such techniques during the Depression and acknowledge with gratitude the role of government in helping them weather a time of personal and national crisis.

Some may term the following program ruthless, and admittedly it does entail a carrot-and-stick approach. Federal funds should

be phased out as quickly as possible in those fields such as physics and foreign languages which burgeoned under the impact of NDEA but are now overcrowded. Why encourage more students to seek a Ph. D. in fields already blessed with a surfeit? Funds could be rechanneled into fields where there is still a shortage, few though they are. One such area is Black Studies, where increased spending might have a desirable side effect politically. Another possibility is using such freed money for construction of medical schools and encouraging Ph. D.'s in chemistry, biology, and related fields to retool themselves for medicine; a sort of Job Corps could be established to help them make the transition with a minimum of fuss. The U.S. desperately needs M.D.'s, while Ph. D.'s are a dime a doctorate; here is a way of meeting two large-scale national problems simultaneously. Political opposition might be expected from more conservative elements of the American Medical Association but could be overcome if public opinion were mobilized behind the proposal. This should not be difficult once the urgency of the predicament was made clear.

Government intervention created the alleged glut of Ph. D.'s by encouraging expansion of graduate school programs and by fostering output beyond the foreseeable demand. It is only reasonable, then, to ask government to take the lead in helping quell the onrushing flow of excess doctorates, but cutting down the supply—however necessary—is a basically negative approach. There is something the federal government can do in a positive direction: it can undertake to restore the numerical balance between professor and student which was lost in the frantic rush of expansionism in the 1960's. First step in this direction would be a requirement that future federal grants-in-aid for higher education go only to those institutions which could demonstrate that they did not exceed a stipulated maximum level of undergraduate students per professor; seminars of three and five students could not be used to skew the figures and make the overall university ratio more respectable. By adopting this approach the government would gear its aid program to reduced student/faculty ratios and promote the hiring of additional instructional staff.

But this alone would not be enough, for it might be merely an *ad hoc* measure unless an ongoing national commitment were made to quality higher education. As James Cicarelli has pointed out ("The Government and the Economy," this *QUARTERLY*, Winter, 1972), the U.S. government reacted to the Great Depression by passing the Employment Act of 1946, which in effect pledged that it would be a "de facto employer of last resort." Our proposal is to extend this promise upward to include the professionals as well as the blue collar workers who have been the traditional beneficiaries of such a policy. During the Depression the government created writers' projects and other activities for those whose training and background fitted them for mental rather than physical labor. We suggest that the federal government fund a permanent agency somewhat on the model of the Works Progress Administration to investigate the chronic problems that confront America.

How would it work? In aims and concepts it would resemble the massive effort the nation made in landing an American on the moon, but it would not cost \$25 billion, nor even a tenth that much. With appropriation of \$500 million and provision for additional funding where necessary, this country could set in motion a major attack on some of its perennial social problems—urban blight, poverty, the ghetto, pollution, and yes, even racism. There is no guarantee that we would solve any of these within five or ten years even with a crash program such as we envision, nor should the public be misled into expecting quick solutions to problems

that in some instances have taken hundreds of years to come to fruition. But the existence of a department-level entity called, say, the Department of National Goals (DNG) would help assure that our efforts at healing these open sores on the body politic did not depend on the vagaries of any one administration. The fate of the War on Poverty and the Alliance for Progress offers mute testimony to the wisdom of installing such safeguards.

The DNG would establish a continuing research center to study problems, employing highly trained personnel in many fields. Urban blight, for example, is a question which calls into play the specialized knowledge of sociologists, economists, demographers, political scientists, health service workers, pedagogues, biologists (how do you get rid of rats?), psychologists—the list is virtually endless. In effect the DNG would be the employer of last resort for academicians as the WPA was for manual workers, but the benefits accruing to the nation would be vastly more far-reaching. The social ills that beset America will never be eliminated without the kind of massive moral commitment which we describe, and is any price too great to pay for an end to prejudice, for example?

If it falls within the capitalist ethic to pay U.S. senators, among others, not to grow cotton or alfalfa, we contend it is equally justifiable to pay professors not to teach. A kind of nationwide "brain bank" might be established, analogous to the soil bank which has existed for decades. Professors would be paid to keep themselves on reserve in case they were needed by the government; in the meantime they could pursue whatever research they wished during their extended sabbatical. Every two or three years they would have the option of returning to teaching, taking a job in the DNG or continuing in the brain bank. The total cost of such a program would be less than the annual expense currently underwritten by the government in supporting the soil bank and would serve to maintain a far more precious resource than corn or barley.

A utopian scheme? Quite possibly. But Social Security, Medicare, and other advances in social legislation were all similarly denounced while in the idea stage. And the unhappy alternative to governmental intervention is a steady decline in the quality of university instruction as class size continues to mount, a loss of self-esteem for thousands of "overtrained" savants reduced to driving taxis or working as plumbers' assistants, and an unpardonable reneging on the unwritten national promise to reward hard-won skills by utilizing them with humaneness and dignity in the common interest.

#### TRADE DEFICIT AND OUR PRODUCTION-COST INFLATION

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. FISHER. Mr. Speaker, one of the Nation's most respected authorities on international trade is O. R. Strackbein, president of the Nationwide Committee on Import-Export Policy. At a time when the Congress is dealing with this subject, a statement prepared by Mr. Strackbein on various aspects of this problem should be helpful.

The statement follows:

TRADE DEFICIT AND OUR PRODUCTION-COST INFLATION

(By O. R. Strackbein)

The trade deficit of 1972 at \$6.4 billion was a rude reminder that governmental efforts



to reverse our adverse trade trend were so far a failure. That the second devaluation of the dollar will be effective toward restoring our trade balance is doubtful.

The deficit, it should be made known, was much wider than our official trade statistics reflected. Our competitive position has been much weaker for some years than official import and export statistics revealed. Instead of a \$6.4 billion deficit in 1972 our deficit in terms of private competitive foreign trade was in the magnitude of \$13-\$14 billion. Yet, even on the basis of our official statistics we swung from a surplus of \$4.4 billion in 1967 to a deficit of \$6.4 billion in 1972. This was a swing of nearly \$11 billion in five years.

In 1972 our deficit with Japan was \$4 billion according to our official statistics. However, that figure leaves out of account the cost of bringing our imports from Japan to this country. Total 1972 imports from Japan are shown at \$9 billion. If the freight and marine insurance costs had been added, as they should have been, the deficit would have been that much higher. These charges were

in the magnitude of some 20%, so that in 1972 our deficit was nearer \$6 billion than the reported \$4 billion in our trade with Japan. The swingabout was rapid. Even on the official basis our deficit in 1965 was only \$334 million. In 1970 it was \$1.2 billion and in 1972 \$4 billion.

However, there are other areas of the world where our trade deficit is also large. Canada, for example, exported \$2.5 billion more to us in 1972 than we sent to Canada. This was a record deficit, and was double our deficit in 1969.

We also had a record deficit in our trade with West Germany in 1972. It was \$1.4 billion compared with \$800 million in 1971 and \$290 million in 1970. The rise, again, was rapid.

American industry has been accused by relative inefficiency in relation to the industry in the countries with which we suffer a deficit, other than Canada. Unquestionably productivity has risen more rapidly in Japan, West Germany and Italy than in the United States, but they were playing catch-

up ball in terms of technology and their progress was measured from a lower base than ours. This is also true of wage rates, which is to say they rose faster in Japan, etc., but here, too, they started from a much lower base. In dollars and cents our rates went up more than in those countries.

#### MAJOR CAUSE OF HIGHER U.S. COSTS

American wage levels are usually blamed for our higher costs but wage increases have had causes of their own, as we shall see, quite aside from collective bargaining.

Federal budgetary outlays, combined with those of the States, and Local government, have mounted steeply in recent years. Since these outlays are outside of our productive system they inevitably increase the cost of production, just as do the outlays for national defense and veteran benefits, and, indeed all governmental expenditures.

It will therefore be enlightening to examine the trend in these outlays. The following Table gives the Federal, State and Local outlays for public social welfare programs over a period of years:

FEDERAL, STATE, AND LOCAL SOCIAL WELFARE EXPENDITURES UNDER PUBLIC PROGRAMS

[In millions of dollars]

	1950	1955	1960	1965	1970	1971
Social insurance.....	4,947	9,835	19,307	28,123	54,653	66,075
Public aid.....	2,496	3,003	4,101	6,283	16,476	21,819
Health and medical.....	2,064	3,103	4,464	6,246	9,568	10,620
Veterans programs.....	6,856	4,834	5,429	6,031	9,018	10,420
Education.....	6,674	11,167	17,626	28,108	50,332	55,542
Other social welfare.....	448	619	1,139	2,066	4,606	5,305
Total.....	23,508	32,640	52,293	77,175	145,350	170,752

Source: Statistical Abstract of the United States, 1972, Table 451, p. 278.

In 1971 the Federal share of the total combined expenditures was an estimated \$92 billion or 54.1%. In 1965 it was 66.4%. State and Local outlays have risen very rapidly.

From this table we can see the sharp increase in outlays for welfare programs in this country. From 1965 through 1971 the Federal outlay rose from \$37 billion to \$92 billion, or by nearly 150%. State and Local outlays increased from \$39 billion in 1965 to \$78 billion

in 1971, or a doubling of the amount. The two combined (Federal and State and Local) rose from \$77 billion in 1965 to \$170 billion in 1971.

Expenditures for National Defense and Veterans Benefits also increased during this period, moving upward from \$55.3 billion in 1965 to \$89.1 billion in 1972. This was an increase of \$33.8 billion or 60%.

Expenditures for welfare programs, like

those for national defense, do not directly increase the output of goods in our factories, mines or from our farms. They therefore come to rest in our economy as costs that must be borne by the goods we do produce.

The next Table will show our expenditures for National Defense and Veteran Benefits, and their relation to the total Federal budget and to the Gross National Product:

DEFENSE EXPENDITURES—NATIONAL DEFENSE AND VETERAN BENEFITS

[Dollar amounts in billions]

	1950	1955	1960	1965	1970	1972
Total Federal outlays.....	\$43.1	\$68.5	\$92.2	\$118.4	\$196.8	\$236.6
National defense and veterans benefits.....	21.9	44.6	51.3	55.3	88.9	89.1
National defense only.....	13.1	40.2	45.9	49.5	80.2	78.0
Percent of total Federal budget.....	30.4	58.7	49.8	41.9	40.8	33.0
National defense as percent of gross national product.....	4.6	10.2	9.3	7.6	8.3	7.2

Source: Statistical Abstract 1972, table 397, p. 248.

At the height of the Viet Namease conflict national defense represented 45% of the total Federal budget and 9.7% of the Gross National Product. The 45% had, how-

ever, declined to 33% of the total budget in 1972 and to 7.2% of the GNP.

It is possible to relate these nonproductive expenditures to the output of our

industries, agriculture and mines. The next table will show the gross product of our producing operations as represented by agriculture, mining, contract construction and manufacturing:

GROSS PRODUCT BY INDUSTRY

[In billions of dollars]

	1950	1955	1960	1965	1970	1971	1972
Agriculture.....	20.8	19.8	21.7	25.4	30.8	26.5	29.1
Mining.....	9.2	12.3	12.7	13.5	16.8		
Contract Construction.....	12.7	18.0	22.7	31.6	45.8	54.2	57.8
Manufacturing.....	83.8	120.8	144.4	198.5	253.2	223.2	248.3
Total.....	126.5	170.4	201.5	269.0	346.6	303.9	335.2

Source: Statistical Abstract, United States, 1972, table 511, p. 314; "Survey of Current Business," March 1973, table 7, p. 15.

From this table we see an increase in the gross product of our producing operations from \$269 billion in 1965 to \$303 billion in the recession year 1971, or \$34 billion. This was an expansion of 12.6% whereas the

expenditure for social welfare programs, Federal, State and Local, rose by \$93 billion or by 120%. If the increase in Defense expenditures is added the \$93 billion grows to \$127 billion or nearly four times as much as

the \$34 billion increase in the industrial sector. ('72 State and local expenditures not on hand.)

In other words, as a consequence of these rising expenditures our industrial sector was

made to carry an added burden of \$127 billion in 1972 beyond the burden it carried in 1965. Except for rising productivity and population increase this burden came to rest

on the industrial sector as that much additional cost of production.

In the next table the cost of our social welfare programs is compared with the gross

product of the industrial sector (including agriculture, mining and contract construction as well as manufacturing):

FEDERAL, STATE, AND LOCAL SOCIAL WELFARE EXPENDITURES UNDER PUBLIC PROGRAMS AS PERCENT OF THE GROSS PRODUCT OF INDUSTRY

[Dollar amounts in billions]

	1950	1955	1960	1965	1970	1971
Gross product of industry.....	\$126.5	\$170.9	\$201.5	\$269.0	\$346.6	\$303.7
Social welfare expenditures, Federal, and State, and local.....	25.3	32.6	52.3	77.1	145.3	170.3
Percent of social welfare outlays to gross product of industry.....	20.0	19.1	25.8	28.9	41.9	56.2

Source: Statistical Abstract 1972, table 511, p. 314, p. 278. "Survey of Current Business," March 1973, table 7, p. 13.

Here we merely have an affirmation of what the previous Tables demonstrated, namely that the social welfare expenditures were running very fast compared with the growth

of the industrial sector. This fact of itself would forecast higher costs of production. From 28.9% of the gross industrial product in 1965 the social welfare expenditures rose

to 56.3% in 1971, a veritable doubling in the proportion.

The following table will show the relation of Defense and Veteran outlays to our gross industrial product:

DEFENSE EXPENDITURES, INCLUDING VETERANS BENEFIT AS PERCENT OF GROSS PRODUCT OF INDUSTRY

[Dollar amounts in billions]

	1950	1955	1960	1965	1970	1972
Gross product of industry.....	\$126.5	\$170.9	\$201.5	\$269.0	\$346.6	\$335.2
Defense and veterans expenditures.....	21.9	44.6	51.3	55.3	88.9	89.1
As percent of gross product of industry.....	17.3	26.2	25.0	20.5	25.6	26.6

Source: Statistical Abstract 1972, table 397, p. 248; Survey of Current Business, March 1973, table 7, p. 15.

Our defense and veterans outlay was 26.6% of our industrial product in 1972.

We next combine defense and veterans outlays with the outlay for social welfare

and compare the combination with the gross industrial product.

SOCIAL WELFARE EXPENDITURES, FEDERAL, STATE, AND LOCAL DEFENSE EXPENDITURES, PLUS INCLUDING VETERANS' BENEFITS AS PERCENT OF GROSS PRODUCT OF INDUSTRY

[Dollar amounts in billions]

	1950	1955	1960	1965	1970	1971
1. Social welfare and defense expenditures.....	\$45.4	\$77.2	\$103.5	\$132.4	\$234.2	\$259.8
2. Gross product of industry.....	126.5	170.9	201.5	269.0	346.6	303.2
Percent line 1 is of line 2.....	35.9	45.0	51.3	51.0	67.6	85.6

Source: Statistical Abstract, 1972, table 451, p. 278; table 511, p. 314; "Survey of Current Business," March 1973, table 7, p. 13.

This table shows the 1971 expenditures for social welfare, Defense and Veterans benefits, to be equal to 85.6% of the product of industry or well over half again as high a proportion as in 1965. Naturally our production costs snowballed and our competitiveness in world markets declined.

These several tables, of course, leave out other public expenditures of our government, Federal and non-Federal. These have also increased.

Total expenditures, Federal, State and Local, in 1965 were \$186.9 billion. In 1971 they had risen to \$341 billion; and, of course, ran to a still higher level in 1972 and will go upward yet farther in 1973. The Federal expenditures alone in 1972 exceeded those of 1971 by \$20 billion and will increase by some \$35-\$40 billion more in 1973, reaching some \$268 billion. State and Local expenditures have also increased since 1971. These galloping increases were the forerunners of our rising deficits in foreign trade.

The effect of the outlays on production costs should, of course, have been foreseen. The increase in total public expenditures from 1965 to 1971 was \$155 billion, or equal to half the total gross industrial product. A simplistic but quite correct conclusion would be that wages would rise in the order of 50% since those who work at production carry the burden of the outlay for public employees. As previously noted, however, rising productivity would offset the higher costs of production to some extent.

Average wages in the manufacturing establishments did rise from \$2.62 per hour in July 1965 to \$3.56 in 1971. This was an in-

crease of 36%. Output per man-hour increased from 98.3 in manufacturing in 1965 to 111.6 in 1971 where 1967 equals 100. This was a rise of 13.5% and would be expected to retard the increase in production cost attributable to wages to that extent. By March 1973 the average hourly manufacturing wage was \$3.97, or still upward, as public expenditures also continued to rise. The latter, indeed, would be expected to generate the rise in wages.

EFFECT OF PUBLIC OUTLAYS ON PRODUCTION COSTS

If doubt exists about the effect of public outlays for non-production activities, such as social welfare and national defense, it may help to use an example. Let us say that 1,000,000 are employed at producing all that we eat, wear, live in, move around in, i.e., all the consumer goods that we use plus all the capital goods needed to produce these goods; and, again, let us assume that this total employment produces \$10 billion worth of such goods.

Employee compensation, let us say, would be \$7.5 billion. Then let us assume further that there were no government outlays of any kind. (Actually in 1972 the number of governmental workers, Federal, State and Local was 13.29 million. The number employed in manufacturing, agriculture, mining and contract construction was 26.5 million. In other words, government workers number 50% of those employed in the private industry field.)

Now make a switch and assume that alongside of the million workers in the field of production were 500,000 governmental work-

ers. The total employment would therefore be 1,500,000 in these two groups. We would now have 1,500,000 producing what the 1,000,000 produced before, so to speak. The added 500,000 would not increase the product of the million workers, although there might be some roundabout increase in production because of governmental services. These 500,000 governmental workers, let us assume further, would be paid as much per capita as the production workers in industry. Their wages would then be \$3.75 billion per year. This would bring the total wage bill to \$11,250 billion (\$7.5 billion plus \$3,750 billion).

With the volume of goods remaining the same, or virtually so, the cost would rise 50%, or more or less, if labor compensation was not to fall behind. This is to say wages must rise 50% minus the amount that productivity had increased. There was an actual increase in manufacturing wages of 36% (i.e., from \$2.62 in 1965 to \$3.56 per hour in 1971). Productivity, as we saw, had increased 13.5%. This must be deducted from the 50% if costs were to remain steady. The 50% would thus be reduced to some 36.5% or equal the actual wage rise. (Sources: Stat. Abs., 1972, Table 361, p. 225; Table 965, p. 585; Survey of Current Business, December 1965, p. 8-15 and March, 1973, p. 8-15.)

Should governmental employment as assumed in the example, continue to rise, perhaps reaching 1,000,000 workers in a decade while industrial employment remained steady, the public outlay for employees would be as high as in the private industrial field. The total bill for employee compensation would then be \$15 billion, and the goods



produced would cost twice as much as they would if governmental employment were zero. This is simply to say that a relative increase in governmental outlay in relation to the level of production of goods, will also increase the cost of the goods. The relationship would approximate our calculation but would vary according to productivity of the workers in the private production sector. No precise mathematical relationship should be expected.

Consumer prices, moreover, rose at a similar magnitude, with some time lag as might be expected. In 1965 the consumer price index, where 1967 equals 100, stood at 94.5. In 1971 it had risen to 121.3. From there it continued upward to 128.6 in February 1973.

The increase in 1971 had been 28.3% over 1965. By February 1973 it had risen by 36%. This, once more, was in keeping with the rise in wages (taking into account the time lag of price increases) and the increase in governmental employment, which rose 33%, from 1965 to 1972. While wages had risen by 50% the accompanying rise in productivity, which was 13.5%, as already noted, should have retarded the increase in production cost. (See Stat. Abs., 1972, Table 565, p. 348, and Sur. of Cur. Bus., March 1973, p. S-8).

#### IMPORT COMPETITION

As we face import competition increasing costs in this country greatly affect our competitive standing. Inasmuch as employee compensation represents from 75% to 80% of corporate cost of its product output, any factor that increases wages substantially also increases costs substantially unless productivity also increases in proportion. The cost of government greatly affects production costs for reasons already set forth.

The next Table gives the number of employees in the production activities of the private economy and in the government, Federal, State and Local:

EMPLOYMENT—1965-72  
(In thousands)

	1965	1972
Agriculture.....	4,761	3,472
Mining.....	638	607
Contract construction.....	3,178	3,521
Manufacturing.....	18,105	18,933
Total.....	26,682	26,533
Government, Federal, State, local.....	9,942	13,290

Source: (Survey of Current Business, December 1965, pp. S-12, 13; March 1973, p. S-13).

Notable in this Table is the stationary character of employment in the industrial sector (as assumed in one of our examples) (26,682,000 in 1965 and 26,533,000 in 1972), while public civilian employment increased from 9,942,000 to 13,290,000 in the same period, an increase of 3,348,000 or 33%. Public employment, in other words, rose from 37% of the number employed in the industrial sector in 1965 to 50% in 1972. Other things being equal production costs should have risen an average of 50%, subject, to repeat, to the offsetting effect of rising productivity. (From 1965-1971 employment in wholesaling and retailing and in the service industries, such as medical, hotels, laundries, motion pictures, etc., increased 24%, thus adding further cost burdens).

#### CONCLUSION

The extent to which we are committed to such high governmental expenditures so long will we need restrictions on imports. These are advantaged by low foreign wages compared with our own and by the great rise in productivity in other industrial countries, guided by our technology. When our outlays for social welfare, defense, etc. rise more sharply than the foreign we suffer a competitive disadvantage. Our industries, agri-

culture and mines will find foreign competition insuperable as long as foreign wages continue to lag woefully, thus retarding the purchasing power at home that would reduce dependence on exports, and as long as foreign productivity continues to rise faster than ours as their technology advances toward our level.

Realignment of currencies under the circumstances should be regarded only as temporary expedients, not as long-range remedies.

If our rising public expenditures are to continue, import quotas as a means of containing the damage that imports inflict on our production represent the better instrument of regulation. Quotas may be designed to be both flexible and adjustable in keeping with needs and conditions confronting different industries. As a regulatory instrument they are the most manageable and responsive of the various alternatives.

#### RARICK REPORTS TO HIS PEOPLE: THE FEDERAL POLICEMAN, SPEAK SOFTLY AND CARRY A COMPLI- ANCE GUIDELINE

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. RARICK. Mr. Speaker, a month or so ago the Federal Bureau of Investigation gave the American public the good news that for the first time in 17 years, crime in the United States declined. Even though the drop was slight, just 3 percent, it was hailed at all levels as some sort of major breakthrough in law enforcement. The U.S. Attorney General heralded it "a day we have been looking forward to for many years."

Certainly, any reduction in the soaring crime rate in this country should be welcomed. But if we look a bit more closely at the report, there is more cause for alarm than rejoicing.

While property crimes, those involving burglary, auto theft and theft of more than \$50, did take a slight dip, violent crimes are still on the rise. Murder was up 4 percent, rape up 11 percent, and assault up 6 percent. Robbery was the only crime of violence that was down during 1972—and then only 4 percent. Crimes that people fear most, violent attacks on their physical person, still pose a threat to their safety and well-being.

The former executive director of the President's Crime Commission said:

The real test (in crime reduction) is whether people in any city feel safer than 1, 3 or even 5 years ago.

His conclusion, and the feeling of many people across the country, is NO. People still do not feel it safe to walk the streets of our cities at night.

Another significant part of the FBI's 1972 crime picture was that while serious criminal activity was going down in the large metropolitan cities, it was making gains in the suburbs and in rural areas. Several explanations have been offered as to why this is true.

One theory is that crime in the cities has simply peaked, and suburbs offer richer pickings. Another is that brighter street lighting and more visible police patrols are driving people out of the

inner cities to commit their crimes in the surrounding areas.

As with most statistics, crime figures are susceptible to manipulation. A much more accurate gage of crime in our cities are the daily headlines that continue to bombast us with reports of violent crimes and lawlessness. Considerable controversy surrounds much of the crime reporting, especially in light of the pressure that police agencies are under from bureaucratic funding agencies to make federally funded programs look good on paper. Suspensions have been raised in several areas of under-reporting of crime.

Pressure from Washington is being exerted over local law enforcement agencies to an increasing degree. Congress funded and set up the multi-billion-dollar, string-pulling bureaucracy called the Law Enforcement Assistance Administration in 1970. Under political pressure from the people back home to "do something about rising crime," Congress responded with a heavy dose of Federal money and Federal control of local police activities. The political impulse always seems to be to do something, even if it is wrong. Massive expenditures of Federal money has really done little to make our streets any safer from the criminal element that roams them—protected by de facto Supreme Court decisions and LEAA guidelines that tie the hands of the police. What the flow of funds from the LEAA has accomplished is to condition local police departments to expect Federal money and to expand their budgets with these additional funds. The money, rather than upgrading law and order to combat crime at the local level, has been used as a level to force compliance with Washington bureaucratic edict.

New guidelines continue to handcuff police and do nothing related to crime in the conventional sense. The LEAA leadership is more concerned with experimenting with theories of social justice and favorable news reports than with giving the American people a top-notch, effective police force. According to a late edict from LEAA published in the FEDERAL REGISTER, continued funding of local police programs has nothing to do with whether or not the local authorities have taken positive action to control crime or make our streets safe. Now our police departments are threatened with the cutting off of Federal funds if they do not hire short people.

The LEAA says now that minimum height requirement used by most departments across the country are discriminatory in that employment opportunity may be denied to many Puerto Ricans, Mexican Americans, Japanese Americans, and women because they are not tall enough. In the same order, State and local law enforcement agencies were instructed to take special steps to recruit minorities to work in jails and prisons "even if they are located in suburbs or rural areas where minorities do not live." The directive did not explain how this would be accomplished. However, it may be presumed that busing of the new recruits may be ordered to achieve this "minority balance" the bureaucrats desire.

The nearly \$1 billion that the LEAA will dole out to 40,000 federally con-

trolled police departments, correctional institutions and courts across the country is moving us toward a nationally controlled police force. The new breed of Washington oriented policeman has been dubbed the "Fed-Cop". "Un-police" may be more appropriate, since much of the money and efforts are spent on non-police related activities.

Our police departments are being used for sociological experimentation not only by the Federal Government, but such progressives as the tax-exempt Ford Foundation are now getting into the act. In the summer of 1970, the Ford Foundation launched the Police Foundation with a \$30 million allocation and a 5-year plan to effect change in existing law enforcement procedures.

Since 1971 the Police Foundation has spent about \$6.6 million in a wide range of tax-free foundation-directed programs. In the Foundation's progress report called Experiments in Police Improvements, the aim of the huge amounts of spending is described as developing "better ways of doing the police job and to promote police and public support of those ideas and practice." So, not only is the Ford Foundation money going to experiment with ways to change the present system of police activity, it is also being spent as a public relations tool to lobby for implementing those experiments into law.

For the Ford Foundation to get into the area of "improving" police activities is in itself a paradox. It looks as if now the Ford Foundation is working both sides of the law and order street. In the past, tax-free money from this Foundation has found its way into the bank accounts of a number of radical groups whose subversive activities have been directed against the police to evade law and order. The same source of money that financed street demonstrations and the anti-police activities of the last few years, is now being used for the announced purpose of funding better law and order techniques. Rather than implementing the public's demand for sterner law enforcement, the programs of the Police Foundation are aimed at liberal changes which are of questionable value.

The Ford Foundation's staff has been nosing around over 100 major police and sheriff's departments with seed money in hand. And a number of departments have taken the bait. But as with Federal money, tax-free Foundation money also carries with it strings of control.

In many of the cities which have accepted Police Foundation money, advisors and controls, the local police officers have assumed more the role of social engineer and tour director with their activities directed by college professors and other "eminently qualified educators." One "police recruitment of new kinds of people: women, non-law enforcement college graduates, minorities and civilian professionals and technicians." Management experts and psychologists are becoming the new prototype of the Un-Police.

Department management by people trained in law enforcement work is being criticized as "undermining both the quality of police forces and their delivery

of police services." Not only is the Foundation attempting to recruit "new kinds of people," but "to develop new selection systems for police officers, to provide new promotion and lateral entry opportunities for police administrators." What this "lateral entry" has meant in Dallas and some other cities that have taken foundation money and accepted the programs, is that outside authorities and social scientists have been brought in to make department policy.

Dallas police officers are being trained by "eminently qualified educators" at SMU under yet another police foundation grant. Rather than being a policeman to enforce laws enacted by the authorized legislative body of Texas, the new Fed-Cops are "visualized as elite team of diagnosticians, general practitioners and specialists who treat social ills" within the community.

The foundation experts admit that "key foundation project personnel can be given regular status within the municipal civil service, personnel and pension systems." This "lateral entry" of non-law enforcement experts into police ranks in upper management positions is supposed to free the cop on the beat to do a more effective job of enforcing the laws. More police will be in the field while the unexperienced experts carry out policy and guidelines from the Police Foundation and the taxpayers subsidized Law Enforcement Assistance Administration.

But, rather than being allowed and encouraged to do the job that the citizens expect from the police, the new unpoliceman is pressed into playing the role of social worker and public apologist to the lawbreaker. Public attitudes must be changed before the new Fed-Cop is fully accepted, the Police Foundation admits. It is presently spending some more of its tax-exempt money to look for some system of new measures which can substantially change police and public ideas about what good police performance is.

Reducing the rising rate of violent crimes in this country is evidently not accepted as a proper measurement. "Experiments in Police Improvements" admits that the Police Foundation "is now trying to develop formal alternatives to arrest, booking and prosecution" of lawbreakers. What the foundation is attempting is to deceive the public into believing that black is white and that crime is being curbed by not arresting those who commit the crimes.

What federally controlled police programs, as well as those dictated by foundations, boils down to is that our police are expected to be a nonfighter of crime at a time when law enforcement by the courts is at an all time high in permissiveness. Our police are being told to "speak softly and carry a big law book." In fact, it has been suggested by experts that if we abolish the crimes there will be no criminals. This way the police can show a crime reduction.

Police power under the Constitution, with rare exception, has historically been reserved for the State and local governments under the guardian eye of the local citizen where it should be. I am reminded of a statement made a number of years ago by former FBI Director

J. Edgar Hoover, when he warned against Federal control of police.

America has no place, nor does it need a national police force. Effective law enforcement is basically a local responsibility. Law-abiding citizens and local officials should vigorously oppose attacks against law enforcement and the devious moves to negate local authorities and replace it with Federal police power.

Now, more than ever before, our local police need strong support from local citizens if they are to remain independent and to carry out the mission of retaining law and order.

If you want to keep your local police yours—then defend them and cooperate with them fully. Your local police wear a gun so that you do not need to.

DR. WLADISLAW KOLAKOWSKI RECEIVED THE GRAND CROSS OF THE ELOY ALFARO INTERNATIONAL FOUNDATION OF THE REPUBLIC OF PANAMA

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. WOLFF. Mr. Speaker, one of my constituents, Dr. Wladislaw Kolakowski, editor and publisher of the "Copernicus Portfolio," celebrating the 500th anniversary of the birth of Nicolaus Copernicus, has been honored by the Eloy Alfaro International Foundation of the Republic of Panama, with the top honor—the Grand Cross and Diploma, "in recognition of his outstanding contribution to mankind in the field of science and humanities, in keeping with the aims, ideals, principles and purposes of the Eloy Alfaro International Foundation of the Republic of Panama."

Among the group of distinguished individuals who have been similarly honored in the past are: former Presidents Franklin D. Roosevelt, Herbert Hoover, Dwight D. Eisenhower, Vice President Spiro Agnew, Senator Humphrey, Governor Nelson A. Rockefeller, Governor Hariman, Senators Mansfield, J. William Fulbright, Symington, President Kennedy, President Nixon, President Truman, who typify the caliber of those individuals holding this high honor.

I, too, was honored by the Eloy Alfaro International Foundation in Washington, D.C., with the former Speaker, Mr. McCormack making the investiture, several years ago.

Dr. Kolakowski is actively participating in the quinquennial observances. As chairman of the Copernicus Portfolio Committee, he has prepared historical documentation to enable all levels of our society to enjoy and understand the achievements of Nicolaus Copernicus.

The Portfolio presently consists of six lithographs, beautifully and artistically done. The contribution of Copernicus to our space exploration and scientific accomplishments cannot be overestimated, and the recognition being given to this pioneer, the father of modern science, is reflected in these art work.

The Copernicus Portfolio had its be-



ginning in the National Shrine of Our Lady Of Czestochowa, Pauline Fathers, Iron Hill and Ferry Road, Doylestown, Pa., where Dr. Wladislaw Kolakowski received encouragement and inspiration from Very Reverend Michael M. Zembruski, O.S.P. Vicar General-Director, who was then in charge of national Copernicus activities.

The Copernicus Portfolio has been given distinguished acknowledgements from such personages as President Nixon, Kurt Waldheim, Secretary-General of the United Nations, and has received an Apostolic Blessing from Pope Paulus VI.

The Trade Mark insignia "Quincennial of Copernicus 1473-1973" for the project Copernicus Portfolio, originated by Dr. W. Kolakowski, was adopted in the form of a stylized globe of the world on which is superimposed the face of Nicolaus Copernicus, to signify the influence of Copernicus on the world. The theme of the insignia will be recurrent throughout the entire project of the Copernicus Portfolio.

Dr. Wladislaw Kolakowski, born in Baltimore, Md. holds honorary degrees from London College of Applied Science, doctor of business administration; Sheffield University, London, doctor of economy; University Degli Studi "CD," Rome, consular degree. He is a professional philatelist, member of the leading philatelic societies, has published over 100 works, received the Bronze Medal for his "Groszy Overprints" research book in 1956 at the International Philatelic Exhibition in Literature in New York. He is a member of the United Nations Association, a Consul, Knights of Malta, received the C.I.S.C.A.—International Guild of the Star and Silver Cross—Grand Cross with four stars from Pope John XXIII, and for his work on the Copernicus Portfolio, was awarded an honorary doctor of fine art degree from Marconi University in Italy. Alliance College, Cambridge Springs, Pa., present location of the National Copernicus Committee, has endorsed the Copernicus Portfolio in its February 1973 issue of Copernicus Newsletter, as follows:

The value and importance of the Copernicus Portfolio is inestimable as a visual record for future generations, of the progress of our times. Descriptive illustrations recording important events of the past, present and knowledgeable predictions making up the Copernicus Portfolio will be released from time to time at irregular intervals, closing the era of 500 years, on January 1, 1974.

#### MORE SUPPORT FOR ALL-YEAR DAYLIGHT TIME

### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HOSMER. Mr. Speaker, I am pleased to share with the membership the following support for what is coming to be known as "Enlightened Time." It is all year daylight saving time, the subject of editorial support by KNXT which serves the Los Angeles-Long Beach

metropolitan area. KNXT's editorial screened on April 28 and 29 follows:

#### YEAR-ROUND DAYLIGHT SAVING TIME

(Broadcast: April 28 and 29, 1973)

Tonight, we will all turn our clocks ahead one hour and go on daylight saving time. In other words, if you go to bed at midnight, be sure to set your clock to 1 AM. But where was daylight saving when we needed it all winter?

During the past few months, while a major energy crisis began to develop, we had to turn our lights on an hour early in the evening, because we did not have daylight saving time. When days were short, we battled traffic going home after dark, instead of doing it more safely in daylight.

Furthermore, twice a year we have to go through this confusion of "spring behind, fall ahead"—or whatever the slogan is that tells us which way to reset all the clocks in the house.

Congressman Craig Hosmer and more than two dozen others in the House are sponsoring a bill to establish year-round saving time, and it's a good idea.

Hosmer said it would reduce crime, reduce traffic accidents, save electricity and fuel, and give us more time for outdoor recreation. That's a lot of benefit for a relatively easy change. All we have to do is set the clock ahead an hour and leave it there all year round.

This is an idea long talked about. Maybe now the energy crisis will help bring it to life. It can happen if you let your Congressman know that you support daylight saving all year long.

#### TWENTY-FIFTH ANNIVERSARY OF ISRAEL

### HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. REES. Mr. Speaker, I would like to take this time to add my sentiments of joy to those expressed on the occasion of the 25th anniversary of the State of Israel.

Israel today is a nation which exemplifies its creation, born of the same spirit which has kept alive the Jewish people. Oppression has, rather than diminishing the Jew's will to survive, strengthened it and fostered the spirit of nationhood. It is a spirit of independence, graced by a love of learning and a respect for history. This spirit has built a nation and produced leaders and scholars equal to the task of guiding it. While 25 years is but a moment in the scope of Jewish history, these past two and a half decades have seen the fulfillment of the Biblical injunction, "Next year in Jerusalem."

Yet the Israeli experience is still an experiment in nationhood. Seldom has a country asked so little from the community of nations and been so dependent upon its own human and material resources of support; and never, in the history of mankind, has its success been so pronounced.

Mr. Speaker, I think we, through our actions of support for the State of Israel, can insure that the experiment of the past 25 years will continue, and in so

doing, promote the qualities of nationhood—courage and justice—which Israel embodies.

Time, I think, is on Israel's side. So long as the spirit which created the Jewish state endures, Israel will serve as a homeland to Jew and non-Jew alike.

#### THE ATLANTIC UNION RESOLUTION

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. CRANE. Mr. Speaker, Virginia Czuba, a senior at Maria High School in Chicago, Ill., participated in the Washington workshops program last month. As part of her assignment, she researched the question of the Atlantic Union resolution. Students of today, recognizing that they will be the leaders of tomorrow, have a keen interest in decisions which will affect the future of our country and the world. I am pleased to share with the Members this very interesting and impressive report by a talented young student:

#### THE ATLANTIC UNION RESOLUTION

(By Virginia Czuba)

The Atlantic Union Resolution is the latest in a series of attempts to form a single world government. Many early sovereigns, among whom are Caesar Augustus, Alexander the Great, and Napoleon Bonaparte, sought conquest of other nations and acquisition of a single world-encompassing empire. The idea developed through time into colonization and imperialism. Yet once the world became totally known to man, the idea lay fallow.

A new awareness of the one-world concept was brought about by President Woodrow Wilson. President Wilson advocated a League of Nations to preserve post-World War I peace. However, critics in the Senate prevented United States participation, and the League, possessing only nominal jurisdiction, collapsed.

But other Americans carried forth the idea of a world union. Wendell Wilkie, in 1943, wrote *One World*, a ringing declaration of the need for international cooperation and understanding. Though the book was a best-seller, the United States was involved in World War II, and neither time nor funds were available to develop such an idea. He continued to fight for his theory, and succeeded in coercing the Republicans to publicly support a postwar peace organization.

Wilkie saw partial fulfillment of this dream when World War II ended in August, 1945. The United Nations was formed to preserve international peace and security and to provide a forum for diplomatic discussions. One of the component parts, the International Court of Justice, was planned to settle disputes between member nations. But the UN could not singlehandedly stop Soviet Russia's desire for more land. The European nations watched with increasing alarm as the Soviet Union expanded westward into Europe. They sought to block this expansion in a way more definite than any that the United Nations could provide. Thus, the North European nations and the United States and Canada met in April, 1949, and signed the North Atlantic Treaty, forming NATO.

The NATO Treaty reaffirms the Charter of the United Nations, but advances to unite

the North Atlantic nations in a closer economic and military unit. The Treaty's focal point is the defense of the 16 member nations. (This number has since been reduced to 14.) The Treaty states the particular reason for the Organization in Article 5:

"The parties agree that an armed attack against one or more of them in Europe shall be considered an attack against them all."

As a demonstration of their close affiliation with the UN, the NATO members agreed to proceed to the UN Security Council and let it decide upon the action to be taken.

NATO is also an attempt at "economic collaboration."<sup>1</sup> It hopes to open free trade routes between the member nations, and provide stability to the currencies of each. In addition, the Treaty provides for the establishment of a NATO Council to guarantee the execution and enforcement of every point in the Treaty.

As the world progressed through the 50's and into the 60's, the industrial nations of the free world desired additional economic stability. The Common Market experiment was conducted by 6 European powers in 1957, and the result became known as the European Economic Community. (Their number has since increased to 10.) The purpose of the EEC, or Common Market as it is generally referred to, is to provide for an increased, stable economy by opening all European markets to all European goods. This has easily been accomplished by the removal of all intra-Market commercial barriers.

The Organization for Economic Cooperation and Development (OECD) strove for goals similar to those of the EEC, but the OECD was primarily established in the interest of expanded industry. Formed in 1961, it is an attempt by the free-world industrial nations to raise economic growth, rate of employment, and standards of living to the highest levels possible.

During the post-World War II years, the United States Congress became increasingly aware of the strong economic, cultural, and democratic ties between the European nations and the United States. These ties covered areas above and beyond the commonalities of either the UN or NATO. Clarence K. Streit, aware of the criticism that the UN was receiving as early as 1948, proposed the Union of Atlantic nations into one supra-national government. As both the UN and NATO seemed to be losing their binding force and power, proponents of the Atlantic Resolution kept it alive in Congress.

As Clarence Streit moved on to become the founder of the International Movement for Atlantic Union, the new Representative from Illinois succeeded him. In 1960, Paul Findley began championing the Atlantic Union cause, and continues to do so even at the present time.

The Resolution, which has appeared in any number of instances during any one year, authorizes the creation of an Atlantic Union delegation. The 18-member delegation is to be chosen by the President, the President of the Senate, and the Speaker of the House, each man choosing six. There is to be no official instruction given to any delegate, in order to provide flexibility to the convention. These delegates will meet with similar delegations in an Atlantic Convention, designed to explore the possibilities of such a Union. This Union would take the place of NATO, and would be founded on basic Federal principles.

At this time, the Resolution needs further clarification. The member nations must have two prerequisites: 1) They must recognize the inherent individual liberties of each of their citizens. This is an assurance that the nations involved are acting in the interest of the citizens and not as a satiation of their desire for more power or territory. 2) They must have a parliamentary form of govern-

ment. This stipulation rules out all those nations which are democratic in name but oligarchic in form.

Federal principles means that each nation must be willing to give up a certain amount of its sovereignty in order to cooperate in the proposed parliamentary government. Each government would be subject to the laws and decisions of the Union government, and would be represented in the Union in much the same way as the dual-House government of the US.

Representative Findley (R.-Ill.), along with the other supporters of the Union, view the Resolution as the solution to many problems. Economic instability plagues most of the Atlantic nations; Communism continues to spread; nuclear arms increase in number on the Sino-Soviet frontier. Nothing can be done about these problems by either the UN or NATO because they lack the binding force necessary to impose decisions on member nations.

Mr Findley and his followers contend that the Atlantic Union will provide that missing force, and will increase the total strength and effectiveness of the world democracies. They do not feel that there will be any friction between the United States and Europe. In fact, they contend that:

"(the Europeans) recognize full well that our presence in Europe is a very important stabilizing factor in the relationships between East and West."<sup>2</sup>

They also are of the opinion that the combined economies of the industrial nations of North America and Europe will stabilize the world's economy. The total assets in gold of the Union would equal \$27.9 billion, while the foreign claims on Union gold would be reduced to \$20.7 billion. The intra-Union trade and the combined gold reserves would greatly reduce the foreign claims upon the members' gold supplies. Thus, the probability of a world-wide depression would be greatly reduced.<sup>3</sup>

Regarding the Sino-Soviet nuclear buildup, supporters of the Union contend that the combined democracies would constitute a very definite check on the two Communist powers. They agree that the combined nuclear strength of the proposed Union members is considerable, and that the two powers are unwilling to tangle with a third, possibly stronger government.

Peter H. Frelinghuysen (R., N.J.) and Edward J. Derwinski (R., Ill.) lead the House fight against the Resolution. Along with other members, they argue that the proposal should not even be considered at this time. Their arguments follow.

Firstly, the nationalism in Europe is too strong to allow the transference of loyalties from the national to the supranational government. This is quite evident in DeGaulle's withdrawal of French troops from NATO in 1966. If France could not even feel a sense of loyalty to NATO, how could she be expected to freely surrender even more of her sovereignty to the Union government.

Secondly, the United States is greeted with suspicion in the European community. The European nations feel that joining in an organization with the United States is like asking for political and economic subservience. They fear that the U.S. will take away their European markets and decrease their economic status.

A second argument against the Resolution

<sup>2</sup> George S. Springsteen, Deputy Ass't. Sec'y. of State, appearing before the House Foreign Affairs Committee, Sept. 22, 1972.

<sup>3</sup> At the present time, the world claims upon US gold total \$46 billion, while US reserves total only \$10.9 billion. Thus, the instability rate is 4.2:1, with an even 1:1 being stable. It is evident, therefore, that unless something is done to alleviate the present U.S. financial strain, the nation will be plunged into another depression.

is that the decisions of the Union would be binding upon ALL members, regardless of their previous policies. This takes away a very large part of the nation's autonomy, a part that most nations are unwilling to part with.

Finally, Frelinghuysen charges that the appointment of the delegates by the three top government officials cast a semi-official aura about the delegation. In that way, the delegation loses its spontaneity, its flexibility, and becomes another hindrance to the Convention. In order for the delegation to properly perform its duties, the members must be able to follow their own convictions.

Mr. Derwinski supplies a workable solution to the crises in our peace organizations. He wrote a series of recommendations for the Foreign Affairs Committee (House) while serving as one of the members of the United Nations delegation from Sept. 22 to Dec. 21, 1972. Among the most worthy of mention here are:

"1. (It is recommended) that the United States press within the United Nations system for administrative and financial reform, including measures to speed the activities of the General Assembly.

2. The Department of State end its excessive control of the U.S. Mission to the United Nations thereby giving the U.S. Representative, the delegates, and the staff the flexibility to more effectively implement U.S. policy in the United Nations. When instructions are transmitted the Department should insure that such instructions are fully coordinated within the bureaucracy.

3. The Department of State should take positive action which is clearly necessary to end the comparative isolation of the U.S. Mission to the United Nations from the policymaking machinery of the Department of State. A beginning could be made by requiring the Assistant Secretary of State for International Organization Affairs to be present in New York during the entire session of the General Assembly. This is his major responsibility . . ."

In my opinion, the idea of an Atlantic Union has some merit and deserves further consideration—in about 15 more years. It seems that no country is ready to surrender precious self-government at this time, and will not be for some time.

It appalls me to think that no consideration has been given to the opinions of the nations other than those in Europe and North America. For example, how do the newly independent African nations feel about the monopoly on the world's wealth which will come about as a result of the Union? Has any provision been made to settle conflicting treaties within the Union? What about the UN? Will it become a puppet to the Union, inasmuch as the Union will have 15 votes? And, finally, is the Union itself a direct challenge to the authority of the UN?

I don't think that these questions are easily answered, nor are they easily ignored. I think that before any more proposals on the Atlantic Union are brought before the Congress, these questions must be answered.

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<sup>4</sup> Edward J. Derwinski, Report 76-079, May 31, 1972.

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## HOUSE BUNGLED PRICE CONTROLS

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HARRINGTON. Mr. Speaker, on April 16, the House of Representatives had the opportunity to mandate effective price controls when we considered the Economic Stabilization Act. Instead, we passed a straight extension of the President's authority to implement an economic stabilization program.

The wholesale price index rose by almost 25 percent on an annual basis in March, and the President has thus far refused to take the actions that will be required to get this significant problem under control.

In a situation like this, it might be a good idea for us all to pause and consider the reasons for our failure to pass the legislation the consumers and workers of this country need and want.

Mr. Albert Hunt recently had an article in the Wall Street Journal outlining what actually happened within the walls of the Congress, writing in detail about events with which few of our constituents are familiar. I insert that article in the RECORD at this time, both for my colleagues, and for any constituents who may be interested.

The article follows:

#### HOW THE DEMOCRATS BUNGLED THE PRICE ROLLBACK

(By Albert R. Hunt)

WASHINGTON.—On March 28, Cost of Living Council Director John Dunlop spent an uncomfortable morning with House Banking Committee Republicans. They told him that Phase 3 was in deep political trouble, that Congress was itching to legislate tougher price controls and that the administration seemed headed for a certain political defeat in the House.

Michigan's Garry Brown, one of the Congressmen present, remembers the admonitions. "We generally told him the administration's request for a simple extension of wage-price control authority was dead," he recalls.

Three weeks later, however, the simple extension of the Economic Stabilization Act requested by the administration, sailed through the House unscathed. All Democratic efforts to impose price ceilings and rollbacks, and to otherwise toughen up the controls program were defeated overwhelmingly.

The most common explanation for this surprising turnabout is that the House caved in to the business lobbyists who swarmed over Capitol Hill. And lobbying certainly was a key factor. But even more important was the bungling of the House Democrats. Without their political ineptitude, it's doubtful the administration could ever have won its victory.

Indeed, the Democratic defeat can serve as a case study of how intramural wrangling and weak leadership can sometimes turn certain victory into sharp defeat. Responsibility in this case must rest on the strife-ridden House Banking Committee, which managed to turn the legislation into a political liability, and House Speaker Carl Albert, who failed to lead effectively.

"Carl Albert was more concerned about getting votes for extending the west front of the Capitol than with the controls bill," says one bitter House Democrat. "That's real priorities for you."

"We never dreamed the Democrats could pull us through by fouling up so badly," confesses one administration official.

Initially, the controls legislation seemed tailor-made for White House foes in Congress. Phase 3 plainly wasn't working and the public clamor for tougher controls was growing by the day. The legislation would be considered right in the middle of the highly visible consumer meat boycott, and at a time when wholesale prices registered their most shocking rise in over 22 years.

The Nixon administration's own lobbyists were bringing back ever more gloomy news to their downtown bosses. The Senate had passed a bill imposing some mandatory rent controls, and inflation was heating up even more as the House took up the measure. "Realistically, we had given up on our simple extension," recalls one administration lobbyist. "Most of us felt the House was going to do something horrendous that would make the Senate bill look great in comparison."

Even Wilbur Mills, probably the shrewdest analyst of congressional sentiment, flatly predicted the House would approve severe price rollbacks and a freeze. When the House Banking Committee held hearings last month, most of its Democrats agreed on a bill that would roll back prices and interest rates to March 16 levels, then impose those levels as ceilings. Almost half the committee's Republicans also were anxious to approve a tough bill.

The bill, as drawn up by committee Democrats, had its share of problems. First, the freeze was to be of indefinite duration, and could be lifted by the President, on a case-by-case basis, only when he found it was causing "gross inequities." Then too, as originally written, the measure seemed likely to cause political and economic difficulties by including raw agricultural products and even market interest rates in the rollback. Further, the legislation encroached on the jurisdiction of other congressional committees in setting up a vast consumer counsel office and moving to regulate credit for commodity futures trading.

Despite all this, the legislation was given a fair chance of making it through the House—until the committee actually started to write the bill in public session. This, in an uproarious session, some committee members started competing to see who could sound and act the toughest in going after the "price gougers."

The clear winner was Chicago Democrat Frank Annunzio, who proposed rolling back all food prices to May 1, 1972, levels. With support from a few conservative Republicans anxious to kill the bill, and urban Democrats fearful of consumer protests, the panel approved this measure 23 to 11. Nobody was more surprised than Mr. Annunzio. "I never would have offered it, if I thought it would carry," he later admitted.

At this point, the House Democratic leadership stepped in. Realizing that such a severe measure never could pass the floor, Mr. Albert and others worked feverishly overnight with some committee members to repair the damage. The next day the Democrats endorsed a proposal which "only" rolled back all prices and interest rates to levels prevailing Jan. 10, the last day of Phase 2. "In that emotional atmosphere, we really believed this

was a moderate proposal," recalls one distressed Democrat.

This version got through the banking panel, but immediately ran into a roadblock at the more conservative Rules Committee, which must clear all legislation for House action. Typically, the Democratic response was to quickly improvise a patchwork substitute that rolled back most prices and non-market interest rates to March 16 levels. This cleared the Rules Committee, but by this time the whole situation was in shambles.

"You have to be very sensitive when you start to formulate important legislation like this," notes Rep. Thomas Ashley (D., Ohio), a senior member of the banking panel. "When things start to go wrong, there tends to be a snowball effect. By the time we got this bill to the floor the damage was irreparable."

One of these insensitivities was the absolute exclusion of Republicans all along the way, even though a number of moderate and liberal GOP lawmakers favored a tough controls bill. These Republicans played almost no role in the Banking Committee's deliberations, and only at the last minute were they informed of the substitute bill before the Rules Committee. "We were never given a chance to vote for a viable alternative to Phase 3," complains Rep. Margaret Heckler (R., Mass.).

As a result, in an almost unprecedented show of unanimity, all House Republicans teamed up with a number of disgusted Democrats to defeat the substitute in a procedural vote and pave the way for the simple extension the President sought.

While the Banking Committee clearly mishandled the legislation, the House Democratic leadership did little to straighten things out. Although Speaker Albert and his cohorts said all along that the controls measure was a "priority" item for Democrats, the leadership permitted the situation to steadily deteriorate.

When House leaders finally did step in to try and correct the foulups, they vacillated back and forth between different strategies, ignoring the substance of any legislation. "The leadership has always let the committees handle these things and they just can't break this cord," complains Rep. Thomas Rees (D., Calif.).

It may be argued that Congress simply can't legislate effectively in an area so complex as specific controls covering the whole economy. If so, the leadership shouldn't have encouraged such a bill in the first place. In any event, once the legislative process begins, and a committee proves itself unable to deal with the complexities involved, then the function of effective leadership should be to straighten matters out.

But that isn't the way it worked this time, which points out a much bigger problem. Earlier in this session, the House Democratic leadership received deserved credit for pushing through important procedural changes, which were intended to promote a more effective and responsive House. But these leaders still lack any real program, even in such a gut Democratic area as economic controls.

As long as this is true, the White House will continue to win most of its battles with the Democratic Congress. With opponents like this, it's tough to lose.

## CONGRATULATING THE STATE OF ISRAEL ON ITS 25TH ANNIVERSARY

### HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. FREY. Mr. Speaker, I join my colleagues in congratulating the State of Israel on its 25th anniversary.

Israel and its people represent a microcosm of the world, a representation of man's basic desire to live in freedom and the century-long struggle by the Jewish people to overcome all obstacles to achieve that freedom should stand as a symbol to all mankind.

It is refreshing, indeed, inspiring to know that after these many years of overcoming tremendous odds, the State of Israel is achieving its goal of freedom of religion and freedom to pursue a free and peaceful life.

The Jewish people have paid tremendous personal costs in their efforts to achieve a life with dignity and if Israel can do this as a small nation surely we can do likewise.

The success and freedom of the State of Israel and its efforts to insure an even better life for its people should be an inspiration and example to us all.

#### WESLEY COMMUNITY HOUSE CELEBRATE 70TH ANNIVERSARY

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 8, 1973*

Mr. MAZZOLI. Mr. Speaker, it is with a special sense of pride that I call the attention of the membership to the 70th anniversary of the Wesley Community House in Louisville, Ky.

Through its many years of service to the Louisville community, the Wesley Community House has made a unique and valuable contribution to the quality of life of all the individuals with whom it has worked.

Whether it be in the areas of transportation, housing, day care or recreational activities, this community house has earned a reputation for service and assistance to whomever was in need of its facilities.

Mr. Speaker, I ask that the article on the Wesley Community House which appeared in the April 27 issue of the Louisville Courier-Journal be printed at this point in the RECORD.

The article follows:

#### WESLEY COMMUNITY HOUSE TO MARK 70TH ANNIVERSARY (By Yvonne Eaton)

When Wesley Community House marks its 70th anniversary with a special program Sunday, those attending may find that the needs of the community have changed throughout the years but the house's basic purpose has not.

"Trite as it may seem," Wesley House's purpose, said Miss Helen Mandelbaum, director, "is helping people help themselves—just being available" to help them.

Miss Mandelbaum, who has been with the agency since 1938 and has served as director for 15 years, recalled that in earlier years there was much emphasis on cooking and sewing, but "today anybody can bake a cake out of a package."

Today, housing in the community is a concern of the agency. Miss Mandelbaum said that Wesley Community House, 801-809 E. Washington, works closely with Butchertown, Inc., for better housing.

The immediate community served by Wesley House is an area roughly bounded by the

Ohio River, Beargrass Creek, Broadway and Jackson, which includes Butchertown.

In recent months transportation has become a real need for older citizens, whom the agency did not serve so much in earlier years as it does now.

The neighborhood supermarket closed, Miss Mandelbaum said, which left senior citizens without a place to shop, and the area has no drugstore. So the agency began running a bus twice a month for groceries and medical supplies for senior citizens.

To help keep some youngsters in Woerner Junior High School, 1418 Morton, the agency has arranged for a small bus to transport between eight and 15 youngsters to school for the past five months.

When Wesley Community House was started in 1903 by the Board of City Missions of the Methodist Women's Home Mission Society of the Louisville Conference, it was a missionary-type settlement for the immediate neighborhood, but today people come from all over.

"Many come for the fun of coming" and participating in the social, recreational, cultural and educational activities offered by the agency, Miss Mandelbaum said. In 1973, there are 2,000 members—male and female—from all over Jefferson County, ranging in age from infants to senior citizens.

And the agency, she said, believes in "crossing all kinds of lines—economic, social, cultural and racial."

There are about 120 volunteers with diverse backgrounds coming each week to teach crafts to senior citizens, to provide transportation for senior citizens, to work with boys and girls, to help fill whatever need there is.

In addition to the volunteers, there are 35 full-time staff members and 19 part-time staff members. And three of the staff members live at Wesley Community House, which Miss Mandelbaum thinks is probably the only resident settlement in this part of the country now. Four other staff members live in the immediate community.

Still funded in part by the United Methodist Church, the agency now receives more than 65 per cent of its funds from Metro United Way. It also receives money from dues and fees which are paid, if a person can afford to pay.

The 1973 general budget, Miss Mandelbaum said, is \$166,041. In addition, the agency has a budget of \$94,352 for its day care center, which was begun in 1965 and which is funded largely through Metro United Way and Community Coordinated Child Care of Louisville and Jefferson County.

Wesley Community House also receives a \$35,000 grant through the Kentucky Crime Commission to operate a group home at 817 E. Main.

Last year 354 campers used the facilities at Camp Merry Ledges, near Corydon, Ind., which the agency opened in 1956.

Since 1947 Wesley Community House has also had an extension program in a nearby neighborhood, and since 1950 this program has been conducted at Grace Immanuel United Church of Christ at 1612 Story Ave.

One of the agency's earliest organizations—the mothers club which began about 1905—is still in existence.

Not only have the programs expanded throughout the 70 years at Wesley Community House, but so have the facilities.

By 1907 the agency moved from 834 E. Jefferson to larger quarters at 809 E. Main, and then to its present location in 1925 where a gymnasium was built in 1928. In 1952, property directly behind Wesley House, on Shelby and Franklin, was given to the settlement for a playground.

In the earliest years the main emphasis was on work with women and children, although men attended the Sunday School and gospel services. But today, whatever the need,

the agency seeks to meet it or to help a person establish contact with some agency which helps in the situation.

The 70th anniversary program Sunday, beginning at 3 p.m., at Wesley Community House, will center on the programs and services offered.

"We are still interested in helping people become better citizens," Miss Mandelbaum said.

#### THE RETURNING VIETNAM VETERANS

**HON. JAMES J. HOWARD**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 8, 1973*

Mr. HOWARD. Mr. Speaker, the March 1973 edition of the United Methodist Relay, the official publication of the United Methodist Church's New Jersey area featured a most informative article concerning our esteemed colleague, DOMINICK V. DANIELS of the 14th District of New Jersey and a speech he gave on Sunday, February 11 at the Trinity United Methodist Church of Jersey City on the subject of the returning Vietnam veteran. All of us know that Mr. DANIELS has played a leading role in programs designed to benefit Vietnam era veterans and as chairman of the Select Labor Subcommittee he had written special provisions into his manpower bill for these veterans.

His views are so valuable that I ask that article alluded to be inserted following my remarks. I know that all Members of this House will find Mr. DANIELS' views of interest.

The article follows:

#### HON. DOMINICK DANIELS SPEAKS AT TRINITY ON RETURNING GI'S

NNJ.—On Sunday morning, Feb. 11, the congregation of Trinity Church, Jersey City, welcomed to its service the Hon. Dominick Daniels, local congressional representative. Mr. Daniels came in response to the invitation of the Rev. David A. Winslow, the minister.

Rep. Daniels chose the day before the release of the first American POW's to discuss what the Vietnam war had meant to the United States in human terms. He pointed out that the plight of the returning G.I. is one of the most difficult of this century. After other wars, the soldiers were welcomed home with parades and aid. But many of these men come home with no marketable skills, few manpower training programs, and to public apathy about the war, or open hostility to it. Soldiers suffer from both Doves and Hawks. The Hawks resent the fact that the war was fought too weakly; The Doves react against the soldiers because they represent the war visibly.

The Congressman pointed out that 500,000 G.I.'s have returned with a drug abuse problem, and 200,000 have returned severely disabled. This latter figure is higher than in previous wars because medical care was swifter and closer in many cases, saving lives, but unable to save maimed limbs.

Only 20 per cent of the returnees, he said, are presently using the G.I. bill educational opportunities, as compared with 50 per cent in previous wars. Daniels pointed out that this, together with the generally poor skills held by the G.I.'s is making employment difficult to find, adding additional problems to their lives.



The Representative urged churches to look for ways to help the Vietnam vets in their communities. Finding jobs and job training for them is a big job in which the governmental agencies could use the assistance of private citizens. G.I.'s with drug problems need special care and attention while they try to overcome the habit, which the community can provide. Citizen participation in all aspects of G.I. rehabilitation is crucial.

This war has produced one-quarter million unemployed vets, a potential source of unrest in low-income and low-employment areas. Rep. Daniels urged all church people to search out ways to help vets, and to let their representatives in the Congress know that they have a concern for these men who have served in this war, which is "different from any other."

#### ASK NOT

### HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. ABDNOR. Mr. Speaker, the announcement made Sunday, May 6, 1973, that an agreement to end the 69-day-old armed occupation of Wounded Knee, S. Dak., comes to me and the people of my district as most welcome news.

The people of South Dakota, and many of my colleagues as well accept this news somewhat apprehensively; however, earlier announcements of negotiated settlements have proved false, and cause us to wait for further evidence that the volatile situation is finally ended before expressing any great sense of relief.

As I understand the agreement, a disarmament will occur this Wednesday. Then the news media, and the Nation will again direct their attention elsewhere.

It is my hope, however, that the Nation, and this body does not entirely forget about Wounded Knee. Hopefully, the problems that have been defined by this confrontation will be solved by understanding and by legislation that addresses itself to problems that exist on our Indian reservations.

Hopefully, a lesson in law enforcement will have been learned, and a similar situation will not be allowed to paralyze the Pine Ridge Reservation, or anywhere else in this Nation again.

Hopefully, those who sustained losses will not be forgotten by the Government whose action and inaction contributed to the circumstances that allowed those losses to occur.

To exemplify the loss that has been sustained because of Wounded Knee, I insert into the CONGRESSIONAL RECORD an editorial which appeared in the Bennett County Booster II, Martin, S. Dak., describing the losses sustained by George Coats, who lived near Wounded Knee. The editorial puts his loss in the perspective of our national priorities.

The editorial follows:

#### ASK NOT

We now possess a more complete understanding of the oft-repeated cliché, "Ask not what your country can do for you, ask what you can do for your country."

Residents of this area of the United States saw this graphically portrayed in a series of

incidents that reached a climax Sunday night, April 15, one and one-half miles north of Wounded Knee.

The series of incidents began many years ago when a group of international criminals unleashed a sneak attack on Pearl Harbor in the Hawaiian Islands in 1941 and destroyed a large part of the United States Pacific fleet.

It plunged the United States into war with Japan in order to keep a group of renegades from over-running this nation and subjugating its people.

The nation's young men were mobilized into an armed force that put a stop to any ambitions for world domination.

Among those who answered the call to the defense of his country was George Coats. He didn't desert to Canada or Sweden. When his country called, he felt an obligation to risk his life in order to help provide protection for his fellow Americans.

He entered military service November 2, 1943, and on May 7, 1944, he was sent to the Pacific theatre of operations where he served honorably and with credit to himself and his country.

George was honorably discharged from service to his country on January 5, 1946, following the end of hostilities.

Upon his return to civilian life, George set about building a future for himself and his family. Being part Indian he was able to obtain leases on Indian trust land on the Pine Ridge reservation near Wounded Knee. He borrowed some money to buy cattle and set up a ranching operation.

Through many hardships and toil and sweat, George was able to build a fairly successful ranching business. He bought some land of his own, paid taxes, paid the interest on his note, provided for his family and was able to pay some back on the principal of his loan.

Then one day in February, 1973, a group of renegades led by national criminals moved into the areas near George's home and seized the village of Wounded Knee.

This group of law breakers had no respect for the rights of any one, taking what they wanted, when they wanted, regardless of who was hurt.

They began to take George's cattle, a few at a time, even though the renegades who occupied the village were surrounded by federal marshals and other police officers.

A total of 43 head of George's herd, on which he still owes money, had been stolen when one night George noticed four armed thieves from among the Wounded Knee invaders attempting to drive some more of his cattle away.

George tried to stop them, when the rustlers turned on him, opening fire on him and his home in which was his wife and two children. The situation was tense but surely he could get help from the United States law enforcement officers who were just one-half mile away. George sent his young son to ask for help.

"Sorry," was the reply, "but we have no authority to go any closer to Wounded Knee than this point."

George and his family were able to escape with their lives but as the Coats left, the renegades set fire to George's home, completely destroying all his family's belongings, his ranch outbuildings, and some hay—while his country looked on unconcerned. The Coats family loss exceeds \$50,000.

A later statement by Willis Selden of the U.S. Justice Department was that "if the location was outside the 'DMZ' (demilitarized zone) the Federal Bureau of Investigation would be investigating by now or have completed its investigation."

"However," he continued, "nothing can be done until hostile armed forces are out of the neighborhood."

George and the other Americans who were sent to defeat the Japanese didn't have to wait "until the hostile forces are out of the

neighborhood." The American boys, risking their lives and many of them giving their lives, drove the hostile forces out of the neighborhood. But when his country had an opportunity to help George protect his home and his family, and had ample force available to do it, George's country deserted him.

"Ask not what your country can do for you. . . ."

America must know that it can do for George Coats, the Oglala Sioux tribal government, and those who lost their time, property, and money because of the siege at Wounded Knee.

#### CLARIFYING THE IMPOUNDMENT ISSUE

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. ASHBROOK. Mr. Speaker, while I do not believe that Presidents should impound funds, I am amused by congressional critics who protest the use of this device as though it were a new and reprehensible weapon. Actually, impoundment as an Executive tactic dates back many years, with the Democrat administrations of the 1960's not at all bashful in continuing its use. To settle the matter once and for all time, the constitutionality of this issue should be thoroughly debated and resolved. In the meantime, let the record show that impoundment did not originate with the Nixon administration.

I insert at this point my Washington Report of April 18, 1973, which deals with this problem:

#### THE "IMPOUNDMENT" ISSUE

One of the basic reasons why most people tend to be turned off by politics and politicians in general is the tendency to mislead and manipulate issues. I believe public officials should take a stand on issues. I respect those who take firm stands, fight for their cause through thick and thin and are consistent. At the same time, I find particularly unfortunate a growing way of life in politics, "Issue Development."

I have never been one to point the finger at the other side and say, "They do it." Republicans and Democrats alike utilize "issue development" as a weapon in their arsenal to get public support. Last year, for example, I noted that many of my fellow Republicans were now pointing with pride to the same policies which they had viewed with alarm under Lyndon Johnson. Certain issues have developed a special ring and have become generally known to the public—environment, civil rights, poverty, law and order.

During this session, it is very obvious that the Congressional Democrats are trying to develop an issue which I do not believe deserves public acceptance. That is their increasing reference to the so-called "impoundment of funds" issue. President Nixon is viewed by critics as arbitrary, a one-man government, a virtual dictator who has decided to spend or not spend. On close examination, this is not the fact at all.

First, impoundment is nothing new. It has been done as far back as the administration of Thomas Jefferson and virtually every president at one time or another simply refused to spend money appropriated by the Congress. Recent examples: in the Truman Administration, he impounded funds rather than build a super carrier. Ike impounded

ABM funds, President Kennedy impounded funds for the B-70 bomber, and LBJ impounded highway funds. These are only single examples of what has been a general tendency. In the Eisenhower years, for example, Ike took the position of no new starts in Public Works and would not implement projects authorized and funded by the Congress.

I do not happen to believe Presidents should impound funds, but the Congress has been totally irresponsible in many areas and the simple fact is that necessary cuts have been made by the device of not spending money authorized and appropriated by the Congress.

The Democrats should not make an issue on impoundment. By comparison with the two previous administrations, the money now being withheld by the Nixon Administration is only two-thirds of the level held back in the last year of the Johnson Administration. The Nixon average of approximately 5 percent is still less than the 5.4 percent of the budget which LBJ held back during his years and much less than the impoundment of funds during the Kennedy years. President Kennedy's administration held back 6 percent of appropriated funds.

Thus, it can be seen that this issue is really not an issue—at least as far as the political context is concerned. I happen to believe that it is a constitutional issue and should be properly debated as to whether or not the Executive has this authority. However, any effort to make politics out of impoundment simply falls short.

The simple fact, as stated before in this column, is that the President also has a responsibility. When the Congress cannot add, the President must subtract. Subtraction often comes in a way which can honestly be questioned—in this case, impoundment of funds. A debate on this issue should be put in its proper historical context. At any rate, my Democratic friends should honestly tell the public that impoundment did not originate with Richard Nixon.

#### TRIBUTE TO CLYDE ARBUCKLE, SAN JOSE HISTORIAN

#### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. EDWARDS of California. Mr. Speaker, on May 18, the Citizens Advisory Committee of the City of Santa Clara, Calif., will honor Clyde Arbuckle, San Jose historian and a dedicated student and teacher of local and early California history.

Mr. Arbuckle first became San Jose historian in 1945 and also served at that time as city curator of the Statehouse Museum at the Santa Clara County Fairgrounds. A few years later he began teaching courses in history at local colleges and universities and adult education programs.

Serving as the president of the Conference of California Historical Societies comprised of 200 organizations across the State, he helped make the historical groups of California a cohesive, vital organization. In addition, he has served on the board of directors of California Pioneers of Santa Clara County since 1946, as founding secretary of the San Jose Historic Landmarks Commission, and as Grand Noble Humbug, of Yerba Buena Chapter of the Ancient and Honorable

Order of E. Clampus Vitus, a group of lovers of Santa Clara history.

Unselfishly, Mr. Arbuckle has contributed his time and energies to many voluntary activities and community services. As a speaker who has both a remarkable wealth of knowledge and delightful sense of humor, he is in great demand. His enthusiasm and genuine love of history have made the past come alive for hundreds of people in Santa Clara County and served as an inspiration to many young historians.

#### GOLDEN JUBILEE MASS AT NEUMANN SHRINE

#### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. EILBERG. Mr. Speaker, I am pleased to announce that the Reverend Francis J. Litz, C.S.S.R., will con-celebrate mass at St. Peter's Church in Philadelphia on Saturday, May 19, on the occasion of his golden jubilee in the priesthood.

The mass is also in celebration of the 10th anniversary of the beatification of Bishop John N. Neumann, fourth bishop of the Philadelphia Archdiocese.

Father Litz has contributed a great deal to the development of the Neumann Museum in Philadelphia and has extensively traveled throughout the United States lecturing on the accomplishments of Bishop Neumann.

At this time I enter into the RECORD a short biography of the Reverend Francis J. Litz:

GOLDEN JUBILEE MASS AT NEUMANN SHRINE

On Saturday, May 19, 1973, 11:00 a.m., Rev. Francis J. Litz, C.S.S.R., Vice Postulator for the Canonization of Blessed John Neumann, C.S.S.R., will con-celebrate Mass at St. Peter's Church, 5th St. & Girard Ave., Philadelphia, Pa., on the occasion of his Golden Jubilee in the Priesthood.

This Mass will also mark the 10th Anniversary of the Beatification of Bishop John N. Neumann, Fourth Bishop of the Philadelphia Archdiocese from 1852-1860.

Rev. Francis (Frank) Litz was born July 7, 1898, in Philadelphia and attended St. Boniface School, Diamond and Hancock Sts., where he graduated in 1911. He then entered the Redemptorist Preparatory at North East, Pa., and was ordained to the Priesthood in 1923 at Esopus, N.Y., by Archbishop J. Hayes.

After eight years as a young priest on the Lower East Side of Manhattan, N.Y., Father Litz, at age 31, was made Pastor of St. Mary's Church in Buffalo, N.Y., where under his enthusiastic encouragement, the Novena in honor of Our Lady of Perpetual Help attracted close to 10,000 people each Wednesday.

From 1939 until the end of World War II, Father Litz was the Pastor of his home parish St. Boniface in Philadelphia. The next five years he worked in the country section of Saratoga Springs, helping to establish the parish at Gansevoort, N.Y.

In 1950 he was again called upon to be Pastor this time in Our Lady of Perpetual Help parish East 61st St., Manhattan, N.Y., where he developed a Redemptorist Mission Band for the Italian-Americans in the parish and another for Spanish-speaking people.

Rev. Francis Litz was sent to St. Peter's in Philadelphia in 1956 where he was named

to be Vice Postulator for the Canonization of Blessed John Neumann and has since then directed the development of the Neumann Museum, the restoration of the Lower Church with beautiful stained glass windows, depicting the high points of the career of Blessed Neumann. The remains of the Bishop, exhumed for identification before Beatification were enshrined in a crystal casket under the main altar.

During the past seventeen years, Father Litz, as Vice Postulator has traveled, lectured and preached in almost every Church and Catholic School in Philadelphia, in many parts in Pennsylvania, New Jersey, New York and many other regions of the USA. He has given talks to many societies and organizations on the heroic life and virtues of Bishop John Neumann. Due to his untiring zeal and co-operation from many sources the Beatification of Blessed Neumann was accomplished. Father Litz also made many thousands of visits to hospitals and is being very ably assisted by Rev. Bernard Krimm, C.S.S.R.

#### THE NEED FOR A NEW MANNED BOMBER

#### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. CRANE. Mr. Speaker, much has been said in recent days against the development of a new manned bomber; namely, the B-1 aircraft.

Many of those who have urged us to cancel plans to develop this bomber, such as Senator GEORGE McGOVERN, have argued that such bombers are obsolete and that the Soviet Union has abandoned the development of new aircraft of this type.

Those who express this view seem unaware of the fact that the Soviet Union is building a new long-range bomber, which is known by its NATO code name, "Backfire."

This new bomber has an unrefueled range of between 4,300 and 6,000 miles, which places it definitely in the strategic aircraft category.

Aviation Week and Space Technology magazine notes:

Since all NATO targets can be covered from Russia by an aircraft with a combat radius of 2,000 miles, strategists from the West believe "Big Swinger" was designed specifically with U.S. targets in mind.

The manned bomber, in addition, is far from obsolete. Gen. Bruce K. Holloway, former commander of the Strategic Air Command, notes that—

The bomber is the only strategic system which can be applied across the spectrum from show of force (as in the Cuban crisis) to jungle combat (as in Viet Nam), to conventional conflict (as in Korea), to nuclear holocaust and post-attack conditions.

In a recent article with regard to the manned bomber, Human Events discussed a number of the essential features of the proposed B-1 aircraft.

The article noted:

This aircraft will penetrate Soviet defenses flying 700 miles per hour at tree top level... it will carry almost three times as much nuclear firepower as the B-52... it will use shorter runways and less fuel than the B-52s and can thus "scramble" from a much wider selection of American airfields.



In addition, states Human Events:

The B-1 will offer a very small and confused radar image to defense controllers and will incorporate vastly improved ECMs and decoys. Some of its decoys will actually carry nuclear warheads.

The debate over the B-1 will occur during the current session of the Congress. It is essential that those who will make decisions in this area familiarize themselves with the facts concerning the B-1, as well as concerning Soviet advances in this field.

I wish to share the article concerning the whole question of the manned bomber which appeared in Human Events of December 23, 1972, with my colleagues, and insert it into the Record at this time:

**THE MANNED BOMBER ISSUE FLIES AGAIN**  
**WILL THE RUSSIANS BEAT THE FREE WORLD TO**  
**IMPORTANT STRATEGIC OPTIONS?**

"Many will recall Mr. Khrushchev's famous remark in 1957: 'Bombers are obsolete. You might as well throw them on the fire.' In view of Russia's continued reliance on their manned bombers, one wonders whether Khrushchev made this comment as a matter of conviction or in an effort to influence U.S. national defense policy."—Rep. Robert Price (R-Tex.) in the House of Representatives

For years, those opposing maintenance of America's fleet of B-52s and development of the new B-1 manned strategic bomber have said the long-range bomber is obsolete.

To support their argument they like to point out that the Soviet Union has supposedly abandoned bomber development to concentrate on building up its force of intercontinental and submarine-launched ballistic missiles.

Sen. George McGovern, one of the leading advocates of unilateral American disarmament, has stated: "The minimal Soviet effort on strategic effort on strategic bombers indicates that they place little emphasis on that form of delivery."

In the absence of any Soviet disclaimers and in spite of the warnings of those who watch Soviet strategic developments closely, such statements have become widely accepted. Just last week Jerome H. Kahan, formerly with the U.S. Arms Control and Disarmament Agency, wrote in the Washington Post:

"The United States is developing a new generation strategic bomber, while the USSR has shown no evidence of a comparable program."

The trouble with Mr. McGovern's assumption (and it is echoed by many others in the highly organized "peace lobby") is that it implies "if the Russians aren't doing it, why should we?"

It is obviously fallacious (and would be disastrous) to predicate our weapons development simply on what the Soviets do or do not do. But in the case of strategic bombers, it is beside the point.

The plain fact is, the Soviet Union is building a new long-range bomber. Known by its NATO code name, "Backfire," the aircraft is a product of the famous Tupolev design group, which has created Russia's supersonic transport and several other reliable bomber designs.

American observers, who have followed the covert development of this plane for some time, have dubbed it "Big Swinger" because of its moveable wing design (similar to our FB-111).

This needle-nosed Soviet bomber is powered by two gigantic Kuznetsov NK 144 turbofan engines (with afterburners) and has an unrefueled range of between 4,300 and 6,000 miles, which places it definitely in the strategic aircraft category. *Aviation Week & Space Technology* magazine notes:

"Since all NATO targets can be covered from Russia by an aircraft with a combat radius of 2,000 miles, strategists in the West believe 'Big Swinger' was designed specifically with U.S. targets in mind."

Test and evaluation prototypes of Backfire have been flying for several years in a program shrouded in secrecy exceptional for even the Russians. The Soviets may have wanted to achieve a "technological surprise" with Backfire similar to the one they pulled with their supersonic Foxbat fighter.

But the West has been rapidly gathering intelligence on the new bomber. Last year, one of the Backfire prototypes was discovered while being refueled in flight from a giant Myasishchev Mya-4 Bison tanker. After its "drink" the Backfire streaked away on a 10-hour flight.

*Aviation Week* reports "production of operational aircraft has begun," and now there are at least 20 Backfires completed or on the production line. The production model of the aircraft has been modified with lengthened wings (to improve range) and further cleaning of the fuselage to improve aerodynamics.

Backfire has a speed at altitude in excess of Mach 2 and a limited supersonic dash capability when flying "on the deck" to penetrate radar and anti-aircraft defense.

In a typical example of Soviet adaptation of "civilian" research and development technology, the Backfire's powerful in-fuselage twin engines are the ones originally developed for the Tupolev Tu-144 supersonic transport.

Little is known of the Backfire's armament, but the Soviets are believed to be working on an improved air-to-surface strategic missile to use with it. This would be a stand-off weapon, similar to the U.S. short-range attack missile (SRAM), a supersonic nuclear missile now being fitted to the Strategic Air Command's B-52s and FB-111s.

These stand-off weapons permit bombers to strike their targets without flying into the heavy defense areas around them.

The Soviets now have three stand-off missiles operational, evidence they have never really abandoned the manned-bomber concept. One is the somewhat crude Kangaroo. Another is the Kipper, designated mainly as an anti-ship missile.

The third is a much more sophisticated missile, the Kitchen. An outgrowth of this missile may be destined for use with Backfire.

Backfire presents substantial evidence that the Soviets intend to copy the U.S. "nuclear triad" mix of bombers, ICBMs and sub-launched missiles more fully. Much discussion in Soviet military and political circles has centered around the degree of flexibility the manned bomber affords in confrontation situations and this has added momentum to the development of the new aircraft.

Because of this, manned bombers will now emerge as a much more important factor in the current round of SALT talks than had at first been expected.

The Soviets never really lost sight of the efficacy of bombers. They pushed a number of strategic bomber projects during the 1950s and 1960s, none of which really panned out.

In fact, some of the great secrecy surrounding Backfire stems from a Soviet reluctance to chance any more embarrassments like its two former strategic bomber projects. There were both Myasishchev designs—the huge Mya-4 Bison, with its curious design mixture of the modern and the antique, and the truly formidable-looking Boudner.

Both of these planes developed what the Soviets vaguely referred to as "short-comings" and never became operational as strategic bombers. The Boudner has been used for "research," while the Bison has been used for "maritime reconnaissance" and tanker service.

The less than praiseworthy performance of these two planes in a strategic bomber role

bolstered the arguments of those in the Soviet military who maintained that no manned aircraft, however fast, could successfully penetrate a modern air defense.

However, this argument did not take into consideration "penetration aids," electronic devices to fool radar, mislead homing anti-aircraft missiles, and allow for precise navigation while flying close to the ground at high speeds.

Meanwhile, the United States, capitalizing on its advanced electronics know-how, has succeeded in bringing penetration aids and electronic countermeasures (ECMs) to new heights.

In doing so, we have succeeded in making the B-52, a plane designed in the 1940s, a continuing and awesome threat. The bag of penetration secrets in the B-52 has so discomfited Moscow that it has been the target of a terrific espionage effort in this country and anywhere the giant aircraft are based.

For several years now, every American aircraft shot down in North Viet Nam but still somewhat intact has been shipped back to Soviet laboratories for examination of its electronics devices. The highest priority item (and one so far not delivered, fortunately) has been to get hands on a B-52.

As the Soviets have become stronger and achieved equality if not superiority in strategic weapons, they have become more disposed to throw their weight around. They quickly discovered that missiles, which you either fire or don't fire, don't have that certain quality of coercion the Soviets like so well.

A manned bomber, however, possesses that quality in abundance.

It allows a very precise control over events in a power play scenario. The Kremlin saw this very clearly during the Cuban missile crisis of 1962. One of the most tangible evidences of the American power that made Khrushchev back down was the B-52.

For one solid month, every hour of the day, the Strategic Air Command "leaned on" the Soviet Union with clouds of B-52s on the periphery of the Russian air defense radar. Soviet air defense controllers couldn't look at their boards without seeing the blips.

Gen. Bruce K. Holloway, former commander of SAC, notes that "the bomber is the only strategic system which can be applied across the spectrum from show of force (as in the Cuban crisis), to jungle combat (as in Viet Nam), to conventional conflict (as in Korea), to nuclear holocaust and post-attack conditions."

This admirable flexibility from a politico-military standpoint sometimes obscures a very important military economic advantage of the manned bomber: It must be defended against.

It is estimated the Soviets spend at least 15 per cent of their defense budget to counter our bombers. One of the priority functions of new Soviet fighters, like the Foxbat, is combat radius that will enable them to engage incoming bombers before they launch stand-off weapons. One of the priority targets of Soviet missile submarines off our coasts in SAC airfields. (Our B-52s have already been dispersed because of this threat.)

For this reason, development of the B-1 is of primary importance. This heir to the fabulous legacy of the B-52 will severely compound Soviet defense problems:

It will penetrate Soviet defenses flying 700 miles per hour at tree top level, guided by terrain-reading radar and an automatic pilot.

It will carry almost three times as much nuclear firepower as the B-52.

It will use shorter runways and less fuel than the B-52 and can thus "scramble" from a much wider selection of American airfields.

It will offer a very small and confused

radar image to defense controllers mainly because it will be obscured by "ground clutter" (radar images of trees, buildings, etc.)

It will incorporate vastly improved ECMs and decoys. Some of its decoys (cruise missiles that appear to be bombers on radar screens) will actually carry nuclear warheads.

On the other side of the ledger it must be noted that Backfire will present problems for American air defense. And at the moment, that defense is in a pretty sad state.

In fact, because of rapid development of Backfire, upgrading of the U.S. Aerospace Defense Command (ADC) is a top priority item for the Air Force. It will take most of this decade to bring the system up to a standard where it will be proof against Backfire.

Procurement of three main items is involved:

1. The so-called IMI (Improved manned interceptor), probably the McDonnell Douglas F-15 air-superiority fighter.

2. Boeing E-3A airborne warning and control system (AWACS) aircraft (modified Boeing 707s) to enhance early warning and control IMI squadrons.

3. An "over-the-horizon" backscatter (OTHB) radar system which could detect Soviet bombers virtually from take-off.

This will involve an initial investment of between \$4 and \$5 billion and yearly operating costs of about \$800 million. But it is vitally needed to counter Backfire or its successor, for it seems certain the Soviets will put the same kind of developmental energy into long-range bombers that they have put into their navy in the past decade.

One reason for this development may be to offset any SALT II agreements on offensive strategic missiles.

The Soviets know that our air defense has declined sharply since the heydays of the late 1950s when there were about 240,000 people in ADC. Now there are about 100,000.

Where there were once 67 active-duty aircraft squadrons there are now seven (plus 19 Air National Guard units serving part time).

Where there were once 116 long-range radar squadrons there are now 57.

The primary interceptor in ADC service now is the 13-year-old F-106—no match for Backfire.

Despite all the glitter of ballistic missiles, the bomber age is not over. Both our Defense Department and the Soviets realize this. The question is: does Congress?

The battle for the B-1 and for our ailing air defense will be fought in the coming session of Congress. The development of the Backfire demands the upgrading of our bomber defense, while the proven flexibility of the manned bomber demands production of the B-1.

In fact, everything possible should be done to enhance the formidability of so important a deterrent.

#### REFLECTIONS OF ECOLOGY THROUGH EDUCATION

#### HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mrs. HOLT. Mr. Speaker, during the week of April 9, the Frederick Sasser Junior High School in Upper Marlboro, Md., observed Earth Week. Their program entitled, "Reflections of Ecology Through Education" was a most innovative and educational program.

The diversified activities of this week ranged from a junk art contest to a student debate on the desirability of congressional action to limit the number of automobiles a family can own. In addition, the students collected over 900 pounds of aluminum for recycling. Representatives from business, public utilities, governmental agencies, and environmental groups participated in the program and were available for informal discussion with the students.

I would like to take this opportunity to commend the students and faculty of Frederick Sasser Junior High for the content of their program and for the balanced approach they have taken in creating awareness of our environmental problems. The presentation of all sides of the complex environmental questions undoubtedly resulted in a meaningful educational experience for all involved parties.

I salute this program and wish it every success in the future.

#### DOES THE NIXON BUDGET DO JUSTICE TO THE NATION'S HUMAN SERVICE NEEDS?

#### HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. TREEN. Mr. Speaker, the following article by Mr. Wayne Valis, which recently appeared in the Catholic Virginian, asks the question: "Does the Nixon Budget Do Justice to the Nation's Human Service Needs?" This has been a widely debated question and I believe Mr. Valis' answer to this question merits the attention of my colleagues.

I include the article at this time:

[From the Catholic Virginian, Apr. 27, 1973]

DOES THE NIXON BUDGET DO JUSTICE TO THE NATION'S HUMAN SERVICE NEEDS?

(By Wayne H. Valis)

The President's proposed 1974 budget is one designed to move America toward prosperity without war and, hopefully, without inflation. To achieve these goals the President is cutting back on programs that don't work and concentrating efforts on those that do. He is also reforming many programs so that through revenue-sharing people will have greater control over their own lives. In his latest speech on the budget, the President warned that unless his efforts to control expenditures are successful, Americans will face an increase of as much as 15 per cent in their income tax.

Government at all levels—federal, state, and local—now takes 32 per cent of the entire national—meaning your—income. This figure was barely 20 per cent in the mid-1950s. The federal government's slice of the personal income pie has doubled from 10 per cent in 1950 to over 20 per cent. Government has mushroomed and expanded out of control, and it is now almost impossible to keep track of government programs. In 1963, for example, there were only 160 individual grant programs, in 1973 there are over 1,000.

The President is now attempting to fulfill his campaign pledge to hold down federal spending in order to prevent an income tax increase. To do this, he proposes: (1) a leaner federal bureaucracy (113 programs have

been marked for reduction, termination, or reform into special revenue-sharing); (2) a greater reliance on state and local governments to make their own decision (with the creation of new special revenue-sharing programs this year, the President seeks to turn over \$6.9 billion to state and local governments which they might spend as they wish on education, law enforcement, manpower training and community development; and (3) ultimately proposes greater freedom for the American people to make their own decisions about what is best for them.

Unless spending is brought under control now, inflation is bound to soar. This is especially true in prosperous periods, which the U.S. economy is now in. Inflation, as we have all learned, is the cruellest tax of all, cutting into the pocketbook of the average working man and robbing him of financial gains he has made. Inflation strikes most cruelly at the elderly, the poor, and those on fixed incomes. In addition, inflation has potentially disastrous effects on the U.S. position in world trade and the international money markets. For example, the two recent devaluations of the dollar were due largely to American inflation. In addition, if inflation is allowed to continue unchecked the government will be forced to borrow more and more money to pay for the new programs, thus forcing up interest rates for homeowners and businessmen alike.

In order to understand the battle over the budget it is important to realize that total spending is being increased by a substantial \$18.9 billion from 249.8 billion in fiscal year 1973 to \$268.7 billion in fiscal year '74. From accounts in the media one might think the President had taken a meat axe to the budget, especially to the "starved" human resources, or social sector.

There has been so much confusion about the relative proportion of federal expenditures on the defense budget versus the budget for social and "human resources" that some facts are in order. *Fact:* the defense budget today has been reduced to its lowest level since the end of World War II. Total defense spending (FY 1974) amounts to 29.2 per cent of the budget, or 6.2 percent of the total gross national product (GNP), compared to 43.9 per cent of the budget as recently as 1968, and 8.8 per cent of GNP in 1964, and 9.4 per cent of GNP in 1961. *Fact:* while the 1974 defense budget is \$600 million more than it was six years ago, spending for social programs has more than doubled, from \$72.8 billion to \$153.4 billion. *Fact:* allowing for inflation, the defense budget has dropped in buying power by 31 per cent since fiscal 1968. The charge against the President's proposed budget that "cuts come at the expense of the poor and the elderly" is totally false and reflects the failure of the President's critics to do their homework.

The facts are that the President's budget contains 66 per cent more to help the poor than was the case four years ago, 67 per cent more to help the sick, 71 per cent more to help older Americans, and 156 per cent more to help the hungry and malnourished. Because the President has eliminated some familiar programs with many special interest group friends, especially in the press, there are no grounds for accusing him of a lack of compassion for the unfortunate or needy.

A careful case-by-case analysis of the affected programs will prove that the President's cuts, terminations and freezes are absolutely justified.

The Office of Economic Opportunity (OEO) is to be broken down and its functions given to other appropriate government agencies. The Community Action Programs (CAP) will cease June 30, 1973, and will be replaced by revenue-sharing. These actions have been widely criticized, despite the fact that CAP has failed to help the poor. Although set up with the best of intentions,



CAP now spends 78 per cent of all its funds on administrative costs and to pay the salaries of those who are supposed to help the poor. Only 22 per cent is spent on the poor themselves. It is this form of "trickle down" program that the President is attempting to end.

Not all OEO money is wasted or spent on bureaucracy and administration, however. Some money does get through the pipeline, and some even has important results. For example, the militant American Indian Movement (AIM) which recently violated the law and occupied Wounded Knee, S.D., has been well-financed by OEO. AIM has been receiving generous OEO grants for the last four years, a substantial proportion of which probably helped them to occupy Wounded Knee. On June 21, 1972, AIM received \$113,000 from OEO, \$60,000 of which was spent for "survival schools."

This is just one of many instances where federal money has been used to fund radical groups. The familiar argument that budget cuts will "drive the poor to violence" seems to be exactly the reverse of the actual situation. In fact, the government has been financing radicals who attempt to organize the poor, often for violent ends. This must be stopped.

In a lighter vein, OEO's CAP has financed two-month trips to Europe, South America, Asia and Africa (at \$60,000) for "underprivileged" youngsters. One commentator noted: "It's too bad they missed Australia."

The President's actions will see to it that OEO's useful functions are merely shifted to other agencies, but that programs such as those described above will be ended.

For the entire manpower training programs sector, the President proposes cuts of a modest 9.3 per cent. This reflects almost entirely the phasing out of just one program—the Public Employment Program (PEP), which evaluative studies show is a very inefficient way to combat unemployment, especially of disadvantaged, hard-to-employ groups.

Most PEP jobs slots would have been funded by local or state governments, even had there been no PEP. Not surprisingly, the characteristics of PEP's 150,000 employees is anything but a profile of the disadvantaged, poor population. For example, 78 per cent were graduates of high school or college, "including many old, retired military officers who slipped in under a veterans preference clause that was supposed to apply to Vietnam veterans!" Thus the Administration's treatment of manpower programs is in line with available evidence of program cost-effectiveness.

Perhaps the most important cuts are those in the housing area. Urban renewal and Model Cities will be phased out and HUD-subsidized housing programs "frozen" for 18 months. A lot is at stake in this battle, since the HUD budget for 1974 has grown to \$4.8 billion, with an additional \$7.4 billion in "carry-over" funds to "finance already approved Model Cities, urban renewal and related projects at current levels for several years to come."

Recent studies have indicated that, unless halted or slowed by presidential or congressional action, spending for low-income housing programs alone will reach \$7.5 billion by fiscal 1978. One report states that "long-term commitments to pay for housing already completed or started would cost . . . at least \$65 billion and possibly as much as \$92.7 billion over the next 40 years." Interest charges alone on housing-related debt service will total \$41.4 billion during this period.

The administration has charged that these expenditures primarily have benefited developers and speculators rather than the poor, and have "tended to undermine the capacity of local government to respond to the needs of their citizens." Kenneth R. Cole Jr., director of the President's Domestic Council, described federal housing programs as "in-

equitable, wasteful and ineffective in meeting housing needs."

No doubt the Administration had the now infamous Pruitt-Igoe public housing project in mind, among others, when it reached such a conclusion.

Pruitt-Igoe, designed to be one of the showpieces of low-rent housing programs, was built to house 10,000 low-income residents of a rapidly deteriorating St. Louis neighborhood. Constructed at a cost of over \$75 million dollars, the 60-acre site contained 33 high-rise units which were widely regarded as excellently constructed buildings.

Problems arose from the outset. The project's residents included many drug addicts, and crime, violence and vandalism soon became rampant. It also became apparent that too many people with too many problems had been crowded into too small an area. As the situation deteriorated, HUD planners and St. Louis officials resorted to the ultimate remedy. First, 24 of the 33 units were closed, and the population of Pruitt-Igoe was reduced to 2,000. Since it is widely known that vacant buildings attract the worst elements in society, HUD realized that something had to be done with the empty buildings.

Showing the creativity for which bureaucracy is justly famous, a demolition program was begun in early 1972. Several of the high-rises were immediately blown up and "an indeterminate number" were slated to have their top seven stories lopped off. The cost of this creative solution: \$38 million, which, when added to construction costs, brings total costs to about \$114 million, or \$57,000 per Pruitt-Igoe resident.

In an interview, [ex]Rep. John S. Monagan, D-Conn., said, "We are destroying it in order to save it. It sounds like something out of Jonathan Swift, or better yet, Voltaire. It's a satire on the public housing program, the ultimate proof that nobody wants it."

Those who would contend that Pruitt-Igoe's high cost is an exception should note former HUD Secretary George Romney's estimate that a \$17,500 apartment unit built under the usual 40-year interest-subsidy program will cost the taxpayer between \$108,358 and \$141,854 during the 40-year span.

The most severe and damaging charges against federal low-income housing programs, however, are the allegations of widespread fraud and corruption. Probes of such charges have resulted in grand jury hearings in nine cities, and indictments have already been returned in New York, Philadelphia, Chicago and Detroit.

In the four cities where indictments have been returned, FHA officials, realtors, contractors, builders and accountants have been indicted on a wide variety of counts, including bribery, falsification, conspiracy to defraud, conflict of interest and income tax evasion.

The U.S. House of Representatives' Government Operations Committee reported that "incompetent administration" in Detroit alone could cost up to \$200 million. In Detroit high-ranking local HUD officials and FHA officials were in collusion on a variety of schemes involving default and foreclosure of over 20,000 FHA-insured homes—and it is the same in many other cities.

The fraud and corruption victimize not only the taxpayer, but also the poor, and therein lies an even more scandalous tale. Marginal and deteriorating neighborhoods are "blockbusted" by real estate dealers, who acquire houses, most of them in various stages of decay, at extremely cheap prices. The houses are given inexpensive facelifts, and then reappraised at unrealistically high levels by local FHA appraisers (many of whom are local realtors).

The FHA then backs inflated mortgages on the deteriorating, over-priced homes,

which, are then sold to poor people—quite often, by design, to the worst risks realtors can find. This process has led to the mass abandonment of entire neighborhoods by low-income owners, largely black and Puerto Rican, who either can no longer afford or who simply are unable to maintain and keep their houses. At this point, as one study notes, "Once the mortgage is in serious default, the private lender holding the note will foreclose on the property, and HUD, as the guarantor, must pay the lender and take possession."

In this tragic and expensive way HUD has become the largest slumlord in the U.S. owning thousands of unprofitable homes throughout the country. In fact, HUD is now the largest home owner in several U.S. cities.

Urban renewal has been an equally dismal and costly failure, resulting in profitable land and real estate speculations for the rich, but the displacement of over one million (mostly poor) people from their homes. The great majority of these displaced poor people were black or Puerto Rican, and less than half ever received Federal housing to replace their destroyed homes.

One of the major defects with HUD, and many other governmental, social programs, is that it often substitutes political values for market (economic) forces. An amusing, if expensive, illustration took place in December, 1972, in Wyoming.

For political reasons, HUD decided to bring urban renewal to downtown Cheyenne (population 40,000) despite the fact that it is an uncrowded, unpolluted, lovely little town built right on the edge of the prairie. One of the major programs was the construction of a parking lot designed to relieve congestion in the "center city" business district. For three years federal and city officials planned the lot, which was to accommodate 171 cars. Finally, at a cost of \$300,000, the lot was opened to the public. There was only one problem: nobody came.

Unfortunately the urban renewal lot was further away from the heart of the business district than the old-fashioned, "congested," metered parking spaces, and, consequently, people wouldn't use it. Realizing the potential for embarrassment, the city council lowered the monthly parking fee from \$12 to \$7. Alas, to no avail. After six full weeks of operation the total revenues brought in were 75 cents. A telling case of the futility of attempting to replace the law of supply and demand by bureaucratic decree.

The entire housing program has reached enormous proportions. It has grown in bits and pieces, with far too little hard-headed economic analysis of its provisions. The time is long since past for a halt in these programs and, at least, a pause for consideration of the entire program. The President's proposed housing subsidy freeze is directed to this purpose and should be supported.

Another program which deserves trimming is that of farm subsidies. Originally introduced to keep the price of agricultural goods at moderately high levels, farm subsidies have more than succeeded, which should now be clear to anyone who has been even near a grocery store during the last year. Each passing day brings news of still higher food prices, while farm income last year reached \$19 billion, an all-time record. Farm subsidies "support" food prices by preventing lower prices—and are one of the main causes of soaring food prices to the consumer. The President's efforts to end this situation by cutting farm price supports by \$694 million should be ardently supported.

The examples cited here are but a handful of the programs which have failed. The point, however, is clear: the President's budget is an attempt to keep faith with the American people. If a tax rise is to be averted and inflation checked, as the President has pledged, then fiscal discipline is needed. Com-

bine the necessity for fiscal responsibility with the growing awareness that government has, in many instances, become unresponsive, unmanageable and counterproductive, and the proposed budget should be interpreted as a start, in Mr. Nixon's words, "to get government off your back and out of your pocket."

The President's proposed "new Federalism," as embodied in his bold revenue-sharing initiatives, is an attempt not only to restore fiscal discipline, to reorder American political life. Upon his success or failure in this effort rests the possibility for humane, responsive and responsible government in the 1970's.

## THE 25TH ANNIVERSARY OF THE FOUNDING OF ISRAEL

### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HELSTOSKI. Mr. Speaker, I rise to commemorate the 25th anniversary of the State of Israel. People the world over celebrate this culmination of the dream of a people without a country for so many centuries. The anniversary is particularly significant in light of the tremendous opposition faced by the Jewish people over the centuries.

Ancient Hebrews entered the "land of Israel" about the 18th century B.C. when the patriarch Abraham led his people to what was then called Canaan. The Hebrew people settled around the periphery of the Canaanite civilization, and were captured along with their neighbors during the Egyptian attacks of the 14th century B.C. Four hundred years later Moses led the Hebrews in exodus from Egypt back to the Promised Land.

From the last valiant stand of the Jewish defenders against the Roman conquerors at Masada in A.D. 73, until May 15, 1948, there was no Jewish nation in Palestine. A series of conquerors and empires controlled Palestine and the few Jews who remained in the land. The remainder of the Jewish people were in "diaspora"—scattered throughout the world, but without loss of their identity. It was from this diaspora that the Jews returned to Palestine to reestablish an independent Jewish state.

It was traditionally held that the return to the promised land would be accompanied, symbolically, by the appearance of the Messiah, but in the late 19th century the concept of a political return began to develop and gain acceptance. In 1895 Theodore Herzl wrote "Der Judenstaat," a political treatise on the establishment of a Jewish state that became the expression of political Zionism and a basis for the creation of Israel.

Political Zionists were at first divided on where to establish the Jewish state, but finally agreed on Palestine after considering and rejecting such areas as Uganda, Somalia, South America, and other possibly more practical but less emotionally attractive areas. World War I saw the consolidation of the Zionist movement under the leadership of Dr. Chaim Weizmann, who was later to become the first president of Israel.

November 2, 1917, saw the official British policy on Palestine enunciated in what has come to be called the "Balfour Declaration."

His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people . . . nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.

This, with the mandate for the Palestine region awarded to the United Kingdom by the League of Nations in 1922 constitutes the international legal sanction for Zionism.

Jews begin emigrating to the Palestine area under pressure of discrimination in their adopted lands. In 1909 the city of Tel Aviv was founded, serving as the headquarters of the growing community of Jews in Palestine. Immigration increased after World War I to the point that officials feared conflict from the resulting cultural imbalance. Jews considered the Balfour Declaration a mandate for a national home: the British envisioned a protected community within the Palestine state; the Arabs viewed the immigration as another invasion of alien cultures.

Conflict was staved by the common enemy in the Axis during World War II, when Jew, Arab, and British served side by side against Germany. After the war, the battle lines were drawn by the General Assembly plan partitioning Palestine into separate Jewish and Arab States.

With the Israeli proclamation of statehood and the British withdrawal in May, 1948, the Arabs launched an attack they claimed was justified by Israeli acquisition of territory beyond the partition plan boundaries.

In 1956, the Israeli nation was faced with another Arab attack, commonly known as the Suez crisis. Again, a U.N. sponsored cease-fire ended the visible conflict after the Israeli defense forces had demonstrated their mobility, efficiency, and competence in their attempt to end the Egyptian practice of excluding Israeli ships from the canal and to curtail raiders from the Sinai area by destroying their bases.

In 1967, the young State of Israel again met the threat to its existence posed by its Arab neighbors after the removal of the U.N. emergency force by Egyptian request and the increasingly violent threats against Israel by radical Arab leaders. Again they demonstrated their efficiency and tactical courage, to the embarrassment of the Arabs.

What is perhaps the most impressive and significant of all is that Israel, itself a developing nation besieged on all sides, engaged in a farflung program of assistance to other developing countries. Believing that the gap in living standards between prosperous and poor nations is a danger to international stability and peace, Israel sent hundreds of instructors, advisers, and survey missions, as well as builders, to dozens of countries in Africa, Asia, and Latin America.

They continue to do so today. Israel serves as a beacon light to other emerging nations of the world. Surrounded by

enemies, Israel has prospered, accomplishing miracles in farming and building in its quarter century of existence. She has successfully defended herself against attack, becoming a power to be reckoned with in only 25 years.

Mr. Speaker, I am certain that Members of this Congress will join to congratulate the leaders and people of the State of Israel on the celebration of their 25th anniversary, and look forward to more years of successful development and contribution to the world.

Thank you.

## DRINAN VERSUS NIXON

### HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. DRINAN. Mr. Speaker, on May 7, 1973, I, together with three of my colleagues and an active-duty serviceman, filed suit in the Federal district court in Boston, Mass., against the President, the Secretary of Defense, and the Secretary of the Air Force. In the suit, I, together with Congressman JOHN J. MOAKLEY, GERRY E. STUDDS, and MICHAEL HARRINGTON, and A1c. James H. Hayden, seek a judicial declaration that the actions of the Nixon administration are in violation of article I, section 8, clause 11 of the Constitution of the United States, various congressional enactments, the Paris accords, and principles of international law.

My coplaintiffs and I are presently awaiting a hearing date to be set by Judge Tauro of the district court in Massachusetts.

Mr. Speaker, because of the interest which has been generated in this lawsuit, I thought it would be helpful for my colleagues to reprint in the CONGRESSIONAL RECORD a copy of the affidavit and complaint filed in this case in the U.S. District Court for the District of Massachusetts.

The affidavit and complaint follow:

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

#### COMPLAINT

(Robert F. Drinan, Michael J. Harrington, John J. Moakley, and Gerry E. Studts, individually and in their capacity as Members of the United States House of Representatives, and Airman First Class James H. Hayden, Plaintiffs, v. Richard M. Nixon, President of the United States, Elliot L. Richardson, Secretary of Defense, and Robert C. Seamans, Jr., Secretary of the Air Force, Defendants)

#### I. NATURE OF THE ACTION

1. Plaintiffs seek a determination that the aerial combat operations currently being conducted in Cambodia by military personnel under the direction of the defendants are in violation of domestic and international law.

#### II. JURISDICTION

2. This is a civil action seeking a declaratory judgment pursuant to Title 28 U.S.C. § 2201 *et seq.* and appropriate equitable relief, if necessary, pursuant to Title 28 U.S.C. §§ 1331(a) and 1361, adjudging that the military operations currently being conducted in Cambodia under the direction of defendants are in violation of domestic and in-



ternational law, and that the defendants may not engage in any such future activities in Cambodia or elsewhere in Indochina without specific Congressional authorization and then only to the extent and in a manner permitted by international law. Jurisdiction is conferred upon this Court by Title 28 U.S.C. §§ 1331 and 1361; Title 5 U.S.C. §§ 701-706; Article I, Section 8, Clause 11, and Article I, Section 2, Clause 5 of the Constitution of the United States and the Fifth Amendment thereto. The matter in controversy involves rights, privileges and immunities valued in excess of \$10,000 exclusive of interest and costs.

### III. PLAINTIFFS

3. Plaintiff Robert F. Drinan is the duly elected Member of the United States House of Representatives from the Fourth Congressional District of Massachusetts, residing at 140 Commonwealth Avenue, Newton, Massachusetts.

4. Plaintiff Michael J. Harrington is the duly elected Member of the United States House of Representatives from the Sixth Congressional District of Massachusetts, residing at Bayview Road, Beverly, Massachusetts.

5. Plaintiff John J. Moakley is the duly elected Member of the United States House of Representatives from the Ninth Congressional District of Massachusetts, residing at 1812 Columbia Road, Boston, Massachusetts.

6. Plaintiff Gerry E. Studds is the duly elected Member of the United States House of Representatives from the Twelfth Congressional District of Massachusetts, residing at 16 Black Horse Lane, Cohasset, Massachusetts.

7. The above-named four plaintiffs, hereinafter referred to as "Congressional Plaintiffs", have been deprived by the action of the defendants of their Constitutional right and obligation to participate, with other Members of Congress, in deciding where American forces are to be committed to combat. In addition, they are entitled to a determination as to the legality of defendants' actions complained of herein, under their Constitutional duty to determine whether a resolution of impeachment is called for.

8. Plaintiff JAMES H. HAYDEN, is an Airman First Class, serving in the United States Air Force, residing at 23 Hartford Street, Bedford, Massachusetts. He is currently assigned to duties at L. G. Hanscom Field, Massachusetts, and his present tour of duty is due to expire on September 21, 1975. Plaintiff Hayden believes that defendants' activities complained of herein are illegal and that, if forced to participate directly therein, he may be deprived of life or liberty without due process of law, either by being killed or taken prisoner in illegal combat operations, or by being disciplined for disobeying an illegal order.

### IV. DEFENDANTS

9. Defendant Richard M. Nixon is the President of the United States and, upon information and belief, is personally responsible for the decision to commence aerial combat operations in Cambodia on February 16, 1973, and to continue such operations.

10. Defendant Elliott L. Richardson is the duly appointed Secretary of Defense, continuing to serve in that capacity pending his confirmation as Attorney General. As Secretary of Defense, he is the official responsible for executing the President's decision to commit American forces to combat in Cambodia.

11. Defendant ROBERT C. SEAMANS, JR. is the Secretary of the Air Force and, in that capacity, is the civilian official directly responsible for and in control of the bombing operations being conducted by the United States Air Force in Cambodia.

### V. THE INCIDENTS AT ISSUE

12. On February 27, 1973, the United States signed, in Paris, the Agreement On Ending

The War And Restoring Peace In Vietnam, Article 20(b) of which obliges the United States to put an end to all military activities in Cambodia.

13. On March 29, 1973, pursuant to the terms of the above Agreement, the last American serviceman was withdrawn from the Republic of Vietnam, and the last American prisoner of war captured during the Vietnam war was released on April 1, 1973.

14. Since February 16, 1973, despite the termination of American combat activities in Vietnam, defendants have ordered United States Air Force personnel to engage in intensive aerial bombardment of Cambodia. Such bombardment continues to this day, at levels reaching 250 sorties per day, including as many as 50 to 70 sorties by B-52s.

15. On information and belief, the bombing in Cambodia is for the sole or primary purpose of intervening in a civil war and is being conducted on a "saturation" basis, resulting in great and irreparable damage to civilian life and property and in the death, mutilation or displacement of vast numbers of Cambodian civilians.

16. The Secretary of State, William B. Rogers, who must be presumed to speak in such matters with the authority and approval of one of the defendants herein, President Nixon, stated to the Senate Foreign Relations Committee on April 30, 1973, that "we have had to intensify our air combat support, at the request of the Cambodian Government, due to the heightened military offensives by Communist Forces". Dept. of State Press Release No. 124, p. 2. The Secretary's Statement, and his accompanying memorandum "On Presidential Authority to Continue United States Air Combat Operations in Cambodia" make it clear that current United States policy is to continue such operations until "Communist Forces" in Cambodia, internal as well as external, have been bombed into submission. Dept. of State Press Release No. 125.

17. As widely reported in the press, within the past few days Ambassador William H. Sullivan, our negotiator in Paris, and President Nixon himself, have served notice on the other side that, if, in our judgment, they do not comply fully with the terms of the Paris Accords, we reserve our right to resume military operations, presumably in Vietnam and Laos.

18. Not only are the bombing of Cambodia and the threat of resumption of military activity elsewhere in Indochina totally devoid of any Congressional authorization, express or implied, but Congress has repeatedly stated its firm desire to see all military activity by the United States in Indochina come to a complete halt, subject only to the safe withdrawal of all U.S. forces from Vietnam and the return of all prisoners of war, both of which conditions have been fulfilled. See, e.g., Title VI of PL 92-156, the "Mansfield Amendment".

### VI. CAUSES OF ACTION

19. Defendants' actions in ordering American military forces to engage in combat operations in Cambodia, all without the authorization of Congress, are in violation of Article I, Section 8, Clause 11 of the Constitution, which confers the exclusive power to authorize war upon the Congress. The resumption of U.S. military activities elsewhere in Indochina, which has been imminently threatened, would likewise be in violation of Congress' war-making powers under the Constitution.

20. Defendants' actions referred to in par. 19 above are, or would be, in direct violation of PL 92-156 and other specific Congressional mandates.

21. Defendants' actions in Cambodia are in violation of international law.

22. Plaintiffs have no adequate remedy at law.

Wherefore, plaintiffs pray that this Court:

1. Declare that defendants' actions in ordering U.S. forces into combat in Cambodia are in violation of Article I, Section 8, Clause 11 of the Constitution and of Title VI of PL 92-156 and other specific Congressional enactments.

2. Declare that defendants' actions in ordering U.S. forces into combat elsewhere in Indochina, without prior Congressional authorization, would be in violation of Article I, Section 8, Clause 11 of the Constitution and of Title VI of PL 92-156 and other specific Congressional enactments.

3. Declare that defendants' actions referred to in pars. 1 and 2 above are, or would be, in violation of the Agreement On Ending The War And Restoring Peace In Vietnam of January 27, 1973.

4. Declare that the manner in which the bombing operations in Cambodia are currently being conducted is in violation of the Nuremberg Principles and the body of international law known as the Laws of War.

5. Grant, if necessary, appropriate equitable relief enforcing its declaratory judgments, and

6. Grant such other and further relief as to it may seem just and proper.

Dated: Boston, Massachusetts, May 7, 1973.

PETER WEISS,  
ALAN ROSENBERG,  
Attorneys for Plaintiffs.

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

### AFFIDAVIT

(Robert F. Drinan, Michael J. Harrington, John J. Moakley, and Gerry E. Studds, individually and in their capacity as Members of the United States House of Representatives, and Airman First Class James H. Hayden, Plaintiffs, v. Richard M. Nixon, President of the United States, Elliot L. Richardson, Secretary of Defense, and Robert C. Seamans, Jr., Secretary of the Air Force, Defendants)

STATE OF NEW YORK SS: COUNTY OF NEW YORK

Peter Weiss, being duly sworn, deposes and says:

1. I represent the plaintiffs herein, and I make this affidavit in support of their motion for a declaratory judgment that the continuation of United States military activity in Cambodia and elsewhere in Indochina is in violation of domestic and international law, and for such equitable relief as the Court may deem appropriate.

2. As stated by Secretary of State William P. Rogers before the Senate Foreign Relations Committee on April 30, 1973, the United States has conducted air combat operations in Cambodia subsequent to the conclusion of the Agreement on Ending the War and Restoring Peace in Vietnam on January 27, 1973, and intends to continue such operations.

3. On April 27, 1973, Senator Stuart Symington, Chairman of the Subcommittee on U.S. Security Agreements and Commitments Abroad of the Senate Foreign Relations Committee, released a previously classified staff report of the Subcommittee, "U.S. Air Operations in Cambodia: April 1973", dated April 27, 1973, by James G. Lowenstein and Richard M. Moose, two members of the Committee's staff, based on field investigations during the period immediately prior to its preparation. According to this report,

a. The aerial bombardment of Cambodia by fighter bombers and B-52s of the U.S. Air Force has increased steadily from an average daily rate of 23 tactical sorties and 5 B-52 sorties during the period from February 16 to February 28, 1973, to an average daily rate of approximately 180 tactical and gunship sorties and 58 B-52 sorties by April 18.

b. These bombing missions are directed by

the U.S. Embassy in Phnom Penh, on the basis of antiquated maps which make it impossible to observe elementary standards of safety in preventing loss of civilian life and property.

c. Although these air strikes were originally aimed primarily at interdiction of North Vietnamese supply routes leading to South Vietnam, by the first part of April the vast preponderance of such strikes were aimed against Cambodian insurgent forces engaged in a civil war with the U.S.-backed regime of Marshal Lon Nol.

4. As stated by the Court of Appeals for the District of Columbia Circuit in *Mitchell v. Laird*, 41 LW 2526, on March 20, 1973, the Congressional plaintiffs herein "have a duty under the Constitution to consider whether defendants in continuing the hostilities [are committing] high crimes and misdemeanors so as to justify an impeachment of the individual defendants, pursuant to the United States Constitution, Art. I, Sec. 2, Clause 5." 41 LW 2526, at p. 2527; Slip Opinion, p. 3.

5. The doctrine of the First Circuit, as enunciated in *Massachusetts v. Laird*, 451 F.2d 26 (1971), is that questions concerning the legality of "Presidential" wars are justiciable and that, in a situation where the executive branch is engaged in a war to which the legislative branch is clearly opposed, a court "might well" hold that the Constitution has been breached.

6. Whatever Congressional authorization may have existed at one point for American military operations in Indochina became inoperative with the signing of the Paris Accords last January and the subsequent withdrawal of U.S. ground forces from Vietnam and release of U.S. prisoners of war held by the enemy. Congress not only has failed to condone, expressly or implicitly, the resumption of bombing in Cambodia on February 16, but has repeatedly declared its firm disapproval of any military operations in Cambodia in support of the Lon Nol Government or any other Cambodian Government. Thus,

a. Title VI of the Military Procurement Authorization for Fiscal 1972 (PL 92-156), known as "The Mansfield Amendment," declared it to be "the policy of the United States to terminate at the earliest practicable date all military operations of the United States in Indochina, and to provide for the prompt and orderly withdrawal of all United States military forces at a date certain, subject to the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces."

b. Title VI of the Draft Extension Act of 1971 (PL 92-129) contained virtually identical language, but in terms of "the sense of Congress," rather than "the policy of the United States."

c. All six military appropriations bills enacted since the Cambodian invasion of 1970 have contained the following language, commonly known as the "Fulbright Proviso":

"... nothing [herein] shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the government of Cambodia or Laos: Provided further, that nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of U.S. Forces from Southeast Asia, or to aid in the release of Americans held as prisoners of war." PL 91-441, 84 Stat. 905; PL 91-668, 84 Stat. 2020; PL 92-156, 85 Stat. 423; PL 92-204, 85 Stat. 716; PL 92-436, 86 Stat. 734; PL 92-570, 86 Stat. 1184.

d. The Foreign Assistance Act of 1971 (PL 92-226) contains a number of provisions, known as "The Cambodian Assistance Lim-

itations", which clearly express the concern of Congress lest the United States become more deeply involved in the Indochina quagmire through support of the Cambodian government. Specifically, the number of U.S. personnel authorized to be present in Cambodia at any one time is limited to two hundred (22 U.S.C. § 2416) and the President is required to submit quarterly reports to Congress containing the amount of funds obligated in or for Cambodia and their purpose (22 U.S.C. § 2415(f)). Even more significantly, 22 U.S.C. § 2415(g) provides that the foreign aid authorization for Cambodia "shall not be construed as a commitment by the United States to Cambodia for its defense."

Combat air operations over Cambodia are exempted from these limitations, but the legislative history of PL 92-226 leaves no doubt that the sole purpose of such exemption was to prevent any possible jeopardy to the continuing withdrawal of U.S. forces from Vietnam (Senate Report No. 92-431, U.S. Code Cong. & Admin. News, 92nd Cong., 2nd Sess., pp. 1896-1899.)

7. Article 20 of the Agreement on Ending the War and Restoring Peace in Vietnam imposes a solemn obligation on the United States to recognize "the independence, sovereignty, unity, and territorial integrity" of Cambodia, to "put an end to all military activities in Cambodia" and to allow the internal affairs of Cambodia to be settled by its people without foreign interference. Even if it were true that the government of North Vietnam is interfering in a significant way in the civil war now raging in Cambodia—a point on which the Senate Foreign Relations Subcommittee Report, mentioned in Paragraph 3 above, casts considerable doubt—this would not relieve the United States of its obligations under Article 20 of the Agreement. The Act of the International Conference on Vietnam, signed in Paris on March 2, 1973 by the United States and a number of other countries, provides, in Article 7(2), that "in the event of a violation of the Agreement or the Protocols... the parties signatories of the Agreement and Protocols shall either individually or jointly consult with the other parties to this Act, with a view to determining the necessary remedial measures." Thus, continuing U.S. aerial bombardment of Cambodia constitutes a violation of the treaty obligations assumed by the United States in Paris on January 27, 1973 and March 2, 1973.

8. Regardless of the legality or illegality of current United States military operations in Cambodia under the Constitution and the Paris Accords, the manner in which such operations are being conducted is in violation of the body of international law condemning the mass destruction of the lives and property of innocent civilians, including the Nuremberg Principles and the applicable provisions of the Hague and Geneva Conventions.

9. Under Article I, Sec. 8, Clause 11 of the Constitution, vesting power to declare war in the Congress, the Congressional plaintiffs are entitled to a determination whether the military activities being conducted in Cambodia under the direction of defendants constitute a usurpation of that power.

10. Under Article I, Sec. 2, Clause 5 of the Constitution, the Congressional plaintiffs are entitled to a determination whether the military activities being conducted in Cambodia under the direction of defendants are in violation of domestic and international law, so as to justify their impeachment for high crimes and misdemeanors.

11. Plaintiff Hayden, a member of the United States Air Force whose current tour of duty is not scheduled to terminate until September 1975, may, at any time prior thereto, receive orders involving him in the con-

duct of military operations in Indochina. He holds the belief that the current operations in Indochina, as well as possible future operations, are illegal, and seeks judicial corroboration thereof. He is entitled to such a determination because if, in fact, such operations are illegal he would, in the absence of the requested judicial determination, be placed in the intolerable position of either subjecting himself to punishment for disobeying his military superiors or failing in his duty to disobey illegal orders. In addition, if plaintiff is ordered to participate directly in combat in Indochina, pursuant to illegal orders, he would be subject to the loss of his life or liberty in violation of his rights under the Fifth Amendment.

12. As has been widely reported in the press, within the past several days, President Nixon has announced that he may order U.S. combat operations in or over Vietnam to resume if the other side to the Indochinese conflict does not comply fully with the terms of the Paris Accords.

13. Upon information and belief, the daily cost of the U.S. combat operations in Cambodia, at their current level, is in excess of \$1,000,000.

14. No prior request for the same or similar relief has been made by the plaintiffs herein to any court. A request for similar relief was made by Congresswoman Elizabeth Holtzman in the United States District Court for the Eastern District of New York on April 18, 1973; *Holtzman v. Richardson*, 73 Civ. 537. That proceeding is currently pending.

15. Because of the emergency nature of this application, it would be impossible to proceed by Notice of Motion. Moreover, the need for expeditious relief renders it impossible to await the service of defendants' answer prior to seeking judgment.

PETER WEISS.

## ENVIRONMENTAL PROTECTION ACT OF 1973

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. DINGELL. Mr. Speaker, I am today introducing legislation to amend the National Environmental Policy Act of 1969 by enlarging the capability of citizens to prosecute legal actions in cases where present law inhibits such actions.

The bill which Congressmen ECKHART, McCLOSKEY, BREAUX, STUDDS, and I are introducing is a counterpart to a bill introduced in the Senate by Senators HART and McGOVERN and a number of their colleagues. It has received support from a wide selection of public organizations: conservation groups, consumer groups, labor unions, environmental groups, and others.

It was almost exactly 4 years ago that our committee began hearings on the legislation that ultimately became the National Environmental Policy Act of 1969. Events since that time have indicated the validity of the premise upon which NEPA was based: That citizen involvement in environmental decision-making improves the quality of the decisions made, and that accessibility or accountability of the decisionmaker is an important element in the process.

The bill which we are introducing today takes the next important step in as-



sure that the decisionmakers remain fully accountable. It counteracts a tendency, already visible within the bureaucracy, to treat the National Environmental Policy Act as a formula requiring paper compliance and little if any active and positive consideration of the environmental significance of proposed Federal actions.

For the information of my colleagues, I ask to have reprinted in the RECORD a strong letter of support for the proposed bill, together with a copy of the bill which we are introducing today.

The documents follow:

COMMITTEE FOR THE ENVIRONMENTAL  
PROTECTION ACT

MAY 3, 1973.

HON. JOHN D. DINGELL,  
HON. ROBERT ECKHARDT,  
House of Representatives,  
Washington, D.C.

DEAR MESSRS. DINGELL AND ECKHARDT: Environmentalists and public interest lawyers around the country consider the passage of the Environmental Protection Act of 1973 to be one of the highest priorities in this session of Congress. We appreciate your action on introducing this bill in the House of Representatives.

The Environmental Protection Act of 1973 provides a necessary tool for citizen participation in the prevention of environmental degradation. With respect to suits against federal agencies, existing statutes impose, in our view, excessive limitations on judicial review of administrative actions. Suits against private parties under traditional common law nuisance are severely limited by the need to show special damages. This bill is designed to resolve those problems.

The following groups have either testified in favor of similar legislation in the last session of Congress or otherwise indicated their support for the principles embodied in the act: Aviation Consumer Action Project, Center for Science in the Public Interest, Environmental Defense Fund, Fisherman's Clean Water Action Project, Fund for Animals, Izaak Walton League, Maryland Wilderness Association, National Parks and Conservation Association, National Wildlife Federation, Natural Resources Defense Council, The Wilderness Society, Trout Unlimited.

We, the undersigned, wish to convey our strong support and concern for this vital legislation.

Most sincerely,

Americans for Democratic Action.  
Arizonans for a Quality Environment.  
Campaign Clean Water.  
Citizens Committee on Natural Resources.  
Common Cause.  
Emergency Committee on the Transportation Crisis.  
Environmental Action, Inc.  
Environmental Policy Center.  
Friends of the Earth.  
Marvin L. Goldberg, chairman, Federation of American Scientists.  
Metropolitan Coalition for Clean Air.  
Michigan Student Environmental Federation.  
Doug Scott, Washington Representative.  
League of Women Voters of the United States.  
National Coalition on the Transportation Crisis.  
Northern Virginia Conservation Council.  
Oil, Chemical and Atomic Workers Union.  
Sierra Club.  
Zero Population Growth.  
(Contact: Doann Haines, Jim Conroy, Environmental Action, Inc., 833-1845.)

H.R. 7592

A bill to amend the National Environmental Policy Act of 1969 to provide for citizens actions in the United States district courts against persons responsible for creating certain environmental hazards

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) is amended by adding at the end thereof the following new title:

"TITLE III—ACTIONS TO PROTECT  
ENVIRONMENTAL QUALITY

"SUBTITLE A—GENERAL PROVISIONS

"SHORT TITLE

"SEC. 301. This title may be cited as the 'Environmental Protection Act of 1973'.

"FINDINGS AND PURPOSES

"SEC. 302. (a) The Congress finds and declares that each person is entitled by right to the protection and enhancement of environmental quality and that each person has a responsibility to contribute to the protection and enhancement of the environment as a trustee for the benefit of future generations.

"(b) The Congress further finds and declares that it is in the public interest to provide each person with an adequate remedy to protect environmental quality from impairment and degradation.

"DEFINITIONS

"SEC. 303. As used in this title.

"(1) The term 'environmental quality' means those aspects of life and those objectives which are delineated in section 101(b) of this Act and which it is the purpose of this Act to protect.

"(2) The term 'federal agency' means the executive departments and independent establishments of the United States and corporations primarily acting as instrumentalities of the United States.

"(3) The term 'includes' or 'including' should be read as if the phrase 'but is not limited to' were also set forth.

"(4) The term 'person' means an individual, partnership, corporation, unincorporated association or organization; or a department, agency, or instrumentality of the United States, a State or political subdivision of a State, the District of Columbia, the Commonwealth of Puerto Rico, or a territorial possession of the United States.

"PROCEDURE

"SEC. 304. (a) Suits may be brought under this title by any person or persons who are adversely affected or aggrieved by the action or activity which is the subject of the suit or who speak knowingly for the environmental values asserted in such suit.

"(b) When two or more actions, at least one of which is brought under this title and all of which involve the same defendant and a common question of law or fact, are pending in two or more jurisdictions, such pending proceedings, upon application of any party reasonably made to the court of one such jurisdiction, may, if the court so decides, with the concurrence of the courts of the other jurisdictions concerned, after giving due consideration of the convenience of parties and witnesses and the order in which the suits were originally filed, be consolidated for trial by order of such court. The court granting such order of consolidation shall give prompt notification thereof to the other courts having jurisdiction of the cases covered thereby. Nothing in this subsection shall be construed to preclude consolidation in any case not specifically referred to in this subsection.

"(c) Upon clear and convincing evidence offered by any defending party in a suit under this title that a temporary restraining order or preliminary injunction will result in irreparable damage to such party, the court may condition the issuance of such order or injunction upon the plaintiff or plaintiffs giving security to cover the costs and damages that may be incurred and suffered by such party if relief is wrongly granted. Such security shall not be required if, in the judgment of the court, imposition would unreasonably hinder the plaintiff or plaintiffs in the maintenance of the suit, would tend unreasonably to prevent a full and fair hearing on the action or activity complained of, or would otherwise not be in the public interest. Except as provided in this subsection, no bond shall be required by the court of any plaintiff in a suit under this title.

"(d) In a suit under this title, the court may appoint a master to take testimony and to make a report. The court or master, as well as the parties to the suit, may subpoena expert witnesses and have the assistance of nationwide service of process for the production of records, documents, and other information reasonably necessary for just disposition.

"(e) Any suit under this title shall be supported by the affidavits of not less than two technically qualified persons stating that to the best of their knowledge the action or activity complained of will or reasonably may impair or degrade environmental quality.

"(f) The costs of litigation, including reasonable attorney's and expert witness fees, may be apportioned to the parties whenever the court determines that such an award is appropriate.

ACTUAL NOTICE

"SEC. 305. (a) The Administrative Office of the United States Courts shall establish an environmental registry under the direction of the Director. The Director shall list the names and addresses of all persons in the United States who request to be listed as persons (1) interested in environmental quality and the protection and preservation of the environment from impairment or degradation; and (2) who wish to receive the notice provided under subsection (b) of this section as to actions pending in one or more geographical regions. The Director shall operate the environmental registry, maintain materials relating to the rights recognized in this title, and provide for payment of membership fees to cover the cost of the notice provided under subsection (b) of this section.

"(b) Upon the filing of the original complaint in a suit under this title, the clerk of the court in which such suit is filed shall promptly send a copy of the complaint and attached exhibits and affidavits to the Director. Upon receipt, the Director shall promptly send a notice of such pending litigation to each person listed in the environmental registry as of that date. The notice shall state—

"(1) the names of the parties to the action;

"(2) the date on which the complaint was filed;

"(3) the name and address of the court in which the suit is pending;

"(4) the allegations in the complaint and the relief requested, in summary form; and

"(5) the procedure for obtaining expeditiously a copy of the documents in the suit, including the cost of a reproduction copy. Upon receipt of a copy of an original complaint pursuant to this subsection, the Director shall also cause a copy of such com-

plaint, or a summary thereof, to be published in the Federal Register.

"(c) Any person who is entitled to bring a suit under this title may, in accordance with applicable rules of civil procedure, intervene as of right as a plaintiff in any suit under this title with respect to any questions of law or fact in common with the original complaint. In deciding the timeliness of applications to intervene, the court shall consider the operation of the notice provisions referred to in subsection (b) of this section and shall insure that there is adequate opportunity to respond to the notice provided.

"(d) The Director shall submit annually to the Congress, together with copies of the annual report required to be submitted under section 604(a)(4) of title 28, United States Code, a statement of the number of actions brought under this title, the number of such actions dismissed, settled, or brought to trial, and the number of such actions which appear to arise out of the same transaction or occurrence as any previous suit under this title or any other Federal statute relating to environmental quality.

#### "LIMITATIONS

"Sec. 306. (a) No suit may be brought under this title against the Congress of the United States.

"(b) Nothing in this title shall be construed to affect the specific statutory obligations of any Federal agency or any other person—

"(1) to comply with criteria or standards of environmental quality;

"(2) to coordinate or consult with any other Federal or State agency; or

"(3) to act or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency, to the extent that such obligations are more protective of environmental quality than those arising under this title.

#### "OTHER REMARKS

"Sec. 307. Nothing in this title shall be construed to restrict any right or remedy which a person may have under any other provision of law or at common law, to seek relief or redress to protect himself or environmental quality.

#### "SUBTITLE B—SUITS TO REVIEW ACTIONS OF FEDERAL AGENCIES

##### "APPLICABILITY

"Sec. 311. (a) A person, on his own behalf or on behalf of other persons similarly situated, may maintain a suit in accordance with this title for review of an action of a Federal agency, including promulgation or failure to promulgate a rule or regulation, if—

"(1) such agency action allegedly constitutes an impairment or degradation of environmental quality under subsection (b);

"(2) such agency action allegedly constitutes a major action significantly affecting the quality of the human environment within the meaning of section 102 of this Act; and

"(3) such suit seeks enhancement of environmental quality through agency action more protective of environmental quality.

"(b) An action of a Federal agency constitutes an impairment or degradation of environmental quality if—

"(1) with respect to action taken pursuant to the Clean Air Act (42 U.S.C. 1857 et seq.), or the Federal Water Pollution Control Act (33 U.S.C. 1151 et seq.), the agency action fails to comply with any explicit substantive or procedural requirements for the protection of environmental quality prescribed for agency action in such statute;

"(2) with respect to action taken pursuant to any other Federal statute—

"(A) such action fails to comply with any explicit substantive or procedural require-

ments for the protection of environmental quality prescribed for agency action in such statute, or

"(B) notwithstanding that such action is consistent with such requirements, to the extent that the agency has discretion in the matter—

"(i) the environmental and economic costs of the action exceed the benefits to be derived from such action, or

"(ii) the agency fails to select, within the limits of its discretion, an alternative to the action in question which creates less risk of environmental damage, is of comparable social (including environmental) benefit, does not involve unreasonable additional costs, and meets a similar need; or

"(3) with respect to any action taken, such action is in violation of a Federal agency standard, order, permit, or other regulation for the protection of environmental quality.

"(c) A suit under this subtitle may be brought without regard to the amount in controversy in any district court of the United States in which venue is appropriate under section 1391 of title 28, United States Code; except that if such suit concerns a specific agency action under a Federal statute which includes a provision for review of any such action affecting environmental quality under such statute, the suit shall be brought in conformity with the venue requirements and time limitations of such provisions.

#### "REMEDY

"Sec. 312. (a) The court shall grant whatever equitable relief is necessary to prevent impairment or degradation of environmental quality, including declaratory judgments and mandatory or prohibitive injunctive relief, upon an affirmative finding with respect to paragraphs (1), (2), and (3) of section 311(a).

"(b) The court is authorized to grant interim equitable relief in suits under this subtitle. Such relief may include relief against any agency pending the completion of agency procedures leading to an agency action or against any person whose activities may be prohibited, controlled, or authorized by such agency action.

"(c) The court may refer the parties or remand the action in any suit maintained under this subtitle to the administrative and regulatory procedures provided by other law or regulation. The court shall order such reference or remand upon a finding that expeditious and informed resolution of the action would be advanced by reference or remand in whole or in part. Nothing in this subsection shall be deemed to prevent the granting of interim equitable relief necessary to protect the rights recognized in this title.

"(d) If an action is remanded under subsection (c), the court may direct the agency in question to take additional evidence subject to such terms and conditions as the court may prescribe. The court may also take additional evidence itself in any suit under this title if it determines that the taking of such evidence will most effectively and efficiently protect the rights recognized in this title.

"(e) In a suit under this subtitle any determination of questions of fact by a Federal agency and agency action, findings, and conclusions based on such determination shall be presumed to be correct unless such presumption is rebutted by a preponderance of the evidence.

"(f) In a suit under this subtitle, all questions of law shall be determined by the court. There shall be no presumption as to the correctness of agency determinations of questions of law.

"(g) Except as otherwise provided or as otherwise required to effect the provisions and purposes of this title, the provisions of chapter 7 of title 5, United States Code (relating to judicial review), shall apply to all suits under this subtitle.

#### "SUBTITLE C—SUITS TO ENFORCE AGENCY REGULATIONS AND TO ENJOIN ENVIRONMENTALLY HARMFUL ACTIVITY

##### "APPLICABILITY

"Sec. 321. (a) A person, on his own behalf or on behalf of other persons similarly situated, may maintain a suit in accordance with this subtitle for declaratory or temporary or permanent equitable relief, including mandatory relief, to protect environmental quality from activity if—

"(1) such activity allegedly constitutes an impairment or degradation of environmental quality under subsection (c);

"(2) such activity allegedly constitutes a major action significantly affecting the quality of the environment;

"(3) such suit seeks enhancement of environmental quality through activity more protective of environmental quality; and

"(4) such activity allegedly affects interstate commerce.

"(b) A suit under this subtitle may be maintained against any person to the extent permitted by the eleventh amendment to the Constitution of the United States, except that no suit may be brought under this subtitle against any Federal agency.

"(c) An activity constitutes an impairment or degradation of environmental quality if—

"(1) where standards, orders, permits, or other regulations for the protection of environmental quality issued by a Federal agency are applicable to the activity in question; or where standards, orders, permits, or other regulations issued by a State or political subdivision thereof, pursuant to the Clean Air Act (42 U.S.C. 1857 et seq.), or the Federal Water Pollution Control Act (33 U.S.C. 1151 et seq.), are applicable to such activities; such activity is in violation of such regulations; or

"(2) where no such standards, orders, permits, or regulations are applicable—

"(A) the environmental and economic costs of the activity exceed the benefits to be derived from such activity; or

"(B) the defendant can accomplish the purpose of such activity in an alternative manner which creates less risk of environmental damage, is of comparable social (including environmental) benefit, and does not involve unreasonable additional costs.

"(d) A suit under this subtitle may be brought without regard to the amount in controversy in any district court of the United States in which venue is appropriate under section 1391 of title 28, United States Code. Such jurisdiction shall be concurrent with that of the courts of the several States.

#### "REMEDY

"Sec. 322. (a) The court shall grant such relief as is necessary to prevent impairment or degradation of environmental quality upon an affirmative finding with respect to paragraphs (1), (2), (3), and (4) of section 321(a).

"(b) The court may grant interim equitable relief where required and for such period of time as is necessary to protect the rights recognized in this title.

"(c) The court may refer the parties or remand the action in any suit maintained under this title to the administrative and regulatory procedures provided by other law or regulation. The court shall order such reference or remand upon a finding that expeditious and informed resolution of the action would be advanced by reference or remand in whole or in part. Resort to such procedures shall not be required if such suit is maintained to enforce administrative regulations as provided in section 321(c)(1). This subsection shall not be construed to limit the authority of the court under subsection (a) or (b).

#### "NOTICE

"Sec. 323. (a) No suit may be commenced under this subtitle—



"(1) until the plaintiff has given notice of intention to commence such suit to—

"(A) the defendant;

"(B) the attorney general of the State or States in which the activity which is the subject of such suit has occurred; and

"(C) the Council on Environmental Quality; except that upon a showing by the plaintiff of irreparable harm, this notice requirement may, in the discretion of the court, be waived or modified; or

"(2) if a Federal or State agency is diligently pursuing a suit for relief similar to that sought by the plaintiff, under this subtitle or otherwise; except that such plaintiff may intervene as a matter of right in any such suit to protect the rights recognized in this title.

"(b) In any suit brought under this subtitle, any government agency whose jurisdiction extends to the environmental impact of the activity in question may, if not a party, intervene as a matter of right.

#### "COORDINATION WITH STATES

"Sec. 324. (a) No suit may be brought under this subtitle with respect to an activity which is specifically authorized or approved by the government of any State or political subdivision of such State. This subsection is inapplicable if such activity (1) results in or reasonably may result in a significant effect on environmental quality outside such State or political subdivision, or (2) is in violation of standards, orders, permits, or regulations referred to in section 321 (c) (1).

"(b) If a judgment is rendered under this subtitle against a political subdivision of a State, such State shall assume financial responsibility for any expenses which are incurred as a result of such judgment if the laws of such State limit the capacity of the political subdivision to raise the revenues needed to pay such expenses. In any suit which might lead to any such judgment, the State shall be joined as a party."

#### FOUNDATIONS AND WOMEN: A POOR RECORD

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Ms. ABZUG. Mr. Speaker, I would like to draw the attention of my colleagues to the testimony of Prof. Franziska Hosken, delivered before the House Ways and Means Committee on Friday, April 20.

Professor Hosken testified on the subject of the employment and grant-making policies of our Nation's foundations. As you will discover in reading her testimony, the foundations of America, while receiving the benefits of tax-exempt status, practice blatant discrimination in the hiring of professional staff, in the appointment of women and minorities to their boards and in the types of activities which receive their funds.

I hope that the members of the Ways and Means Committee and all Members of the House will pay particular attention to this matter, and I include at this point in the RECORD Professor Hosken's excellent statement:

#### FOUNDATIONS AND WOMEN: A POOR RECORD

I am grateful for the opportunity to testify on behalf of the National Organization for Women. My name is Fran Hosken; I am a journalist in urban affairs and write for many

papers including the *Christian Science Monitor* and as correspondent at large for the *Architectural Forum*. I am a professor of urban studies at the University Without Walls in Roxbury, Mass., and I am a member of the Housing Committee of the National Urban League, and chairperson of the New Towns Subcommittee. I hold a professional degree in architecture from Harvard.

Today I speak for N.O.W., the largest civil rights organization for women, founded in 1966 with over 500 chapters in every state of the union.

The purpose of this testimony is to see redress for continuing illegal discrimination by tax free institutions, specifically universities and grant-making foundations. Women of all races and minority men are compelled to pay the taxes these institutions do not pay and therefore they subsidize them. Also the federal government subsidizes these same institutions every time that a donor deducts his or her contribution to one of them. These same institutions continue to exclude women and minority men illegally from equal participation as staff, as students, as teachers, as administrators, and especially on their policy making boards, except occasionally as tokens.

Taxes have increased enormously and they have increased out of all proportion for the lowest paid sector of the population. The large majority of the lowest paid work force is women. Women will not tolerate this doubly discriminating situation any longer. The participation of women in the labor force is constantly increasing.

In 1920 only 23% of the labor force were women.

In 1970 only 38% of the labor force were women.

Today only 43% of all workers are women.

While women are increasing rapidly among workers in less skilled jobs according to Labor Department statistics they are decreasing in the professions on the managerial level, and in all decision making jobs: precisely in the areas where a great deal of education is required.

Women furthermore according to the Department of Labor are underutilized in relation to their educational achievement and inadequately represented in the leading professions. Discrimination at higher education institutions and professional schools is very much to blame for this, especially at the prestigious private universities that take the lead (see education chart).

Universities have been ordered to comply with the Equal Employment legislation, Title VII of the Civil Rights Act of 1964, as amended, and specifically by making Affirmative Action Plans. But these plans, especially in the case of the large prestigious private universities, for instance at Harvard (which has an endowment of over two billion dollars) have had hardly any positive results (my case study of the group complaint I initiated against the Graduate School of Design at Harvard will serve as an example. A year long investigation by the Civil Rights Office of the Department of Health, Education and Welfare resulted in showing not only that my complaint was justified at the GSD but that discrimination exists throughout the university but especially in the administration and graduate schools. The case study is on file in Mr. Martin's office or may be obtained from me.) Yet in only very isolated cases has the Civil Rights Office of the Department of Health, Education and Welfare moved against any universities to temporarily withhold government funds.

Tax free foundations, especially the largest ones, led by the Ford Foundation (with a capital of almost three billion dollars) give millions annually to universities, educational institutions and institutes (all tax free) without requiring that the recipients observe

employment laws and take effective affirmative action.

Women, a voting majority (51.3% of the population) are almost totally excluded from foundation boards and executive positions and therefore from all decision-making by foundations. Women are quite under-represented in all higher salaried staff positions in all foundations, but especially at the largest one, (the Ford Foundation). Foundations use their enormous wealth and power against women by omitting equal employment clauses in their funding of programs and institutions. My case study of the Ford Foundation where I applied for a job clearly shows discrimination. My analysis of foundation annual reports shows an almost total absence of women on all foundation boards and staffs. Both studies are on file and may be seen in Mr. Martin's office or can be obtained from me.

Almost all tax free educational and grant making institutions show a similar situation: a total absence of women, especially in well paid decision making positions. One result is that grants almost invariably go to men and/or organizations run by men. Scholarship granting organizations and honor societies of all kinds almost entirely exclude women from their decision making bodies, and consequently from their honors and grants. Until quite recently many prestigious scholarships were only available to men, though their donors and organizations are tax free that is subsidized by women.

Statistics show that 27.1% of the budgets of private universities and 24.7% of the budgets of public universities come from foundation grants according to the National Association of State Universities and Land Grant Colleges.

While public moneys and contracts may not be used where discrimination exists, foundation grants, though they are publicly subsidized, continue to go to universities even if HEW withholds public funds due to the institutions' non-compliance with the law. On top of that universities and foundations while they actively discriminate and break the law, continue to enjoy tax exemptions worth billions of dollars—taxes that have to be made up by those who suffer most from this discrimination: women. That is, women are compelled to finance their own exclusion from society and from education and from all well paid decision making jobs.

It is not the intention of the tax-free status of the universities and foundations to give them the license to illegally discriminate. It is not in the interests of Congress to permit the arrogant administrators, especially of the large rich private universities (led by Harvard) and the enormously wealthy powerful foundations (led by the Ford Foundation) to subvert not only the responsibility and mandate of being granted tax privileges but in addition to wilfully subvert the equal employment legislation of the land. We must again remind the lawmakers that large corporations have accepted equal employment legislation and that women are a majority of the electorate.

Women due to discrimination are unable to advance in the labor force though they work in ever larger numbers. The taxes women must pay as the largest group of the working poor are among the highest in the land. As *Fortune Magazine* in the December issue states in an article "The Right Kind of Tax Reform" by Richard Armstrong (based on numerous technical studies including the Brookings Institute) "One group clearly discriminated against by the present tax system is the working poor—families are paying a tax of 50 percent—a rate not reached again until the highest bracket."

As shown above, these working poor are by a large majority women and especially the growing number of women-headed families. According to Labor Department

statistics the earning gap between similarly employed men and women which is a staggering monument of discrimination is getting even worse. The median income of women was 63.9% of the median income of men in 1955. But the 1970 statistics show women earn only on the average 59.4% for equal work of similarly employed men.

We submit that this committee should address itself to these urgent problems that are responsive to tax legislation in general and specifically to the tax exemptions granted to the educational institutions and grant making foundations who break the law and keep women from attaining equal educational administrative and decision making positions. We submit the country can no longer tolerate the loss of talent resulting from the wilful illegal exclusion of women. Foundation administrators reserve especially the prestigious well paid decision making jobs to their own "in group." One look at the present foundation presidents, trustees and decision makers and their counterparts at private universities confirms this statement. The president of the Ford Foundation Mr. McGeorge Bundy, his administrative vice president, Mr. Arthur Trottenberg, are former Harvard Deans.

The former president of Harvard is now president of the Andrew W. Mellon Foundation, Mr. Nathan Pusey, and the examples of exchanges between foundation and university administrators are endless: all excluding women in the entire educational establishment and funding process which discriminates against women and minorities yet women must support these institutions with their taxes.

We ask to have the tax-free status of the universities and foundations reexamined and suspended until such time as they make some realistic and fundamental changes and become the open and equal institutions they were meant to be: they must honestly carry out their responsibilities to the nation and to all the citizens, female and male, black, brown and white, for which they were granted the tax privileges they enjoy. Specifically we ask that the same clauses that apply to public moneys should apply to foundation funds so they cannot be used where discrimination exists. Foundations should be made responsible for carrying out this mandate or lose their tax exemptions.

The best way to allow women to enter the mainstream of American professional life is to require the private foundations and the tax exempt institutions to stop practicing discrimination. If they refuse, their tax exempt and tax deductible status should be terminated by the Internal Revenue Service in the same manner in which the IRS has terminated tax deductible status for private schools and colleges which practice racial or religious discrimination.

Universities and foundations as tax exempt, publicly subsidized institutions must by any and all means, including affirmative action and with the help of N.O.W., materially enlarge immediately the participation of women on their boards, in all decision making positions, on their staffs and student bodies on pain of jeopardizing their tax exemptions. And the same goes for minorities. Women's organizations can provide large numbers of qualified candidates.

It is especially important that not another generation of young women be sacrificed to the discriminatory, illegal self-serving policies of exclusion practiced by the administrators at universities and foundations.

This nation and the democratic process is in serious trouble if it continues to discriminate against women who have a voting majority. Most of all we can no longer afford to permit the talents of over half the population to go unused or under-used. Women must actively participate in the future of the country: they are the country's greatest hope for peace. Women if they are to fully de-

velop their abilities in our society must first of all be guaranteed equal access to all educational institutions and positions and to all foundation moneys supporting education because without education they cannot succeed. Women as a voting majority will not tolerate their exclusion for the benefit of a few. But most of all Congress must realize that the nation can no longer tolerate such a loss.

#### LEGISLATING ENERGY DRAIN: TWO SIDES OF ENVIRONMENTAL REFORM

### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. MATSUNAGA. Mr. Speaker, at a time when environmental concerns are so critical and require so much of our legislative efforts, it is important not to overlook potential environmental harm which proposed solutions may themselves create.

Recently Dr. Richard E. Marland, head of Hawaii's Environmental Quality Control Office, offered an illumination of the problems caused when the diseconomies of certain controls outweigh the economies, both in a monetary and an environmental sense.

In the belief that Dr. Marland's thoughts will prove beneficial to my colleagues, especially as they relate to the need for careful balancing of all environmental gains against all costs, I submit an excerpt from Dr. Marland's speech for inclusion in the RECORD:

ENERGY NEEDS IN COPING WITH ENVIRONMENTAL PROBLEMS, A PRESENTATION TO THE SEMINAR, "ENERGY, THE ULTIMATE ENVIRONMENTAL PROBLEM?" APRIL 13, 1973

(An excerpt of a Speech by Dr. Richard E. Marland, Interim Director, Office of Environmental Quality Control, State of Hawaii)

As one may judge from the title of this paper, our efforts to control pollution of our water, air and land place a new and significant demand on the energy resources of the world. With few exceptions the processes which we are applying to waste water treatment, removal of air pollutants from factory and automobile emissions and the improved management of our solid wastes all call for energy input.

An obvious result of these new demands is the further depletion of our existing sources of energy. Thus, as environmentalists, we find ourselves on the horns of a dilemma. On the one hand, we seek to implement energy-consuming practices and processes which will preserve the quality of our environment, and on the other, we seek to conserve the dwindling supplies of non-renewable energy sources. Further, to complicate the problem, one cannot simply decide that the importance of one aspect is so great that we should ignore the other.

... Another area of potential solutions to our problem lies in more careful cost-benefit analysis of environmental benefits which require energy input. In this respect, I refer to an ecological cost-benefit, not only an analysis in terms of dollars. Let me cite one example, but a very important one.

The City and County of Honolulu is about to start construction of the long-awaited waste water treatment plant on Sand Island. Careful study of this system has produced the following facts:

1. The existing discharge of raw wastes is

unacceptable. The pollution is harmful to our waters, threatening to our health, and aesthetically repugnant to society.

2. Treatment to the extent called "advanced primary" has been agreed upon by competent scientists and engineers. This degree of treatment will prevent environmental degradation to the receiving waters, remove the threat to human health and provide an aesthetically acceptable system.

3. Federal law now requires that this waste discharge be subjected to "secondary" treatment, without regard to other extenuating circumstances.

No one would argue against the application of the primary degree of treatment as having a favorable ecological cost-benefit. However, let us look at the energy costs of the alternative treatment processes. It may help us to establish a basis for obtaining an exemption from the arbitrary requirement of secondary treatment at this location.

The planned system of advanced primary treatment will require an annual energy input of 12,864,000 kilowatt hours at a cost of \$225,000.00, and requiring 22,450 barrels of fuel—all this over and above the current energy utilization. If secondary treatment with hypochlorite generation as now required is added, the increase alone for these additions would be 17,200,000 kilowatt hours of power, costing \$300,000.00, and requiring an additional 30,000 barrels of fuel oil per year.

There is little doubt in my mind that the benefits to our environment from increasing the degree of treatment in no way justify the more than double energy demand and economic cost. In fact, there is a stronger case for alleging that the application of secondary treatment plus chlorination would result in environmental harm.

Surely, conservation minded citizens should not accept this excessive cost in wasted energy. We hope the Federal Government will agree.

#### THE OPPORTUNITY FOR BLACK BUSINESS IN CLEVELAND, 1973

### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. STOKES. Mr. Speaker, the necessity to develop minority business is a subject upon which there is agreement among disadvantaged people and members of the establishment. James C. Davis is a distinguished Cleveland attorney and a senior partner in a prestigious law firm. He is chairman of the Greater Cleveland Growth Association, the organization which works to stimulate business development in the Cleveland area.

Jim Davis has always had a real interest in minority affairs. Several years ago he spoke to the Cleveland Bar Association. He urged the white establishment to work for a community in which people of both races could "live together harmoniously in mutual respect and prosperity." Recently, he spoke to the annual meeting of the Cleveland Business League, a group of black businessmen. He described the racial progress which had been made in Cleveland since his earlier speech and discussed the prospects for continued progress and the expansion of minority business. I am sure his remarks will be of interest to my colleagues. The full text of his speech follows:



# THE OPPORTUNITY FOR BLACK BUSINESS IN CLEVELAND, 1973

(By James E. Davis)

In appraising the opportunity for black business in Cleveland in 1973, one must examine the present in light of the past and thereby seek to forecast the future. Where we are today is the inevitable result of where we were yesterday and our experiences of both today and yesterday, provide our best guide to where we will find ourselves tomorrow.

Just seven years ago I spoke to the Cleveland Bar Association on the subject "Cleveland's White Problem." At that time, I made clear my belief that probably the most fundamental problem confronting 20th century America was—how masses of black and white people—suddenly crowded together in major cities of this country—could come to live together harmoniously in mutual respect and prosperity. At that time—I said:

"Cleveland's present community image is not good, either at home or abroad. Its failures in urban renewal, its loss of business, its shrinking population \* \* \* are obvious for all to see. At this moment, no one can deny that Cleveland is pointed down, not up \* \* \*."

Further I then said:

"No observer of the Cleveland scene can fail to be aware of the conflicting charges and countercharges about the causes for Cleveland's present plight and who is responsible for them. The Mayor [then Mayor Locher] blames the Federal Government, the Federal Government castigates the Mayor, the white community blames the Negro who vigorously reciprocates. The business community charges responsibility to the political establishment and the politicians charge businessmen with trying to take over city hall."

I believe that what I said then was a fair thumb nail sketch of Cleveland in 1967. In that same speech I further said:

"We must either improve the seaworthiness of the vessel or go down with the ship. But the Cleveland ship need not go down. It is inherently sound if the present creeping dry rot can be halted and the necessary restorative repairs made."

How did we reach that low state—and what has been done about it? And, where do we—as black and white business and professional people—go from here?

In 1967, Cleveland's black population was four times as large as it had been at the beginning of World War II. Moreover, since World War II, over 200,000 whites had left Cleveland. As a result, not only was there a four time increase in the actual black population of Cleveland, but the black proportion of Cleveland's total population increased even more. By 1967, it had reached some 38% to 40% of the city's total. A relationship which has remained fairly level since that time.

Most of this tremendous black migration into Cleveland came from rural areas of the country. It was part of a massive shift in the Nation's black population from predominantly rural areas to the inner cities of the Nation's industrial centers.

This massive influx into the black communities of Cleveland and other northern industrial centers was dislocating and disruptive to social and economic life and to existing political alignments and accommodations. Educational facilities became more inadequate and more segregated. Not enough housing was available—and—due to overcrowding and—in part—to inexperience with city living by many of the new migrants—much of the housing that was available rapidly deteriorated. Not enough jobs could be found. Unemployment soared—welfare rolls rose sharply. Police-citizen relationships were at a low ebb.

And then came the riots, the burnings and large scale civil disturbances—not only in

Cleveland—but in Detroit, Chicago, Washington, D.C. and other major American cities.

That was a time when only radicals seemed to be heard—both radical blacks and radical whites. The riots were destructive—they produced bloodshed and death—they increased racial polarization and hatred—but they did accomplish one constructive result. And in my judgment—only one.

These disturbances served for the first time to awaken much of our white population to the breadth and depth of our inter-racial problems. As a result, both white and black leadership have since seen the need to work together to find their solution.

In Cleveland, the years since 1967 have witnessed increased recognition in both the white and black communities that the problems which we face are basically not white problems or black problems, but common problems—in the face of which blacks and whites must rise or fall together.

It was his recognition which made possible the election and reelection of the first black man to serve as mayor of a major American city—and a city—where the majority of the population was white. It was this recognition which brought home to white business leadership the need to strengthen the black economic base, to strengthen black business.

No matter that Carl Stokes was succeeded in office by a white Mayor—no matter that as a result of political controversy between Mayor and Council leadership increased political racial polarization resulted. The net effect of the Stokes years must be recognized as productive of an affirmative improvement in the climate for black business. They stand as irrefutable proof, that even politically, black leadership will be accepted by substantial segments of the white community on an equal basis with white leadership provided the black leadership is devoted to the mutual good of our people as a whole. Once black and white leaders proved their ability to work together in the steam heated political arena—it was evident that they certainly could do so in the less emotionally charged area of business and the professions.

The years since 1967 have shown a substantial improvement in the white business community's understanding of the problems of black business. The white businessman has come better to understand that the black businessman wants to stand on his own feet and wants to achieve his own success—that given fair opportunity—he can do both. That white paternalism the black businessman neither wants nor needs. True, this understanding is not yet universal—what is important—is that it exists and is growing.

More and more, white businessmen have come to realize that the black man, just as the white man, desires position, status, and self-respect—that each of us, without regard to the color of his skin, wants to be somebody—and to be recognized as such—and each of us wants these achievements to come through the use of his own capacity and effort—not as a paternalistic reward.

What is required—and what black business has the right to expect from white society, government and business—is the creation of a climate in which the black business or professional man has a fair opportunity to achieve his own salvation. Further the realization has been growing in the white community that a healthy, self-sufficient black business economy contributes substantially to the success of white business.

As a result, since 1967, substantial efforts have been made by the white business community in Cleveland to open opportunity for leadership and economic success for black business and professional men and women. Admittedly, the substantially of the effort has not yet fully achieved the desired result. However, the problems are much easier of recognition than they are of immediate solution—but progress has been—and is being—made.

Increasingly, black business and professional men have emerged and been accepted as leaders in the counsels of our major business and professional organizations.

Perhaps the largest professional organization in Cleveland is the Cleveland Bar Association, and certainly the principle organization of Cleveland business is the Greater Cleveland Growth Association. Blacks have assumed and successfully discharged responsible staff positions in both of these organizations. Blacks are represented in increasing numbers in the governing councils of both organizations. Here, the voice of black leadership is today heard with increasing effectiveness, where seven years ago, it was simply not present.

In 1968, the Greater Cleveland Growth Association was organized through a combination of the Chamber of Commerce and the Greater Cleveland Growth Board. One of the motivations which underlay the creation of the Growth Association was a recognition—on the part of white Cleveland business—that if Cleveland was to go forward, Cleveland business had to concern itself with a much broader spectrum of social and political problems than normally had been the concern of the Chamber of Commerce or the Growth Board. The white business community recognized that the problems of minority enterprise—primarily black business—were truly of concern to business as a whole in the Cleveland community.

It was recognized that minority businessmen and women did not enjoy equal opportunity in obtaining financing—particularly in the extension of credit by commercial banks and that, to a substantial degree, black business did not receive equal acceptance in white markets. In its efforts to equalize opportunity in these areas, the Growth Association utilized its affiliate, the Greater Cleveland Growth Corporation.

The efforts of the Growth Corporation to aid minority business have been directed first, to provide technical, financial, and educational assistance to existing minority businessmen. Second, to encourage and aid in the creation of new minority businesses—and third, to assist existing minority businessmen to expand their current operations. In pursuing these objectives, the Growth Corporation has worked closely with Cleveland's commercial banking community and with the Small Business Administration of the Federal Government.

Today, most of Cleveland's commercial banks have officers who specialize in loans to minority owned businesses. Many of these specialists from the commercial banks participate in the Growth Corporation's Loan Review Committee which is made up of representatives of Cleveland's nine largest banks. This committee affords a channel, which never existed before, through which the problems of Cleveland's black business can be made known, under favorable circumstances, to Cleveland's commercial banking community.

During the three years ending in 1971, Cleveland banks—in many instances with the support of the Small Business Administration—provided loans to minority small businessmen in the amount of approximately \$5,000,000. In the same period, through the efforts—and the financial assistance of the Growth Corporation—145 small businesses obtained financing in excess of \$4,500,000. Admittedly, this provision of nearly \$10,000,000 in financing to minority business is only a door opener. However, it is the opening of a door which for many years has been tightly closed to black business.

Another "door opener" has been provided by the Annual Business Opportunities Exposition which the Growth Corporation has co-ordinated since 1970. These expositions have been trade shows in reverse. In these expositions, Cleveland's large predominantly white controlled business firms—have supported

demonstrations of the products they wish to buy—not sell. This has given black business the opportunity to learn the extent of the local market both for existing products and for those new products for which production capability exists.

Another "door opener" which the Growth Corporation has provided for black business is a free counseling services designed to aid a businessman properly to evaluate his business, plan sales and marketing programs—install necessary accounting procedures and develop financial projections and statements.

Fair appraisal of the future of Cleveland's black business requires evaluation of what has been learned from these first openings of the doors of equal opportunity.

In the first place, we have learned that black people are much the same as white people. Some are smart—some are not so smart. Some are industrious—some are lazy. Some are honest—some are not. In short, people are people, no matter what may be the color of their skins.

As the result of the first lesson, we have learned a second one. No matter how business opportunity be equalized—business success depends on business aptitude—but most important on hard work. Just as was the case with white men and women who started businesses, so it has proved to be with black businessmen or women. No amount of cash or credit—no amount of market opportunity—and, no amount of business counseling can make a success of a black business where the proprietor lacks aptitude for the business or is unwilling to work long hard hours to make it a success.

In order to check Cleveland's experience, the Growth Association sent teams of black and white business and professional men to study black business in Atlanta, Chicago, and Los Angeles. In each city, the experiences were the same as ours. In each city, experience showed that it was not fruitful to advance credit or expend time and money to create or assist black business until it had demonstrated its ability to gain at least a business foothold through the aptitude and industry of its proprietor.

In short, if we are to have a healthy black business community—we should follow the precept of the Lord—and help most those who have shown the ability to help themselves.

Before I close, I want to talk to you briefly about Cleveland and its future as a strong, healthy community. It is in the future of Cleveland that all business and professional people—black and white alike—have their principal stake. I believe in Cleveland. I believe in the desire and ability of the business and professional leadership of Cleveland working with leaders of government to move our city ahead. The fact that Cleveland business has responded to the challenge of the Greater Cleveland Forward campaign and has already pledged 80% of the goal of \$4,820,000—with new pledges constantly being received—is proof positive that Cleveland business will support, not just with words, but with hard cash—the future of our city.

The Cleveland Forward Funds are being used solely for the purpose of insuring Cleveland's future. Hopefully, the studies which they are making possible will produce a major hub jet airport for Cleveland—an airport which will bring some 70,000 new jobs to our city and will once again make Cleveland one of the major transportation centers of the United States.

These funds are also a principal source of the efforts of the Growth Corporation to provide special aid to minority business. They have also provided a major effort to keep existing businesses of all kinds in Cleveland and to attract new job producing business to Cleveland. Through extra staff work made possible by these funds, the Growth Association has been able to assist State, county, and

local governments in the development of programs and improvements for Cleveland's overall growth and progress.

Despite the growth of our suburbs—I believe that if we but look around us—we will see that Cleveland is truly about to be reborn.

One whose only observation of Cleveland was made seven years ago, would never recognize our city today. At that time there was no Cleveland State University—no community college—no Erleview Tower—no investment plaza—no Central National Bank Building—no Cleveland Trust Tower—no Park Centre. Similarly, if we could see Cleveland seven years from now, it would again be so changed as to be unrecognizable. The new development now underway, such as the Justice Center and the Bond Court Hotel—and developments now realistically to be expected such as the Terminal Tower Development—with a new state office building, new hotel and new downtown department stores, gateway, revitalization of the stadium and hopefully improvements at playhouse square—all show—Cleveland's dry rot has been arrested. Our ship is no longer sinking and certainly—today our course is pointed up—not down.

True the developments to which I have just referred are primarily in downtown Cleveland, and one may fairly ask what do these do for the areas of Cleveland's inner city which are still depressed? This is a fair question. But bear in mind that no part of our city—East side—West side—South side—Hough—or Glenville—can prosper unless the entire city moves forward. The fact that downtown is being reborn is proof positive that institutions and individuals are willing to bet heavily on Cleveland's future. These investments involve smart money and lots of it. They carry a message we can believe in.

I am distressed about one thing however—and I would be less than frank if I did not mention it tonight. The Greater Cleveland Growth Association, the only major business organization directing its efforts to the overall economic good of the entire community—black and white alike—has mounted, and is implementing, the Greater Cleveland Forward program with the purposes which I have just outlined. Although the Association has some 5,000 members, very few—very few—of these members are black business or professional men. Further, very few—very few—black businesses have contributed to this campaign. In my judgment, this is not a healthy situation—and reflects no credit on black business and professional men and women.

Rejection of white paternalism and assertion by black business and professional people of their right and ability to be recognized and rewarded according to their own merits and with equal opportunity should carry with it the responsibility to join with their white brethren in the support of joint efforts for the common good.

At the time I announced the Greater Cleveland Forward campaign, I suggested to the white business community that if we expected credibility for its views and programs, we should put its dollars where its mouth had been. I assure you tonight that I firmly support equal opportunity for black dollars.

At the outset of these remarks I stated my belief—expressed seven years ago—that the most fundamental problem which confronts our city and our country, is how we as blacks and whites can come to live together harmoniously with mutual respect and common prosperity—this is still my belief.

I am convinced that during the past seven years we, in Cleveland, have made substantial progress toward the achievement of that goal. We are still a long way from the end result—we still are embroiled in substantial racial polarization—we whites and blacks do not yet either fully understand or

fully trust each other—but we are making progress. We are talking together. Increasing numbers of us are trying. The very fact that you have invited me to speak to you tonight—and that I was willing to speak and speak frankly—is clear evidence that we are moving forward.

In our trips to Atlanta, Los Angeles and Chicago, we found that in each of those cities—white business and professional leaders, and black business and professional leaders, were increasingly meeting together to discuss and identify community problems—problems of special interest to each group and those held in common and to identify solutions which both whites and blacks could support. In each city, we were told—by black and white leaders alike—that in this type of communication and solution lay the greatest hope for the eventual elimination of racial animosities and the achievement of forward progress for their cities.

Our own experience confirms that of Atlanta, Chicago, and Los Angeles. More and more, through the Cleveland Bar Association, the Growth Association, the Growth Corporation and other groups—we have been able to gather in one room representative black and white leaders who are increasingly able to speak frankly and with understanding to each other. This type of communication continues to grow and as understandings improve—continues to be more effective. We, blacks and whites alike, must support and extend these efforts.

The great middle groups of blacks and whites alike hold most of their basic goals in common. They both want equal opportunity to achieve productive work commensurate with their skills and with equivalent rewards. They both want equal opportunity for decent and suitable housing. They both want equal opportunity for appropriate education for their children. They both wish to live in peace and security—free from violence and radical assault. And finally, they both want to maintain themselves and their families and raise their children in an atmosphere where all may achieve and be afforded that respect and recognition which by their own efforts they can earn and achieve.

The fundamental problem which all of us must strive to overcome is that even though blacks and whites hold these basic goals in common, so long as they work separately, polarized by misunderstanding and racial animosity—the goals will not be reached. It is my belief—and I hope that I am correct—that in Cleveland today, enough of the leaders in both the black and white communities have come sufficiently to understand that their goals are the same—that they will be motivated to continue to work closer and closer together until these goals have actually been realized.

Only then will Cleveland fulfill its potential and provide the opportunity which all of us—black and white alike—have the right to look forward to.

#### WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. GUDE. Mr. Speaker, as many of my colleagues know, I have long been deeply concerned over the present operation of the airport facilities for the Washington Metropolitan region. Under the ownership of the Federal Aviation Administration, jet traffic and passengers



have been "shoe horned" into Washington National Airport, a facility constructed at a time when commercial jet traffic was, to the majority of citizens, science fiction.

Dulles International Airport was constructed at the taxpayers expense to be the jetport for this city. While it certainly has grown, in terms of numbers of flights, from the time it opened to the public, it remains woefully underutilized. Further, Maryland's Friendship International has suffered greatly due to the unrealistic favoritism shown National and Dulles by the FAA.

I have introduced legislation, H.R. 5509, to help solve this problem. This measure would transfer National and Dulles to the Washington Metropolitan Area Transit Authority, and would empower WMATA to negotiate with the State of Maryland for Friendship, assuming Maryland wished to sell it. In this way, all of our regional airports could be brought under single ownership and operation, assuring a better distribution of air traffic and assuring local citizen input into the operation.

At this point, I would like to include in the RECORD the text of that legislation for the information of my colleagues:

H.R. 5509

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Washington Metropolitan Area Transportation Act of 1973".*

#### STATEMENT OF FINDINGS AND PURPOSES

SECTION 1. The Congress finds that (1) an adequate and economically sound transportation system or systems, including airport operation and management, serving the Washington metropolitan area is essential to commerce among the several States, and among such States and the District of Columbia, and to the health, welfare, and safety of the public; (2) economics and improvement of service will result from the unification of airport operations as well as from integration of other transportation facilities within the Washington metropolitan area; (3) the Washington Metropolitan Area Transit Authority is a body corporate and politic organized pursuant to interstate compact among the States of Maryland and Virginia and the District of Columbia, with the consent of Congress, to plan, develop, finance, and operate improved transit facilities in the Washington metropolitan area transit zone; (4) an appropriate solution to the current problems in airport operations and management is unified public ownership and operation of airport facilities within the Washington metropolitan area; and (5) to these ends it is necessary to enact the provisions hereinafter set forth.

#### TITLE I

##### CONSENT TO COMPACT AMENDMENT

SEC. 101. (a) The Congress hereby consents to amendments to articles II, III, and XII of title III of the Washington Metropolitan Area Transit Regulation Compact (D.C. Code, sec. 1-1431 note) substantially as follows:

(1) Section 2 of article II is amended by striking out "transit" where the same is found, and inserting in lieu thereof in each instance "transportation".

(2) Section 3 of article III is amended (A) by striking out "and Fairfax" and inserting in lieu thereof "Fairfax and Lou-

doun"; and (B) by striking out "and Prince Georges" and inserting in lieu thereof "Prince Georges and Anne Arundel".

(3) Section IV of article II is amended by striking out "Transit" and inserting in lieu thereof "Transportation." Any and all laws referring to the Washington Metropolitan Area Transit Authority are similarly amended.

(4) The first sentence of section 5(a) of article III is amended to read as follows: "The Authority shall be governed by a Board of nine Directors consisting of three Directors for each signatory."

(5) Section 56 of article XII is amended by adding at the end thereof the following paragraph:

"(f) The Authority may acquire and operate the terminal facilities, and all functions incident thereto, of National Airport, Dulles International Airport, and Friendship International Airport and may acquire and operate air transportation services and facilities within the zone. Nothing in this paragraph shall be construed as granting to the Authority the right or power to acquire or operate any air transportation service extending from any point within the zone to any point outside of the zone."

#### TITLE II

##### TRANSFER OF FEDERAL INTEREST

SEC. 201. (a) There is transferred to the Washington Metropolitan Area Transportation Authority all right, title, and interest of the United States and to National Airport, in Washington, District of Columbia, and to Dulles International Airport, in the Commonwealth of Virginia.

(b) So much of the real and personal property, records, assets, and liabilities of National Airport and Dulles International Airport, as the Director of the Office of Management and Budget determines are used, held available, or to be made available in connection with the operation of such airports are transferred to the Authority.

(c) No contract for services or supplies, leases, or other agreements lawfully entered into before the date of enactment of this Act by the officials of National Airport or Dulles International Airport shall be invalidated by the enactment of this Act.

#### TITLE III

##### PURCHASE OF FACILITIES AT FRIENDSHIP AIRPORT

SEC. 301. (a) The Authority is authorized to enter into negotiations for the acquisition of all real and personal property of the State of Maryland at Friendship Airport.

(b) All costs of such acquisition shall be financed by issuance of Authority bonds, which bonds shall be subject to Federal guarantees as provided in title I of the National Capital Transportation Act of 1972 (Public Law 92-349, 86 Stat. 464). Such bonds shall be in addition to those bonds authorized by Public Law 92-349.

#### TITLE IV

##### EFFECTIVE DATE: DISTRICT OF COLUMBIA AUTHORIZATION

SEC. 401. (a) The transfer provided for in section 2 of this Act shall take effect on and after the day next following that day on which all signatories to the Washington Metropolitan Area Transit Regulation Compact have ratified the amendments to the compact substantially as set forth in the first section of this Act.

(b) The Commissioner of the District of Columbia is authorized and directed to enter into and execute on behalf of the District of Columbia amendments, substantially as set forth in title I of this Act, to the Washington Metropolitan Area Transit Regulation Compact with the Commonwealth of Virginia and the State of Maryland.

#### SOFT-HEADED JUDGES AND PROBATION OFFICERS

### HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. BLACKBURN. Mr. Speaker, when President Nixon in March called on "soft-headed judges and probation officers" to show as much concern for the victims of crime as the criminals, some people in the press jumped on him. An article in this month's issue of First Monday, edited by John Lofton, Jr. and published by the Republican National Committee, strikes back with facts and figures of interest to all my colleagues. I would like to include the article in the RECORD:

SOFT-HEADED JUDGES AND CRIME: WHO'S RIGHT, THE PRESIDENT OR TOM WICKER AND MILTON VIORST?

("The time has come for soft-headed judges and probation officers to show as much concern for the rights of innocent victims of crime as they do for the rights of convicted criminals."—President Nixon in a national radio address, March 10, 1973)

Since the President has the temerity, the unmitigated gall to suggest a Skull-Thickness-Rating (STR) of less than rock-hard for those judges and probation officers who show more concern for the rights of convicted criminals than for the rights of their innocent victims, a few people, obviously soft on the soft-headed judge issue, have become a little bent out of shape.

Washington Star-News columnist Milton Viorst cavalierly dismissed as "blatant nonsense" the idea that soft-headed judges have anything to do with crime in the streets; N.Y. Timesman Tom Wicker denounced the President's entire law and order speech as "most depressing," lamenting that it was the "usual American political response to the fear of crime rather than to the hard fact of crime itself."

What are the facts? Are there soft-headed judges? Probation officers? And if so, does their soft-headedness—that is, their refusal to make the punishment fit the crime—exacerbate or ameliorate the crime problems? Whose STR rating is most solid? The President's? Milton Viorst's? Tom Wicker's? Read about the following crime surveys and reach your own conclusions. You might even want to let Mr. Viorst and Mr. Wicker know how you feel.

Philadelphia Survey. The Philadelphia Inquirer this past February ran the results of a seven-month, sophisticated computer analysis of the way violent crimes were handled in the courts in that city during 1971. The survey was based on the cases of 1,034 persons indicted for murder, rape, aggravated robbery and aggravated assault and battery.

Included in the findings of the Inquirer survey were the following facts and figures: There is no evidence to support the argument that long prison sentences deter crime

\*The problem with this form of argumentation is that it really says nothing. Using this illogical formulation, Wicker could just as easily be denounced for the usual knee-jerk, ultra-liberal appeal to the fears of those who are afraid of those who respond only to the fear of crime rather than responding to the hard fact of crime itself.

"because judges have not been imposing long sentences for some time. In those isolated cases in which long sentences are meted out, they are seldom served. (The Inquirer defined a long sentence as five years or more for a violent crime.) Although the defendant had a prior police record in 78 percent of the cases, several dating back to the 1930s, many for other serious crimes, fewer than half a dozen had served more than five years for one offense."\*

Defendants who pleaded guilty or were convicted were given probation or a suspended sentence in 39 percent of the cases. "Remember, too," the Inquirer survey points out, "that these offenders were charged with the most serious crimes committed in the city—murder, rape, aggravated robbery or aggravated assault and battery."

Of the 19 judges surveyed who handled 20 or more cases, one judge placed defendants on probation or gave them suspended sentences in 69 percent of the cases. (Tom, Milt—an STR rating, please.)

Judges handed out sentences of one year or less in 54 percent of the cases where a defendant pleaded guilty or was convicted of a serious crime. Sentences of more than five years were handed out in only 10 percent of the cases. In fact, the survey shows, 11 of the 19 most active judges "did not impose a single sentence of more than five years." Two judges sent all their defendants to jail for one year or less. (STR?)

Judges who decided cases without a jury found the defendant guilty of at least one charge in 59 percent of the cases, but found him guilty of the major charge in only 37 percent of the cases. (STR?)

In a section headlined "How to Commit Murder and Avoid Jail," the Inquirer survey showed: A parent who kills his child will probably be put on probation; an adult who kills someone else's child probably will be sent to jail, but not for long; a parent who kills at least two of his children probably will be sent to jail for a longer time than someone who kills one child yet his sentence is still likely to be shorter than the sentence an armed robber receives for a series of hold-ups in which no one is injured.

The Philadelphia paper's investigation found that there were elements of first degree murder—according to statements made during trials by judges or assistant district attorneys—in 29 percent of the second degree murder cases in the study. In some of these cases, the judges were clearly reluctant to go along with the sentencing recommendations of the district attorney's office, but bowed to pressure—for one reason or another—to eventually accept them. (STR?)

What is happening in the City of Brotherly Love in most rape cases, the Inquirer survey shows, is:

"Once convicted or found guilty, a rapist has a better than 50-50 chance of being placed on probation rather than sent to prison. In fact, a robber is more likely to be sent to prison than a rapist."

"Persons who plead guilty or are convicted of rape are sent to jail in 44 percent of the cases, while persons who plead guilty to robbery are sent to jail in 69 percent of the cases."

"Even when a convicted rapist is sent to jail, it is seldom for very long." (STR?)

As for robbery—the crime most on the increase and the one "many Philadelphians fear most"—the survey shows that despite the fact that robbers are more likely to have prior records than murder, rape and assault defendants, the courts are continually placing these repeat offenders on probation with

\*If a partisan note might be allowed. The survey shows that a Republican judge is "slightly more likely" to convict a person charged with a serious crime than a Democrat judge, "slightly more likely" to impose a longer jail term than his Democrat counterpart.

the result being that they are soon arrested for new crimes.

"Persons convicted of armed robbery who are sent to jail receive prison terms of one year or less in 38 percent of the cases," the survey shows. "Even in instances where victims of unarmed robberies were hurt and required hospitalization, judges were still likely to impose relatively short sentences on the offenders." (STR?)

Of those robbers sent to prison, 61 percent received minimum sentences of one year or less. In only seven percent of the cases did the judges impose a sentence of more than five years.

"But what might be even more revealing about the way serious offenders are dealt with by Philadelphia criminal courts," says the survey, "is the fact that 31 percent of those persons who pleaded guilty or were found guilty of aggravated robbery were placed on probation." (STR?)

New York City Survey. A New York State Commission of Investigation interim report on the operations of the "Special Narcotics Parts" of the New York City Supreme Court shows that of the 1,966 defendants involved in narcotics felony cases from Sept. 5, 1972 to March 22, 1973, 59 percent sentenced received no jail term.

"Even taking into consideration those sentenced to the custody of the Narcotics Addiction Control Commission, better than two out of every five defendants have walked out of court with no incarceration of any kind," the report declares. "These sentences support the conclusion that judges in New York City apparently do not consider narcotics felonies to be serious crimes warranting substantial jail sentences and the removal of narcotics peddlers from our streets." (STR?)

But the problem of lenient sentencing for narcotics violators goes far beyond New York City. A recent study by the Bureau of Narcotics and Dangerous Drugs (BNDD) reveals that over 25 percent of the February convicted violators were not even sentenced to jail; more than 70 percent of those accused of violations were freed on bail for a period of three months to one year between the time of arrest and the time of trial. "Many of the examples of post-arrest trafficking activity show subsequent violations which occurred only days and sometimes hours after release," the study notes. (See boxes for examples.)

Chicago Study. The Chicago Tribune reports on a Chicago Crime Commission survey which shows less than seven percent of the persons arrested for crimes in the Windy City in 1972 were indicted or formally charged and less than three percent of those were sentenced to jail terms. Crime Commission President Lee Schooler describes the situation as "appalling" and says the survey proves that "one of the most serious factors contributing to violent crimes is the gap that exists between the number of arrests and convictions."

DECLINE IN SERIOUS CRIME PROVES PRESIDENT'S DEMOCRAT CRITICS WRONG

"(Restoring respect for law and order) will be the first priority of the Nixon Administration. You give me the chance and we will stop the rise of crime in America."—Richard Nixon, Buffalo, New York, October 7, 1968.

Since making that pledge approximately four and a half years ago, President Nixon has waged a relentless and successful battle against crime in the United States. According to the latest announcement by the Department of Justice, serious crime in America declined by three percent in 1972. This represents the first decline in 17 years.

Specifically, the Justice Department pointed out that in 1972:

Robbery, the violent crime most likely to strike the unsuspecting person on the street, declined four percent.

Burglary, auto theft and larceny of \$50 or more decreased by approximately four percent nationwide.

Ninety-four major cities reported actual decreases in serious crime, compared with 53 cities in 1971, 22 cities in 1970, and 17 cities in 1969.

With these facts in mind, it is extremely interesting to note some of the statements made by President Nixon's critics.

"The Administration has repeatedly claimed that the crime increase is tapering off, for the most serious crimes. These claims are a cruel hoax. . . ."—Sen. George McGovern, press release, Aug. 28, 1972

"The tragic prospect we face is for another backward step on crime. . . . We need better leadership on law and order, and we need it right away."—Sen. Edward Kennedy, speech at California State Democratic Party Fund-raiser, Feb. 19, 1972.

"The fact is that law enforcement has been going downhill in America under this Administration's Department of Justice."—Sen. Hubert Humphrey, press release, Feb. 22, 1972.

Obviously, the facts show these Democrats to be wrong.

The reduction in crime can be attributed to an overwhelming commitment by the Nixon Administration to make America a safer place to live. This commitment can probably best be illustrated by reviewing the following statistics showing some of the budget increases for the Department of Justice during the Nixon Administration.

Criminal Division: The budget has been increased 157 percent from \$4,559,000 in FY 1969 to \$11,708,000 in FY 1974.

Law Enforcement Assistance Administration (the agency which specializes in assisting State and local governments in the fight against crime): In FY 1969, the LEAA was funded at the \$59,407,000 level. Approximately 15 times that amount has been requested for FY 1974—\$891,124,000.

Bureau of Narcotics and Dangerous Drugs: The budget has been increased by 318 percent from \$18,533,000 in FY 1969 to \$77,400,000 in FY 1974.

Federal Bureau of Investigation: The FY 1974 request of \$366,506,000 is a 67 percent increase over the FY 1969 figure of \$219,591,000.

U.S. Attorneys and Marshals: The budget has been increased 135 percent from \$42,376,000 in FY 1969 to \$99,528,000 in FY 1974.

Antitrust Division: The FY 1974 request of \$13,019,000 is a 56 percent increase over the FY 1969 figure of \$8,352,000.

Civil Rights Division: The budget has been increased 137 percent from \$3,028,000 in FY 1969 to \$7,179,000 in FY 1974.

Perhaps nowhere in this country has the decrease in crime been more dramatic than in Washington, D.C. In his 1968 campaign, this city was of particular interest to the President:

"There is another area where the Federal Government can not only play a leading role—but where it has the opportunity to make a dramatic demonstration of its concern with the problem of crime, its commitment to new solutions and the efficacy of its proposals. That is in Washington, D.C.—the nation's capital where the authority of the Federal Government is great and its prerogatives many," he declared in New York on May 8, 1968.

The latest District of Columbia crime statistics reveal that the President's concern has been transmitted into effective action. Overall, serious crime decreased 26.9 percent in 1972. (The decrease in 1971 was 13 percent). Specifically, the Crime Index figures revealed that in 1972:

Burglary decreased 32 percent.  
Auto theft decreased 33 percent.  
Robbery decreased 31 percent.  
Larceny \$50 and over decreased 18 percent.



Murder decreased 11 percent.

Aggravated assault decreased 2 percent. Democratic rhetoric aside, President Nixon has fulfilled his campaign pledges and as a result, America's streets are a safer place to walk.

### SELLING AMERICA'S FINEST PRODUCT

**HON. CLAIR W. BURGNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. BURGNER. Mr. Speaker, believing very strongly that the true story of the United States of America has not been adequately told to the rest of the world, I commend to each Member of Congress, and indeed to the entire Nation, a most perceptive and thought provoking speech on the subject. This address was given in Salt Lake City, Utah, on April 11, 1973. It was delivered by Mr. Arthur Meyerhoff, a distinguished citizen who has spent a lifetime in the essential art of persuasion.

I am convinced Mr. Meyerhoff gives sound advice and the action can result in a more accurate world understanding of our Nation, if we will but heed his words.

The speech follows:

#### SELLING AMERICA'S FINEST PRODUCT

(By Arthur E. Meyerhoff, chairman of the board, Arthur Meyerhoff Associates, Inc.)

(Text of a speech delivered to the Fifth Annual Brotherhood Award Dinner of the National Conference of Christians and Jews, Hotel Utah, Salt Lake City, Utah, April 11, 1973.)

I am one of those people that sociologists, political scientists, educators, novelists and others have referred to during the past twenty years as "hucksters," "men in gray flannel suits," "Madison Avenue boys," and "hidden persuaders."

No, we haven't been exactly spoiled by flattery. The late Bernard DeVoto referred to advertising as "a cult, a system of magic practiced by magicians, witch doctors, sorcerers, and shamans." Arthur Schlesinger, Jr. offered us the cheerful news that our work "has been successful in retarding the arts, tarnishing the virtues, and confusing the manners of our country."

Advertising is nothing more than the arts of persuasion practiced in mass media.

And persuasion is practiced in almost every human endeavor—the doctor with a good bedside manner, the professor whose classes are crowded, the baby with a sweet smile, and even the little coed who wiggles her way across the campus. But it is the skilled people in advertising who practice persuasion in depth scientifically.

Many people think advertising means a page in a newspaper or an irritating interruption in their favorite television program. They don't understand that advertising of some breed or shade is being practiced all the time by all people, in all media, and for all purposes, and the skills developed by advertising people are widely used in propaganda for good and bad purposes.

A little freedom symbol on the side of a stone wall can be an advertisement, too.

Two things led me to write my book, *The Strategy of Persuasion*. The first was the experience of a lifetime in attempting to show schools, public service organizations and Government how to make use of advertising and public relations skills in support of their activities. The second thing was the crucial propaganda problem that is facing our coun-

try today. And while my subject this evening deals primarily with my frustrations in working with the United States Information Agency, I hope you will see the parallel as it applies to the Conference of Christians and Jews and their approach to the job of selling brotherhood.

For some years now, I—and many other Americans—have been deeply concerned about the way our country's image is being interpreted abroad.

In the thirty years since World War II, we have helped to feed both friend and foe. The U.S. Government has spent in excess of 100 billion dollars for foreign aid. We have no imperialistic nor expansionist designs whatsoever, yet the enemies of freedom have successfully labeled us "imperialists." By using the skills of persuasion and propaganda, they have organized anti-U.S. demonstrations all over the world and have convinced millions of people everywhere that America has conducted a "criminal war of aggression" in Viet Nam.

There is evidence to indicate that our fallen prestige is due, in part, to the fact that in dealing with our international tensions, our government's informational service, the United States Information Agency, follows the same methods that were developed in the horse and buggy days.

Consequently, they have not developed the craftsmanship to cope with the rapidly expanding mass media communications systems, nor have they taken advantage of the new selling skills to achieve a better understanding of what the United States represents to the freedom and self-determination of other governments. On the other hand, our ideological competitors and the destructive forces of our country are developing professionalism in making more use of mass media for propaganda purposes. In actual practice, they are using the new psychological skills to persuade, and I am afraid that our informational agency is not.

Many Americans don't realize that a propaganda offensive can pack the lethal power of that snake called a python—and can coil and choke just as effectively, too. Now, everybody knows about H-bombs, that a 5-megaton bomb will knock out a city, and a 50-megaton bomb will knock out a county. But what they don't understand is that a megaton of effective propaganda, repeated over a period of time, can knock the resistance out of a continent—or of the world itself.

Charles Brower, former head of the fourth largest advertising agency in the country, BBDO, once gave a speech with a 46-word title. Here is the title:

"When in the Hell is the United States of America Going to Stop Acting Like a Rube at the Fair—and Start Using the Advertising and Public Relations Skills with which it Abounds to Win the Cold War which it is Presently Losing Like Nobody's Business."

More and more Americans in recent years have been asking this question: "What is wrong with the way we are being interpreted abroad?" Our peaceful intentions, our humanitarian acts, and our desires for freedom everywhere should be products that are easy to sell. But we have a competitor that is setting our friends against us all over the world, using the very selling skills that were perfected by the advertising profession in the United States. Our military can cope with the enemies of freedom in a clash of firearms, but we are dropped pitifully in our tracks in any war of words. Word-fighting, you see, is not a specialty of our army. Propaganda is a highly specialized science and one simply doesn't turn the job over to amateurs.

Why aren't we using the skills of mass persuasion in improving our image abroad? Actually what paralyzes us are not sinister forces in our government that are secretly the enemies of freedom. My studies indicate that the real resistance stems largely from sociologists, political scientists, educators,

and journalists who lack an understanding of the process of advertising and find it fashionable to express an indiscriminate hostility to all advertising and selling.

In an ideal world the United States would have no need to advertise the advantages of freedom or the democratic way of life. Everyone would be intelligent, educated and able to recognize the truth at once. No enemies would dedicate themselves to misinterpreting our motives, but unfortunately this is not quite the best of all possible worlds, and silent merit does not sell itself right away. It usually takes a promoter. To be virtuous is fine, but you need to advertise, too. This may sound cynical, but believe me, I speak not as a theorist, but as an ex-newspaperman and advertising executive with forty-five years of highly practical experience.

It is generally believed that knowledge and education are the best protection against being influenced by propaganda. However, I have worked with heads of schools, colleges and public service organizations, helping them apply advertising and promotion skills to their own purposes, and I find them remarkably naive in this area.

For example, our organization had the assignment of rewriting an introduction in a booklet of exercises designed specifically for professional ball players. It was written by a Ph.D. in one of the leading universities. Here is an excerpt from his introduction:

"This program has been created to satisfy an imperative need which has existed at all levels since its inception. The need for a year around conditioning regime specifically oriented for baseball players, based upon proven scientific experimentation, statistical preciseness, kinesiological and physiological surety, and divorced from the many traditional empiricisms and professional naivete."

Beautifully stated, but we couldn't find a ball player who understood it.

Our job was to put this thought into simple language that a ball player can understand, and in a way that will make him want to use the program. Here is the way we rewrote the introduction:

"An experienced baseball trainer, working with university scientists, has at last developed a training program that exactly fits your needs as a ball player. The program of exercises illustrated in this book has been tested and it works."

We don't try to win literary awards. Our aim is to get results by presenting the message in the simplest possible way.

A survey of college men reveals a remarkable pile of prejudices against advertising and selling. Three-fourths of the college men thought that selling at best was a job; at worst, a racket. Many students charged that sales work is "forcing people to buy things they don't need." A Yale student said that selling was both too frustrating and prostituting. An Oregon youngster, who was trying to be open-minded, said he wouldn't mind selling a product of "profound significance to the consumer." But he'd never found such a product!

Many people in the State Department and the United States Information Agency have not emerged from the rarefied atmosphere of the academic world and still quiver in horror at the thought of mass persuasion as practiced by the advertising profession. No wonder they are fumbling their number one job—improving our image in the world. Any effort to convey ideas through selling skills represents "indoctrination" or "brain-washing" to them.

These people, as you see, are suffering from hardening of the opinions. They heard some half-truths and have decided once and forever that all advertising and public relations men are unscrupulous people.

Obviously, then, as an advertising man I must be very unscrupulous. Well, maybe I am. Let me mention at the outset some of my very insidious ideas.

I favor igniting a conflagration of truth,

for example, so that it burns its way through all international curtains. I favor a murderous, withering attack against ideological misconceptions. I favor shooting out some explosive facts—favorable to these United States—so that they will be heard distinctly everywhere and by everyone. I favor stirring up certain suppressed desires in submerged people around the world—desires for freedom and brotherhood and free speech.

Our diplomats and information services are eminently qualified to deal with intellectual leaders and diplomats, or people they refer to as "opinion leaders," yet carefully avoid modern techniques for persuading the mass of people to accept an idea.

We are flunking the simplest test of common sense. We are overlooking the fact that the masses are not necessarily influenced by a few leaders, but that the leaders can be influenced by the masses.

If we examine history, we must admit that our democratic truths once had to be disseminated as a selling message in the day of Patrick Henry and the Federalist Papers and repeated over and over again—otherwise they would never have been accepted. Imagine that! Even our own nation once had to be sold a bill of goods—a wonderful bill of goods called democracy.

On the basis of our skill in selling our products through mass media, we have built the most prosperous society in history; yet we have not effectively applied our sales techniques to selling ourselves and our ideas to other countries. Therefore, we have not adopted a persuasive program of truth which would offset the propaganda of the enemies of freedom with their unscrupulous exploitation of the techniques of manipulating men's minds.

Over the years, whenever a leader in our industry has urged that we use our advertising talent to win the propaganda battle, the same official objection has come from our government information agency: that you cannot sell government ideals the way you sell soap.

This statement was reiterated by a former head of the United States Information Agency. He said, in part: "I am quick to concede that the American advertising industry is a highly skilled and effective force in the American marketplace. But I hasten to say that it is a naive person indeed who assumes that because a man is a top salesman of soap or deodorant he is automatically an expert at selling ideals or a political outlook." The selection of "soap and deodorant" as an illustration was not only unkind, but also showed a lack of objectivity as well as a deep-seated emotional resistance to any approach involving the use of salesmanship to sell government ideals.

Well, of course you don't sell ideals the way you sell soap and deodorant! Neither do you sell Cadillac cars the way you sell soap. Inherent in the product is the means for selling that product. Naturally, a good salesman adjusts his technique to his product or idea—and to the people he is trying to sell.

Advertising men make their living finding out how to reach people and developing the right words and symbols to get people to act in a predictable way—whether those symbols happen to be words or pictures or music.

Of course, I don't condone all advertising and advertising men. Some of them produce material in bad taste and do not always adhere to the highest ethics. By that same virtue, some mothers are alcoholics and beat their kids—but I don't condemn motherhood as a consequence. The better advertising is imaginative and informative, and I think you will agree it can be pleasant and even fascinating—yes, and astonishingly successful at times. Yet, in my many contacts with the United States Information Agency, I find no one in a responsible position with any experience in the arts of persuasion as practiced in the United States.

With their backgrounds in journalism, education and foreign affairs, it is easy to

see why officials of the USIA emphasize Voice of America news broadcasts, information centers, lending libraries, and efforts to improve the cultures of people. Yet they have not designed these activities to present a direct, convincing story that will bring masses of people to the side of the Free World.

USIA's avowed aim is to tell the truth about what goes on in the United States through its own news facilities. Of course, the truth of what goes on in the United States—as you and I know it—has far more to offer to the world than the controlled societies can offer. In spite of our problems, no rational man would exchange our way of life for that of the man behind the Iron Curtain. And yet, there is a fallacy in the USIA approach.

The USIA believes that by getting into the news business along with the free press of the world, and broadcasting the news, as they say, "warts and all," people in foreign countries will understand our policies and how our free society works. Unfortunately, news does not always reflect the truth of what goes on in our country as a whole, nor does it illustrate our humanitarian purposes.

In fact, we know that the events which make the headlines are the events that are unusual. That's why they are in the headlines. If riots and scandals were common occurrences, they would not be given such heavy coverage. When we hear of unusual or newsworthy events, we automatically contrast them with what is normal and familiar. My research overseas indicates that people who know virtually nothing about life in the United States cannot do this. They believe the events they hear about are typical and commonplace. Because they do not understand how our free press operates, they get a picture of our country overwhelmed by crime and dissension.

And yet we have the spectacle of the USIA broadcasting day after day, throughout the world, stories of crime and scandal in the United States. Yes, these unpleasant events do happen, but do they represent the real United States that you and I know? I don't think they do.

There are many more law-abiding citizens than there are law-breakers. There are infinitely more responsible teenagers than wild or delinquent teenagers. There are many more enduring marriages than divorces. Yet none of this is news.

It is a sad fact that the truth is not usually news. And news does not necessarily reflect the truth.

The constructive things about our society and what it represents to the welfare of others don't seem to be newsworthy and can be completely overshadowed by the violence in the daily headlines.

You cannot sell an idea or product by emphasizing the flaws in it. The flaws often are so fascinating that they overshadow the vast benefits that the product has to offer.

A few people are killed annually by slipping in their bathtubs, but if you are trying to popularize bathing you'd better dwell on the well-known advantages of bathing rather than the rare, though interesting, accidents. This does not mean that you suppress facts—but you simply do not confuse a newfunction with a selling function. Giving the statistics of people killed in bathtubs is a news function, but telling the advantages of bathing is a selling and advertising function.

There is hardly a product or an event that doesn't have its negative factor—and I imagine that even Utopia has its shortcomings. But in selling we emphasize the positive benefits a product has to offer. The news headlines about what goes on in our country have no more relationship to the benefits we have to offer to people throughout the world than the internal problems of a family have to do with their charitable acts in community. One does not ask a humanitarian if he quarrels with his wife.

I have been advocating that our government should get out of the news business and get into the selling business; that is, that our information agency should no longer attempt to cover the news for the people of the world. This vital function is best left in the hands of the free press of the world, the non-governmental commercial news services that do such a magnificent job of serving the Free World. And for those behind the Iron Curtain who do want news, there are Radio Free Europe and Radio Liberty—both privately operated broadcasting operations that are, by some reports, more effective than Voice of America.

There is no question of the responsibility and dedication of the men who staff the upper echelons of the USIA. Some of them gave up prominent positions and good incomes to work for the government. Many of them have extensive experience in journalism and foreign affairs and invaluable knowledge of certain areas of the world. But because of their training, their output is long on information and short on persuasion and selling.

An important difference between advertising and journalism—between copywriting and news writing—is the type of reaction each tries to get.

A news story usually gives the facts about a certain event, or tells what is happening in a certain situation. But the objective news story is supposed to inform, and not supposed to sell.

On the other hand, a good advertising campaign is designed to sell. And people do not resent it as long as it is clear that you are trying to sell—what they resent is the slanting of the news, with the purpose of promoting a point of view.

I believe that the Voice of America can increase its coverage tremendously and get far greater results by putting on programs that people want to listen to rather than the long-winded, boring dissertations that are now being broadcast throughout the world. Then, to intersperse these programs with brief selling messages (call them spot announcements, if you will), emphasizing in an interesting way some of the good things that our society represents. Unfortunately, the personnel of the Voice of America was so loaded with newsmen and educators that it was almost impossible to gain their sympathy or interest in the idea.

Any American will grant that in a court of law each side should, without distorting facts, be as persuasive as possible. We accept this as proper. We'd be quick to fire our lawyer if he kept stressing the spectacularly negative aspects of our case. The opposition uses every emotional trick in the book. But our own counsel persists in citing only so-called news facts, sometimes highly damaging to us—and conscientiously refuses to use professional techniques to persuade the jury of the world.

I recommend, in all seriousness—let American advertising and selling techniques operate abroad for a couple of years, preferably in some country where our diplomatic prestige has been slipping.

Once our strategy has proven itself in one limited location, I am confident that Americans will demand the expansion of such persuasive techniques to a world-wide front. The USIA stands to risk little—except an embarrassing success.

Leonard Marks, a former pragmatic head of the United States Information Agency, thought enough of my studies and recommendations to send me on an inspection mission abroad. Subsequently, a test program was planned under the auspices of the American Association of Advertising Agencies. Three of the most outstanding advertising men in the United States consented to serve with me in developing this program.

As this test program was being planned, there was a change of administration. Henry J. Loomis, a career government employee,



whose primary education was as a research physicist, was selected to administer the United States Information Agency. His antagonism toward any approach involving advertising techniques was immediately manifested. I think, all told he gave me five minutes in his office. Although he has since passed on to assignments in public broadcasting, through his influence the program was tabled, and any effort to revive it has been completely ignored by the United States Information Agency.

I would like to say here that I believe that the National Conference of Christians and Jews, with their noble aims, can get the cooperation of a knowledgeable local advertising agency to volunteer their services in helping them to accomplish their aims.

One area that seems worthwhile studying is to consider covering fewer subjects in order to do a more effective job on the more important ones. As time goes on, manufacturers often add items to their line—and then discover that their sales are down because their most important products are being neglected. Periodically, they have a housecleaning, cutting down the number of items that they market, with good results. In other words, using the target approach instead of scattering their shots.

I would also like to suggest that they take a good look at their vocabulary to see if it cannot be brought down to the level of the average man on the street in order to increase their coverage. Frequently, the insiders of a movement use a vocabulary that is understandable to the insiders but which goes over the heads of those who are not associated with the organization.

As a further suggestion, slogans could be invented that would in effect be selling messages for brotherhood and disseminated to the mass media.

And if I may take another liberty, I would like to talk briefly about your name. The name, National Conference of Christians and Jews, seems to me to be what I would call a working title without a definite appeal, and has the connotation of a negotiating group which is conferring, but which has not settled on its objectives.

From our point of view, we like to have a name that states the purposes of the organization, such as "Christians and Jews for Brotherhood." As an example of what some organizations have done, I cite the following:

Citizens for Better Environment.

Crusade of Mercy.

Head Start Program.

Travelers' Aid.

Little Brothers of the Poor, Friends of the Elderly.

Operation Bootstrap.

Youth for Christ.

Your organization has a marvelous product to sell. The United States of America has a marvelous product to sell.

My message is simple. Why not get the best qualified people into the act to help make the sale?

It is high time to call in the experts—not the Hollywood version of the Madison Avenue huckster, but the trained, imaginative, dedicated men who have proved they have precisely the skills to make people yearn for what is good—and motivate them to obtain it.

## BROADCAST PIONEER ESSEX DIES

### HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. MIZELL. Mr. Speaker, just recently one of the great pioneers of the broadcasting industry, Harold Essex, died in his beloved city of Winston-Salem.

As I said on the day he died, Harold Essex and I were friends for a long time, and through that most rewarding association I came to know him as a man of great dedication and skill in his profession and as a man who held deep convictions that strengthened his life and the lives of those around him, especially the young people with whom he was so actively involved and whom he influenced so much for good.

I knew him as a man who loved his fellow man, his community, and his country, and did his best to enrich them all, and as a man who in his own way was one of the most outstanding public servants in the history of the area I am privileged to represent.

Mrs. Mizell and I joined with thousands of people whose lives have been touched by Harold Essex, either personally or through his broadcasting career, in expressing our deepest sympathy to his family and in mourning the loss of one of the finest men I have ever known.

The Winston-Salem Journal and the Twin City Sentinel published stories on the day of Mr. Essex' death, April 11, and in those stories provided some of the rich details of his life. I would like to insert the text of these articles in the RECORD for my colleagues' information and reflection.

The articles follow:

[From the Winston-Salem (N.C.) Journal, Apr. 11, 1973]

#### BROADCAST PIONEER ESSEX, DIES

William Harold Essex, a leader in the broadcasting industry for more than 30 years and president of Triangle Broadcasting Corp. here, was found dead yesterday morning in his car in front of the Glade Street YMCA, several blocks from his office. He was 68.

A spokesman for the broadcasting company said Mr. Essex was apparently on his way to work at the company's new headquarters here when he was stricken.

He pulled his car over to the side of Glade Street near the walkway of the YMCA and remained under the wheel. He put the car in park but did not turn off the ignition.

Mr. Essex' body was discovered shortly afterwards by passersby.

His body was taken to Forsyth Memorial Hospital, where his family physician, Dr. John R. Bender, said the cause of death was apparently a heart attack.

The funeral will be at 11 a.m. Friday at Volgers Main Street Chapel. Burial will be in Forsyth Memorial Park.

Mr. Essex had watched the broadcast industry grow from small radio stations to giant television-radio complexes.

A native of Stokes County, he was the son of Alexander Jacob and Lyda Essex. He was a graduate of Hickory High School and the University of North Carolina.

His career started in 1927, when for six months he worked on a semi-weekly newspaper in Hickory. After that he worked for a year as a member of the news staff of the Hickory Daily Record.

After traveling about the country and promoting circulation for a number of newspapers, Mr. Essex joined the staff of the Greensboro Record, where he served as telegraph editor. Later, he was named managing editor and general manager.

While in Greensboro, Mr. Essex became acquainted with radio. He presented news over WNRC, predecessor of Greensboro's WBIG.

In 1930, he moved to Chicago as promotion manager of the Chicago Daily Times.

When the Times became affiliated with WBBM, he became Chicago's pioneer news-

caster, and he conducted newspaper promotion campaigns over the radio station.

In 1939, Gordon Gray, then president of Piedmont Publishing Co. and Radio Station WSJS, picked Mr. Essex to be director of operations of station WSJS and Gray's FM station W41MM on Clingman's Peak.

Mr. Essex was named manager in 1924, vice president of Piedmont Publishing Co. in charge of radio in 1946, and a director of Piedmont in 1948.

In 1953, when WSJS-TV went on the air, he became its general manager, giving up that job last year when the station was sold.

He recalled once that he had entered the broadcasting in 1927 after his graduation from college when he worked for a newspaper which owned a radio station.

He said he got the play-by-play of a baseball game off a news printer and then described it over the air.

He was a member of committees and boards of the National Association of Broadcasters, the National Broadcasting Co. and the N. C. Association of Broadcasters.

When WSJS-TV was sold to Multimedia of Greenville, S.C., last year, he remained with Triangle Broadcasting Corp., which had separated from Piedmont Publishing Co.

Triangle continues control of WSJS-Radio and its FM affiliate and the television cable operation here.

Because of the funeral, Dick Barron, executive vice president of Triangle Broadcasting Co., said the business office and the tele-cable office will be closed all day Friday.

Mr. Essex has been awarded many honors, including the Abe Lincoln Award presented to him this year.

He was inducted into the N. C. Association of Broadcasters' Hall of Fame last October in Wilmington.

He was chairman of the Beverage Control Board and of the North Carolina Council of the National Council on Crime and Delinquency.

He was also a member of the First Presbyterian Church, Salem Lodge No. 289 and the Oasis Temple. He was also a member of the Forsyth Country Club and the Twin City Club.

Mr. Essex and his wife, the former Margaret Teague, lived at 2427 Fairway Drive.

The family requests that any memorials be made to a charity of the donor's choice.

[From the Twin City (N.C.) Sentinel, Apr. 11, 1973]

#### RADIO-TELEVISION PIONEER, HAROLD ESSEX, DIES AT 68

(By Bill East)

William Harold Essex, a pioneer in the radio and television industry and president of Triangle Broadcasting Corp. here, was found dead in his car in front of the Glade Street YMCA this morning.

Mr. Essex, 68, apparently was on his way to work at the company's new headquarters at Summit and Fifth streets when he was stricken.

He pulled his car over to the side of Glade Street near the walkway to the YMCA and remained under the wheel. He put the car in park but did not turn off the ignition.

He was believed to have been dead when passers-by discovered his body. The cause of death was not immediately determined.

His body was at Forsyth Memorial Hospital pending announcement of funeral arrangements.

Mr. Essex was a nationally known figure in the broadcast field who watched the industry grow from small radio stations to the giant television-radio complex of today.

"I've enjoyed every minute of it," Mr. Essex told a friend at a club meeting only a few weeks ago.

Mr. Essex was born Sept. 26, 1904, in Stokes County to Alexander Jacob and Lyda Essex. He was educated at Hickory High School and

the University of North Carolina at Chapel Hill, where he was graduated in 1927.

He started his career in the days when many newspapers had their own radio stations. His joint association with newspapers left a mark on him that made him want his radio and television stations in later years to have strong news coverage.

He worked for the Hickory Daily Record as a reporter. Then he went to the Greensboro Record successively as a reporter, managing editor and general manager. All the time he was working with radio.

He was serving as promotion manager (and in radio, too) with the Chicago Daily Times—and admittedly hoping for an opportunity to come back to his home territory in North Carolina—when he got a job offer from WSJS.

On September 1, 1939, he moved to a corner desk in what is now the newsroom of the Journal and Sentinel to assume responsibility for building up the sales business of the growing radio station.

Mr. Essex frequently kidded with his associates in the newspaper field about his former close connection with newspapers, claiming that he intended to stay in radio because "it is a new and growing field and I intend to be in on the ground floor."

Less than three years later, Gordon Gray, then president of Piedmont Publishing Co. and Radio Station WSJS, picked Mr. Essex to be director of operation of Station WSJS and Mr. Gray's frequency modulation station W41MM on Clingman's Peak.

Mr. Essex' association with the pioneering frequency-modulation station started a long list of "firsts" with which he was associated in the broadcast industry.

"An idea isn't necessarily good because it's an idea," Mr. Essex once told the Winston-Salem Lions Club about the broadcast industry. "It's got to work and to work right and there must be a good result from it."

He recalled that he had entered the broadcasting field first in 1927 after his graduation from college when he worked for a newspaper which owned a radio station.

He said he got the play-by-play of a baseball game off a news printer and then described it over the air, making a listener feel as though he was actually there.

He said that today's television, which takes the viewer to the plate with the batter, "is the new idea for today . . . one which technology permitted and which the viewer thoroughly enjoys."

When television came on the horizon after World War II, it was preordained that Mr. Essex would be on the ground floor.

But he insisted on one principle: he would not go into television until he could give Winston-Salem and the surrounding territory "a station we can all be proud of."

Because of that, some stations got onto the air earlier than WSJS-Television, but Mr. Essex later quipped, "I doubt if any station was as ready to go on as we were when the time came."

From the time that WSJS-Television went into its spot on the dial in the early 1950s, Mr. Essex joined in solving its growing pains.

He became a key member of committees and boards of the National Association of Broadcasters, the National Broadcasting Co. and the N.C. Association of Broadcasters.

A close associate of Mr. Essex said last year, "When we wanted some calm, deliberate good thinking, we always got Harold Essex on the telephone."

He helped to bring the television cable business to Winston-Salem and when it arrived, he said, "I guess we've done about everything now."

When WSJS-Television was sold to Multimedia of Greenville, S.C., officially last year, Mr. Essex remained with Triangle Broadcasting Corp.

The corporation continued control of WSJS-Radio and its frequency modulation

affiliate and the television cable operation here.

WSJS had kept its offices at Broadcast House on Coliseum Drive (where the television station was changed to WXII) until recently when it moved to the former IBM building at Summit and Fifth streets.

Mr. Essex had a long list of honors, but the one he told associates he cherished most was being inducted into the N.C. Association of Broadcasters' Hall of Fame last October in Wilmington.

He noted that the Hall of Fame also had such notables as David Brinkley, Grady Cole, Billy Graham, Andy Griffith, Kay Kayser, Ray Reeve and Edward R. Murrow.

"That's big company," he said.

Mr. Essex lived with his wife, the former Margaret Teague, at 2427 Fairway Drive. He once said he enjoyed living in Ardmore. He served in 1948 as the second president of the Ardmore Community Club.

He also has been active in the development of the Alcohol Beverage Control system here from its inception and was elected in 1971 as the system's chairman.

## BRONX HOSPITAL HELPS TERMINAL CANCER PATIENTS

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. BINGHAM. Mr. Speaker, Calvary Hospital of the Bronx is located in my congressional district. The outstanding work which this hospital performs in caring for terminal cancer patients is a shining example of dedication and public service. It is the only hospital in New York State devoted exclusively to the care of the terminally ill cancer patient, and it follows a firm policy of admitting patients without regard to their religious affiliation or their ability to pay.

The New York Times recently published a fine feature article on Calvary Hospital, and I include it in full in the RECORD:

CALVARY GIVES TERMINAL PATIENTS AN "INTEGRATED" APPROACH TO DEATH

(By J. C. Barden)

All of the patients who are admitted to Calvary Hospital in the Highbridge section of the Bronx have three things in common: They are medically indigent; they have cancer; they have a life expectancy of three to six weeks.

Yet 15 percent of the more than 700 patients admitted to the hospital every year are discharged and many more live for months past their predicted death dates.

Calvary is the only hospital in the state devoted exclusively to the care of the terminally ill, and the purpose of the 110-bed hospital, according to the associate administrator, William A. Oliff, is "to give patients the best quality of life possible during their last days and help them die with dignity and grace; clean, out of pain, and, if possible, with all fear of death removed."

To achieve this, Calvary has developed what it calls "an integrated approach to death" in which the medical and nursing staffs, the chaplains and visiting clergymen, and the social service staff work together to meet the physical, spiritual and psychological needs of the dying.

The concept has worked so well that it has resulted in the seemingly miraculous comebacks by those thought to be near death. "A dying patient often takes a renewed in-

terest in life when he finds people genuinely concerned about him," Mr. Oliff explained.

FOUNDED IN 1899

Nearly all of those discharged from Calvary are still terminally ill, however, and many of them return to the hospital "when it is time for them to die," Mr. Oliff said.

At a time when more and more hospitals are instituting programs to care for the dying, Calvary is dealing with death under a concept developed over a period of years and in a tradition that began in 1899 when the institution was founded by a group of Irish Catholic lay women as a home for the destitute dying of cancer.

It was known then as "The House of Calvary," a name selected by the founders because of its association in Christianity with death and eternal life. Calvary was the hill on which Jesus was crucified.

Owned by the Roman Catholic Archdiocese of New York, Calvary admits patients without regard to faith or ability to pay. The hospital is remunerated in some cases, however, by Medicare, Medicaid and private insurance policies. (In 1971, the deficit was \$504,165.)

THE PATIENTS ARE TOLD

A visitor to Calvary, at 1600 Macombs Road, would not suspect it is an institution for the terminally ill. The radio in the visitors' lounge is tuned to a station with upbeat music, rambunctious children defy exasperated parents to play in the hallways (visitors are welcome eight hours a day), and doctors and nurses joke with patients about their love lives.

The Calvary concept of care begins with frankness. Calvary found long ago what recent surveys have shown—that the dying prefer to know their fate. Many patients admitted to Calvary have never previously been told that they have cancer, much less that they are going to die.

"They're told they're coming here to rest, or to a place where they can get better care, whatever euphemism is handy," said Dr. Anthony R. Riario, one of Calvary's five full-time doctors on a patient-care staff of more than 200.

Dr. Michael J. Brescia, president of the medical staff, said that if a patient did not know his diagnosis, or his expected fate, he would be told by his doctor at Calvary "after a strong personal bond has been established."

Dr. Brescia, a big man with an affable manner, let a visitor accompany him one afternoon on his hospital rounds. Almost as soon as the two stepped off an elevator, the doctor was with his first patient.

An unshaven man of about 60 who had undergone extensive face and neck surgery was sitting on a sofa in the hallway and conversing with a nun by means of a note pad. The nun was Sister Agnes Connors of the Dominican Sisters of the Sick Poor, known at the hospital as Sister Visitor because of her daily visits with the patients. (The names of the patients used are fictitious.)

YOU LOOK LIKE A BUM

"Hi, Bill," said Dr. Brescia, draping his arm around the man's shoulders. He ran his fingers lightly along Bill's neck, then the stubble of his beard, and asked: "Why didn't you shave this morning? You look like a bum. I bring a visitor down here and you haven't even shaved."

Bill smiled broadly, and later Dr. Brescia said he should be able to go home soon.

In the first room the doctor entered, a man of about 70 named Rodrigues was asleep, breathing oxygen through a mask and receiving food and antibiotics intravenously.

Standing near the bed, Dr. Brescia said: "Here is a man whose quality of life is not worth keeping him alive, but his wife wants him alive at all costs. [He later said Mr. Rodrigues felt the same way.] She has been



here day and night since they brought him in."

Outside the room, a small, elderly woman was standing across the hallway staring at the doctor. "Mrs. Rodriguez," Dr. Brescia said to the woman, and motioned for her to come over. "How long has your husband been here?"

She answered in Spanish. "Three weeks, she says," Dr. Brescia interpreted, "and she hasn't left the hospital. She sleeps in a chair." Dr. Brescia, like some others on the hospital's staff, has learned a little Spanish because of the number of Spanish-speaking patients and employees.

Down the hallway, out of range of Mrs. Rodriguez's hearing, Dr. Brescia said: "I am not proceeding in what I feel is the correct way in this case [by doing everything medically possible to keep Mr. Rodriguez alive], but with the overwhelming pressure of her faith, I couldn't do anything else."

Mr. Rodriguez died within a few days without showing improvement.

In another room, an 81-year-old woman was asleep with covers to her chin.

"This lady," said the doctor, "the quality of her existence is nothing. She is riddled with cancer. She is unable to appreciate anything. I presented her case to my colleagues and she will continue to get the essential things for life and all the drugs she needs to ease her pain. But there will be no heroic measures taken to save her life. She is dying the way I want someone I love to die. When I go home at night I feel good about this patient."

When possible, Calvary patients decide whether they are to be kept alive as long as medically possible. This has been a long-time Calvary policy, and last January the American Hospital Association recommended it as a policy for all hospitals.

If the condition of a patient at Calvary is such that he cannot give an informed opinion about how he wants to die, his family is consulted, and if there is no family, the doctors often must make the decision. The hospital's policy is to administer proven drugs and treatment so long as there is a possibility of meaningful life.

#### HELPING PATIENTS

Miss Maureen Flannery, the young director of the social service department, said that one of the primary roles of her staff and the clergymen at Calvary is helping the dying patients and their families "bridge the communications gap" that sometimes develops.

The Rev. John D. Mitchell, the Calvary chaplain, told of a 58-year-old woman who was prepared to accept death and was only upset because her husband and children were unable to do so.

"They would come and say, 'You're looking fine, you're looking great, everything is going to be O.K., and this disturbed her. After I counseled with them and told them how she felt, they accepted the situation and everything was fine.'"

Although there are nursing homes in the state and across the country that care exclusively for the dying, Calvary is the only hospital in the state that admits only the terminally ill, according to the State Department of Health. And the American Hospital Association, in Chicago, said that it did not know of any other hospitals that admitted only the dying.

Since Calvary patients are medically indigent, they have not always received the best attention. Miss Flannery, the Calvary social service director, said:

"Many of the patients who come here have never known what it is to be cared for. I walked into the room of a new patient not long ago and called her by name and introduced myself and she started crying. I said, 'What's wrong?' She said, 'I've been in hospitals for two years and that's the first time anyone ever called me by my name.'"

#### REMARKS OF CONGRESSMAN HOWARD W. ROBISON

#### HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. ROBISON of New York. Mr. Speaker, last month I introduced a bill in Congress which called for stiffer penalties for the "high-echelon" drug trafficker. At that time it was my hope that this piece of legislation would put an end to our present state of affairs in which, for a variety of reasons, these key members of the illicit narcotics distribution system have been getting light or suspended sentences or have been released on probation in many judicial jurisdictions throughout the United States.

This is particularly true in my own State of New York. Just recently, a Gannett News Service survey produced the following statistics from a statewide sampling:

For upstate New York: 70% of all offenders indicted in major drug cases were allowed to plead guilty to reduced charges. As little as 30% of all accused drug pushers are sentenced to jail or state prison.

For New York City: only 45% of defendants sentenced in New York City ever land in prison.

The net effect of this practice is to release many of the big-time pushers to continue their criminal enterprise on our streets throughout the Nation. It has been proven that the certainty of punishment is the only effective deterrent to potential criminals. Surely, these statistics demonstrate to the drug trafficker that they have not been running much of a risk in the past few years.

More often than not, those who are caught for drug code violations are experienced criminals. I include some statistics prepared by the Bureau of Narcotics and Dangerous Drugs to illustrate that many of these offenders have previous records. In a sampling of figures from a BNDD survey, the following statistics came to light:

64 percent have prior felony arrests.

40 percent have prior drug arrests.

20 percent have prior drug convictions.

This evidence tends to suggest that their latest arrest is a further episode in a continuing criminal career.

We still have a long way to go in solving the Nation's drug problem. It is obvious that past judicial practices have had little impact in encouraging drug traffickers to stop dealing in drugs. To be effective in our enforcement, we must make sure that a uniform method of sentencing is established to help stem the flow of heroin in our country.

I think that all Members of Congress share the belief that, if stronger penalties are to be effective, they must be unyielding and clearly understood by the potential violators. My proposal addressed this part of the problem. An additional aspect of my proposal was for judicial spotlighting. This procedure would require that the Justice Department release, on a monthly basis, all information for convictions of narcotics

traffickers including the length of the prison sentence and the name of the judge who handed down the sentence. The main purpose of this section of the bill was to demonstrate the certainty of punishment to present and potential narcotics traffickers, as well as spotlight judges who continually hand down short or suspended sentences to the big-time pushers of hard drugs.

I hope that in light of these recent figures, that Members of Congress will give my bill thorough consideration. We must be sure that those persons who are making a living from encouraging and supplying addiction are dealt with in the most expeditious and effective manner, both to prevent them from selling drugs in the future and to express societal contempt for their actions.

Our present laws have proven to be ineffective in dealing with the problem. We must take steps to minimize the chance a given offender has of repeating his crime, and we must also establish a sentence that would be sufficiently severe as to discourage potential criminals from again committing the same offense.

Hopefully, I have demonstrated my feelings about the need for further action relating to drug traffic. Heroin addiction is not an easy issue to resolve. If we hope to eliminate this problem, we must attack it on the fronts of public education, rehabilitation, treatment, international control, and strict law enforcement. To make inroads on this dilemma, all of these areas must be made more effective in practice and more far-reaching in scope.

H.R. 6272 follows:

H.R. 6272

A bill to amend the Controlled Substances Act to increase the penalty under that act for the illegal distribution of certain drugs by high echelon pushers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 401(b)(1)(A) of the Controlled Substances Act (21 U.S.C. 841(b)(1)(A)) is amended—

(1) by inserting after "person" each time it occurs the following: ", unless such person is a high echelon pusher,"

(2) by inserting immediately before the last sentence thereof the following: "A high echelon pusher who violates this paragraph shall be imprisoned not less than twenty years, or for life, and, notwithstanding any other provision of law, the court shall not suspend the sentence of such pusher under this paragraph, or give such pusher a probationary sentence, nor shall such pusher be eligible for parole during the term of such imprisonment."

Sec. 2. Section 102 of such Act (21 U.S.C. 802) is amended by adding at the end thereof the following:

"(26) The term 'high echelon pusher' means any person engaged in a conspiracy to import, smuggle, or purchase for further distribution a controlled substance in schedule I or II which is a narcotic drug."

Sec. 3. The Attorney General shall release to the public each month a statement which shall identify each high echelon pusher convicted of an offense under section 401(b)(1)(A) of the Controlled Substances Act during the preceding month, together with the sentence imposed with respect to such conviction, the name of the judge imposing such sentence, and the factual allegations of the indictment relating to such offense.

# IMPACT OF THE RAIL CRISIS ON FARMERS AND THE FERTILIZER INDUSTRY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. PICKLE. Mr. Speaker, more often than not we read articles and stories concerning the economic loss of businesses because of the freight car shortage problem. Lately, the situation has been worsened due to the demand for cars to move Soviet-purchased grain to port.

I've stated before the effect on the economy the car shortage has had. Food and lumber prices have risen, and one can trace part of these increases to the transportation problem. Another area of concern is the fertilizer industry. It's debatable whether or not farmers will be able to get sufficient fertilizer for their crops which will drive food prices up again if they can't meet production demands.

The following two articles from the Christian Science Monitor show the impact which the rail crisis is having on farmers and the fertilizing industry. I would like to insert them into the RECORD for other Members' information:

The article follows:

## U.S. FERTILIZER INDUSTRY IS PINCHED— MATERIAL CARS ARE IN SHORT SUPPLY

(By Martin Skala)

LAKELAND, FLA.—Handicapped by a domestic rail car shortage and tight supplies of key raw materials, the U.S. fertilizer industry is straining to meet a soaring demand for its products.

Although unusually wet weather in the Midwest farm belt has been a key factor in holding back spring plantings of wheat, corn, and other feed grains, farm groups and government officials are concerned that transportation bottlenecks may prevent farmers from obtaining as much fertilizer as they need in the coming weeks.

Adequate supplies of crop nutrients are vital to the success of the Nixon administration's drive to reduce food prices by bringing idle farm acreage into production and boosting farm yields.

As farmers strive to take advantage of higher grain and livestock prices and booming export demand, fertilizer use this year could jump as much as 8 to 10 percent, according to industry projections. An excessively wet spring season, coupled with the diversion of thousands of rail cars to ship grain to the Soviet Union, may keep this potential from being realized.

## NORTH FLORIDA BIND

The Fertilizer Institute estimates that as many as 4,000 covered hopper cars normally used to ship bulk fertilizers are tied up moving grain to overloaded Gulf and East Coast ports.

Freight-car shortages are especially critical in northern Florida, center of the nation's phosphate rock industry, the raw material in tightest supply. Florida phosphate producers, who mine more than one-third of the world's output of this essential ingredient of most "high analysis" fertilizers, are "sold out" in a booming seller's market that is taxing the industry's productive capacity.

"We've had to ration supplies to major overseas customers, and are having trouble shipping the rock that is available," says William W. Chadwick, president of the Phosphate Rock export Association (Phosrock).

Mr. Chadwick views the transportation

bind as a major deterrent to increasing the association's \$100 million-a-year export business.

Phosrock, a legal cartel set up to control export prices and allocate overseas markets among member companies, recently had to turn down millions of dollars of orders from customers in Germany, the United Kingdom, and Eastern Europe.

Because of a worldwide shortage of phosphorous, some fertilizer producers in Canada and Western Europe have had to curtail their operations. They can't get enough phosphate chemicals with which to make blended fertilizers containing nitrogen and potash. In some cases, shortages of natural gas, the basic feedstock for nitrogen fertilizers, are slowing down the delivery of finished product.

Despite the premium prices obtained on export business, most phosphate producers are trying hard not to shortchange the domestic market.

International Minerals & Chemicals Corporation (IMC), for example, expects to fill most of its U.S. orders on time, provided the rail car pinch does not get worse. Under normal conditions most of this fertilizer moves during a six-week period in mid-spring.

## RAINS EASE DEMAND

By delaying fertilizer applications, the heavy rains in the Midwest are "giving us a chance to accumulate rail cars and catch up on shipments," says the company's economist, D. Teleki.

Like the rest of the Florida phosphate industry, International Minerals did not anticipate the strong surge in demand for phosphates which began to develop a year ago.

During the late 1960's, excess capacity and sagging prices discouraged Florida producers from investing in new facilities. Ambitious expansion plans of state-owned fertilizer companies in Morocco, Israel, and the Spanish Sahara threaten to create fierce competition for profit-oriented U.S. exporters. A shake-out ensued, with major producers such as Armour, Continental Oil, and Cities Service dropping out of the phosphate business.

The pessimistic forecasts proved unwarranted. The "green revolution" in developing nations of Asia and Latin America, combined with the emergence of Eastern Europe and China as sizable importers of plant nutrients, caused demand to shoot up dramatically. While Phase 2 inflation controls were in effect, export prices of phosphate chemicals surged 30 percent and more ahead of domestic quotes, which were under controls.

## UNITED STATES PRESSURED TO ACT ON RAIL FREIGHT-CAR SHORTAGE

(By Philip W. McKinsey)

WASHINGTON.—The railroad industry's perennial crisis, the freight car shortage, is in full flower again—and this year it's worse than usual.

Compounded by the demand for freight cars to move Soviet-purchased grain to port, shortages of rolling stock are not just causing their usual quota of inconvenience and frustration. Instead, the ripple effect is spreading far through the economy, interfering with the administration's economic policies by worsening pressures on sky-high lumber and grain prices and threatening longer-range consequences by raising questions whether farmers will be able to get the fertilizer they need for expanded plantings this year.

As a result, the administration and Congress may finally be galvanized into taking new action to help railroads expand their car fleets.

## EMPTY CARS HOARDED

Freight car shortages are nothing new. Sen. Warren G. Magnuson (D) of Washington, chairman of the Senate Commerce Committee, recalls that the first meeting of the

committee he attended as a freshman senator 28 years ago dealt with the boxcar shortage. And it was an old issue even then. Mr. Magnuson notes that the first case tackled by the Interstate Commerce Commission (ICC) 82 years ago was a petition from a group of North Dakota farmers who couldn't get boxcars to move their grain to market.

Usually the crunch is caused by the same factors that are creating the current pinch. Demands for cars to move grain siphon off cars for other shipments, especially the standard boxcars that also are the backbone of the transportation of lumber from forest to market. As the pressure tightens wary shippers make it worse by ordering more cars than they need on the assumption that they won't get as many as they ask for, and by hoarding empty cars until the loads they are waiting for are ready on the assumption that once they let a car go they might not see another for a long time.

## BUSY WINTER

ICC regulations over the past few years have increased the cost of such defensive maneuvers and improved the overall utilization of the existing freight car fleet. But in the face of the extraordinary demand of the Russian wheat shipments, this hasn't been nearly enough.

The railroads have had a busy winter. They carried 204 billion ton-miles of freight in the first quarter of this year, more than 9 percent above last year's rate. And their grain hauls are up 40 percent.

But across the Midwest grain elevators are chock full awaiting any kind of freight car, even inappropriate open hopper cars, to move their grain to port. Some are facing bankruptcy.

Many farmers are in a similar fix: Not only are they unable to get their grain to market to take advantage of current high prices, but also they are watching their grain deteriorate as it lies out in the open because there is no room for it in the grain elevators.

## WHEAT SHIPMENTS INCOMPLETE

Much of the Russian grain is still to be shipped; the contracts call for shipments to be completed by May 31.

Although this year's demand was clearly unusual the crunch has added to the perennial pressures on both Congress and the administration to do more than they have yet to either augment the nation's freight car fleet or at least increase its effective use.

The administration isn't willing to go as far as congressmen and senators from affected states. It will press for creation of a national car-control system to improve utilization of existing cars, a step that could significantly increase the availability of freight cars, even though it doesn't sound dramatic.

Officials believe that regulatory changes might help, too—for example, by permitting railroads to set lower rates in times of offpeak traffic. But experience has shown that such changes are difficult, if not impossible, to get through Congress.

## WATERGATE CHRONOLOGY

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HARRINGTON. Mr. Speaker, the daily volume of news, opinion, quotations, and alleged facts about the Watergate episode is enough to bury any of us in detail we cannot possibly absorb. The facts, for one who is not intimately involved in any aspect of the situation, seem



to disappear in the sheer magnitude of data.

A segment of the hour-long WTOP program, "Agronsky and Company," on the Watergate, put together by Gil Butler of WTOP news, puts the facts of the matter together in a nutshell. I would like to insert the text of Mr. Butler's segment at this time.

The text follows:

GIL BUTLER—WTOP NEWS

MITCHELL slide. The day after the Watergate breakin, then Nixon Campaign Director John Mitchell quickly denied any official sanction for the affair, he said:

QUOTE slide. They were not operating either in our behalf or with our consent.

ZIEGLER slide. At the White House, press Secretary Ronald Ziegler declined to give any Presidential reaction:

QUOTE slide. The President would not comment on a third rate burglary, certain elements may try to stretch this beyond what it is.

AGNEW slide. Vice President Agnew raised the possibility of a Democratic plot.

QUOTE slide. What I'm saying is that someone set these people up and encouraged them to embarrass the Republican Party.

NIXON slide. President Nixon spoke out for the first time on August 29th based on an investigation by his counsel John Dean.

QUOTE slide. No one in the White House staff, no one in this administration presently employed was involved in this very bizarre incident... what really hurts is if you try to cover it up.

KLEINDIENST slide. Defending his investigation of the Watergate, Attorney General Richard Kleindienst compared it to the Kennedy assassination probe.

QUOTE slide. Anybody who has a fair mind would be able to conclude that this has been the most comprehensive, deep, thorough investigation that the FBI has ever made with the exception of the Kennedy Assassination.

ZIEGLER slide. Press Secretary Ziegler, stung by continued disclosures in the Washington Post, was moved to say on October 16th:

QUOTE slide. It was shoddy and shabby Journalism based on hearsay, character assassination, innuendo, and guilt by association.

MCGRUDER slide. Jeb Stuart McGruder, now mentioned in news reports as a participant in the planning for Watergate, had this to say last October:

QUOTE slide. Listen, when this is all over, you'll know that there were only seven people who knew about the Watergate and they are the seven who were indicted by the grand jury.

SCOTT slide. Senator Hugh Scott emerged from a meeting with the President last month to report Mr. Nixon had told him:

QUOTE slide. I have nothing to hide, the White House has nothing to hide, I repeat: We have nothing to hide, and you are authorized by me to make that statement.

ZIEGLER slide. Press Secretary Ziegler was still defending the President's counsel John Dean on March 26th.

QUOTE slide. I specifically deny as absolutely false that Dean had prior knowledge of the bugging. The President has absolute, total confidence in Dean.

MITCHELL slide. Linked to Watergate planning by conspirator James McCord, John Mitchell on March 29th:

QUOTE slide. I have previously denied any prior knowledge of or involvement in the Watergate affair, and again reaffirm such denial.

NIXON slide. Then, on the 17th of this month, the President changed his position, no longer did he maintain no White House aides were involved.

QUOTE slide. I can report today that there have been major developments in the case concerning which it would be improper to be more specific now, except to say that real progress has been made in finding the truth.

NIXON slide. Later, Ziegler said the President's April 17th statement is the operative one, all previous statements are inoperative. This is Gil Butler, Eyewitness News.

## OSHA SETS PESTICIDE STANDARD

### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, the Occupational Safety and Health Administration recently set temporary emergency standards to protect farmworkers from the grave health hazards caused by exposure to pesticides.

This action is long overdue and should be a major contributor to a substantial reduction in the number of deaths and serious illnesses suffered by this group of American workers.

I commend to the attention of my colleagues a May 1 article about this subject in the Wall Street Journal and insert it at this point in the RECORD:

TEMPORARY RULES TO SHIELD FARMWORKERS FROM PESTICIDE ILLS ISSUED BY LABOR UNIT

WASHINGTON.—The Labor Department issued temporary standards designed to protect farm workers from harmful exposure to pesticides.

The standards, which take effect June 18, set "reentry" periods of two to 14 days controlling how long workers must stay out of a crop area after pesticides have been used. The rules cover six fruit crops plus tobacco, and 21 chemicals. In addition, employers must post warning signs and require protective clothing for workers.

Pesticides pose a "grave danger" particularly to migrant farm workers, said John Stender, assistant labor secretary for the department's Occupational Safety and Health Administration. Exposures cause an estimated 800 deaths and ill effects to 80,000 workers a year, he said.

The "emergency" standards will be replaced in six months by permanent rules reflecting further studies. The department has issued only one other emergency health standard, covering asbestos exposure.

As a result of the new pesticide rules, two public-interest groups said they agreed to drop a lawsuit seeking to force the department to act. "It is a good standard insofar as it is a good precedent for the future," said Miriam Guido, a staff attorney of the Migrant Legal Action Program, a plaintiff in the lawsuit along with the National Health Law Program, Los Angeles. However, she said, the standard should cover other pesticides and more crops, and further studies are needed to be certain the reentry times are long enough.

The crops covered by the standards are oranges, lemons, grapefruit, peaches, grapes, apples and tobacco. The pesticides are azinphosmethyl (sold under the brand name Guthion), carbophenothion (Trithion), demeton (Systox), diazinon, dimethoate (Cygon) dioxation (Delnav), disulfoton (Disyston), EPN, ethion, imidan (Prolate), malathion, methyl parathion, mevinphos (Phosdrin), monocrotophos (Azodrin), naled (Dibrom), oxydemetonmethyl (Meta-Systox R), parathion, phosalone (Zolone), phos-

phamidon (Dimicron), TEPP and trichlorfon (Dylox).

The reentry periods vary depending on the crop, the pesticide and the weather.

On Capitol Hill yesterday, Rep. J. Kenneth Robinson (R., Va.) predicted there will be "wholesale disregard" for the standards, which he contended are unfair. The Congressman insisted there isn't any evidence of an "emergency" that would require the expedited action on interim standards.

## TAX REFORM: FROM THE VIEWPOINT OF A SELF-MADE MAN

### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. HORTON. Mr. Speaker, especially in this era of budget ceilings and resource crises, a great deal of discussion is being devoted to the structure of our tax system, both in terms of its equitability and its ability to produce revenues adequate to meet the needs of the Nation. The recent submission to Congress of a tax reform proposal by the administration has helped to continue public attention to this issue.

During the Easter recess, I talked with a gentleman who has spent a great deal of time and thought on the issue of taxation of investment income and taxation of persons in high income brackets. While his viewpoint is a controversial one, he speaks with authority because he is a man whose fortune is self-made.

Maurice B. Frank, hotelman, philanthropist, real estate investor, horse breeder and author, has dedicated a great deal of his energy in the past few years to helping himself and others gain maximum benefits from some of the more controversial provisions of the Internal Revenue Code. His efforts to provide legal tax sheltered investments to others are a theme of his life at this point and are very well described in a recent autobiography he has written entitled "Success Is a Crime." I first met Maurice Frank several years ago through my very close friend Herman Schwartz, who is from my home community of Rochester and who is the publisher of "Success Is a Crime."

Because of the high level of current controversy over tax reform proposals, some of which would disassemble the tax-sheltering that Mr. Frank has so successfully pursued, I thought my colleagues would be interested in reading a recent article that appeared in the Palm Beach Post-Times. In this article, Mr. Frank outlines his views on tax reforms and on the essence of incentive in the American economic system.

Mr. Speaker, I should like to insert this article into the RECORD at this point:

## TAX REFORMS CALLED DESTRUCTIVE TO INCENTIVE

(By Maurice B. Frank)

With all the talk of tax reform going on, I am reminded of the story going the "rounds" during the F.D.R. days.

A man riding in a taxi in Washington happened to say to the driver that Roose-

velt was talking about raising taxes for the war effort to the end that the government would seize all income over \$50,000 per year. The cab driver replied that he thought it was a "great idea." The passenger then said, facetiously, he heard a prominent Senator had suggested that everything over \$10,000 should go for taxes, to which the cab driver retorted, "They can't do that, I make more than \$10,000."

Much has been said about tax reforms, but mostly by people wasting no time on thinking. Do they not realize if tax-free bonds were eliminated, as has been suggested, all the public improvements using this form of financing, with the municipality paying only about half the normal interest rate, would have to be subsidized by the city, county, state or government? The enormous amount of money they formerly saved by issuing tax-free bonds would then be spread over thousands of small taxpayers.

Millions of blue collar workers own stocks and homes. Shall we eliminate capital gains, which take only as much as 35 per cent on their once-in-a-while gains, and raise it to 70 per cent? If the ordinary man who bought a house 20 years ago for \$20,000 suddenly decides to sell it for the \$80,000 it's now worth and rent an apartment for his declining years, should he pay 70 per cent tax on the profit, as the reformers suggest?

Now, let's talk about depreciation. Thousands of middle income people are buying condominium apartments. Remove the tax incentive of deducting depreciation, interest and taxes, and you remove the primary reasons for their sale. When construction stops, thousands of people stop working, car sales decline and those people who build them go on relief. Then what? Taxes go up at the state and federal levels . . . who pays them? The little man? Yes!

I presume we could change the tax laws in such a way as to catch those approximately 1,000 people in the United States who avoid paying taxes on their income, and when we do, let's prepare to pay 100 times or more as many dollars into our state and government coffers. It will come from the pockets of those who are screaming the loudest.

Let us not forget that most of the fortunes of great names in American history have already been wiped out with inheritance taxes or grants to worthy charities for the benefit of all mankind. Had these same beneficiaries of the government's present method of taxation not built the hospitals and universities, and furnished the hundreds of millions of dollars for research and other charities, the government would have had to spread the cost over millions of its citizens.

In their absence, it would make our country a far more unattractive place in which to live, trying to get even with a thousand people who admittedly have it easier than the rank and file general public. Let us not cut off our nose to spite our face! This thousand will finally turn over most of their money to the government in estate taxes or charity, and in the meantime keep the "wheels of progress" moving, investing in business ventures that employ thousands. Break them and you break the country.

Every man strives to become a millionaire. Remove that incentive by making it impossible and you remove the reason for America becoming great. Let us not forget most of our millionaires started with nothing. Just a few had their millions left to them, because our tax laws won't permit it to happen.

One third of our municipal bonds are owned by individuals.

Hundreds of irresponsible politicians are screaming, "Soak the rich. Let's get those few people who pay no taxes". But let them not forget that in so doing they may wreck the whole economy and themselves, but most of all, their constituents, who are looking at the hole instead of the doughnut.

Reams of publicity have appeared about the so called inequity of our tax laws, which have been written and rewritten by "thinking" congressmen and senators and their tax advisors. Can they possibly be "the nitwits" some writers accuse them of being? These very writers, if at all successful, are availing themselves of some form of tax shelter, or if earning \$50,000 per year, would be paying over half of it to the government, plus all the other hidden taxes and in state, county and city taxes as well.

As one Supreme Court Justice once said, "To evade taxes is a crime, not to avoid them is a sin." Tax shelters are not available only to the super rich. One third of all municipal bonds are being purchased by individuals, from all walks of life in denominations as small as \$1,000.

As for real estate tax shelters in the form of limited partnerships, one can invest as little as \$5,000, but one should be in a fifty per cent bracket to get the most advantage from such an investment. Don't be misled into thinking that all the published statements are true, that it is a one-way street for the wealthy or for any other investor in a real estate limited partnership. I deal in them but always point out to my partners that a piece of property which we buy must be held for 16 years to avoid recapture—if sold or foreclosed before that time, most of the benefits taken are wiped out in the "year of the happening". So in effect the taxpayer merely borrowed the money he deferred in taxes and it becomes payable in its entirety that year. None of the writers bother to say anything about recapture of depreciation. A perfect case in point was my advent into the tax shelter business in 1965.

I sold my four Holiday Inns, which I started in 1949, for \$3,300,000. The downpayment of \$500,000 on my sale was not enough to pay my first installment on my income tax, mostly on account of that little used word "accelerated depreciation," which merely means putting back what you borrowed.

Philip Stern in his latest book says that a computerized survey by two prominent Brookings Institution economists reveals that by simply doubling the rate on capital gains \$14 billion could be raised. They are probably conservative in their estimate, but most of the billions would come from the rank and file population and not the 1,000 people he would like to see clobbered.

The bright economists, unnamed, are also quoted as saying that another \$21 billion could be saved if the joint return were eliminated, and then blithely move on to the charitable deduction and mortgage interest deduction, the elimination of which he says is scare talk to frighten churches, colleges, hospitals, and universities, and why not? Billions have been donated yearly to these worthy causes.

Eliminate this so called tax loophole and the government picks up the tab and spreads it on everyone, or shall we simply close them? Mr. Stern concludes his book with the statement, "End these billions of tax welfare for the rich." Once that's done we can all talk sensibly about personal deductions and exemptions.

Unfortunately, governments don't work that way. Sure, a way might be found to get even with these people and destroy their ability to keep the wheels of progress moving, but as for the government giving that money back in any form to the rank and file, forget it. Governments raise taxes, they don't lower them. As our taxi driver friend said, "They can't do that. I make more than ten thousand a year."

If Washington takes a good hard look at that \$35 billion they could pick up, they may do it. It won't take long to think of a way to spend it, but as for turning it back to the little guy, forget it.

Our economists who came up with that statement may have a problem finding a hospital in their later years or an endowed university for their children, but what the hell, we soaked the rich, didn't we?

As I said earlier, most of our wealthy people started from scratch. Let's not conspire against our sons and grandsons. Give them a chance to become wealthy, if they earn it. Destroy incentive and you destroy the country.

## VOLUNTEER FIREMEN HONORED

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mr. WOLFF. Mr. Speaker, recently the citizens of my home community of Great Neck, N.Y., had the opportunity to honor a group of volunteer firemen for acts of courage and heroism. The men they honored exemplified not only the best traits of people in their field, but also the best traits of our people. It is in this light that I would like to join with the people of Great Neck, and all Americans in recognizing the tremendous service that volunteer firemen perform for their communities, and I would like to recommend that my colleagues take note of the following editorial which appeared in the Great Neck Record, and the article which details some of the actions which were specifically honored:

### THANKS TO OUR FIREMEN

Members of the Vigilant Fire Company honored nine of their own at their recent dinner-dance at Temple Emanuel, and it behooves us all to add our own words of appreciation, admiration and gratitude for a service which does in fact often make the difference between life and death. There are few jobs in society that make that kind of difference, but firemen still operate at that real-life level where a job well done can mean that a man, woman or child will live and not die. And here in Great Neck, where we are served by volunteer fire companies, the fireman who saves a life may be doing so at considerable risk to his own and with absolutely no recompense.

And so to First Lieut. James Dunn, to Chief Michael Okon, to Capt. Edward Canfield, to Fireman Edwin Holic, to Fireman Robert Lincoln Sr., to Fireman Lee A. Ielpi, to Second Assistant Chief Frank Gilliar Jr., to Fireman George Psarudakis and to Fireman Leon Kane, we at the Record want to extend the deepest thanks of an entire community for a job so well and so vitally done. We hope that in your lifetimes you will encounter friends and neighbors who will serve you as selflessly in times of need as you have served all of us.

### VIGILANTS HONOR NINE VAMPS

Nine members of the Vigilant Fire Company received credit where credit was due at the company's recent 68th annual dinner-dance at Temple Emanuel. This was the first year the company has made formal awards, and Chief Michael Okon said he hopes to make it a tradition.

Medals of Valor went to four firemen for fire rescues in which lives were saved. Fireman Edwin Holic received his medal for evacuating seven tenants from a boarding house on Park Pl. where fire broke out on March 1, 1971.

Captain Edward Canfield received his medal for rescuing a fellow fireman during



the fire at Bernard's hair salon on Aug. 14, 1971. Under extreme heat and smoke conditions, Capt. Canfield located the fireman, whose air mask had expired.

Capt. Okon said First Lieut. James Dunn each earned a medal for a joint rescue of an elderly woman in a first floor apartment at 12-14 Bond St. which caught fire on July 5, 1965. The two firemen braved extreme heat and smoke conditions to find the unconscious woman, whom they brought to safety and revived by mouth-to-mouth resuscitation.

The Fireman of the Year Award went to Fireman Robert Lincoln Sr. for "constant active devotion to duty beyond the normal requirements." Lincoln was captain of the company from 1938 to 1940, assistant chief in 1941, company treasurer from 1967 to date, exempt president from 1970 to date, and fund drive chairman in 1970, 1971, and 1972.

The Ambulance Award for "outstanding effort to preserve human life" was made to four men for their performance while serving on the ambulance crew. The four men made extraordinary efforts to resuscitate patients while on ambulance calls. They are Fireman Lee A. Ielpi, Second Assistant Chief Frank Gilliar Jr., Fireman George Psarudakis and Fireman Leon Kane.

## HOUSING AND URBAN DEVELOPMENT

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 1973

Mrs. MINK. Mr. Speaker, within a very short time urban development has developed a mythology, a series of cliches which has too often led its supporters and detractors to extremes of optimism and pessimism. On one hand now you have the disillusioned who are willing to give up the whole effort and on the other you have those whose views are embodied in the President's budget, who are willing to oblige them by terminating or radically deemphasizing urban development programs.

In a recent address to the Hawaii Chapter of the National Association of Housing and Redevelopment Officials—NAHRO—Mr. John B. Williams, president of NAHRO, challenged the mythology surrounding urban development and the discriminatory nature of the Nixon budget. In a lucid, well-constructed and considered address, Mr. Williams points to the success our Federal housing programs have had and urges that the Federal commitment to desperately needed low and middle income housing can ill afford the moratorium that is now in progress.

Mr. Williams' address is eloquent testimony on the implicit costs of the Nixon budget. The poor and those struggling to get by will be sacrificing the necessities of life and dignity to achieve Nixon's fiscal responsibility. I offer Mr. Williams' comprehensive and perceptive examination of housing and the wider issue of urban development here for your consideration:

HOUSING AND COMMUNITY DEVELOPMENT CRISIS—1973 MYTHS AND REALITIES, PROBLEM AND RECOMMENDATIONS

Mr. Chairman, honored guests, ladies and gentlemen.

I want to share with you today some of my concerns as to the current picture we are facing in the housing and urban renewal policies and programs of this nation. While some of the politicians may argue that the crisis of our cities has passed, your national officers in NAHRO believe that this is not the case. For we have been in continuous communication with the 1100 communities which are now involved in community development programs throughout our 50 states.

Believe me, these communities are facing major dilemmas in how they can continue to execute their present commitments and plan future priorities in providing "a decent home and a suitable living environment for every American family."

Policies and actions out of Washington in the past four months have been highly disruptive, poorly conceived, and ill-timed in their execution, as the Administration, after four years in office, only now begins its tardy evaluation of past programs in order to shape future directions and Federal policy. The Administration's continuous use of catchphrases—such as "local determination of priorities" . . . "all is peaceful in the cities" . . . and "urban renewal is a total failure"—have only served to disguise the many successes of urban renewal efforts. They have provided an excuse for termination of community development programs and a halt to those particular federally assisted housing programs benefitting the nation's poor, the elderly, and disadvantaged minorities.

Simplistic cliches and Federal funding time-lags have only served to disrupt the cities and bring a sudden halt to the progress that has been made in the past decade toward improved comprehensive community development programs.

First of all, I want to sketch for you a more exact picture of the crippling effects of the Administration's program terminations and housing moratoriums—and to document the effects of the gap occurring between vital urban needs and the uncertain and proposed low-levels of future Federal funding.

Secondly, I wish to refute a whole mythology that has developed concerning the alleged failure of urban renewal and community development efforts.

Thirdly, I want to summarize some of the immediate problems facing localities using urban renewal programs.

And finally, I will share with you NAHRO's recommendations to deal with them.

I am a proud man . . . and I believe, in touch with reality.

As each day I read newspaper articles and other reports on the attitude toward the social programs at work in this country, I personally and collectively resent the opinion that these programs have failed. Quite the contrary, I know that the vast majority of these programs are succeeding.

I resent the wholesale slaughter of these social programs.

I strongly resent the implications that the administrators of these programs are threatened by change, and not objective enough about the current programs. In truth, we are not wedded to the present way of doing things. We are professionals ready to accept the challenge of creating inventive methods to solve existing problems.

If you listen closely, you will hear the funeral march being played. It is playing for us. Those of us involved in these social programs are expected to willingly climb into our coffins while we are still alive and progressive enough to improve on the programs already in progress. Let's not oblige the mortician!

What sense does it make to fail the entire class because a small percentage of students can't pass the course? Nothing is perfect . . . we all admit that fact. Subsidized housing methods—and the entire approach

to redevelopment itself—can be improved. But we don't need and can't accept an 18-month dead-halt while evaluating how to improve on the approach.

There are desperate people out there counting on us. We, in redevelopment, cannot turn our backs on them just when they have learned what "hope" and "trust" mean. The disadvantaged have no place else to turn. Let us continue our endeavor while we refine and improve the system.

Whether that refinement is called "new federalism" or "special revenue sharing" or "housing allowances," its success will depend ultimately on how deeply it involves all segments of the public and private sectors.

We know that to have successful housing and community development programs requires the involvement from the steps of the White House to the ghettos of America. To spell it out . . . a network of active participation from the President, the Congress, to the state governments, mayors, city councilmen, public and private officials and all the people of our local communities.

Most important, we know that the Federal government should not and cannot abdicate its moral domestic responsibility and leadership role in providing a decent home for each citizen. Yet it appears that this is precisely what is happening.

Previous Administrations and Congress, over a period of years, have developed agreed-upon housing goals to meet the nation's needs . . . 26 million new and rehabilitated units projected over a 10-year period. Housing production, which requires a long lead-time, has been gradually stepped up. It has been only in this past year, however, that we are finally beginning to approach a level of home building which can bring us within the realm of achieving the 10-year goals established in 1968.

More than 700,000 units of subsidized housing have been produced under the Section 235 homeownership and Section 236 rental programs during the past five years since passage of the 1968 Housing Act . . . almost as many as had been produced in the preceding 30 years. Yet they have in effect been declared failures by this Administration, primarily because of a few distorted and sensationalized instances of difficulty. Thus 35 years of increasing concern and effort to relieve the housing plight of the nation's less fortunate citizens has been brought to a halt.

The Administration's proposed 1973-74 budget would now impound 392 million dollars in Congressionally approved but unused contract authorizations, and calls for no new authorizations for these programs.

If the Administration's effort to control inflation calls for a reduction in overall Federal spending, I personally believe that such a reduction should be fairly and evenly spread throughout the economy, and in consultation with Congress. I feel that the current moratorium is inequitable with respect to low and moderate income housing. Families in those categories are the ones least able to sustain a reduction in economic assistance—yet they are being asked to bear a major brunt of the Administration's current efforts.

Progress is not going backwards. From a high of 25% during the recession year of 1970, federally subsidized housing can be expected to shrink to less than 10% of "total starts" by the end of fiscal 1974. All because of the decision of January 5, 1973.

Statistics are cold, even when they are dealing with life and death social issues. However, it is necessary for clear understanding to face these statistics.

The housing units committed to contract or approved and in the pipeline before the moratorium took effect, will provide a level of new construction starts of 250,000 units next year.

But, there are some disturbing facts to consider. These quarter million units projected for the coming fiscal year represent a

27% deficit from the current year. While this reduced level is supposed to be maintained through the following fiscal year, I wonder what really happens in fiscal 1975, if there are no new commitments planned and authorized in fiscal 1974?

If the present moratorium should extend much beyond the next 6 months, by the end of fiscal 1974, the nation will have fallen 45% behind in its efforts to keep up with the 10-year housing goals Congress approved in 1968.

Failure to make good on anticipated new-housing starts that would have been spread over the remainder of fiscal 1973 and the following two years could result in a direct loss to the economy of 7.5 billion dollars in new-housing construction, plus an additional loss of 12 billion dollars from related facilities and services.

The total economic impact of an extended moratorium would be a loss of more than 19 billion dollars . . . and 2.2 million man-years of employment.

These national figures are almost too large to have any meaning. In short, the freeze could cripple the whole 1968 Housing Act. More important, it is a crushing blow to the hopes of millions of Americans. Unemployment in the construction field and related services, plus manufacturing businesses, would rise to tragic proportions. Thousands of families and elderly citizens will remain ill-housed and out of work . . . unable to contribute to our economy and forced to seek public assistance requiring increased taxes for welfare.

Let me illustrate the specific effects of the impoundment and moratorium by citing a few examples of its impact on several local communities.

*The Washington, D.C., area* faces a special dilemma. In response to specific Federal encouragement, Metropolitan Washington last year became the first urban area in the nation to plan its subsidized housing needs on a region-wide basis, with concentrations of housing in the suburbs as well as the city. Last June, as a bonus for that pioneering effort, the Department of Housing and Urban Development pledged the area sufficient subsidies to cover 6,247 units. As recently as two months ago, local and Federal officials were actively negotiating the program's implementation.

Now, with an estimated 100 million dollars worth of housing promised and some 12,000 families on waiting-lists for public housing, the status of the whole program remains in doubt.

*In Georgia*, the suspension of all subsidy programs will cost private industry an estimated 383 million dollars in lost business over the next 18 months, including 44 million dollars in the city of Atlanta.

*Nine counties in the Oakland-San Francisco Bay Area* stand to lose 355 million dollars in construction and more than 26,000 jobs in the next year if the housing moratorium stands. There were 16,600 units of federally subsidized housing in the Bay Area pipeline when the Housing Secretary shut off the valve.

*The New York State Division of Housing* will have to halt plans for 27 projects with 7,500 apartments which were ready to go into construction but were awaiting approval for Federal subsidy. According to Abram Hyman, Deputy Commissioner of the New York State Division of Housing, during the next 18 months they won't be able to go ahead with plans for another 20,000 units because they can't be built without Federal funds. To quote Mr. Hyman, "When it gets to construction, that's the end of the road. It will take 36 to 40 months to get going again. Developers won't sponsor projects when they know subsidy is not available."

Nationwide, the loss of some 500,000 units

of assisted housing over the next two years will have serious consequences for our efforts to revitalize our cities, regardless of whether we have special revenue sharing or continue with urban renewal and other categorical aid programs. The ability of our cities to survive as fit places to live will depend on how well we are able to address housing needs, particularly low and moderate-income housing needs.

Some low-moderate income housing programs for low and moderate income families have been poorly administered by the government's bureaucratic approaches and deficient operations. In some few places there has been waste and corruption. But it is ridiculous and destructive to try and cure these problems with meat ax tactics. It would seem that the appropriate way for a civilized nation to conduct responsible government would be to not truncate these vital, but perhaps imperfect, existing programs until viable alternatives have been created.

Studies have clearly shown that federally-assisted housing—be it public housing, the 235, 236, 312 or 117 programs—incorporates generally effective methods which have helped this nation achieve its housing goals, and benefitted many low-income families, the very people who these programs were designed to serve. Even as other government-assisted FHA mortgage insurance subsidy programs with provisions for tax deduction allowances, have housed and benefitted well-to-do families.

From our years of experience, it is obvious that without the direct Federal subsidy, it will be impossible for developers to build except for the middle and upper-income market.

The anti-inflation efforts of the Administration appear to protect the economically and socially privileged, rather than improve the performance of the economy in serving the poor and disadvantaged of our society.

Let me address some comments now to a whole mythology that has developed concerning the alleged failure of urban renewal. These myths are as follows:

1. *Myth:* Urban renewal is only a big city problem.

*Reality:* Urban renewal is active in nearly 1,000 communities in every state, with ¾ of the localities with a population below 50,000.

2. *Myth:* Urban renewal is a narrow program.

*Reality:* Urban renewal encompasses all of the major elements required to revitalize local communities.

Removes slums and blight.

Stimulates housing development, especially for low and moderate income families.

Rehabilitates the existing housing stock.

Conserves and preserves the existing housing stock: code enforcement.

Provides supporting public and community facilities.

Revitalizes the community's commercial capacity.

Generates additional industrial capacity.

Utilizes undeveloped land.

Utilizes inappropriately developed land.

Assists in the development of new towns-in-town.

Enhances the community's environmental quality.

Provides additional cultural opportunities.

Affords additional recreational opportunities.

Facilitates the development of related economic and social programs.

Encourages historic preservation.

Demolishes unsafe buildings.

Sustains areas through interim assistance.

3. *Myth:* Urban renewal is a piecemeal, categorical program.

*Reality:* Urban renewal is being used in many localities not as an isolated response to a particular problem, but as a consolidated,

comprehensive strategy for community-wide development.

4. *Myth:* Urban renewal focuses on only a few activities (mainly reviving central business districts), involves a long lead time, and is not people-oriented.

*Reality:* Based on evolving experience, urban renewal has undergone a series of legislative and administrative changes which concentrate more attention on housing and jobs, accelerate program results, and respond to human needs:

More emphasis on existing housing stock: 1964-65 Legislative amendments.

Redirection to housing and jobs: National Urban Renewal Goals: Administrative Policy, 1968.

More emphasis on low and moderate income housing: Proxmire amendment.

Assurance of adequate replacement housing: Weicker Amendment.

Citizen participation: HUD Administrative Policies.

Acceleration of program results: Neighborhood Development Program (NDP)—Housing and Urban Development Act of 1968.

Increased assistance to displaced families and businesses: Uniform Relocation Act of 1971.

More responsibility to local communities and less by Federal government: Proclamation Policy.

5. *Myth:* Urban renewal has a totally disruptive impact on local communities, adding few positive aspects to community life.

*Reality:* Urban renewal has only begun to demonstrate its positive economic, social, and physical by-products in terms of:

Generating non-Federal investment.

Increasing the local tax base.

Creating new jobs.

Improving the general economy of the community and neighborhood.

Expanding the availability of public facilities.

Raising the quality of neighborhood environment.

Influencing the progress and environment of areas surrounding renewal activity.

Multiplying the number and quality of social service programs.

6. *Myth:* Urban renewal is public funds used to support public activity.

*Reality:* Urban renewal is a generator of private investment, encouraging private sponsorship and ownership, and stimulating private activity in areas which would otherwise be neglected.

These myths have served to retard our efforts in effectively evaluating present programs. As professionals, we stand always ready to learn from the successes and failures of our renewal efforts. While much of the criticism of urban renewal can be attributed to the fact that the few failures of programs always gain prominent attention, while the more numerous successes and benefits go unnoticed, it is my belief that urban criticism stems mainly from the current lack of a comprehensive analysis of the nation's urban renewal programs. This analysis should be an integral function and priority of our national administration. It is unfortunate and poor management that the Administration has had more than four years to complete such analysis, but is only now beginning to conduct this review.

Without such an analysis, we lack the tools to properly evaluate past efforts and shape future Federal policy.

Because of this lack of knowledge, of data, studies and evaluation of the impact of urban renewal and community development programs, it is our intention in NAHRO—with the assistance of yourselves and other of our local professional associates scattered in hundreds of communities across our nation—to erase these myths by informing the National Administration of the realities



we find in our local communities. Your data is already coming in, and it will be summarized and presented to the Administration and Committees of Congress forthwith.

I will now highlight what I believe to be the major current problems confronting localities brought about by the Administration's moratorium and recent actions:

**1. The abrupt termination of new urban renewal activity as of June 30, 1973.**

This program termination will have serious effects on hundreds of communities which planned new activities during the next fiscal year. These will have to be curtailed, delayed, or even cancelled.

In addition to postponing or eliminating scheduled new activities, the termination will also result in the lack of planning for future programs and therefore create a "leadtime gap" for scheduling new activities in the future.

One of the rationales for this termination is that \$5.7 billion in urban renewal appropriations remain unspent and available for use by cities during FY 74. This is a false figure in view of the fact that a large portion of this money has been committed/spent by localities, though grants have not been paid on these amounts to date. For NDP alone, the lag between appropriation and grant payout by HUD can be two years, though a locality has most of that money obligated many months before grant payout. The lag for conventional programs is much longer and also does not mean that the money hasn't been committed/spent by localities.

**2. Suspension of new activity for concentrated code enforcement and neighborhood improvement under the Section 117 program.**

In Fiscal Year 1973, the Administration did not allocate any funds from the Title I urban renewal appropriation for Section 117 activities. The Fiscal Year 1974 HUD budget continues to ignore code enforcement. This lack of funding can most generally be attributed to the expressed reluctance on the part of the Administration to provide adequate financial support for programs scheduled for eventual consolidation into a community development block grant program. This will mean not simply a loss of continuity in program activity, but also will result in an accompanying loss to the field of the trained specialists who have gradually built up the competence to give the program momentum and make it work, and delay in conserving localities' housing supply.

**3. The impoundment and eventual termination of the Section 312 rehabilitation loan program.**

The Citizens Planning and Housing Association of Baltimore, Maryland has termed this program "the most important housing program in Baltimore City." This is a statement which has been echoed nationally in support of "this program within a program" which provides direct loans for rehabilitation activities.

HUD estimates show that the program is working; only 4% of 312 loans are over 90 days delinquent in payment, and only 40 homes have had to be repossessed over the eight year life of the program. Yet this program has continually been the victim of impoundments of appropriated funds. In addition, recent stringent rehabilitation loan priorities established by HUD have reduced its effective coordination with other community development activities.

The absence of funds for Section 312 is particularly damaging to local officials in that it destroys their capacity to continue with programs already underway and destroys their credibility with property owners in communities.

**4. The announcement of administrative regulations limiting acquisition and rehabilitation activities under urban renewal.**

Administrative regulations issued by HUD within the past three months have had the

effect of crippling outgoing renewal programs. Those regulations all but eliminated acquisition from the NDP program for the next year. The Department has also required rehabilitation alternatives to the 312 loan program prior to Federal approval of local programs.

The practical effect of these policies is to emasculate greatly the programs and permit minimal activity in the cities during the next year.

**5. The imposition of the moratorium on new commitments for Federally-assisted low and moderate income housing, which affects housing planned on urban renewal sites and for relocation.**

Renewal projects have programmed into their plans, the reuses of significant land for Federally-assisted low and moderate income housing. HUD has never been willing to commit the necessary number of units when the projects were approved. As a result of the current housing moratorium, many units will not be approved for renewal projects.

In addition to violating the urban renewal plans, possibly forcing localities to violate statutory requirements for those units, the moratorium will result in many families, including relocates from HUD-assisted projects, not being adequately housed.

Special care has been taken in the past few years to involve the community in renewal projects, and a great level of expectation has been generated as a result. The effects of these problems can therefore be serious, damaging and longlasting, reducing the credibility of government (Federal and Local) in the eyes of the people.

I think we should be taking this time during the moratorium to reaffirm or reidentify for the American people the nation's real housing needs, particularly the need for low and moderate-income housing. I would urge you to give your support to the new National Ad Hoc Housing Coalition, which is doing that very thing.

I believe that we should look closely at the proposal for community development revenue sharing to see what opportunities it offers and how it could be improved or refined both through the legislative and administrative process.

The most immediate problem is the method chosen for making a transition from our existing categorical aid programs to special revenue sharing. In fact, there appears to be no transitional plan.

The major categorical aid programs such as Model Cities and urban renewal are to be terminated as of June 30. Special revenue sharing is not supposed to start until a year later.

In the meantime, we are told, local community development efforts are to limp along as best they can with whatever money is on hand as of June 30. Furthermore, severe restrictions have been placed on the money that is available. Local public agencies will not be able to acquire new land; wherever possible, existing projects are to be closed out and staff capability reduced. I think this is the wrong way to go about it.

We need a decent interval of transition in which cities can continue at their own option to use the categorical aid programs to continue necessary activities. The magnitude and scale of the community development needs of our cities are too urgent. We can't afford to lose a year or more of new activity.

The categorical aid programs must be allowed to continue at the same time special revenue sharing is being initiated and all the kinks are being ironed out.

In addition to seeking a decent period of transition, I think we ought to seek safeguards in the use of these special revenue sharing funds. For example, we ought to be

skeptical of any automatic pay-out, such as now exists for general revenue sharing.

While we would favor a formula that assures a community a certain basic grant to carry out a development program, we do not favor a dole-out which gives money away without some specific plan of action.

Since funds will be short to begin with, we ought to make sure the money goes where it is most needed. Cities should have to make application for these funds, certainly not in as detailed a form as they now have to make for urban renewal and other categorical aid programs, but, at a minimum, showing what their development needs are and how they intend to meet them.

In short, while we favor the flexibility and local autonomy, a checks-and-balance Federal review is essential to insure that the true needs of all our citizens are being met. If this new program is not carefully devised, we may find ourselves trading excellent social and economic programs of the past for nothing more than a glorified public-works program.

I also think that we should be proposing a much more equitable level of funding for community development revenue sharing. The 2.3 billion dollars proposed for fiscal 1974-75—when revenue sharing is to begin—barely keeps us even with where we are today. It doesn't take into account ever-rising costs nor the fact that our categorical aid programs are already on a starvation budget.

In comparison, the final 1974 defense-spending plan marks a jump of 4.7 billion dollars over the current year—which is twice the amount proposed for special revenue sharing—even though the United States is out of the Vietnam war and the 2.2 million Americans in uniform will be the smallest number in 24 years.

While we turn our backs on the humanities, we are at the same time pumping more money into military spending. Consider an 81.1 billion dollar spending program for national defense in the next fiscal year.

This will rank second only to the record of 81.6 billion dollars for fighting around the globe and developing the first atomic bomb in 1945.

Furthermore, a still bigger defense budget totaling 85.5 billion dollars . . . an additional 4.4 billion dollar increase . . . is forecast for fiscal 1975.

Where is our social conscience?

What are our priorities?

In God's name, how can we find resources to expand our defense budget and propose to redevelop North and South Vietnam while we remain blatantly insensitive to our very own?

Unless we wake up to the fact that the mandate of last November was to build and not to destroy, to help and not to hinder, to address problems and not to avoid them, we will have misread the spirit of the American people. We have a unique opportunity to fashion well-conceived and workable solutions which will clearly define our Federal commitment to housing. We must meet this challenge in a spirit of compassion and understanding.

Let us not be guilty of underestimating the intelligence of the American people by minimizing their ability to be extremely articulate on matters which reflect their well-being . . . housing, quality environment and employment.

I have no crystal ball, and I do not want to be an alarmist. But the reality of past experience reminds us . . . lest our memories be so short . . . that frustration in these areas brought blood to our streets before.

Let us unite and avoid a reinvitation to disaster.

We, as professionals, offer the weight of our long experience. We intend to make that experience count.