

Committee on Government Operations.

By Mr. BENNETT:

H. Res. 440. Resolution to amend the Rules of the House of Representatives to provide that no rollcall or quorum call shall be conducted by electronic device after the House has entered into special orders after the conclusion of the legislative program and business on any day; to the Committee on Rules.

By Mr. HARRINGTON (for himself, Mr. BADILLO, Mr. OBEY, Mr. KASTENMEIER, Mr. RIEGLE, Mr. BROWN of California, Mr. EILBERG, Mr. FRASER, Mr. MATSUNAGA, Mr. BLATNIK, Mr. PODELL, Mr. ROSENTHAL, Mr. ROYBAL, Mr. BURTON, Mr. BINGHAM, Mr. DELUMS, and Ms. SCHROEDER):

H. Res. 441. Resolution calling on the President to promote negotiations for a comprehensive test ban treaty; to the Committee on Foreign Affairs.

Mr. HARRINGTON (for himself, Mr. LEGGETT, Mr. MOAKLEY, Mr. WON PAT, Mr. STOKES, Mr. WALDIE, Ms. ABZUG, Mr. CONYERS, Mrs. BURKE of California, Mr. MURPHY of Illinois, Mr. STARK, Mr. ROE, Mr. DRINAN, Mr. EDWARDS of California, and Mr. O'HARA):

H. Res. 442. Resolution calling on the President to promote negotiations for a comprehensive test ban treaty; to the Committee on Foreign Affairs.

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By Mr. HARRINGTON (for himself, Mr. BADILLO, Mr. BROWN of California, Ms. CHISHOLM, Mr. EILBERG, Mr. WILLIAM D. FORD, Mr. HECHLER of West Virginia, Mr. MANN, Mr. MITCHELL of Maryland, Mr. O'HARA, Ms. SCHROEDER, Mr. WOLFF, and Mr. WON PAT):

H. Res. 443. Resolution to amend the Rules of the House of Representatives to provide, as an item of the order of business of the House, for a period in which heads of executive departments and agencies are questioned in and report to the House; to the Committee on Rules.

By Mr. HARRINGTON (for himself, Mr. BADILLO, Mr. BROWN of California, Ms. CHISHOLM, Mr. EILBERG, Mr. WILLIAM D. FORD, Mr. HECHLER of West Virginia, Mr. MANN, Mr. MITCHELL of Maryland, Mr. O'HARA, Ms. SCHROEDER, and Mr. WON PAT):

H. Res. 444. Resolution to amend the Rules of the House of Representatives to provide, as an item of the order of business of the House, for a period in which heads of executive departments and agencies are questioned in and report to the House; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and

severally referred as follows:

By Mr. GIAMO:

H.R. 8795. A bill for the relief of John J. Egan; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 8796. A bill for the relief of Dr. Gernot M. R. Winkler; to the Committee on the Judiciary.

H.R. 8797. A bill to authorize the burial of the remains of Marie E. Newman in Arlington National Cemetery, Va.; to the Committee on Veterans' Affairs.

By Mr. MEZVINSKY:

H.R. 8798. A bill for the relief of William M. Korman; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

255. By the SPEAKER: A memorial of the Legislature of the State of Utah, relative to hosting the 1976 Winter Olympic Games in Salt Lake City; to the Committee on the Judiciary.

256. Also, memorial of the Legislature of the State of Utah, relative to returning to the States a portion of Federal user charges in the Aviation Trust Fund; to the Committee on Ways and Means.

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HEARINGS BY FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE ON FEDERAL INFORMATION SYSTEMS AND PLANS—PHASE II—PRESENT AND PLANNED INFORMATION AND COMMUNICATIONS SYSTEMS OF FEDERAL AGENCIES

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, on April 3, 1973, I announced that hearings on Federal information and communications technology would be held by the Foreign Operations and Government Information Subcommittee of the House Government Operations Committee in three phases, beginning on April 10 and continuing in June and in September of this year; RECORD, page 10648, April 2, 1973.

The hearings on April 10 and 17 consisted of testimony from the Nation's outstanding technical experts on the application of new information and communications technology to such fields as education, health care, local government, rural development, cable television, and similar areas involving the delivery of information about Federal programs to our citizens.

Phase II of these hearings will begin on Tuesday, June 19 and continue on Tuesday, June 26, and on Tuesday, July 17. These hearings will receive testimony from Federal agency witnesses who will review selected Federal information systems and technology, plans for the future, and the role which Federal agencies are playing in the development and application of new information and com-

munications technologies. The hearings will begin at 10 a.m. each of the days listed above and will continue in the afternoons. All will be held in room 2203, Rayburn House Office Building.

Mr. Speaker, I insert the text of the news release announcing phase II of these hearings in the RECORD.

The news release follows:

FEDERAL INFORMATION TECHNOLOGY HEARINGS RESUME; AGENCY WITNESSES WILL APPEAR

Representative Chet Holifield (D., Calif.), Chairman of the House Government Operations Committee, and Representative William S. Moorhead (D., Pa.), Chairman of the Foreign Operations and Government Information Subcommittee, announced that the Subcommittee will resume its hearings on government information technology on Tuesday, June 19, at 10:00 a.m. in Room 2203, Rayburn House Office Building. They will continue on Tuesday, June 26, and on Tuesday, July 17.

This series of hearings is examining all aspects of Federal information systems and plans. They began in April with testimony from the Nation's outstanding technical experts on the application of new information and communications technology to such fields as education, health care, local government, rural development, cable television, and similar areas.

The June and July hearings will concentrate on a review of selected Federal information systems, plans for the future, and the role Federal agencies should play in the development and application of new information and communication technologies. Later hearings planned for September of this year will examine certain implications of such technology, their impact on personal privacy, and the types of safeguards that will be required.

Witnesses at the Tuesday, June 19, hearing will include representatives of the Defense Civil Preparedness Agency, Department of Defense; the Department of Housing and Urban Development; and the Federal Information Center program, General Services Administration. The Defense Department witnesses will discuss the Decision Information

Distribution System (DIDS), an experimental early warning disaster program. The Housing and Urban Development witnesses will describe the operation of the Integrated Municipal Information System (IMIS).

The hearing on Tuesday, June 26, will feature testimony from the Social Security Administration; Department of Health, Education, and Welfare; the Automated Data and Telecommunications Service (ADTS), General Services Administration; and from the Office of Applications of Space Research, National Aeronautics and Space Administration.

The final day of hearings in July, following the Congressional holiday recess, will include testimony from witnesses of the Office of Telecommunications, Department of Commerce, and from the Office of Telecommunications Policy, Executive Office of the President.

Members of the Subcommittee, in addition to Moorhead, are: Reps. John E. Moss, D-Calif.; Torbert H. Macdonald, D-Mass.; Jim Wright, D-Tex.; Bill Alexander, D-Ark.; Bella S. Abzug, D-N.Y.; James V. Stanton, D-Ohio; John N. Erlenborn, R-Ill.; Paul N. McCloskey, Jr., R-Calif.; Gilbert Gude, R-Md.; Charles Thone, R-Nebr.; and Ralph S. Regula, R-Ohio. Ex officio members are Reps. Chet Holifield, D-Calif., and Frank Horton, R-N.Y.

RESOLUTION OF THE INDIANA GENERAL ASSEMBLY

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, June 18, 1973

Mr. HARTKE. Mr. President, I ask unanimous consent that a resolution adopted recently by the Indiana General Assembly on the subject of providing aid to North Vietnam be printed in the RECORD.

There being no objection, the resolu-

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

HOUSE CONCURRENT RESOLUTION NO. 71

A concurrent resolution memorializing the Federal Administration and Congress not to expend American funds on the rebuilding of North Vietnam.

Whereas, The Federal Administration had indicated a desire to supply funds to North Vietnam for the purpose of repairing war damaged areas; and

Whereas, Recently returned prisoners of war were mistreated and tortured by North Vietnam; and

Whereas, The United States has never extended funds to a former enemy unless an unconditional surrender has first occurred; and

Whereas, Funds are badly needed for important domestic programs; and

Whereas, We believe that those Communist Countries which have fostered, supported and perpetuated this war and have aided North Vietnam throughout this war should have the responsibility to continue their support of North Vietnam by helping with the necessary rebuilding: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

Section 1. That in the interest of the people of the United States, we respectfully urge the President and the Congress to spend American dollars on American citizens and not on the country of a former enemy.

Section 2. That funds would be better spent on those Americans who have suffered directly as a result of this war; especially those who have lost friends or family or who have suffered lasting injury.

Section 3. That the Principal Clerk of the House of Representatives be directed to forward copies of this resolution to the President of the United States and to all members of the Indiana Congressional delegation.

HOPE THAT MR. NIXON AND SECRETARY BREZHNEV DISCUSS EUROPEAN TROOPS REDUCTIONS

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. ROUSH. Mr. Speaker, I rise to express some personal hopes for the summit talks which begin today between President Nixon and Secretary General Leonid I. Brezhnev, of the Soviet Union.

There are 300,000 American troops currently stationed in Western Europe. A number of developments over the past 5 years raises serious questions in my mind about the need and advisability of maintaining this troop level.

During the last 5 years, with the growing amicable relationship between this country and the U.S.S.R., the likelihood of either nation tolerating a land war in Europe has diminished.

In addition, the recent accords between East and West Germany highlight that an East-West detente has been substantially developed.

Recent news accounts of a major new Pentagon study indicate that NATO and the Warsaw Pact nations have achieved a close balance in military power in Europe.

All of these facts suggest that Mr. Nixon and Secretary Brezhnev could very usefully discuss mutual reductions of troops from the European theater.

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When we consider the severe problems of the dollar, I think we would all agree that any action to stem the flow of dollars abroad would be welcome. A withdrawal of American troops from Europe would have such an effect.

Second, I hope Mr. Nixon raises the serious concerns that large numbers of citizens of this country have over the plight of Jews in the Soviet Union.

Mr. Speaker, I have great hopes for the Nixon-Brezhnev summit. I think that a discussion of European troop reductions and the plight of Soviet Jewry would enhance the value of the talks to both nations.

ROBERT KONKLE, SUPERINTENDENT OF INDIANA STATE POLICE, WRITES ON POLICE-PUBLIC COMMUNICATIONS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. BRAY. Mr. Speaker, it is vitally important that the public be aware of what their law enforcement agencies are doing and how they function. The following article by Indiana State Police Superintendent Robert Konkle, which appears in the June 1973 FBI Law Enforcement Bulletin, tells how it is done in Indiana:

THAT UNIQUE CAPABILITY

(By Robert K. Konkle)

The channels of communication between police and public might best be described as "lifelines" on the strength of which rests either the survival or loss of mutual understanding and support.

As a part of total law enforcement operations, special voluntary efforts to tell the public how it functions and what it is doing are relatively new police ventures.

Not so very long ago, police administrators gave scant attention to ideas that press and public should be provided with more information than was asked for or demanded. Although safety education efforts were, for the most part, given their early due, lawmen tended to regard expanded public information efforts and extension of services and courtesies to the press with some suspicion.

In recent years, however, as American law enforcement strives to attain professional status, police administrators are becoming keenly aware of the fact that an effective press and public information program has become an operational necessity.

Maintaining closer liaison with the public leads to the recognition that public information techniques developed in the private sector can be of equal value to law enforcement operations. In business, success or failure depends on public awareness and acceptance of the services or commodities being produced. Service and protection are the products of law enforcement. The better police are able to explain how these services are performed, the stronger the bond of understanding becomes between the police and the public.

INFORMATIONAL PROGRAMS

Since 1933, when it was created and empowered with statewide traffic and criminal jurisdiction, the Indiana State Police has given special attention to programs and efforts designed to keep Hoosier citizens aware of the department's enforcement efforts and to offer representative community groups safety education services and other kinds of informational programs.

The foundation of Indiana State Police community relations begins with an active and energetic press relations effort. In the department's administrative ranks, the staff of the public information section, in concert with the superintendent's office, maintains daily liaison with the news media in the Indianapolis area.

Telephone and personal contact with representatives of the news media are reinforced with periodic statewide distribution of news releases concerning department enforcement and service operations.

Supplementing press relations efforts emanating on the general headquarters level, line commanders throughout the department's 19 district field installations maintain daily contact with community news agencies whose primary interest lies in topics of local interest.

Full-time working members of the Hoosier news media, and out-of-State reporters whose "beat" may include parts of Indiana, are entitled to receive press credentials, renewable annually, issued by the Indiana State Police. Troopers are required, within the bounds of reason, to assist reporters at emergency scenes or under other similar circumstances when the credentials are presented.

Parallel to these efforts to maintain positive lines of communication between the department and the press, emphasis is also applied to establishing direct contact with the public.

In 11 of the largest State police districts there is a public information officer with the rank of sergeant whose primary responsibility is to meet with community groups to present a complete range of State police information and education programs.

In addition, in every district installation, there are troopers designated as assistant public information officers. Depending on the volume of community requests for programs, they may be assigned to these duties either part or full time.

Earlier in the department's history, these specialists were referred to as "safety education officers." Although much of their work in the local communities concerns traffic and pedestrian safety, they are also trained and prepared to meet the increasing public demand for information concerning the entire crime spectrum, particularly narcotic and drug abuse.

Their expertise and knowledge of the department's total enforcement operations is more than coincidental—it is both planned and vital. Their attention to public needs for information releases criminal investigators and other enforcement specialists to concentrate on their own particular efforts.

Indiana State Police public information officers provide an important and effective part of the department's total public service obligation. In a year's time they will meet with nearly a half-million Hoosier citizens to provide educational services and to explain department operations.

Equally important, their presence serves as a viable and direct public contact that enables individual citizens to ask questions about their State police, to offer advice or suggestions pertaining to local problems, and to respond to complaints.

FILMS

In recent years, Indiana State Police public information efforts have been reinforced through a concept and a special capability that may be unique in the annals of American law enforcement.

Drawing on basic talent available within the ranks of the department, the Indiana State Police has, for more than a decade, been able to produce its own motion picture films.

Films, which have long been a major source of public entertainment, now play an increasingly important role in public education and information throughout the world. For countless millions of daily viewers in theaters, classrooms, community organizations, and via television, motion picture films

provide "the next best thing to being there." The Indiana State Police film experience originated in the early 1950's as the department's audio-visual aids technicians began to provide television station news departments with 16 mm. film clips shot at disaster scenes or other kinds of newsworthy events.

The next step was to begin providing all television stations with filmed public service announcements concerning traffic safety and film clips promoting trooper recruiting programs.

In 1958, based on their accumulated experience in producing these short film clips, department personnel produced the first information film expressly designed for showing to community groups.

"State Police Cadet" was a 29-minute film that explained the department's recruiting program and how young men are selected and trained to become troopers. It was written and directed by former Staff Captain Lloyd D. Hickerson, commander of the public relations, now retired from the force. It was also the first department film shot in color.

In March 1960, following an airline crash in southern Indiana that claimed 63 lives, Captain Hickerson and his staff, shooting film at the scene to provide to television stations, decided to produce a film that would attempt to show how the crash occurred and to tell the in-depth story of emergency efforts at the scene and the official investigation procedures.

"Operation Disaster," a 29-minute color production, became the first Indiana State Police film to gain national attention for the department. In subsequent Federal hearings at Los Angeles, the film provided a valuable narrative for investigators exploring the facts and evaluating testimony concerning the disaster.

"Operation Disaster" still serves today as an important training and information aid to official community agencies who may one day face the prospect of providing emergency services in case of similar calamities.

Following the retirement of Captain Hickerson in 1963, the department continued to concentrate on producing filmed public service announcements and providing television news media with film clips of newsworthy incidents.

Then, in 1965, following the Palm Sunday tornadoes that claimed nearly 300 lives and caused millions of dollars destruction throughout northern and central Indiana, State police film crews under the direction of Lt. David R. Levendoski filmed an account of how the many storms progressed, the paths each of the several twisters took, and how the survivors set out to rebuild their devastated homes and communities.

"Death Out of Darkness" is a film that also continues to provide Hoosier citizens with valuable data describing how tornadoes are spawned and what kinds of protective measures should be taken. The film has recurring value each spring as the tornado season gets underway.

Lieutenant Levendoski, now commander of the department's public information section, credits his former mentor, Captain Hickerson, for teaching him the skills necessary to write and direct information and documentary films.

In 1966, the Indiana State Police introduced American law enforcement to a new concept in traffic speed timing with a device called "Vascar."

Paralleling efforts to show prosecutors, the courts, and news media that Vascar was a better and more efficient traffic enforcement tool, the department produced a film that demonstrated to viewers exactly how it worked and how it would be used by troopers patrolling Hoosier highways.

The device, now employed by police agencies throughout the world, gained much of its initial recognition and acceptance from showings of the film "Vascar." It was recently

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estimated that, since the film was released for public showing in 1966, it has been seen worldwide by upwards of 40 million people.

In 1968, the department produced a film entitled "Trooper" designed to support trooper recruitment efforts and also to help the public see and understand the many things that a trooper—or any police officer—might encounter on just one "routine" patrol. It also marked both the end and the beginning of a significant point in the production of Indiana State Police films.

The efforts of every law enforcement agency, either routine or in special categories, are affected by the balances between budget allowances and priorities.

In the Indiana State Police, as in all police agencies, the highest priorities are those of traffic and crime. Toward the efforts of both goes the bulk of budget expenditures. As these primary responsibilities grow larger, funds for support programs and projects dwindle.

In 1968, the cost of producing a film had reached nearly \$5,000. Although that figure represented only a fraction of the cost to have a film made by commercial firms, it had become too expensive for our own budget.

BUSINESS COMMUNITY COOPERATION

In 1969, following my appointment to the post of superintendent, I wanted to retain, if possible, the department's capability to produce its own information films. Why not, I suggested, enlist the aid of legitimate business and industry?

As a matter of background information, there has been long-standing resistance in most areas of law enforcement to accept little beyond tacit support from the private sector. These are policies founded on the premise that financial or other kinds of direct aid from business and industry to law enforcement also carries with it implications of police endorsement of products and profit-making organizations.

Although the policy has merit, I also felt that business and industry have a shared responsibility with law enforcement in matters of public health and safety.

There had been some precedent set in our department regarding aid from the business community. For many years, one of the State's insurance firms has annually donated their billboard space to eye-catching traffic safety messages alongside Indiana's major highways.

The problem came to a crux when Lieutenant Levendoski suggested that a need existed for a definitive public information film dealing with farm safety. He suggested that we attempt to find a reputable sponsor who would agree to underwrite the essential film processing costs. In return, the film would credit the sponsors for their cooperation.

I agreed and set out to find a sponsor. Within a few days we had reached agreement with representatives of Farm Bureau Insurance. They were pleased to have the opportunity to be able to offer us assistance, and we were anxious to produce a quality film that would justify their cooperation.

Early in 1971, we released for public showing the film, "Seeds of Safety." It graphically demonstrates the everyday hazards that farmers and farm families must face.

Since release of the film, copies have been purchased by farm organizations, business firms, governmental agencies, and universities throughout the Midwest and as far west as Colorado and Utah. Agricultural authorities in New Zealand have recently ordered copies of the film.

In 1972, the National Safety Council presented the Indiana State Police and Farm Bureau Insurance with its highest award, "The Award of Honor," designating the "Seeds of Safety" film as one of the Nation's most outstanding public safety efforts.

Most significantly, the film represented a common denominator linking the efforts of

law enforcement through the support of business and industry.

Based on success of the farm safety film and by careful study of other public safety needs, the department produced a bicycle safety film in 1972. "On a Bicycle Built for You" is, however, far from a routine cycling safety film. It is aimed primarily at the adult cyclist and stems from the fact that adult bicycle sales in the United States have surpassed the number of new automobiles sold.

The film tells the story of a middle-aged couple who take up cycling for the first time since their childhood. It demonstrates the exercise benefits available and, at the same time, reminds both adult and juvenile riders of the traffic laws and commonsense riding practices that apply to all cyclists. It also stresses the advantages of planned community bikeways.

The film was sponsored by the Huffman Manufacturing Co., Dayton, Ohio, one of the Nation's largest bicycle manufacturers. Since its release, the film has gained the endorsement of the National Safety Council and the Bicycle Institute of America.

"One Week Last Summer," a film concerning the Joint Indiana State Police-Kiwanis International Career Camp, was released late in 1972. Sponsored by the Indiana District of Kiwanis International, the film tells the story of a summer camping program for Hoosier high school youngsters who are given the opportunity to learn about the career opportunities that will one day be available to them in all the jurisdictions of law enforcement.

"The Busters," a film completed this year and now available for showing, is about narcotic and drug abuse. But, as the film explains, it makes no attempt to study the problems of cause and rehabilitation. Instead, it presents the story of how trained and dedicated police officers, at the risk of their own lives, seek to identify and apprehend the drug peddlers whose victims are the drug user. The film was sponsored by Hook Drugs, Inc., a Hoosier drugstore chain.

Currently in production is a film, to be entitled "RV," aimed directly at the nationwide boom in sales of recreational vehicles (RV's). The film stresses the importance of trading with reputable dealers, installing proper hitch connections, over-the-road safe towing practices, and the laws that apply to owning and operating travel trailers, truck campers, motor homes, and boat trailers. Back for a repeat appearance as sponsor will be Farm Bureau Insurance.

In the planning stages for this summer is a film dealing with the operation of motorcycles. The motorcycle scene is still a controversial one. But, in light of the fact that cycle sales are increasing at a tremendous rate, it is an area that law enforcement and the public—regardless of personal viewpoints—must examine for the safety and well being of all riders and motorists.

The terms of film sponsorship are simple and direct. The sponsor underwrites basic technical costs. In addition, we ask that the sponsor also purchase 12 copies of the film for distribution to our public information officers in the field. In return, the department provides the sponsors with a copy of the script for approval and suggestions. In the film titles, a panel appears listing the name of the sponsor and crediting the firm for making the production possible.

Lieutenant Levendoski writes and directs each production and calls on his fellow officers in the department, personal acquaintances, and the many friends of the Indiana State Police to play certain roles or provide services that may be required in each film.

In the recently completed drug film, for example, casting required the help of 38 people. The list of "actors" who gladly donated their time included: department police and civilian employees; professional business peo-

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ple; college and high school students; and the friends and family members of our public information staff.

In addition, a local automobile dealer loaned the film crew a car that appears in the film, a motel owner allowed his parking lot to be used in another scene, a local fire department provided an aerial-ladder truck to use as an elevated camera platform, and local police officers appeared in several film sequences.

Each film production requires a great deal of planning and even more work; but, the results are proving the worth of our efforts.

Running time of Indiana State Police films is usually about 15 minutes. This length is best suited for officers presenting $\frac{1}{2}$ to 1-hour community programs.

Purchase of Indiana State Police films is on a nonprofit basis. Generally, the films can be purchased for less than \$100, and any extra charges are for handling purposes only. Inquiries concerning film purchases may be directed to the Indiana State Police, Attention: Lieutenant Levendoski.

There are many professionally produced films available which are quite good and, when our budget permits, we are able to purchase one or more copies. Too often, however, we cannot afford the costs involved.

Production of our own films, with the support of business and industry, enables us to show Hoosier citizens the efforts being made by their own State and local police. We can provide information to people who have a right to be informed. We can provide instruction that may save lives and property, as well as provide solutions to serious problems.

It is, indeed, a unique capability.

OUTBLUFFED AGAIN

HON. ROBERT W. DANIEL, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. ROBERT W. DANIEL, JR. Mr. Speaker, the Hopewell News, a respected newspaper in my home area, last week published an editorial describing developments in the submarine-launched ballistic missile capabilities of the Soviet Union as compared to those of the United States.

These facts are most disturbing. They should be publicized, and I salute the Hopewell News for doing so. I commend the editorial to the attention of the Members of the Congress:

OUTBLUFFED AGAIN

Well, it looks like the Russians did it to us again. First they carted off all of our wheat, at bargain prices some say. And now it develops that they apparently hoodwinked us at the bargaining table on the matter of arms limitations.

Columnist Joseph Alsop observes that the U.S. agreed to limit itself to 600 submarine-launched nuclear missiles. The Soviet Union will be permitted to have 950 such missiles, because at the time of the talks the Soviet missiles were said to be shorter-ranged. This presumably made them less effective. After this agreement was reached, the Soviet Union tested a submarine-launched nuclear missile with a range of 4,500 miles—longer than any in the U.S. arsenal.

It doesn't look like Uncle Sam is a very good poker player, and the stakes are about as high as they can get. Add to this the powerful congressional opposition to proposed levels of defense expenditures, which

include the development of such things as a new and more effective nuclear striking force at sea, and you've got a worsened combination of foolishness.

It is time we got our heads screwed on straight while we still have them.

STRUGGLE OF LITHUANIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. EILBERG. Mr. Speaker, June 15, 1940, is a sad day in the history of the Lithuanian people. It marks the forcible annexation of Lithuania to the Soviet Union.

Since that date, the Lithuanian people have continuously struggled to reject the oppressive communist system from Lithuanian soil.

Lithuania has had a history of foreign domination, Russian as well as German. In 1795, Lithuania was annexed by Russia. Although the Lithuanians persistently tried to overthrow Russian control, they were unsuccessful.

Russian domination came to an end in 1915 when Lithuania was overrun by German armies. On February 18, 1918, however, a 20-member council proclaimed Lithuania an independent state. Russia signed a peace treaty with Lithuania on July 12, 1920, recognizing it as an independent nation. Unfortunately, their independence lasted only two decades.

During this period, Lithuanian culture flourished. Achievements were made in literature, opera, and music.

A democratic government was established, and under a provisional constitution, Antanas Smetona was elected President of the Lithuanian Republic.

A great emphasis was placed on improving agriculture which was the primary occupation of Lithuania. In addition, industrialization had progressed. Many new public schools were built during this time.

Despite Lithuania's struggle to remain neutral during the Second World War, it again was conquered by the Russian Army. On June 15, 1940, the Soviets demanded immediate formation of a "friendly" government and occupied the country. Lithuania was declared a constituent republic of the U.S.S.R. on August 3, 1940.

A few days after the German attack on the Soviet Union on June 22, 1941, Nazi forces overran Lithuania. During this period, thousands of German families settled in Lithuania and almost all Lithuanian Jews were executed by the Nazis.

When the war turned against Germany, the Russians again dominated Lithuania.

Today, Lithuania is virtually closed to the outside world, and Western observers are allowed only in the city of Vilnius. This isolation is often attributed to military reasons noting that the Baltic coast is ideally situated for missile bases. We have learned from the few people who

have escaped Lithuania that there is a total lack of freedom and that the country is completely dominated by the Russians.

The United States recognized the independent Lithuanian Government on July 27, 1922, and it has never recognized that nation's incorporation into the Soviet Union. It continues to maintain diplomatic relations with the representative of the former independent Government, which has a legation in Washington.

The Lithuanian people also continue to resist the Soviet rule and will not accept Russian slavery. What Lithuania and the other Baltic States, Latvia and Estonia, do ask for is political, religious, and cultural freedom.

To this very day, Lithuanians are risking and sacrificing their lives in defiance of the Communist regime. On May 14, 1972, Romas Kalanta, a Lithuanian youth, burned himself in Kaunas as a martyr in protest to Soviet oppression. This act triggered widespread demonstrations which have confirmed their fight for freedom and independence.

Lithuania, Mr. Speaker, is a small, struggling nation. We, the people of the United States, must not forget their cause and continue to encourage and reinforce their determination to gain national independence.

LEONID BREZHNEV—ENEMY OF FREEDOM AND THE RUSSIAN AND OTHER PEOPLES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. ASHBROOK. Mr. Speaker, on June 16, Soviet Communist Party Leader Leonid Brezhnev arrived in the United States for a 10-day visit and extensive meetings with President Nixon. With Brezhnev's arrival in the United States, we are hearing a barrage of newscasts about détente and about a friendlier and more enlightened Soviet Union.

Before eagerly embracing our Russian comrade, however, let us consider the oppressive Soviet political system and its daily denial of civil liberties to the Russian people.

In 1970, Andrei Amalrik, author of "Will the Soviet Union Survive until 1984?" and other books, was convicted to a 3-year prison term. Amalrik was convicted under article 190 of the Russian legal code, which prohibits "the spreading of deliberate fabrications that defame the Soviet state and public order." Although scheduled to be released several weeks ago, it has been reported by Robert Kaiser of the Washington Post Foreign Service that Soviet officials are detaining Amalrik beyond his 3-year prison term while authorities conduct a new investigation under article 190. Kaiser notes that:

Prospects of an early return home now appear slim, as Soviet authorities seldom begin an investigation of this kind without its ending in a trial and conviction.

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Amalrik's case is not unique. Censorship of dissenting views and imprisonment of dissidents are a way of life in the Soviet Union. So great is the Kremlin's fear of other points of view that official jammers are used to block reception of foreign radio broadcasts by the Russian people.

Therefore now that Brezhnev has arrived in the United States let us not forget the great gulf which separates our two systems of government. Brezhnev and the Kremlin clique are still the enemy of freedom and their own Russian people.

The peoples of the U.S.S.R. are, of course, not the only victims of Soviet repression. For instance, officials of three groups of Czechoslovak, Hungarian, and Polish heritage addressed an open letter to Mr. Brezhnev on the occasion of his present visit to the United States. The violations of human rights cited in the open letter remind us of the abuses listed by our forefathers in our Declaration of Independence with one sad, notable difference: the Founders of our Nation abhorred and threw off the yoke of tyranny—their descendants of today, with open arms, welcome the tyrant to our shores.

I include at this point the open letter cited above.

OPEN LETTER TO MR. LEONID I. BREZHNEV

Mr. Secretary,

The terror imposed upon the nations of East-Central Europe by the ideology, the political power and military might of Soviet oppression repudiates and negates almost every article in the Declaration of Human Rights.

It denies that men are born free and equal in dignity and rights and that all should act in the spirit of brotherhood.

It denies the right of life, liberty, and security of person.

It denies the principle that no one shall be subjected to cruel, inhuman, or degrading treatment.

It denies that no person shall be arbitrarily arrested, detained or exiled.

It denies that all are equal before the law and entitled to its equal protection.

It denies the right to fair and public hearings by an independent and impartial tribunal.

It denies the right to freedom of thought, conscience, and religion.

It denies the right to freedom of opinion and expression.

It denies the right to freedom of peaceful assembly.

It denies that the individual may not be held in slavery or servitude.

It denies that the will of the people shall be the basis of the authority of government.

That these human rights are so flagrantly repudiated in Czechoslovakia, Hungary, Poland and even in your own country is cause for our concern.

1956 in Hungary and Poland, 1968 in Czechoslovakia and 1970 in Poland again have shown clearly the eternal unquenchability of man's desire to be free, whatever the odds against success, whatever the sacrifice required.

Americans of Polish, Hungarian, Czech or Slovak descent will never recognize the Soviet domination of East-Central Europe. We cannot condone in words or even in our minds any summit meeting, treaty declaration or tacit understanding which promotes or acknowledges the subjugation of our sisters and brothers.

The claim of the nations of East-Central Europe to independence and liberty is not

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based on sentiment or politics. It is deeply rooted in history, in culture and in law. No matter what sort of puppet government they may maintain we do not mean to see that claim abandoned.

The fulfillment of the political, economic and ideological aspirations of the peoples of East-Central Europe is blocked by the occupation of their territory by the Red Army, by the unscrupulous economic exploitation by the Soviet Union, and by the brutal control exerted by the arms of the Soviet Secret Police. Giving testimony to the sincerity of your stated principles of non-interference in internal affairs, recognition of the right of every state to sovereignty and of promotion of unbreakable peace, behooves you to:

Assure the right to emigrate to those Soviet citizens, residents and political prisoners who desire to leave the Soviet Union and find a new life in their chosen land.

Stop the economic exploitation of the peoples of East-Central Europe and cease to use the products of Czechoslovakia, Hungary and Poland to support the spread of Communist doctrine and Soviet influence throughout the World.

Remove all Soviet troops from Czechoslovakia, Hungary and Poland.

Gulded by the traditions, convictions and principles expressed above we call upon you, Mr. Secretary, that in order to accomplish your own stated goal of "unbreakable peace in which alone is possible a true cooperation of sovereign European States with equal rights," during your visit with our President hasten by every honorable and reasonable means the arrival of the day when the men and women of Czechoslovakia, Hungary and Poland will stand again free from Soviet military and ideological domination, in liberty and justice.

Czechoslovak National Council of America—Prof. V. Busek, President.

Coordinating Committee of Hungarian Organizations in North America—Istvan B. Gereben, Executive Secretary.

Polish American Congress Inc.—Aloysius A. Mazewski, President.

JAMES V. PASTORIUS RECEIVES BRONZE MEDAL FOR HEROISM

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. HOWARD. Mr. Speaker, at a time when young people are maligned for their lack of initiative, I feel that we should take special notice of a singular act of heroism.

James V. Pastorius of Monmouth Beach, while boating in the Shrewsbury River, watched as Leslie E. Groesbeck—a 16-year-old high school student—fell from a boat into deep water and floated inert, face down, 600 feet from the nearest bank. James, then aged 17, jumped from a nearby boat, swam to Leslie, lifted his face from the water, and began towing him toward the bank. Even though he was heavily dressed, James swam 175 feet and there found footing in wadeable water. Leslie, after being taken to the bank, revived and recovered.

For conspicuous bravery, the Carnegie Hero Fund Commission has awarded James V. Pastorius a bronze medal.

Mr. Speaker, I join today with every New Jersey citizen in honoring James V.

Pastorius, a fine young adult who risked his own life to save that of another. In an increasingly impersonal world, acts of personal involvement such as this are far too rare.

SPACE SHUTTLE—THE TIMING IS RIGHT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. TEAGUE of Texas. Mr. Speaker, there has been much discussion of our national space program in recent times which centered around the development of a low cost earth-to-orbit transportation system—generally called the space shuttle. Recently, Rockwell International, the prime contractor of the shuttle program, made a significant analysis of the importance of the space shuttle to our national economy. I am including in the RECORD a summary of that analysis. I urge all Members of Congress to read this timely and significant analysis.

The summary follows:

SPACE SHUTTLE—THE TIMING IS RIGHT

SUMMARY

We stand at the threshold of a new dimension in space transportation. All historical evidence shows that major developments in land, sea, and air transportation signalled profound changes in human affairs—if the time was right, if the need was there, and if the new potential was grasped.

The Space Shuttle serves missions and operations designed to meet near-term and long-range needs and objectives. Its purpose is to lower the economic barrier which now limits the utilization of space for economic and social objectives. Achieving these objectives helps us deal with important national and global problems confronting us now and in the future.

The Shuttle's timeliness does not lie in our ability to dispatch a few people or instruments into "Big Space." The Shuttle lends muscle to our Promethean ability to bring a relatively small element of space to "Big Mankind"—to demonstrate to all of us on this planet that cislunar space, Earth's "Cosmic Little Acre," holds options and resources which can improve our lives, our hopes, and our future by enabling us to grow into a more mature partnership with our planet and ourselves. Our world is no longer earth-bound. This is as important for us today as it was for the people five centuries ago to realize that the Earth was round.

Shuttle Timing and the Earth Services Satellite Network. A striking fact about information transmission via satellites is the widening scope of their services and their capacity to raise by many orders of magnitude the volume of data transferred back and forth between points anywhere on the globe. But the socio-economic and ecological consequences of this capability run much deeper and are much broader, affecting eventually every state of the union and every country on Earth.

A comprehensive global information transmission system via satellites saves millions of tons of cabling. This translates into a sizeable reduction in raw material consumption—among them, copper and lead, two scarce metals. It stimulates the use of computers in industry and commerce—for control systems, business, banking, credit transfer and administration—contributing to a world in which great improvements in effi-

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ciency and economy in countless daily operations are achieved through the routine exchange of vast quantities of data between computers via satellites. It broadens the channels of contact between individuals (teleconferences) and opens the possibility for reducing the high level of personnel traffic in industry, commerce, and administration—the need to move thousands of tons of transportation equipment and consume billions of Btu's just to confer, one with another. It makes the decentralization of cities possible, permitting improved ecological integration of urban and natural environments to the benefit of both.

The need for total management of the terrestrial environment and its resources, and of Man's interaction with them will inevitably grow in the decades ahead. Sensory imaging technology is so promising that scientific and engineering progress will be rapid in the seventies. The timing of the Shuttle could not be more right for the build-up of a sophisticated Earth Observation System. In the eighties and nineties most of the Earth Services Information and Transmission Satellite Network must be built to yield the benefits which will be needed with growing urgency as this century draws to a close. Every year of delay in readying the Shuttle-based space transportation system will shift the build-up of the Earth Services network downstream and harm our national and global ability to deal with environmental and associated crises.

Shuttle Timing and the Energy Crisis. The national and world demand for energy will continue to grow in the decades ahead. The rise in the consumption of electricity is particularly fast and will represent an increasingly large fraction of the overall energy demand. At the same time, "easy" (economically accessible) energy sources (crude oil, natural gas) show signs of depletion. Recovery of new reservoirs of fossil fuels ("easy" and "less easy" ones, such as tar and oil shale) draws opposition on environmental grounds. While new oil and gas fields will nevertheless be exploited and recovery from existing reservoirs can be increased through improved technologies, the environmental confrontation will become more pressing. Thus, we face a dual confrontation—one related to the demand for energy resources and the other to the environmental impact of utilizing existing, primarily fossil, energy sources and new, non-fossil sources.

The expected proliferation of nuclear power plants can be made significantly more compatible with human and biological environmental requirements by selecting sites in regions where the environment and its resources (land and water) are not already burdened heavily by population, industry, and cultivation. Preferred regions are in northern latitudes, in earthquake-free areas (e.g., at Hudson Bay or the southern coast of Greenland). This removes, however, these power plants from major consumer markets.

Next to nuclear power, the utilization of solar power offers the greatest promise. But almost all of the maximum-insulation areas (with 2 billion thermal kwh or more of solar energy input annually) are also far from major consumer markets.

Therefore, global power transmission and distribution is the key to large-scale transition from fossil to nuclear and solar power, which would solve the energy crisis. The key to global distribution is the Power Relay Satellite, utilizing microwave power transmission—a new approach to providing needed global electrification. Energy is beamed from the power generating complex to a passive relay satellite which reflects the microwave beam into the consumer area where the energy is reconverted to electricity in clean high-efficiency electromagnetic power plants.

The Power Relay Satellite is Shuttle-com-

patible. In fact, in the effort to find enduring solutions to the energy crisis, it is the only Shuttle-compatible concept involving space technology conceivable within the next 20 years. To deliver a 10-million-kilowatt power beam to the terrestrial receiver station requires a power relay satellite of about 4 million square feet, weighing less than 30 tons. By comparison, a solar space power plant generating an equal amount of power requires a solar absorber area of about 80 million square feet and weighs over 10,000 tons.

Shuttle and Our Balance of Trade Posture. In broadening the potential application of space, the Shuttle contributes solutions not only to a multitude of bio-ecological and human-environmental confrontations and crises but to this country's international economic posture as well. The benefits considered here can be classified as Shuttle-direct, Shuttle-induced, and space-direct. The Shuttle-direct contributions to the country's economic posture are based on the fact that the U.S. possesses a cost-effective transportation monopoly in an area of activity that is becoming increasingly important to many nations. This monopoly is likely to last for many years because the development of a reusable space transport is not worthwhile for countries with less than "whole space programs." With the exception of the U.S. and U.S.S.R., all countries involved in space programs maintain only partial space programs.

The Shuttle-induced economic benefits are derived from its position on the "cutting edge of technology." The orbiter will be the most advanced aerospacecraft for many years and will create technology-intensive supporting industries whose products constitute high-technology exports upon which this country's balance of trade will increasingly depend during the eighties and nineties.

Finally, the Shuttle will generate many space-direct benefits for this nation's economic position on the world market. The Shuttle-supported development of satellite power relay systems, however, has potentially a greater impact on the nation's trade balance than all other benefits combined. A Power Relay Satellite can beam power to many places in its hemispheric field of view. The world demand for electricity will rise steeply in the next few decades, and since antenna arrays are cheaper than on-orbit power plants, it affords the U.S. an opportunity to become the world's major exporter of electric power.

The timing of the Shuttle is right for combating our deepening crisis in foreign trade during the eighties and nineties.

JUNIOR OPTIMISTS OF COLUMBUS,
GA.

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. BRINKLEY. Mr. Speaker, I recently had the opportunity to talk personally with Mr. C. C. Scarborough, adult adviser of the Junior Optimist Club in my hometown of Columbus, Ga. My conversation with Mr. Scarborough reinforced my admiration for the outstanding work and community service projects carried out by the fine young people of this organization. Since August 1960, the Junior Optimists of Columbus have earned and donated more than \$22,000

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to the less fortunate of the Columbus and Phenix City, Ala., areas.

Mr. Speaker, I commend to the attention of my colleagues the following correspondence from Mr. Scarborough which outlines some of the donations made by the club:

OPTIMIST CLUB OF COLUMBUS,
Columbus, Ga., June 14, 1973.

HON. JACK BRINKLEY,
Cannon House Office Building,
Washington, D.C.

DEAR MR. BRINKLEY: I appreciate very much your telephone call of June 7 in regard to the work of the Junior Optimist Club.

Since August 1960, through their various projects, the Junior Optimist Club has been able to purchase and donate the following to the needy people of the Columbus and Phenix City areas:

67	Common wheelchairs at \$190.00 each	\$12,730.00
17	Motor driven wheelchairs at \$500.00 each	8,500.00
1	Hospital bed, complete	175.00
1	Automatic lift	185.00
1	Set of leg braces	128.75
3	Sets of aluminum crutches	54.00
1	Telephone shoulder rest	4.25
	Repair of wheelchairs	413.35
	Donations on 1 iron lung	200.00
		22,390.35

This money raised by the Junior Optimist Club and members of the local high school cheerleaders.

Sincerely,

C. C. SCARBOROUGH,
Junior Optimist Adult Advisor.

NATIONALISM STRONG IN
LITHUANIA

HON. ROBERT N. GAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. GAIMO. Mr. Speaker, Americans who have family and friends in European nations behind the Iron Curtain are well aware that the current warmth in the cold war does not mean that oppression in countries under Soviet control has lessened. Quite the contrary is true; to maintain control over diverse and proud peoples, the Soviets have adopted a wide range of oppressive measures designed to stifle free speech, expression of religious beliefs, and freedom of travel.

On this anniversary of the Soviet takeover of Lithuania, we are well reminded by the Lithuanian community in America that the Soviet control system remains one of political prisons, denial of self-determination, and undermining of the personal freedoms we fought for and enjoy as Americans.

We are reminded of this from other sources as well—the frequent and plaintiff appeals for freedom of prominent literary, scientific, and cultural figures within the Soviet Union; the struggle of Soviet Jews to emigrate to countries of their choice, without confiscation of their property; the tales of numerous officially sanctioned moves to eliminate religious worship, political activity, and even free speech of individuals.

Our commitment as Members of the Congress in response to these reminders should be twofold: First, to remain continually aware, both as legislators and as leaders of the public, that Soviet détente should not disguise the remaining totalitarian nature of Communist ideology as practiced in the Soviet Union; and, second, to insure that in our increased commercial and diplomatic dealings with the Soviets every measure is taken to help insure greater guarantees of freedom for those caught behind the Iron Curtain.

The spirit of nationalism is strong and remains strong in those such as Lithuanian Americans whose friends and family remain behind in nations stripped of their sovereignty. The longing for personal freedom is also strong, no less so 33 years after those freedoms were lost in the Soviet occupation of Lithuania. The quest for nationality and for personal freedom will, in the long run, triumph over the misguided tactics of strong men and dictators. We can help by remembering the oppression, by committing ourselves to its end, and by acting to foster personal and national freedom whenever possible through our actions in the Congress.

WHAT IF YOU CAN'T AFFORD A LAWYER?

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. CONYERS. Mr. Speaker, as a long-time supporter of legal services for the poor, I would like, today, to register my continuing support for such a program. In accordance with this view, I would like to express my belief that the proposed Legal Services Corporation Act should be given the support of this House as a means to insure the representation of the poor as well as the rich in the courts of this Nation.

I am inserting the following article in the Record, in full agreement with its message:

[From the Toledo (Ohio) Blade, May 27, 1973]

LEGAL AID AND JUSTICE

In asking Congress to provide America's poor with free legal assistance "independent of political pressures," President Nixon has submitted a new version of a 1972 bill advocating the creation of a Legal Services Corp. as substitute for the existing legal services program. The latter has operated for eight years under the wing of the Office of Economic Opportunity, which is rapidly being dismantled by acting director Howard Phillips.

Two years ago Mr. Nixon proposed such a corporation, saying that it could "provide a most effective mechanism for settling differences and securing justice within the system and not on the streets." But last year he vetoed an LSC bill and then he turned Mr. Phillips loose early this year to starve the existing program before its June 30 expiration despite a fully funded budget.

Mr. Nixon's belated but active show of support for the new bill, which would claim \$70 million in his budget outlay, revives

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hopes for this continuing program which annually handles a million cases at the remarkably low average cost of \$60 per case. The bill is hedged with strictures that should be subject to debate and amendment. But at least the President has somehow turned his mind to one of the pressing domestic concerns of the country.

Early in April, James Kilpatrick, the conservative columnist, wrote with concern that whatever else under the OEO was scrapped, continuing neighborhood legal services to the poor "must be maintained" if ever the country is to balance its dual systems of law in this country, one for the rich, another for the poor.

Chief Justice Warren Burger once remarked that "this program attracts young idealistic lawyers, sometimes they have more zeal and adrenalin than judgment and skill." But he also concluded that while abuses occasionally were serious, there have been few. The bulk of case work by these lawyers involves legal problems arising from housing, domestic relations, employment, and consumer grievances.

"Justice," as the President repeated, "is served far better and differences are settled more rationally within the system than on the street." What it all adds up to is equal justice under law in practice as well as in noble concept.

STRONG SUPPORT FOR LEGAL SERVICES BILL

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. DELLUMS. Mr. Speaker, the fate of the legal service program in this country has been hanging in the balance for the past several months. We cannot allow this program to die; the legal needs of the poor of this country must be met. In my opinion, it is imperative that as a body we act quickly and positively on the legal service corporation bill.

I urge that we consider the opinion of those in an excellent position to judge the value and strength of such a program. I offer the Members of the House the views of experts in the form of a resolution passed by the county bar association of Jackson County, Okla. Identical resolutions were passed by Harmon and Greer Counties. I insert this resolution into the CONGRESSIONAL RECORD:

RESOLUTION

Whereas the President of the United States has proposed that the Legal Services Program be continued in the form of an independent corporation, and

Whereas it is essential that the Legal Service Program as it presently exists be continued, pending the adoption by Congress of necessary enabling legislation to bring such a corporation into being, and

Whereas the Acting Director of the Office of Economic Opportunity has issued an order placing all Legal Services Programs on a thirty day, month to month funding basis which is fiscally unsound, demoralizing to Legal Services personnel, and provides no assurance of continuing effort on their behalf to the poor people who come to Legal Services lawyers for representation, and

Whereas the professional record of Legal Services lawyers as a group has been exemplary and they have professionally and prop-

erly represented those persons who have sought their services.

Now therefore be it resolved that the Jackson County Bar Association urges the modification of the thirty day funding regulation to provide for annual funding of Legal Services Programs so that they can effectively function in contracting for services of personnel and office facilities with some assurance to continuation beyond the immediate future, pending the passage of an adequate Legal Services Corporation Bill which would preserve the independence of the lawyer-client relationship as set out in the Canon of Ethics of the American Bar Association.

SHOULD NOT LITTLE GIRLS BE ALLOWED TO PLAY IN LITTLE LEAGUE BASEBALL?

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. MATSUNAGA. Mr. Speaker, in recent weeks we have heard of many incidents of girls wishing to play in organized baseball. The male-oriented youth leagues have resisted. In the light of recent reports which tell of insistence on barring girls from youth baseball teams, I believe that my colleagues will be interested to know that a young lady named Carol "Casey" Kishimoto from my State of Hawaii broke the sex ban more than 14 years ago. Few, if any, females had managed to break into the male domain of the baseball diamond when Carol "Casey" was at the bat for the Kalakaua A.C. in the Police Activities League. In these days when more and more barriers built on sexual discrimination are falling aside, it is comforting to think that so many years ago, under the spell of Aloha, the "guys" on the team of Kalakaua A.C. in Honolulu, Hawaii, included Carol "Casey" Kishimoto. According to all reports, she was an above average player who pitched as a southpaw for her team. And what is most comforting to know is that during the 4 years that she played, she caused no complications or embarrassment to her coach, her teammates, or anyone else, purely on account of her sex. Perhaps the little league traditionalists who withdrew its charter from the city of Ypsilanti, Mich., for refusing to remove Carolyn King from one of its teams, ought to take a serious second look at its existing policy.

I include at this point an article from the Honolulu Star-Bulletin detailing Ms. Kishimoto's baseball career:

CAROL WAS STAR ON BOYS' TEAM LONG BEFORE CURRENT SQUABBLERS

(By Rod Ohira)

Mighty Caseys come and go but there may never be another one like Carol Kishimoto.

After all, even Ernest Lawrence Thayer didn't envision the star of his Mudville nine to be anything but a man.

But baseball has caught the fancy of several teen-age girls on the Mainland, presenting a frightening problem for traditionalists in the sport.

There's Carolyn King in Ypsilanti, Mich., whose talents in baseball already have cost her city its Little League charter.

Then there's 13-year-old Yvonne Burch, who was playing for a Babe Ruth team in Concord, N.C.

The pony tailed teen-ager attracted national attention by winning a starting berth in rightfield and hitting a triple her first time at bat. However, a national ruling was handed down last Wednesday to the Concord officials who dropped Yvonne rather than lose their charter.

Those who know Carolyn and Yvonne and the countless other girls who may be playing in boys' leagues will tell you how great they are.

But even before Carolyn or Yvonne were born, there was a Mighty Casey in Hawaii.

It was 14 years ago that "Casey" Kishimoto began swinging her mighty bat and pitching her way to fame for Kalakaua A. C. in the Police Activities League.

Carol can do a hula, bake a pretty good cake and sew a neat stitch.

"But I don't think I can pitch or bat anymore. It's been such a long time," the shy 23-year-old said with a timid smile. "I feel it's okay for girls to play boys' sports because there just aren't enough sports for women.

"They just started a Bobby Sox program in Hawaii, maybe that's the answer.

"All the publicity when I was playing gave me an inferiority complex. You know, like I was something different . . . a freak."

"Casey" gave up baseball when she was 12 and went on to graduate from McKinley High School and the University of Hawaii.

"I wasn't going to play the last season but my mother talked me into it because there was a chance to travel," Miss Kishimoto said. "And as it turned out, I have no regrets."

Carol enjoys playing tennis now although she recalls her last chapter in baseball vividly.

"A few years ago, they asked me to umpire some games at Cartwright Field and I did it because it was an emergency," "Casey" said. "I ended up doing it for two seasons."

Just how good was Casey? Well, some of her teammates on the all-star team that traveled to Los Angeles during her final season included Punahoa stars Nolan Ramirez and Keith Kasparovich and Ryan Kuroski, now the pitching star of the University of Nebraska.

"Oh, she was above average," recalls Sgt. Ray Kawano of the PAL. "She played four years with us and although our rule still doesn't specify boys only, we've sort of discouraged girls from coming out since Carol finished up."

CHEMICAL AND BIOLOGICAL WARFARE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. RANGEL. Mr. Speaker, the American military program is, tragically, one shrouded in secrecy and stealth. Much of our tax dollar, and too much of our military and scientific knowledge, goes toward developing and perfecting our destructive capabilities. Today, the Pentagon is satisfied with our guns, and bullets, and nuclear devices. However, it is not yet satisfied with our chemical and biological warfare program. Unbeknownst to millions of Americans, and to Members of Congress, the American chemical warfare effort is alive and well. On bases all across the country, scien-

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tists, military men, and ordinary citizens are hard at work producing diseases and gases and germs. Instead of working to end wars and cure disease, we allow men and money to do the opposite.

In the book, "Chemical and Biological Warfare—America's Hidden Arsenal," author Seymour M. Hersh provides a detailed and thorough account of this disturbing subject. Included in his book is discussion of our use and development of 2,4,5-T herbicide and "Agent Orange."

I have submitted two proposals in the House designed to halt this developing trend toward chemical aggression. I hope that my colleagues in Congress will read Mr. Hersh's book and give thoughtful attention to my legislative proposals, "The Herbicide Export Control Act of 1973" and "The Chemical Warfare Prevention Act of 1973."

TRUTH ON THE INSTALLMENT PLAN

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Ms. ABZUG. Mr. Speaker, last month WCBS-TV broadcast an editorial on the subject of the President and his reaction to the Watergate scandal. They quite rightly point out that the President has yet to respond fully and openly to any of the questions raised by this scandal, but rather has chosen to tell us only bits and pieces designed to protect his rapidly falling reputation.

I commend the editorial to the attention of my colleagues and include it at this point in the RECORD:

WCBS-TV EDITORIAL

On Wednesday the American people read the President's third major statement on Watergate. It is disturbing, however, that each of these statements, rather than being a full accounting of everything the President really knew about the case, was a limited response to events—just enough to meet the challenge of the moment.

This week, under the pressure of escalating revelations and charges, the President revealed much more of the Watergate story. But in each installment, the President seemed to be more concerned with saving his own neck than with getting at the truth. On April 30, his explanations were wrapped in sanctimonious rhetoric about the presidency and this week he gave us a 4,000 word dissertation largely on national security. Each was an exercise in justifying his failure to deal with the scandal spreading at his feet.

This week the President admitted, in effect, that he may have created the climate in which a coverup took place. He said that he was afraid that an investigation of Watergate might jeopardize other national security operations. As a result he urged caution in the investigation to his two top aides, H. R. Haldeman and John Ehrlichman. This admission raises some questions. Why should the President have thought that breaking into the headquarters of the Democratic National Committee might be a legitimate intelligence activity? Was the President confusing national security with his own political security?

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President Nixon also said that he had been told that the CIA might be involved. But the two top officials at the CIA at that time said he never asked them about it. Why didn't he contact them when he was first told about this possibility? And who gave him this information? Further, Mr. Nixon told us that by July of last year he knew that there was no CIA involvement and was warned by the then acting head of the FBI, L. Patrick Gray, that "the matter of Watergate might lead higher." Did he then instruct Mr. Haldeman and Mr. Ehrlichman to abandon caution in the investigation? It stretches faith to believe that a man as experienced and as canny as Mr. Nixon didn't pursue Patrick Gray's lead and find out for himself who was involved.

But the bigger question is why he didn't tell us all this before. What was he waiting for? President Nixon's piecemeal approach is disturbing. Americans don't like to question the integrity of their President. But when they are given the story on the installment plan, it's hard not to.

RESOLUTION—LEGAL AID SOCIETY OF MECKLENBURG COUNTY, N.C., BOARD OF DIRECTORS—APRIL 9, 1973

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mrs. CHISHOLM. Mr. Speaker, the President has submitted to us a bill proposing the formation of a National Legal Services Corporation. I agree with the concept of such an organization. The presently functioning legal services program has made great strides in the effort to assure that the poor of this country have equal access to adequate legal representation as that enjoyed by the rich. The formation of a national corporation would continue the progress already made. There seems to be great agreement among the bar associations in this country that it is imperative that the legal services program continue in some form. Similarly there seems to be substantial agreement that the best means for this program to continue would be in the form of a national corporation. The American Bar Association on February 16 passed a resolution endorsing the creation of such a corporation. I would like at this point to introduce into the RECORD a resolution passed by the Legal Aid Society of Mecklenburg County, N.C. which endorses that passed by the ABA. I believe it important for us, as legislators, to be aware of the feelings of the legal community and particularly of those attorneys who have been dealing in this field in the past and thus can best judge the relative success of the program.

The board of directors of the Legal Aid Society of Mecklenburg County, N.C. hereby endorses the resolution passed by the house of delegates of the American Bar Association on February 16, 1973.

However, until such time as Congress makes a decision enacting a legal services corporation, we strongly urge that all programs, including the many legal

services backup centers, be funded at their present level through the termination of their current program years.

Any other approach would cause deterioration of the services provided both by neighborhood offices and by the centers and would cause lowering of staff morale, all to the detriment of those clients most in need of legal services.

The Board further urges not only the 26th judicial bar but also the North Carolina Bar Association to similarly endorse the resolution of the American Bar Association and to support the continuation of the national legal services program.

The executive director of this society is instructed to send a copy of this resolution to Richard M. Nixon, President of the United States; to Howard Phillips, Director, Office of Economic Opportunity; to Lawrence McCarty, Director, Office of Legal Services, OEO; and to all Members of the North Carolina Congressional Delegation.

YOUTH CAMP SAFETY

HON. STEWART B. MCKINNEY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, June 18, 1973

Mr. MCKINNEY. Mr. Speaker, in the near future, Congress will once again take up the matter of safety in the Nation's summer camps.

As you know, this has been a concern of mine for some time, going back to when I served in the Connecticut House of Representatives. In the 93d Congress, I am cosponsoring the youth camp safety legislation which has been introduced by Congressmen DANIELS and PEYSER.

In a recent edition of the Christian Science Monitor, Jeff McCulloch wrote a very thorough article on this subject and I believe that many of the Members would find it most edifying. Accordingly, I would like to have Mr. McCulloch's article reprinted in the RECORD at this point:

How SAFE Is YOUR CHILD'S SUMMER CAMP?
(By Jeff McCulloch)

How safe are the summer camps many thousands of American children will be invading in the warm weeks ahead?

"Nobody knows," is the answer in too many places, say a growing number of parents and lawmakers concerned about the lack of federal and state laws regulating the camps.

Parents are urged to check for themselves.

Fewer than half the states have laws that specifically apply to youth camps. There is no federal camp-safety law. And there is little overall data available to show the present status of youth-camp safety, parents complain.

Almost all camps are touched by some laws, at least by local health ordinances. Ernest F. Schmidt, executive vice-president of the American Camping Association (ACA), says of the some 20 states that have camp safety laws, he considers Michigan's the best. This law has enough teeth, he says, that the state can close a camp almost overnight if the need arises.

EXTENSIONS OF REMARKS

CHECK THE LAWS

Meanwhile, officials point out, parents can check the laws of the state in which the camp is located. They also can check for accreditation with the ACA.

Lack of ACA accreditation does not mean it is an unsafe camp, they note. Many outstanding camps are not members.

If the camp is accredited with the ACA, parents should ask about the date of the last accreditation inspection.

Some parents warn that "a lot can happen in the five years between ACA inspections."

The best way to evaluate a camp, most parents say, is to visit it. In addition to inspecting the physical site, parents should check the age and qualifications of staff members and the ratio of staff members to campers.

Numerous unsuccessful efforts have been made to pass national safety legislation. Sen. Abraham A. Ribicoff (D) of Connecticut has reintroduced a bill and Rep. Dominick V. Daniels (D) of New Jersey, chairman of the select subcommittee on labor, plans to hold hearings—for the fourth time—on the House version of the youth camp-safety bill.

A staff member of the subcommittee thinks this might be the year for passage for the bill. He credits wide news-media coverage and particularly a vigorous publicity and lobbying campaign waged by parents with arousing public support for such a bill.

SUBSTITUTE MEASURE

Last year a substitute measure, sponsored by Rep. J. J. Pickle (D) of Texas, was passed, calling for a national survey of youth camps. The survey is being conducted this summer by a firm under contract to the Department of Health, Education, and Welfare. It is expected to be completed by October.

One outspoken parent pushing for stronger safety laws is Mitchell Kurman of Westport, Conn., who had good reason to be careful in selecting a camp for his youngest daughter.

His son had been drowned in a canoeing accident in Maine in 1965. The canoe contained no lifejackets.

Mr. Kurman said the camp director, who had never been to Maine, had placed the boys in the hands of a counselor "who had a limited—and, therefore, dangerous—idea of canoeing."

The group from the camp had experienced a boating accident previously in Ontario, Canada, before it had continued to Maine. And after the accident the group had continued to Mt. Washington, N.H., to "keep a schedule," Mr. Kurman said.

PRESEASON VISIT

When his daughter asked to go to a camp, Mr. Kurman went far beyond looking at brochures. He concluded his research with a preseason visit to a camp in Vermont, where he inspected the site and talked to people in the area. He found a conscientious camp director and a qualified staff, and his daughter spent three happy summers at the camp.

Not everyone believes that federal regulation is the answer. J. W. "Tex" Robertson is "news editor" and past president of the Camping Association for Mutual Progress (CAMP), formed to oppose federal intervention in the camping scene. Mr. Robertson believes that a federal camp-safety law would be "just another notch of bureaucracy."

"We think our state government is responsible and can take care of it," he insists. Texas recently passed a camp safety law.

Mr. Kurman disagrees: "I don't think parents should have to know what the laws are in the state of Texas to send their children there."

Mr. Kurman points to the case of his late son—a Connecticut resident killed in Maine on a trip with a New York camp—as evidence that federal control is needed.

The ACA is supporting but not insisting

on federal legislation. Both Mr. Schmidt and Mrs. Theresa Phinney, executive secretary of the New England Camping Association (a section of the ACA), predict that even if federal legislation is not passed, all states soon will have adequate laws because of intense public pressure.

To help parents to know what to look for, a booklet called "Standards for Camps" can be obtained for 25 cents from the American Camping Association, Bradford Woods, Martinsville, IN 46151.

MALIGN NEGLECT

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. YOUNG of Georgia. Mr. Speaker, because our system of rights and freedoms is based on our Constitution, our democracy is said to be a nation of men governed by law—law for all, not just a few. It is access to that body of law and its protections which will make our forefathers' dreams of freedom a reality.

Through the many public-spirited private legal aid programs which have developed across the country, the legal profession has made a permanent and effective contribution to the full fruition of those dreams of democracy. Those private programs and attorneys have been the model for publicly supported legal aid and legal services programs. From private aid to publicly supported programs, each step has been an important move toward greater constitutional democracy.

The legal aid program in Georgia is more than 20 years old and over the years has involved and continues to involve leading members of the Georgia bar as well as younger attorneys and law students. Their concern about the status of federally supported legal services programs has been more than manifest in their voluminous correspondence with my congressional office, both here and in Atlanta.

We need to let these attorneys know that their efforts over more than a quarter of a century to bring our judicial system's protections to the poor as well as the rich will not be crippled by our defeat of H.R. 7824.

But my concern about passing this legislation is not simply a question of the desires of my own constituents. I am deeply concerned about the fate of a program that is vital to the quality of justice in North Carolina—the legal services program in Forsyth County. This program is not in my district but has been an outstanding one, and its future is now uncertain, as is the future of all such programs across the Nation. Forsyth County's legal services program has helped some 3,000 people a year to attain adequate legal representation. The office has been professionally and capably run, always with the highest ideals motivating the behavior of the attorneys. The article that follows appeared in the Winston-Salem Journal on February 26 of this year.

EXTENSIONS OF REMARKS

June 18, 1973

MALIGN NEGLECT

The White House has sent a panzer division to settle the war on poverty, and so rapidly are its field forces striking this week that the casualties include both foes and friends of the Nixon administration.

But it may not be just the blitzkrieg of the Office of Economic Opportunity that is bringing the friendly casualties. It may be simply a deliberate vagueness in the general's orders, designed to ensure that no one will be left to tell the tale.

We know that the President plans to end many of the programs of OEO, and such as he believes worth saving will be delivered as captives to other departments.

We do not know what the President plans to do with the program of legal services for the poor. Although the White House is on record as favoring its continuation, this week the field marshals—without any White House protest—are laying siege to the legal services program.

Last year Congress and the President agreed that legal services was a good program and worth continuation. But a bill to establish it as a separate office failed because the Senate wanted an independent, non-political board of directors while the White House sought a board that was directly responsible to the president.

In the new budget this year the President asked for money to continue legal services, but he has made no proposal on how it is to be continued after OEO falls on June 30. Meanwhile the legal services director has been fired, and the program is being run by men on record as hostile to the concept of legal aid for the poor and indigent. Local legal aid programs are under a 30-day funding restraint, which is a bureaucratic form of strangulation. In one state half the local programs have collapsed, and in other states the programs are in jeopardy.

Our own program in Forsyth County cannot make plans beyond the next few months. If the status of the legal services program is not resolved soon, it will have to stop taking on cases that may be carried in the courts until April or May. And it is unable to plan for alternative funding for the aid program it runs under a Model Cities grant.

Despite a limited budget, the local legal aid program helps some 3,000 people a year, and the worth of the services it provides is beyond dispute.

But unless the President issues clear and authoritative orders to the men he sent to demolish OEO, the legal services program will fall. That, as we understood it, was not the intent or spirit of the New Federalism.

I strongly support the passage of H.R. 7824 creating a National Legal Services Corporation free from political interference. I believe that it is through such an organization that we can best serve the pressing legal needs of the poor people of this nation.

LITHUANIAN FREEDOM

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. HOWARD. Mr. Speaker, I think it is highly appropriate that the Congress spend a moment considering the plight of those citizens of the Baltic States. We, the American people, must support these patriots until the reins of their oppression are overthrown and they, too,

share in the blessings of free government.

Today, the prospects of world peace are near. However, claims of world peace will only be a myth unless all people have the right of self-determination.

The Members of the 89th Congress realized this and adopted House Concurrent Resolution 416 which urges the President to bring up for discussion the question of the status of the Baltic States in the United Nations and other international forums. I share the hopes of the Lithuanian people that our current negotiations with Russia can help bring the freedom of these brave people, who have been courageously struggling for the past 33 years. Their bravery is a firm foundation on which eventual freedom rests.

BALTIC STATES FREEDOM DAY

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. CARNEY of Ohio. Mr. Speaker, in June of 1940, the Russians, in blatant disregard of all their previous pledges, invaded Lithuania, Latvia, and Estonia, conducting mass deportation to Siberia and causing the death of thousands of innocent people. The sad fate and memory of these victims are very much alive today as we pay tribute to the gallant, freedom-loving peoples of the Baltic states who lost their independence and became captive to Communist totalitarian tyranny.

When the revolution freed the Russian nations from the shackles of tsarist rule, the Baltic States fulfilled their national dream of self-government and independence. In the brief period before World War II the people of Latvia, Lithuania, and Estonia formed their own democratic governments, rebuilt their war-torn lands, and developed national customs and freedoms. Unfortunately, Russia interrupted this liberty and peace with an invasion and occupation, ending the independent progress of the Balkan States.

Large-scale arrests and imprisonment of leaders and able-bodied men began immediately. Within a few days, centering around June 14, 1941, some 10,000 Estonians, 15,000 Latvians, and 34,000 Lithuanians were deported to the Soviet Far East. Only the Nazi attack brought a temporary halt to the Russian cruelty.

For over a quarter of a century, Soviet troops and secret police have harassed the captive nations, continuing their systematic murder and deportation. It might be assumed that by now the people of the Baltic nations would be ready to accept their fate. Yet they persisted in their attempts to throw off the yoke of communism. The national spirit is kept alive and is exemplified by groups in America who strive to support, encourage, and help the ones they love at home. We must continue to support these fine people in their unceasing effort to make their homeland free again.

Thirty-three years have passed since the tragic invasion. Many do not know that the independent nations of Latvia, Lithuania, and Estonia ever existed. But for the beleaguered men and women, the dreams of liberty still remain. We must hope with them that someday the Baltic states will again resume their rightful place among the free nations of the world.

GATT COMPLAINTS AND COUNTER-VAILING DUTIES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. VANIK. Mr. Speaker, on May 7, I requested information from the Secretary of State regarding several issues in the trade reform legislation currently being considered by the House Ways and Means Committee. In a letter of June 12 from Mr. Marshall Wright, the Assistant Secretary for Congressional Relations, the Department provided an answer with some valuable information on various aspects of our trade situation and the need for new legislation.

Because of the importance of this legislation to the entire economy and to every Member of Congress, I would like to enter portions of that letter in the RECORD at this point. Of particular interest is the list of complaints filed with the GATT concerning unfair trade practices. The United States appears to have filed more of these complaints than have been filed against itself. It would seem from this listing that more must be done to strengthen the "policing" authority of GATT—and that the United States should receive more from any new trade negotiations than it concedes. In addition, the Department's answer to my second question concerning countervailing duties is particularly interesting, especially where the Department states:

We believe that any negotiations on countervailing duties should be linked to the development of workable rules limiting export subsidies and that if a viable solution to the subsidy problem could be found, the countervailing duty issue would be largely resolved.

This is an interesting position in light of several of the GATT complaints filed against the United States. For example, the European Community has filed a complaint about our new DISC program, while another country has filed complaints about our export subsidy on unmanufactured tobacco. It would be my hope that in light of the Department's statement on export subsidies that the Congress will soon be able to close the new tax loophole known as DISC and eliminate other costly subsidies such as export payments on agricultural goods.

Portions of the letters follow:

CONGRESS OF THE UNITED STATES,
Washington, D.C., May 7, 1973.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: In the Department of State's testimony before the House Ways

and Means Committee on H.R. 6767, the Trade Reform Act of 1973, could the Department please provide for the hearing record a complete listing of

1) all complaints, actions, or requests placed by the United States Government with GATT concerning unfair and protested foreign trade practices, and

2) all complaints, actions, or requests placed by other Governments (by name of government) with GATT concerning unfair and protested trade practices on the part of the United States government.

In addition, with respect to Section 303(a) (2) of H.R. 6767, could you please provide further details on the meanings of the explanatory note accompanying the bill. The relevant explanation reads:

This injury requirement (referred to in 303(a)(2) will apply only so long as such a determination is required by the international obligations of the United States, i.e., under the GATT. A principal reason why this requirement is being introduced is that the GATT requires an injury determination generally in countervailing duty cases but the United States prior countervailing duty law was in existence at the time GATT was created and the absence of an injury requirement falls under the "grandfather clause" of the Protocol of Provisional Application. The question of injury requirements in United States and other countervailing duty statutes is currently under consideration in the GATT. The purpose of this statutory provision is to comply with the technical requirements of the GATT without prejudicing the positions that the United States may finally take on this question.

What is the United States Government's position on this issue?

DEPARTMENT OF STATE,
Washington, D.C., June 12, 1973.

Hon. CHARLES A. VANIK,
House of Representatives,
Washington, D.C.

DEAR MR. VANIK: The Secretary has asked that I reply to your letter of May 7 containing questions for the hearing record on H.R. 6767, the Trade Reform Act of 1973. Our responses to your questions are presented below in the order in which the questions appeared in your letter.

1. With respect to your questions concerning complaints of unfair trade practices filed with the GATT, the resolution of disputes between contracting parties is provided for under Article 22 and Article 23. Article 22 allows for consultation between contracting parties and Article 23 sets up procedures, including the withdrawal of equivalent concessions, for cases in which concessions have been impaired or nullified.

Enclosed is a list of U.S. actions and requests under Article 22 and 23 and a list of other contracting parties' requests of the U.S.

In addition to the procedures of these two GATT Articles, the U.S. and other contracting parties notified the GATT in 1970 of practices that each party believed constituted non-tariff barriers to trade. Over 100 notifications constituting thirty-eight U.S. practices were received by the GATT Secretariat; the U.S. submitted more than 300 notifications of foreign practices. These notifications form the GATT non-tariff barrier inventory and are the basic information for the five GATT working parties seeking solutions to these NTBs.

2. Foreign governments have criticized the U.S. countervailing duty statute because it does not contain an injury provision. They regard U.S. practice as an important non-tariff barrier and have suggested that an international countervailing duty code be negotiated which would require the U.S. to require a showing of injury to domestic industry before applying countervailing duties.

EXTENSIONS OF REMARKS

In conformity with Article VI of the GATT. The Protocol of Provisional Application (grandfather clause) now exempts the U.S. law, which antedates the GATT, from this requirement.

The U.S. position has been that the subject of countervailing duties can only be considered in the context of a solution to the problem of export subsidies, including subsidies on both industrial and agricultural products. Present GATT provisions result in an imbalance of international obligations in that policing actions against subsidies are more strictly constrained than are the subsidies themselves. We believe that any negotiations on countervailing duties should be linked to the development of workable rules limiting export subsidies and that if a viable solution to the subsidy problem could be found, the countervailing duty issue would be largely resolved.

I. COMPLAINTS BY THE UNITED STATES UNDER GATT

Description of complaint	Country	Date	GATT article
Residual import restraints after BOP justification removal.	Italy	1960	22
Quantitative restrictions on tariff concession items.	France	1961	22
Import restrictions on turbines.	Canada	1961	22
Import restraints on tariff concession items.	France	1962	22
Import restraints on citrus food products.	United Kingdom	1963	22
Quantitative restrictions on Austria food products.	Austria	1963	22
Additional duty on potatoes.	Canada	1963	23
Tariff treatment.	Japan	1964	22
Import restrictions on food products.	West Germany	1964	22
Quantitative restraints on Norway food products.	Norway	1966	22
Import restrictions on grains.	Denmark	1970	23.2
Quota restrictions no longer justified for balance of payments.	Japan	1971	23
Margins of preferences.	Jamaica	1971	23
EC preferences granted to Netherlands Antilles.	Netherlands	1972	22
Compensatory taxes exceeding bound rates.	European Community	1972	23.2
Quantitative restrictions.	France	1972	23
Dollar area quotas.	United Kingdom	1972	23
Rebate of certain taxes on exports.	Italy	1972	23
Tax practices on exports.	Belgium-Netherlands-France	1972-1973	23

II. COMPLAINTS AGAINST THE UNITED STATES UNDER THE GATT

Restrictions on dairy imports.	Netherlands	1952	23
Quantitative restrictions.	Uruguay	1961	22
Export subsidy on unmanufactured tobacco.	Malawi	1970	23
DISC.	European Community	1972	23

PRESIDENT SHOULD BE CAUTIOUS IN NEGOTIATIONS WITH BREZHNEV

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. EVINS of Tennessee. Mr. Speaker, while we wish the President success in his negotiations with Chairman Leonid Brezhnev this week, certainly a word of caution is in order.

Someone has said that the United States has never lost a war and never won a conference, and the record supports this contention.

The House Foreign Affairs Commit-

tee, in a report dated September 27, 1961, cites 45 specific violations of international treaties and agreements and refers to the "grim record of the Soviet Union" in international relations.

As a result of the President's trip to Russia last year, the United States agreed to a \$1,100 million grain deal with the Soviet Union that depleted American wheat and grain reserves and which has contributed to inflation in the United States, increased the price of food to American consumers and feed to farmers, and resulted in major dislocations of our rail freight system.

Let us hope that history will not repeat itself in the current negotiations for—on the record—it is difficult to have faith in any agreement made with Russia.

Beware of the Bear, Mr. President.

CONTEST WINNERS COME TO WASHINGTON

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Ms. ABZUG. Mr. Speaker, I rise to congratulate the many fine students in my district who participated in an essay contest which I sponsored on the topic "A Problem in My Neighborhood—How It Should Be Solved." The students wrote many excellent essays on a variety of problems, and came up with imaginative and thoughtful solutions.

Tomorrow the six winners—Charity Comancho, James Chory, David Freiman, Helen Hernandez, Lauren Schaffer and James Williams—will arrive in Washington for 2 days of sightseeing and fun. I want to congratulate these students for their accomplishments, and hope that they have a most enjoyable stay in our Nation's Capital.

[From the New York Times, June 16, 1973]
CRIME, DEATH AND LIFE ON WEST SIDE ARE TOPICS OF CHILDREN'S WINNING ESSAYS

(By Fred Ferretti)

"There is no safe place in the world but in our coffins."

"When I say crime on the streets I mean the children who try to take money and toys from other children."

"There are gangs of boys. We can't trust them. No telling what they will do."

These are excerpts from essays by 16 children in schools on Manhattan's West Side. 10 girls and 6 boys. They were finalists in an essay contest sponsored by Representative Bella S. Abzug, Democrat of Manhattan and had been asked to write on "A Problem in My Neighborhood—How It Should Be Solved."

Some of them wrote on crime; some on problems of the aging, as seen through their young eyes; some on pollution, ground and air, and some on subway graffiti.

Others, like Helen Hernandez, wrote of gangs and safety, and coffins. She was one of the six winners.

"That was the hardest thing I had to do," said Ms. Abzug, after announcing the six winners and giving consolation prizes of transistor radios and books about the District of Columbia to the 10 losers, many of whom were near tears on the school stage. "I'm going to find a way to get them all to Washington."

EXTENSIONS OF REMARKS

The other five winners—Charity Comacho of Public School 51, James Chory of P.S. 187, David Freiman of P.S. 173, Lauren Schaffer of P.S. 81 and James Williams of P.S. 11—will fly to Washington for two days as guests of Ms. Abzug. Their fare and expenses were donated by the West Side Chamber of Commerce.

Prior to yesterday morning's readoff, all of the schools in Ms. Abzug's 20th Congressional District had been asked to have their fifth- and sixth-graders write about the problems of their neighborhoods. The finalists were selected, and yesterday morning they met on the stage of P.S. 75 at 95th Street and West End Avenue.

The girls wore what were obviously their best dresses, and the boys wore jackets that seemed uncomfortable on them.

They set quietly, fidgeting only slightly, occasionally nudging one another, hardly looking like participants in what P.S. 75's principal, Louis Mercado, called "a program that we hope will lead to the development of the community activists of the future."

As they read they were judged by a panel of adults—Eleanor Friedman of the English Department of Julia Richman High School; Robert Jefferson, admissions liaison head of the City University; Daniel Brennan, assistant to Jacqueline Wexler, president of Hunter College, and Ilene Barg, a producer for ABC News.

Some of the youngsters read haltingly, others dramatized their words, and others spoke little above a whisper.

James Williams stole the show. His topic was pollution and what everyone should be doing about it. As he came to that portion of his essay where he had written, "You are a Congresswoman . . ." he turned to Ms. Abzug and pointed and asked, "Why don't you do something?" Ms. Abzug was taken aback for an instant, then she applauded vigorously.

MOUNT WASHINGTON RESIDENT LAUDS NEWS COVERAGE OF WATERGATE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, for the past several years many people have been openly critical of the news media in this country. I think that recent events have proven that while members of the press, like all of us, are sometimes guilty of mistakes, most of the time they perform a great service to society. One of my constituents, Mr. Charles Dugan, has made this point very well in a letter to the editor of the Pittsburgh Press. I insert his letter in the RECORD for my colleagues' consideration.

The letter follows:

NEWSPAPERS LAUDED IN WATERGATE ISSUE
Isn't it high time our nation's newspapers were given a well-deserved pat on the back for their coverage and disclosure of the Watergate mess?

The late Will Rogers once said that all he knew was what he read in the papers. I'm sure he was speaking for most, if not all, of us.

In recent times the Fourth Estate has been under fire and subjected to more and more criticism.

It's good to see it has come through it all—perhaps a bit bloody, but unbowed.

CHARLES DUGAN, Mount Washington.

WASTEFUL EXPENDITURES

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. SKUBITZ. Mr. Speaker, since I have consistently viewed with some skepticism this Nation's vast expenditures for deep space exploration and moon shots, I read with warm interest a piece on the Op-Ed page of the June 5 issue of the New York Times. I commend it to my colleagues and include it in the RECORD.

The writer is a former astronaut, Brian O'Leary, now an assistant professor of astronomy and science policy assessment at Hampshire College. We must assume that he speaks and writes with some authority. Mr. O'Leary warns us that we are embarking on a merry-go-round that will involve expenditures of up to \$15 billion in this decade of the seventies and lead to a commitment of more than \$35 billion in the nineteen-eighties.

At best, writes Mr. O'Leary, we have become involved in the squandering of public funds for projects and programs that are of questionable value and importance.

As one who has consistently opposed this type of spending, as well as some others, I am naturally impressed with scientific testimony that bolsters my position. From the day that one of our leaders vowed that we must and will beat the Russians to the moon, we have enmeshed ourselves in an ever widening and deepening spiral of enormous spending.

And spending aside, the program has, in Mr. O'Leary's view, absorbed a large share of our best scientific and technical talent that might better have been devoted to such critical current problems as research on energy sources, mass transportation, pollution control, and even research on a healthy economic growth that might have slowed inflation and halted dollar devaluation.

The article follows:

[From the New York Times, June 5, 1973]

PIE IN THE SKY

(By Brian O'Leary)

AMHERST, MASS.—The spectacular problems of the \$2.5-billion Skylab mission and the failure of the first three Soviet Salyut space stations may have dealt a death blow to manned space flight. The enormous expense, the high risk, the much-ballyhooed and grossly exaggerated claims about the pertinence of manned earth orbital flights to the quality of life on earth are creating an ever-widening credibility gap between the public interest and a vested interest inherited from the space race of the nineteen-sixties.

The result is the squandering of public funds. The Nixon Administration has talked economy in setting its ceiling to Federal spending this year and has backed it by impounding funds and vetoing social programs. But how about lavish spending on defense and space? The war dividend never came about, and we are spending more than ever on efforts which capture the money but not the imagination of Americans.

The \$2.5 billion for space is far more significant than it might first appear because it uses a large share of our best technological talent. Pollution control, research on energy sources and mass transportation, in addition to research and development for economic

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growth, remain begging for this kind of resource.

Japan and the NATO countries, which spend a much higher percentage on technology-intensive goods, are showing industrial productivity growths of as much as five times higher than the United States. One would think that even the White House would advocate limiting Federal spending on unprofitable and unnecessary defense and space ventures in order to meet the spending ceiling and to focus on research and development toward alleviating the balance of payments imbalance.

Not so. As a prime example, the Administration, NASA and most of Congress have approved the space shuttle which is the largest nondefense technological program now under way in the United States, and is as helpful as a white elephant to the balance of payments, to national security, to energy and environmental problems, to exploratory enthusiasm, or to any other goal near and dear to the American people. Designed to go into earth orbit and land like an airplane, the space shuttle replaces Skylab in NASA's succession of manned space extravaganzas. If approved, it will cost us between \$5 and \$15 billion to develop during the nineteen-seventies and will commit us to a more than \$35-billion space program in the nineteen-eighties. The public funds requested for the supersonic transport and Skylab were minuscule by comparison.

Congressional hearings show that any economy claimed for the space shuttle is, at best, marginal. If we want a large space program in earth orbit, if we can design shuttle payloads to be much less expensive than they are now, and if there are no significant cost overruns, then perhaps the space shuttle should be built.

But there is no indication that any of these things is happening; in fact the evidence points to the reverse. Most significantly, the Administration's cuts of the annual NASA budget to about \$3 billion, when combined with the rapidly escalating annual expenditures on the space shuttle, imply a nearly threefold decrease in space sciences and space applications funds over the next five years according to figures recently released by NASA. Yet these are the parts of the space program that really count—they support planetary exploration, scientific experiments in earth orbit and on the moon, all weather forecasting and earth resources satellites and some communications satellites. What payloads could we possibly put into the space shuttle if the funds to develop them have essentially disappeared over the next five years? The cancellation or suspension of many promising programs such as the Grand Tour of the outer planets, the High Energy Astronomical Observatory, Venus Pioneer, some communications satellites and advanced propulsion could be just the beginning.

What I am suggesting is the indefinite postponement of the space shuttle program, a reduction in excessive NASA management costs and the establishment of a moderate unmanned space program emphasizing space science and applications. I believe all this can be done with an annual budget of less than \$2 billion.

How about changing the Manned Spacecraft Center in Houston into the National Energy Research Center?

LITHUANIA

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, today, June 15, 1973, is a sad

day for the people of Lithuania for today we observe the 33d anniversary of the Soviet Union's shameless takeover of the Lithuanian national state.

Mr. Speaker, all during my service in this House I have argued for self determination for all people and I have time and time again raised my voice for the people of the three Baltic nations, Latvia, Lithuania, and Estonia. During the 89th Congress I strongly supported House Concurrent Resolution 416, which urged the President of the United States to continue to press for a full airing of the status of the Baltic States before various international forums.

In the time of so-called détente, let us not forget the cause of self determination, a policy of this nation first uttered by a great Governor of my State and a great President, Woodrow Wilson, more than half a century ago.

Mr. Speaker, on this day it is well to keep the cause of the people of Lithuania before us lest we forget. Lest we forget.

FREEDOM FOR LITHUANIA

HON. HAROLD D. DONOHUE OF MASSACHUSETTS IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. DONOHUE. Mr. Speaker, on June 15, 1940, the nation of Lithuania was forcibly annexed into the U.S.S.R. Today, I wish to join in paying tribute to this struggling nation and her people, who were denied the right of self-determination 33 years ago.

This Baltic State declared its independence on February 16, 1918, only to have its newly gained freedom destroyed by Soviet occupation during World War II. Under the aegis of communism, Lithuania has been denied the blessings of religious and political freedom. Thus freedom-loving people have been denied the right of national self-determination. Though this nation is tiny, the strength and the determination of its people are great.

Soviet oppressors have found that the spirit of freedom does not perish easily. The post-World War II history of Lithuania bears grim testimony to this. In the years following the war, native Lithuanians took to the hills to fight the Soviet occupation army, at a cost of over 50,000 Lithuanian lives.

The courage and sacrifice of these determined people was brought home with new force last year by the mass demonstrations of protest against Soviet occupation, culminated by the self-immolation of three Lithuanian youths. These actions demonstrate beyond the ability of words that the Lithuanian people have not acquiesced to annexation, but rather still strive for independence and freedom.

Mr. Speaker, thousands of Lithuanians must now live under Soviet rule. The hopes and prayers of free people throughout the world are with the Lithuanians who want to return to the freedom that they once enjoyed. Therefore,

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let us take the time on this sad anniversary to recognize that this valiant struggle is still going on, to remember our obligation to those who quest for, and are willing to sacrifice to attain, freedom, and to acknowledge the efforts to gain national self-determination by Lithuanians the world over, with the fervent hope that they will be successful.

Certainly, the time has come for everyone to demand that the principle of self-determination be respected and that the nation of Lithuania be free to choose its own form of government. We should have a single standard for freedom. Its denial, in whole or in part, anywhere in the world, is intolerable.

ALLOUEZ, WIS., CENTENNIAL

HON. HAROLD V. FROEHLICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. FROEHLICH. Mr. Speaker, it is a pleasure for me to join with the 15,000 residents of Allouez, Wis., in celebrating the 100th anniversary of their town.

Allouez is an unincorporated community in northeastern Wisconsin lying near Green Bay between the Fox and East Rivers.

In 1873, the people of Allouez separated from the township of Bellevue to form their own town. However, the actual history of the area now comprising Allouez goes back much further than the 100 years we are celebrating. I am submitting for inclusion in the RECORD, a short history of Allouez, reprinted from the Green Bay Press-Gazette.

Today, Allouez is a prosperous community and her residents are a vital force in the Green Bay metropolitan area. While her larger neighbor has grown considerably over the past years, Allouez has been able to preserve her own uniqueness and the many benefits of a small, friendly community.

I am sure that on this 100th anniversary, the citizens of Allouez are looking forward with confidence to another century of progress and prosperity. As their own centennial slogan says, "We've Only Just Begun."

A short history of Allouez follows:

[From the Green Bay (Wis.) Press-Gazette]

ALLOUEZ LOOKS BACK TO ITS BEGINNINGS

(Much of the material on Allouez's history has been excerpted from copy prepared for the centennial book. Material was provided by Robert Rahr Flatley, Dorothy Straubel Wittig and Mrs. Rosemary Reinhart.)

It could have ended up Menomineeville—or even Shantytown.

But it has been Allouez for better than a century, and the 15,000 people who live on the east bank of the Fox, between De Pere and Green Bay and the Devil River, or the Manitowoc, will celebrate their centennial with appropriate ceremony starting June 17.

The town's namesake was a Jesuit missionary—Fr. Claude Allouez—who was one of the first explorers and convertmakers into the Wisconsin wilderness.

Father Allouez is said to have baptized more than 10,000 Indians and preached to more than 100,000 in 24 years as a mission-

ary. He got to the New World in 1658 and in 1665 came to what is now Wisconsin.

He occupied a mission on the Lake Superior shoreline near Ashland for four years. In 1669 Father Jacques Marquette replaced him and Allouez went to Sault Ste. Marie. Early in November of that year he headed for La Baye—the Green Bay area.

It took the group until December to reach the mouth of the Oconto River, where Allouez decided to winter, establishing a temporary mission.

He tried again to reach La Baye in February, crossing the bay on the ice, but got only as far as Point Sauble. But in April of 1670 he moved to the mouth of the Fox, then upstream into the Wolf River country. He went back to the Sault, then came back in September with Father Claude Dablon. These two explored the Lake Winnebago region, then Dablon returned to the Sault and was replaced at La Baye by Father Louis Andre.

In 1671 the two moved their location from Red Banks to a permanent site on the east bank of the Fox below the rapids on the foot of what is now George Street in De Pere.

They built a hut and chapel which burned down in 1672, but was rebuilt and became known as Les Rapides des Peres—the rapids of the fathers. That name became shortened to De Pere. Father Allouez tried to make the river the River of St. Francis, but it became known as the Fox.

Father Allouez stayed until 1676 and was at De Pere when Marquette returned, a sick man, that same year. Marquette died and Allouez was ordered into Illinois to replace him.

He returned to Wisconsin only once, serving in Illinois and Michigan and died in 1689 near Niles.

His mission and the settlement it spawned branched out along the river for a century or more and in 1816 an American military expedition to the mouth of the Fox found cabins and trading posts extending from the juncture of the East and Fox all the way to the rapids.

The settlement area was known as La Baye, and was peopled by an amalgam of French and Indians. It was Indian territory across the Fox, with a Menominee Village near Walnut Street.

There were the ruins of a fort which had been occupied by both French and English and the Americans took over this site.

One commander, Col. Joseph Lee Smith, tried to establish a post on the ridge where Cotton House now stands, but was ordered back across the river. His move had triggered a brief real estate boom among people who did business with the military.

Some of these folks—saloon keepers and such—put up rude places of business and the area became known as Shantytown.

In 1824 Judge James Doty arrived and picked the place for the site of his court. He changed the name to Menomineeville, but the Shantytown tag stuck.

John Lawe laid out a village plat the same year, and it looked like prosperous days were ahead for Menomineeville. Daniel Whitney lived at first in Shantytown, but acquired land at the junction of the rivers across from the fort. In 1829 he platted the village of Navarino, cleared land, built a dock and a warehouse.

Gradually, settlers abandoned Menomineeville for Navarino. That name came from Navarino bay in Greece, site of a naval battle between the British, French and Russians over a Turkish-Egyptian ensemble.

In 1835 Doty, who had become an agent for John Jacob Astor, platted another village which he named Astor—this one to rival Whitney's. The two did compete briefly, but in 1839 they combined to form the community of Green Bay.

While all of this was going on, Menominee-ville faded.

Among the community's pioneers was Rob-

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ert J. Irwin, who arrived about 1817. His daughter is said to be the first child of American parents born in the area.

Irwin bought a parcel of land near what is now Riverside and Mirimar drives from Joseph Ducharme Sr. Price was a barrel of whiskey and a barrel of flour. The transfer was the first real estate deed recorded in Brown County.

Irwin's store was also the post office, with a Masonic lodge in a room upstairs.

Irwin was named a justice of the peace in 1820 and served with the legislative council of Michigan until 1830. He organized a volunteer company during the Black Hawk war of 1832 and was named Indian agent a year later.

When Henry Baird brought his 14-year-old bride to Shantytown in 1824 he moved into part of a log house which had been the Fort Smith officer's quarters. The John Dousmans occupied the other half of the structure.

Morgan L. Martin also spent time in the area, coming in 1827 at the suggestion of his cousin James Doty. Also in 1827, Rev. Richard Cadle and his sister, Sarah, began an Episcopal mission in Shantytown.

In 1830, George McWilliams and Edwin Hart started to build a mission house which was chartered by the second session of the Wisconsin territorial legislature as Wisconsin University of Green Bay and later called Hobart University. The school lasted until 1831.

In 1831, a Catholic church was built between what is now Riverside Drive and Allouez Cemetery. First pastor was Rev. Samuel Mazzuchelli. Trustees of the St. John the Evangelist parish were Louis Grignon, Jacques Porlier and Hyott Brisque.

In 1833, Father Mazzuchelli brought in two nuns to open a school. They purchased a home from Baird and helped nurse the populace during a cholera epidemic.

The actual Town of Allouez came into being April 7, 1874, after residents of the area petitioned for establishment of a new town.

Thomas McLean was elected first chairman, with Joseph Ducharme and Joseph Thomas supervisors. The treasurer was hired for one per cent of all the taxes he collected. The first clerk was paid \$25 a year. Original tax levy was \$950—\$800 for schools and \$150 for general operations.

Roads were a concern then, as now, and in 1893 Allouez set aside \$500 to put a foot bridge across the Devil River. Eight years later the bridge was judged worn out and a new steel one had to be built. The town fathers salvaged materials from the bridge and sold them for \$20.50, splitting the take equally with the town of Bellevue.

JUNE 15TH: A DAY OF BITTERNESS FOR LITHUANIANS THROUGHOUT THE WORLD

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. RANGEL. Mr. Speaker, when blacks in America are not free, we are not free. When Jews in the Soviet Union are oppressed, we too are oppressed. Similarly, when Lithuanians in Eastern Europe and Russia are persecuted, liberty is diminished throughout the world.

It is in this light that June 15 takes on special meaning. For on June 15, 1940, Lithuania was forcibly annexed into the Soviet Union. Russia's Lithuanian cit-

izens yearn to be free. They are striving, with the aid of Lithuanian Americans, to publicize their plight and educate the free world.

Let us remember the Lithuanian people and their cause, and rededicate ourselves to letting freedom reign in Russia, America and throughout the world.

THE 198TH ANNIVERSARY OF THE BATTLE OF BUNKER HILL

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. O'NEILL. Mr. Speaker, today we commemorate the 198th anniversary of the Battle of Bunker Hill. This first major battle of the Revolution was an attempt by about 1,000 colonialists to lay seige to the city of Boston, to drive the British troops out. The colonial force objected to the loss of their almost century old right to a high level of self-government. Their anger was aroused when King George III attempted to levy taxes on their tea—an act on which they had not been given the opportunity to vote. When George III quartered troops in the city of Boston, the people of the surrounding area decided to revolt. They could not see King George's right to rule in their private affairs, especially since they had no voice in the election of the English Parliament.

The battle which we commemorate today actually took place on Breeds Hill overlooking Boston. During the night, the 1,000 American troops fortified the hill. The following day they fought off 2,000 well-trained British regulars for hours. The British received very heavy casualties, but as the Americans began to run out of ammunition, the British finally succeeded in driving them from the hill.

Instead of routing or capturing the American force and ending the American Revolution in its infancy, the British had allowed the colonialists to win a moral victory. Before the battle, they had not considered that a determined force of colonial militia might withstand British regulars for so long and make them pay so heavily. This battle initiated the colonialists determination to fortify every hill and dispute every inch of ground with the British. It proved that the American colonialists would stand up and fight for their rights. It showed their determination to strive for the ideal of freedom.

In this battle, our Nation's first major step toward independence, our ancestors fought for freedom and equality. Today, we certainly have our independence; strength, prestige and glory mark our position in the world. Our country had taken many long strides toward equality and toward the essential rights of freedom of speech and religion, freedom from fear and want. But we still have a long way to go before these freedoms are truly inalienable.

Today, as we remember this battle and

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the ideals for which our ancestors fought so hard, can we honestly say that we have lived up to the standard they set for us?

Our system of checks and balances has been perilously assaulted.

The executive branch has impounded funds for domestic reform programs established by our elected legislators. Government corruption has become widespread, and an unpopular, distant war continues. All of these seem to be reminiscent of the outrages perpetrated in the time of King George, that led to the Revolution and to the battle that we honor today.

Let the remembrance of this Bunker Hill Day serve to remind us of our responsibility, not only to ourselves, but to the proud revolutionaries who won for us this great land, and to our descendants to whom we should bequeath an even greater land. Only after we have accomplished the objectives of lasting peace and freedom will we have met our obligations to the founders and defenders of our country.

JUSTICE REGARDLESS OF THE ABILITY TO PAY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. STOKES. Mr. Speaker, one of the most appalling inequities in our society is the disparity between legal recourse available to the rich and that available to the poor. Yet, like many American inequities, this problem is one which we have the means and the ability to correct at least in part—through the creation of a National Legal Services Corporation. A bill proposing such a corporation will be before us for a vote on Wednesday. I urge passage of this measure. The opportunity to seek legal redress is fundamental to our democracy. A person's wealth should not determine the availability of such opportunity.

I submit the following editorial from the Columbus Dispatch of May 29 which demonstrates why a solution such as a National Corporation should be sought:

DAY IN COURT PRICE SOARING

Many an American is haunted by the lingering fear that when the time comes for his day in court he will be denied it simply because of the economics of it all.

He is not concerned he will be caught in some highly spectacular legal action where costs run into the hundreds of thousands of dollars.

He is concerned by the routine costs of more mundane matters such as a dispute over an installment or with landlords and collection agencies or even such commonplace tiffs as those with a neighbor or a spouse.

For the wealthy, legal fees are no problem. Those in the middle income brackets generally can find financial backing on their credit ratings.

But for the poor this constitutes a monumental problem. While he can turn to legal aid groups and the public defender in crimi-

nal cases, he has little recourse in civil lawsuits.

Congress has before it a recommendation from the Nixon Administration which would go far in helping the nation's poor obtain high quality legal assistance in civil matters.

The proposal calls for creation of an independent Legal Services Corporation and would be funded to the tune of \$71.5 million during the next fiscal year.

That funding total is an index to what legal services are costing in this country. Minimum attorney charges of \$50 an hour are not uncommon. Court costs, too, can be prohibitive.

Without such a program, the poorer American is faced with unacceptable choices. He can remain silent and not defend himself at all or he can violate the maxim that "the man who represents himself in court has a fool for a client."

Worse, he can attempt to settle the dispute with bare knuckles in the street.

Justice would be far better served if differences are settled rationally within the confines of a courtroom.

THE STATE DEPARTMENT ON RHODESIAN CHROME

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. FRASER. Mr. Speaker, the ground under arguments defending the Rhodesian chrome amendment has been crumbling steadily ever since Congress passed the amendment in 1971. Convincing evidence has shown that the amendment makes no sense from the standpoint of national security and is actually damaging to the American economy.

Now we have a statement in which the Department of State effectively refutes five frequently heard arguments in favor of the amendment.

In a recent letter to our colleague from Michigan (Mr. VANDER JAGT) the Assistant Secretary of State for African Affairs says of the Rhodesian chrome amendment:

In my four years as Assistant Secretary the exemption of Rhodesian sanctions has been the most serious blow to the credibility of our African policy.

With the evidence against the amendment mounting with the passage of time, its proponents have little left now but an irrelevant contention that we should uphold this violation of international law so as to show the world that the U.S. Congress is a power superior to the United Nations Security Council. Surely Members of Congress do not propose to base our laws on such irrational ground. The United States, like any other country, regularly binds itself to international obligations for its own benefit and for the benefit of the world at large. Surely the Congress does not want to make a practice of going back on the word of two Presidents just to prove that it is tough. It is time for us to recommit ourselves to international social justice, law, and order by again adhering to the U.N. sanctions against Rhodesia that we freely accepted for 4 years.

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With the permission of Mr. VANDER JAGT, I include the letter to him from Assistant Secretary of State David D. Newsom in the RECORD at this point:

JUNE 12, 1973.

Hon. GUY VANDER JAGT,
House of Representatives,
Washington, D.C.

DEAR GUY: Following our conversation the other evening at the British Embassy, I felt that some further comments on the Rhodesian chrome issue might be helpful to you. The standard arguments in favor of an exemption from the sanctions for strategic minerals and my comments on them are as follows:

1. *We need the minerals for national defense purposes.* If this argument had validity at any time it would seem to be negated by the fact that we are currently requesting the Congress to release chrome from our stockpile. The other major mineral imported from Rhodesia, nickel, is being reduced to zero in the stockpile. It is also pertinent to point out that of our total chrome imports only 10% goes for direct defense purposes.

2. *Rhodesian sanctions have increased our dependence on the Soviet Union.* We purchased approximately 30% of our metallurgical grade chrome from the Soviet Union before sanctions because Soviet chrome ore is the richest in the world. The exemptions under Rhodesian sanctions did not decrease the dependence on Soviet chrome, the imports of which have even increased. Chrome is also available from South Africa, Turkey and Iran.

3. *The Soviet Union raised the price of chrome because of Rhodesian sanctions.* The price of chrome actually went up because of a general rise in the price of minerals worldwide related only marginally to Rhodesian sanctions. Iran was the first actually to increase its price. We have always paid something of a premium for Soviet ore because it is of the highest grade.

4. *Our exemptions represent only a small portion of Rhodesian trade since others are not obeying the sanctions.* Imports of strategic minerals from Rhodesia in 1972 amounted to approximately \$13 million, in 1973 so far more than \$8 million, representing nearly 5% of Rhodesia's trade. While the percentage is small, the psychological impact is great and the foreign exchange helps Rhodesia in the area where sanctions have hurt the most. In our relations with the Africans, unfortunately it is the fact that we are legally breaking sanctions which is highlighted. The Africans have been slow to put the spotlight on other sanctions violations although they are now moving to do this more effectively.

5. *Sanctions are not effective.* It is true that sanctions are not totally effective, but they are the one element pushing the Rhodesians to negotiate and to make a settlement. Moderate Africans within Rhodesia urge that sanctions be continued even though they may themselves be hurt by them.

In my four years as Assistant Secretary the exemption on Rhodesian sanctions has been the most serious blow to the credibility of our African policy. While you and I in our travels may not encounter strong expressions on this subject, our Ambassadors in certain key countries emphasize the importance of this issue in the basic attitudes of these countries toward us. The fact that we have in African eyes chosen to go counter to a mandatory Security Council resolution and have for our own purposes weakened sanctions suggests to the Africans that we do not attach importance to the institutions and issue of significance to them. The impact is greatest in countries where we have very specific interests, such as Nigeria and Kenya, and is greatest among the youth who are the coming generation in Africa.

I hope the foregoing will be helpful to you as you contemplate the issue now once more put before the Congress.

Sincerely,

DAVID D. NEWSOM,
Assistant Secretary for African Affairs.

BUSINESS INVESTMENT THE KEY-STONE OF ECONOMIC ABUNDANCE

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. PRICE of Texas. Mr. Speaker, it is an unhappy fact that the American economy has fast been losing its ability to compete with other nations in world markets. We hear every day of workers being laid off and factories closed down because of competition from imports. Organized labor has been advocating the building of a high wall of protection around our shores to keep out foreign goods. The dollar has been devalued; that is, cheapened, twice within the past 2 years in an effort to strengthen our weakened international trading position. It now takes over \$100 to buy the same ounce of gold which 2 years ago was priced at \$35.

Our Nation incurred its first balance-of-trade deficit of this century in 1971, when our imports exceeded our exports by \$2.1 billion. In 1972 the trade deficit worsened considerably, totaling \$6.4 billion. The sad story is that foreign products now account for 9 out of 10 home radios bought in this country, 1 out of 6 new cars, 7 out of 10 sweaters, 19 of 20 motorcycles, and 9 out of 10 baseball gloves.

America's exports during the decade of the 1960's grew at a slower rate than the exports of our European trading partners and at a considerable slower rate than exports of Canada and especially Japan. During that decade Japanese exports expanded over 16 percent a year ago, a pace more than double the 7-percent growth rate for the United States.

A large part of the reason for our deteriorating trade balance is because in 1970, the average labor cost per American worker was \$4.18 an hour; this exceeded the labor cost per West German worker by nearly 2 to 1, the labor cost per French, Italian, and British worker by more than 2 to 1, and the labor cost of the Japanese worker by better than 4 to 1. In that year, \$100 could buy only 24 man-hours of labor in our country compared to 105 man-hours in Japan.

Productivity is the key to improvement in our foreign trade balance and the road to a higher standard of living for all Americans. By productivity is meant the rate of output, which usually is measured in terms of output per man-hour. If a worker can produce more per hour this year than last year, his product can now be sold more cheaply and the worker can be paid more. Increases in productivity come about as the result of changes in various factors: Better managerial techniques, more efficient layout of work, im-

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proved worker morale, incentive plans such as bonuses and profit sharing, and perhaps most of all, from the use of capital equipment. Machinery has eased man's burden since time immemorial, especially so since the industrial revolution of the 19th Century.

Unfortunately, the United States has been lagging behind other industrial nations in the accumulation of capital. During the years 1961 to 1967 the annual rate of capital investment in these United States—about 17 percent—was lower than that in any of the other major countries. According to the International Economic Report of the President, transmitted to the Congress March 1973, gross private investment in plant and equipment as a share of GNP averaged annually, during the recent 1969-71 period, only 10 percent in the United States compared to 13 percent in Canada, 17 percent in France and also in West Germany, and fully 20 percent in Japan.

Our lagging growth rate in capital investment is reflected in our lagging growth rate in productivity, which, as I have said, is a basic measure of our ability to compete abroad and of our ability to forgo a higher standard of living for ourselves and our children. Below are shown the productivity trends for leading industrial countries, taken from the President's International Economic Report of March 1973:

	Percent increase in productivity ¹	
	Between 1965 and 1972	Between 1971 and 1972
United States.....	20.0	3.5
United Kingdom.....	36.6	8.1
Italy.....	41.5	5.0
West Germany.....	42.0	3.8
France.....	53.3	8.2
Japan.....	130.3	11.7

¹ Percentages are calculated from 1972 figures which are estimates.

At the same time that American capital investment and productivity are lagging, compared to many of the economies with which we must compete in world markets, certain groups in our Nation stoutly oppose congressional efforts to stimulate research and development expenditures, plant and equipment spending, and productivity improvements. For example, organized labor, the same pressure group which now is agitating for a high tariff wall around this country on the ground that our industries are too sick to compete on equal terms with foreign enterprise, bitterly fought against provisions in the Revenue Act of 1971 designed to put some life into our competitive stance—provisions such as the 7 percent tax credit for corporate capital investments and the accelerated depreciation write-off for plant equipment and machinery.

A little noticed but very important part of our wage-price stabilization program has been the establishment of the President's National Commission on Productivity. The Commission is charged with the task of exploring the whole subject of productivity and promoting increases in its growth in every way possible. The Commission's work may have more long-range importance than our current pro-

gram of wage and price restraints, because the success of our efforts to curb inflation, to compete in world markets, to raise the national standard of living, to achieve full employment, and to attain our environmental and social goals ultimately depends on how well we perform in the productivity area. The advent of "productivity bargaining" in labor-management negotiations is one encouraging sign that organized labor recognizes the key role of productivity. A productivity bargain has been defined as "a settlement whereby employees accept changes in working arrangements which will achieve more economic production in return for higher pay or other specific benefits." In recent years, productivity bargaining has resulted in the elimination of restrictive work rules and other drags on output in such basic industries as steel production, construction, long-shoring, and the railroads. This kind of bargaining is a promising new development on the labor-management scene.

Capital investment, in providing the tools and facilities of production, enables workers to produce more and earn more. It takes a lot of money to create and maintain a job for each worker. Suppose businessmen and investors did not supply the tools and equipment; suppose each worker had to supply his own? The American Rolling Mills, in a house organ article, refers to such a situation in an imaginary ad. This ad reads:

Wanted: experienced open-hearth man who can furnish his own open-hearth furnace; good pay, steady work, furnace must be in good condition.

What steelworker can supply his own open-hearth furnace? What machinist owns his own lathes? What engineer his own locomotive? How much wealth could American workers produce if they had to furnish their own tools and equipment?

We need employers and investors to supply enough equipment for hundreds of thousands of new workers coming into the job market each year, and to replace machines that are worn out and outdated. The way to more jobs and greater abundance is to have more investors. The way to have more investors is to let them try to make profits in a free market. Profits represent the wages, the earnings of those who are willing to take the risks of owning business enterprises. Samuel Gompers, founding father of the old American Federation of Labor and its president for nearly 40 years, spoke with clear vision and understanding when he said:

The worst crime against working people is a company that fails to make a profit.

REPEAL OF THE BREAD TAX

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. VANIK. Mr. Speaker, I have today introduced legislation to repeal the 75 cents per bushel processing tax imposed on all wheat processed for domestic

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consumption. This processing tax, paid by the millers or bakers, is, in effect, a regressive bread tax which is estimated to increase the cost of the average loaf of bread by approximately 2 cents.

The Senate Agriculture Committee, in reporting out the Agriculture and Consumer Protection Act of 1973 included an amendment deleting this tax at the end of this year. By a vote of 77 to 12, the Senate accepted a floor amendment moving the effective date of the repeal of the bread tax to the time of the enactment of the farm bill. It would be my hope that the House Agriculture Committee will accept this amendment and make the repeal of this tax effective as of July 1 of this year.

This tax should be repealed for it places a highly regressive tax on the consumer, the millers, and the large number of small independent bakers who have been caught between rising wheat prices and the Cost of Living Council's controls.

Since January 1, 1972, it is reported that 81 major independent bakery plants have been forced out of business. There are approximately 300 independent wholesale bakeries left in the United States—and they are facing imminent bankruptcy because of the cost squeeze which has developed in the last 2 years. If this tax is not repealed, it is certain that there will be further business collapses—with the result that the industry will become highly monopolistic and the consumer will suffer for decades to come. The repeal of this bread tax will permit the survival of these small, hometown bakeries, reduce the pressures for an upward increase in the price of bread, and probably result in some price reductions.

Mr. Speaker, it is my hope that this legislation will be accepted by the House at the earliest possible date.

THE 33D ANNIVERSARY OF THE SOVIET INVASION OF LITHUANIA

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. WYMAN. Mr. Speaker, this month marks the 33d anniversary of the Soviet invasion of Lithuania. This is a day of special sadness; not only for Lithuanians but for all freedom loving people throughout the world. On that day in 1940, that independent nation was forcibly annexed into the Soviet Union.

Lithuania achieved its independence on February 18, 1918, following more than 100 years of Soviet domination. Thereafter, they made remarkable economic and political progress. Their achievements were cut short in 1940 by the German invasion; a short time later the Russians occupied the country. A gallant people, the Lithuanians waged a brave fight for their freedom; faced with mass deportations, many died resisting their oppressors.

Lithuanians are still risking their lives in defiance of the Communist re-

gime. Their courage and determination serve to remind us all that there has been no real acceptance of the Soviet rule there to date.

Mr. Speaker, to remember this day is not a happy task, but it is significant for it symbolizes the spirit of those who have not given up their struggle for a free Lithuania. We all hope that they will one day be successful.

A CONGRESSMAN REFLECTS ON AMNESTY

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, our distinguished colleague from New York (Mr. ROBISON) has in recent weeks sought to place into perspective the issue of amnesty. He merits high praise for that effort.

While loud voices have been clamoring either for an unconditional, blanket amnesty or for no amnesty whatsoever, Mr. ROBISON has clearly laid out for Congress and the American people both the history of amnesty and the philosophy behind the action to grant amnesty.

I concur with Mr. ROBISON that it is not yet time to consider any specific legislative amnesty proposal. But I also concur that we should use this time to give thought to what form an amnesty should take if, in fact, one is declared at some future time. Some are firm in their resolve on the subject; few, however, at this time have the proper knowledge or understanding to have a firm position. Thus, it is imperative that we take steps now to consider this question, which could have impact on future generations of Americans.

I am pleased that Mr. ROBISON has undertaken the responsibility of bringing forth the various ramifications of the amnesty issue. He is demonstrating once again not only his thoughtful and careful analysis, but his commitment to the obligations of a legislator.

An article by Norman C. Miller in the Monday, June 18, Wall Street Journal does an excellent job of presenting the qualities of thoughtfulness and compassion which have been the hallmarks of Mr. ROBISON's years in the House. All of us could do well to give careful thought to the article and to Mr. ROBISON's articulate, deep-felt responses to Mr. Miller's questions:

A CONGRESSMAN REFLECTS ON AMNESTY

(By Norman C. Miller)

WASHINGTON.—Amnesty. The very word provokes intense emotion. President Nixon, reflecting dominant public opinion, declares there shall be no forgiveness for Vietnam draft dodgers or deserters. In Congress, there is almost no dispute of the President's hard line. The tiny band of Democrats openly urging amnesty are all ultra-liberal, predictable spokesmen for any and all anti-Vietnam and anti-Nixon causes, and they exert little influence on most lawmakers.

It's surprising, then, to find a lonely amnesty advocate on the Republican side who is a pillar of the congressional establishment. Howard Robison is a 15-year GOP veteran al-

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most unknown outside the House but highly respected within it for his thoughtful approach to issues. And lately, the balding 57-year-old Congressman has taken to the House floor for a series of speeches calling for a period of national reconciliation—"a binding up of the nation's wounds"—after a bitterly divisive war.

"Amnesty could be another step in the process of reconciliation—not a daring stroke taken by a trembling government in the face of a truculent minority that threatens our institutions, but a display of magnanimity and governmental self-confidence," he declared in the first of several of his speeches. "Only a strong and self-assured government can afford to forgive; weak regimes cannot afford to give an inch."

It has been Rep. Robison's hope that his speeches would spark the beginning of an amnesty debate among the many lawmakers who share his moderate politics. But that has not occurred so far, unfortunately. Amnesty surely is an issue deserving debate, which ever side one takes.

Quite apart from the merits of Rep. Robison's amnesty argument, it is worth examining the reasons why this Republican Congressman from conservative upstate New York chose to confront this politically charged issue. For Mr. Robison's approach to politics illustrates a style that is too seldom recognized. At a time when the Watergate scandal casts a cloud over all politicians, it is well to remember that there are politicians who deeply care about the issues, who agonize over them, who shun shoot-from-the-hip solutions, who aren't fearful of taking the unpopular side when their conscience demands it. Often, they do not get headlines, yet they can exercise seminal influence.

The scope of Rep. Robison's thinking is indicated by this abridged version of a lengthy tape-recorded interview with him:

Q. Why did you decide to take on the amnesty issue?

A. Well, I was here in the days when the war began and maybe I have some feeling that perhaps I could have done something to head it off. Maybe I'm trying to wash my conscience in part.

The war in Vietnam hurt me, bothered me, worried me—not so much the war itself as much as what it was doing to the country, the young people. And I guess if you want to look to motivation, I want to heal those wounds.

One other thing, the President on a couple of occasions took what I thought was an unnecessarily hardnosed attitude toward the question of amnesty. It didn't seem to me that this is quite the way I would like to see the public viewpoint toward the end of the war expressed.

I think it's important to do all that we can now, not to wipe off the slate, but to at least produce an atmosphere within which differences of opinion and attitudes that were so strong between young people and older people over the whole war episode can be submerged in a new feeling of national unity. I just want the whole thing behind us, for the younger citizens especially.

Q. Why do you think the President has taken a hardnosed position against amnesty?

A. I'm not sure I understand the President when he says he's against amnesty. If he means blanket amnesty, then I'm against it, too. It's impractical, it's unfair, it's inequitable to those who served in the war and, particularly, to those who died in the war or who were wounded in the war.

But I do believe the time is going to come when, if not Mr. Nixon, then another President or the Congress, will have to say: These young men are in Canada or elsewhere and they are looking for some sort of resolution of their lives. We can't leave them there and forget about them or let them come home at their own risk and face criminal proceedings,

each and every one. That would clog up the criminal court dockets a little more and it could be two years or so before some would have a trial. We can do that or we can be practical and begin to think about how you set up a review board of some sort, and try to encourage resolution of the problem rather than just resist trying to find an answer to it.

Q. Do you rule out amnesty for deserters?

A. I tend to, yes. My tentative opinion is that there's a difference in motivation. The deserter did go into service, did take an oath of service, and I think the responsibilities that he accepted were different or heavier than those who merely ran away from the possibility of assuming those responsibilities.

Q. Let me cite some of the arguments against amnesty so you could speak specifically to these points. The President, among others, contends that an amnesty would dishonor those who did serve.

A. Well, yes, I think a blanket amnesty possibly would. But on a case-by-case basis where you try to apply an equitable standard for those who served and for those who did not, I don't think that brings dishonor on anybody. And, in fact, probably does the national concepts of justice honor, instead.

Q. What about the argument that an amnesty would encourage disrespect for all laws and even sanction lawbreaking?

A. I don't think the numbers of people we're talking about are all that big. I wish you could give me some good statistics on it. As best we can discover, Pat Buchanan [a White House aide] is about right when he put the number at about 15,000.

I don't think that is such a large number of lawbreakers that the nation is in any peril or ever was in any peril from the existence of such a group. And I think consideration of the numbers of people involved is central to trying to encourage an atmosphere to consider the issue.

If there are four or five hundred thousand people up there in Canada, then amnesty begins to look like capitulation. But if, in fact, there are only 15,000 or somewhere in that neighborhood, it's a much smaller problem and I think there's much less need to be all that hardnosed over its resolution.

I think the Vietnam experience has to be one, in our overall national experience, comparable perhaps only to the anguish and the breaking up of families and the attitudes that occurred during the Civil War years. You remember that President Lincoln granted amnesty after the Civil War, and I have a quote here from Lincoln that I'm going to cite in my next speech. He said, "A government can properly have no motive of revenge, no purpose to punish merely for punishment's sake." Isn't that nice?

Q. I want to ask you about one more specific argument that's made against amnesty, which was made by Vice President Agnew some time ago. He contended that granting an amnesty of any kind would be a tacit admission that the U.S. was wrong in fighting the war and that these people were right.

A. I would feel that Mr. Agnew might be reflecting the attitude I've read about on the part of some of the young people in Canada or elsewhere—that they don't feel that they were wrong, that the country was wrong. And that they don't intend to come home on their knees apologizing to the country; it's the country that will have to apologize to them. Well, if they feel that way they can stay in Canada for all I'm concerned.

I think this is a mutual problem between the nation and them. I don't think anybody really owes anybody an apology and the question is rather, "Let's look at how do we get back together again."

Q. You mentioned handling the cases on a case-by-case basis. What is your thinking on the kind of mechanism that should be set up?

A. I haven't really gotten to it. I think

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that's something we'll try to address in the future weeks. Actually it would be a good point to clarify right here, that I'm not at this point making specific proposals. I think it's far too soon to begin to worry about that part of it because any such proposal would die aborning in this Congress, given the national attitude. You have to lay a foundation first, to try to bring about an objective, mature, reasoned attitude to consideration of the pros and cons.

Q. Do you have any tentative feeling about the idea of requiring alternative service of persons granted amnesty?

A. Yes, I think there should be contingent service, which might possibly be waived given the family situation of a young man—for instance, one with a wife and children.

Q. The central theme of your first two speeches, as I read them, was that only a strong government can forgive. How did you happen to choose that theme?

A. Well, I think it's true. We're not capitulating to anybody. Although the parents of a boy who was killed in the war—how do they feel if there is an amnesty of some sort? I can understand their bitterness and unhappiness and continued feelings of injustice. But insofar as the nation is concerned, I think it would be an indication of the strength of the nation if we could heal over this particular wound. And only a strong nation can do that.

Q. What's happened to the four or five other Republican members of Congress who at one point last year expressed interest in pushing amnesty?

A. I think they're biding their time. If they see I can survive the first two or three months, or whatever, in this kind of effort, and nothing horrible happens to me, maybe they'll begin taking a public position of support. I would like to think so, particularly on the Republican side. Given the fact that we've got a Republican administration for the next three years, showing some Republican interest is probably the fastest way of making progress. I'm not sure it's going to be resolved by legislative action. It shouldn't be. The President can do this.

Q. Would you have any guess as to the silent sentiment in Congress for amnesty?

A. I think there's a strong majority against it, but I also think there is a strong undercurrent of minority support for amnesty. I think the majority presently against it is not very objective. I don't think they've thought about it. I think it's an emotional sentiment.

Q. This kind of issue development isn't done by many Congressmen. Do you consider the promotion of issue discussion as a major role of a Congressman?

A. You can get by easily here by just doing your committee work or by just taking care of your district, saying the proper thing and not getting anyone upset or mad at you. The old apocryphal story, "There go the people and I must follow them because I am their leader," that's a very tempting attitude to take, and I guess a lot of us do it. But I don't think that would be a very satisfying role, at least it wouldn't be for me.

Ralph Nader's interviewers said I am a compromiser and a facilitator, and I've never felt either of those characterizations were critical. I think compromise is essential to make our whole system go. And I guess facilitator means someone who helps move things along and helps facilitate the operation of the system. I guess that's precisely what we're doing here.

Q. Do you ever get frustrated that a lot of times it may seem that very few people are paying attention and that it takes so long?

A. Sure I get frustrated. I'm frustrated over my inability to spread myself as far as I would like. I think that's a common complaint around here. But one of the things that I supposedly have as a good quality is patience.

SOLAR ENERGY COLLECTION IN SPACE URGED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. TEAGUE of Texas. Mr. Speaker, today we search for means to relieve our energy shortages. Space has become a key element in that search. Recently the United Nations Committee on Peaceful Uses of Outer Space has taken cognizance of the importance of developing solar energy satellite systems. As our energy crisis deepens, it is important that we pay close attention to the opportunities available to us through a convergence of the low-cost space transportation system—the space shuttle—and the opportunity to use orbiting satellites to provide the energy essential to maintaining and improving our standard of living at home and abroad. The article follows:

[From the Los Angeles Times, May 23, 1973]

SOLAR ENERGY COLLECTION IN SPACE URGED

(By Don Shannon)

UNITED NATIONS.—Space, already playing a major role in communications, may soon provide help in the earth's energy crisis, an Italian scientist believes.

Franco Florio, a delegate to the scientific and technical subcommittee of the U.N. Committee on Peaceful Uses of Outer Space, is an eager supporter of proposals to collect solar energy in orbiting vehicles and direct the energy in beams of microwaves to points on earth. The microwave technique could even work. Florio believes, in beaming energy from power plants in remote areas of the earth to satellites which would redirect it to population centers.

"Energy is the third great potential for space," he said. "We have already seen the development of space communications from the beginning 15 years ago to 60,000 satellite channels for radio and television. We are now at the beginning of transportation in space with the shuttle.

SEES LOWER COST

"It cost \$15,000 to put a pound of weight in orbit with the Saturn and Apollo rockets but the shuttle will do the work for \$150 a pound and may drop to \$100 with refinement."

Energy production in space would not only alleviate the world shortage of fossil fuels but would also reduce pollution, Florio explained. Solar energy, whether produced outside the atmosphere or in desert regions of the earth for relay by satellite (cheaper over great distances than power lines), creates no pollution.

"One of the things we're worried about with nuclear energy is the possible buildup of radiation to dangerous levels even with the most careful regulation," the Italian said. "Using microwave relays by satellite, we could build large nuclear plants at isolated places like the North Pole. Instead of a one-megawatt plant every few miles on the California coast we could have a single 1-million megawatt plant at the North Pole."

FAR ABOVE CLOUDS

He said North American Rockwell Corp. has proposed an experimental relay satellite and Arthur D. Little, Inc., a huge solar energy collector which would orbit in space, far above the clouds which sometimes hamper solar plants on earth.

Eventually, with improved transportation, Florio envisions orbiting factories for certain processes which consume large amounts

of energy on earth. He cited the manufacture of silicone crystals used in microcircuits and lasers, a high cost operation because they must be made in a vacuum and at extremely low temperatures.

"In space, the vacuum and cold are free," he said. "Even more mundane things such as precision ball bearings could be made more easily in space. It's hard to create a perfectly spherical shape here but molten metal automatically forms a perfect sphere in space."

CORRECTS ERRORS

Florio is chairman of the subcommittee's working group on remote sensing of the earth, which has been a major interest of the U.N. group. U.S. Delegate Arnold W. Frutkin reported to the subcommittee's current session that nearly 40 countries had taken part in experiments using the Earth Resources Technology Satellite (ERTS) program launched by the United States in 1972. The work has brought correction of gross inaccuracies in maps of the Amazon region, given Norway snow-cover charts to help in water resource management and provided the first accurate land-use maps of the Mekong Delta.

The United Nations lacks funds to promote experiments such as the energy relay satellite, Florio acknowledged with regret, but the subcommittee serves as a valuable forum for the promotion of new ideas.

LITHUANIA'S DAY OF SORROW

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. HELSTOSKI. Mr. Speaker, June 15 was the 33d anniversary of the Communist takeover and occupation of Lithuania. This day is a day of sorrow and reflection for Lithuanian-Americans and Lithuanians throughout the world.

Before the actual takeover of Lithuania by the Soviets, there was no doubt that Moscow had far-reaching intentions which could endanger the independence of Lithuania. The Lithuanian Prime Minister, A. Merkys, who was in Moscow, sent an urgent message to the President of the Republic of Lithuania, A. Smetona, to send a message to the chairman of the Presidium of the Supreme Soviet of the Soviet Union, assuring the loyalty of the Lithuanians toward the Soviet Union.

The efforts of the Lithuanian Government to satisfy the rulers of the Kremlin were not successful. The government of Moscow was merely pursuing the plan to implement its secret agreements with Nazi Germany regarding Lithuania. The so-called disappearance of Soviet soldiers and other Soviet charges were intended to create a pretext to annex the unfortunate country. The Soviet Government, knowing the charges were unfounded, did not seriously attempt to investigate the matter.

On June 14, 1940, the Lithuanian Minister of Foreign Affairs was given the Soviet ultimatum. The Moscow Government accused the Lithuanian Government of kidnapping and torture of Soviet soldiers in charge of the Soviet military bases in Lithuania and demanded, among other things, that a government

be immediately formed in Lithuania capable of assuring proper fulfillment of the treaty of mutual assistance between the Soviet Union and Lithuania. The Soviets also demanded that free entry into Lithuania be immediately assured for units of the Army of the Soviet Union which would be stationed in the most important centers of Lithuania and which would be sufficiently numerous to assure the enforcement of the treaty of mutual assistance between the Soviet Union and Lithuania.

Immediately an emergency meeting was called by the President of the Republic who suggested rejection of the Soviet demands. He urged the organization of military resistance against Soviet aggression. He recommended also that the Government should leave the country and organize abroad for the restoration of the independence of Lithuania. However, the majority of the cabinet were determined to comply with the Soviet demands in order to prevent the destruction of the country. In their opinion, it was impossible in a few hours to organize any substantial resistance against the Red Army. Finally, the President of the Republic agreed to accept the ultimatum and appointed Gen. S. Rastikis as Prime Minister who was considered as being not acceptable to the Soviet Union. The Soviet Union then decided to send V. G. Dekanov, Deputy Commissar of Foreign Affairs to the Lithuanian capital to take charge of the formation of the new cabinet.

The President felt that under these conditions he could not perform his constitutional duties. He was unwilling to legalize the Soviet distinction of Lithuanian independence. He decided to carry on the struggle for the restoration of Lithuania's independence from abroad and left Lithuania on June 15, 1940. On the same day large military units of the Red army occupied Lithuania and Dekanov, the Soviet special emissary, arrived at Kaunas. It was his mission to form a new government and to complete the task of incorporating Lithuania into the Soviet Union.

From the very beginning of the Soviet occupation, the Lithuanian people were opposed to Soviet rule. The resistance at first was passive, later developed into revolt. Passive resistance was shown by boycotting elections to the People's Diet, by boycotting parades on such occasions as Soviet holidays of November 7 or May 1, by mass demonstrations of religious and national feelings on All Souls Day—November 2.

Active resistance began with the founding of underground organizations. The resistance movement caused great concern to the state security police. When on June 22, 1941, Nazi Germany attacked the Soviet Union, a spontaneous and general revolt broke out against the Soviet rule throughout the country. On June 23, 1941, the Kaunas radio station was occupied by insurgents and a provisional national government was proclaimed. Units of former Lithuanian army troops, incorporated into the Soviet forces, likewise revolted at Vilna and Varena. It was estimated that 90,000 guerrillas took part in the insurrection.

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The plan to enslave Lithuania was prepared in Moscow long before the occupation of the Lithuanian nation by the Soviet troops. A few hours after the mutual assistance pact between Lithuania and the Soviet Union was signed on October 10, 1939, the Deputy Commissar of the Soviet Union, General Serov, issued an order for the arrest and deportation of all anti-Soviet elements from Estonia, Latvia, and Lithuania. Under the cover of the mutual assistance pact, the Soviet Union was able to plant large numbers of NKVD agents and other subversives in Lithuania. These elements jointly with the Lithuanian Communist Party prepared the careful execution of General Serov's order.

On July 7, 1940, the director of the security department and the secretary-general of the Lithuanian Communist Party, ordered the arrest of the leaders and active members of all non-Communist parties. As a result, about 2,000 Lithuanians were arrested and imprisoned.

This was only the first step toward a complete takeover of Lithuania.

In 1944 the Soviets invaded Lithuania for the second time. The return of the Red invaders was followed by a new wave of deportations and arrests.

There were several waves of mass deportations, but the Lithuanian people were hardest hit by deportations carried out in 1948-49 when, in order to break the resistance of Lithuanian farmers against forcible collectivization of their land, about 10 percent of Lithuania's population was driven to Siberia.

To this very day, Lithuanians are risking and sacrificing their lives in defiance of the Communist regime. The protests of the Lithuanian people against the denial of the right of national self-determination, continued religious and political persecutions, and the violation of human rights by the Soviet Union reached tragic heights on May 14, 1972, when a Lithuanian youth, Romas Kalanta, burned himself in Kaunas as a martyr in protest of Soviet oppression. This act triggered widespread demonstrations in the area and was culminated by two other self-immolations. Such dramatic events demonstrate that the Lithuania people have not acquiesced to the Soviet occupation, but rather are still striving for freedom and independence.

The United States has never recognized the forceful annexation of Lithuania and the other Baltic States into the Soviet Union. This steadfast policy of the United States gives succor to the Lithuanian people and reinforces their determination to await national independence while it also discourages the Soviet policies of Russification and effective absorption of Lithuania, Latvia, and Estonia into the Soviet Union.

The 89th Congress during its second session was explicit in its determination to forestall any Russification and absorption of the Baltic States by the Soviet Union when it unanimously adopted House Concurrent Resolution 416, which urges the President to bring up for discussion the question of the status of the Baltic States in the United Nations and other international forums.

Mr. Speaker, at this point of my remarks, I would like to insert the text of the legislation which was passed by the House and Senate without a dissenting vote and call upon the President to bring this issue of the liberation of the Baltic States in the United Nations and demand that the Soviets withdraw from Lithuania, Latvia, and Estonia and to give them the freedom to which they are entitled.

The articles follow:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

[From the CONGRESSIONAL RECORD, 89th Congress, second session, Oct. 22, 1966]

CONCURRENT RESOLUTION TO REQUEST THE PRESIDENT OF THE UNITED STATES TO URGE CERTAIN ACTIONS IN BEHALF OF LITHUANIA, ESTONIA, AND LATVIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1573, House Concurrent Resolution 416.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to its consideration.

Mr. KUCHEL. Mr. President, I wish to say that I am delighted that this matter is being taken up. It deserves attention in this session as a mark of our continuing concern for those peoples who have been deprived of their democratic institutions and are unable to speak for themselves.

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The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution. The concurrent resolution (H. Con. Res. 416) was agreed to.

EXECUTIVE POSITION

The position of the executive branch with respect to the concurrent resolution is outlined in the correspondence which follows:

DEPARTMENT OF STATE,
Washington, June 1, 1965.

HON. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs,
House of Representatives.

DEAR MR. CHAIRMAN: I am writing in reply to your letter of May 20, 1965, to the Secretary of State, requesting the Department's comments on House Concurrent Resolution 416, which has been approved unanimously by the Subcommittee on Europe and ordered favorably reported to the full Committee on Foreign Affairs. The resolution requests the President of the United States to urge certain actions in behalf of Estonia, Latvia, and Lithuania. The language of the resolution, as formulated, is not objected to by the Department of State.

The Department has been advised by the Bureau of the Budget that from the standpoint of the administration's program there is no objection to the submission of this report.

Since yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for
Congressional Relations
(For the Secretary of State).

STATEMENT CONCERNING THE CAPTIVE NATIONS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. CRANE. Mr. Speaker, at a time when there is much discussion of détente, and of an easing of tensions between East and West, it is essential that Americans not be so overcome by the euphoric hope of peace that they overlook the unchanging tyranny which enslaves millions of men and women throughout the world.

While Communist leaders speak of "peaceful coexistence," the fact is that a policy of increased repression is being implemented within the Soviet Union. Recently Michael Parks, the Moscow correspondent of the Baltimore Sun, noted that—

An intensive 18 month drive by the secret police has virtually ended the Soviet civil rights movement's activities as an organized group. A few of its most prominent members remain free, even active, but most are either in prison, under investigation and awaiting arrest, underground, or simply have withdrawn.

The publications, including the respected Chronicle Of Current Events, that knit the dissidents into their loosely organized democratic movement have been suppressed. None has appeared for more than 7 months. Arrests of members of the civil rights movement, which sought political liberalization in the Soviet Union, now number more than 65 in the last year alone. They have been carried out in Moscow, Leningrad, Odessa, and other major cities. In the

past 18 months, more than 260 persons have been arrested on charges of anti-Soviet nationalism in the Ukraine as part of a related crackdown on Ukrainian nationalism.

The Nation which today calls itself the U.S.S.R. is in reality a collection of captive nations. Armenia fell to Communist domination in 1920, Azerbaijan, Byelorussia, Cossackia, Georgia, Idel-Ural, North Caucasia, and the Ukraine in the same year. The Far Eastern Republic fell in 1922, the Mongolian People's Republic in 1924, Estonia, Latvia, and Lithuania in 1940. These, it must be remembered, are only the nations which have been forcibly incorporated within the Soviet Union itself.

The Soviet Government has become the largest colonialist and imperialist power in world history. Not only has it forcibly incorporated many nations and millions of people into the U.S.S.R. but has, in addition, dominated and controlled the lives of the people of Albania, Bulgaria, Poland, Rumania, Czechoslovakia, Hungary, East Germany, and the Communist states of Asia.

At this time Americans remember particularly the suffering of the Baltic States. Latvia, Lithuania, and Estonia were overrun by the Soviet Union 33 years ago and during this period have lost more than one-fourth of their population to Soviet terror and occupation.

June is a very sad as well as a glorious month for Balts in all parts of the world. In June 1940 the Soviet Union invaded the Baltic States and took them over by force. One year later, in June 1941, the Soviets started mass deportations and over 150,000 Lithuanians, Latvians, and Estonians were sent to Siberian slave labor camps. Several days before the Nazi invasion of the Soviet Union on June 22, 1941, the people of Lithuania succeeded in overthrowing the Communist regime of their country and freedom and independence were restored and a free government was reestablished. This government remained in existence for more than 6 weeks but was quickly suppressed by the invading Nazis.

The Baltic States are ancient and peaceful countries. This year marks the 772d anniversary of the formation of the Lithuanian State and its unification by Mindaugas the Great into one kingdom in 1251. Balts throughout the world—as well as all freedom loving peoples—look forward to the time when these States will once again be free and independent.

Men and women throughout the world have shown their view of communism by fleeing from it whenever the opportunity has arisen. The Berlin Wall was constructed, in violation of all international law and allied agreements, because the people of East Germany would not, of their own accord, remain in a Communist state. Since the very beginning of the Soviet occupation, the Baltic States have waged an intensive fight for freedom. It is widely recognized that in the period between 1940 and 1952, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the Soviet conquerors.

As we remember these brave people who suffer under a ruthless tyranny, we

must rededicate ourselves to their eventual freedom and independence and must make it clear that they are not forgotten. Any peace which might be purchased at the expense of the freedom of others would not be worth the paper upon which it was written. It would be unworthy of the American people, who wish for others the same freedom and independence they are determined to preserve for themselves.

VU OFFICIALS LABEL HEALTH BUDGET OF PRESIDENT GIANT STEP BACKWARD

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. FULTON. Mr. Speaker, one of the more shortsighted economies that the present administration is attempting to undertake is that which will cut back on the Nation's health budget by half billion dollars over the next fiscal year.

This will be the effect of Federal spending for health programs if the President's budget proposals are accepted by the Congress.

Just what impact this drastic reduction would have on medical education, biomedical research and health care in this country is termed by highly knowledgeable and competent spokesmen at Vanderbilt University Medical Center in Nashville, as "A giant step backward." The views of these individuals, all well known in their field, were outlined recently in an article in the Nashville Banner entitled "VU Officials Label Health Budget of President 'Giant Step Backward.'" Mr. Speaker, I include this article by Frances Meeker in the RECORD at this point, and commend it to the attention of my colleagues:

VU OFFICIALS LABEL HEALTH BUDGET OF PRESIDENT "GIANT STEP BACKWARD"

(By Frances Meeker)

Vanderbilt University medical officials warn that President Nixon's proposed health budget for 1974 would be a "giant step backward" in medical education, biomedical research and health care in this country.

With the President asking for \$500 million less in 1974 for medical schools than in his 1973 budget, Vanderbilt School of Medicine, along with other medical schools across the nation, will be forced to cut back, or completely eliminate, many far-reaching programs undertaken with federal authority and supported by federal funds.

"The federal cutbacks are severe and serious," said Dr. John E. Chapman, Vanderbilt acting vice chancellor for medical affairs, "and medical education and health care will suffer if this becomes law unless other support can be found."

The proposed federal budget reduction would give the ax to the Mid-South Regional Medical Program, which provides continuing education for physicians and other health care professionals, training programs and pilot programs for health care in the mid-south region and to the Hill Burton program for hospital construction.

PHASE OUTS

It would phase out research training grants and fellowships for young doctors and re-

search support grants that have funded such programs as the neo-natal lung center at Vanderbilt directed by Dr. Mildred Stahlman, and the psychopharmacology center for mental health operated by Vanderbilt at Central State Hospital and directed by Dr. Allan D. Bass, acting dean of the Vanderbilt medical school.

It would mean a cutback in Vanderbilt's current plan to increase its first year medical school enrollment by 10 per cent each three years, which was a federally funded plan to help relieve the doctor shortage, which would be followed by a reduction of faculty members.

"Our immediate problem is the very serious question of how we will be able to maintain programs that have been supported by federal subsidies for over 20 years," said Dr. Chapman, "and then we have the problem of the future—because the future belongs to those who prepare for it—and we are not going to be preparing very many scientists."

Other Vanderbilt officials joining Dr. Chapman in giving their reactions to President Nixon's budget were Dr. Bass, Paul Gazzaro, associate vice chancellor for medical affairs for operations and fiscal planning, and D. Gene Clark, acting director of Vanderbilt Hospital.

While Vanderbilt's planned increased first year enrollment in the medical school will be less than anticipated because of inadequate funding, Vanderbilt medical educators are more concerned perhaps about the phasing out of training grants, and sponsored research for young doctors who want to specialize in medical science, which finds the causes of diseases and ways of curing them.

"These grants have had terrific impact upon medical education and medical science because they have been the source of funds for faculty, equipment, program development and research and for fellowships for bio-medical science," said Dr. Chapman.

He also compared the research programs of medical schools to "knowledge in the bank." He said training of researchers today is important "down the road ten years" when we would have had these scientists, and when we would have had these medical educators."

"Now we won't have them because there is no way to train people in positions that don't exist because of lack of funding," Dr. Chapman said.

SMALL AMOUNT

Dr. Bass pointed out that the tuition, which has stayed constant, and endowments, provide a relatively small amount of support to the medical school. The major source of funds, he said, is sponsored research, which at Vanderbilt amounted to \$14.5 million in 1972 as compared to \$8 million in 1968.

Medical school tuition at Vanderbilt is \$2,700, a year, apart from housing and other living costs.

Vanderbilt already has received notice that nearly \$3 million will be cut from the sponsored research grants, and as other grants come up for renewal, their prospects for continuation are bleak. This means stiff competition among the nation's medical schools for the remaining grants.

Dr. Bass said that in addition to the loss of research funds, the educational aspects of the federal cutbacks are of extreme concern because Vanderbilt medical school has played a major role in training doctors, scientists, and medical school professors.

"Research will be reduced," he said, "but we hope in this area, because of the quality of Vanderbilt, we will be highly competitive for what funds are available but the immediate impact will be upon our educational and training programs to a greater extent than on our research programs."

ENTIRE GENERATION

The medical school dean said Vanderbilt has "excellent graduate training" with the

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major portion federally supported. He said an entire generation of new teachers will be cut off.

"The quality of health care and health education will go down," declared Dr. Bass. "The last few years we thought we were preparing for a better quality but what we are now saying is that we are going to settle for reduction in quality."

The Vanderbilt officials pointed out that the federally funded medical programs have never been fully funded and are receiving only about 65 per cent of what had been promised by the federal government to enable them to expand enrollment and conduct research.

Gazzaro said if the programs were fully funded, Vanderbilt would be receiving in excess of \$750,000 annually, but this year it received \$530,000.

"On the other hand, we have had to comply 100 per cent with the government's regulations while the government has given us only 65 per cent of what it promised."

Clark said the hospital would suffer from the loss of training support furnished by the medical school, but the main effect of the proposed budget on the hospital would be the elimination of the Hill-Burton program through the loss of funds in the form of grants for the construction of new facilities.

CHILDREN CENTER

"Our latest facility—just completed—is the Children's Rehabilitation Center which was funded by grants from the Hill-Burton source," said Clark. "With the dying of this program nationwide, that will no longer be a source of funding for construction."

The hospital director said there is a demand in this country for \$12.7 billion dollars for facility modernization for hospitals and that the Hill-Burton program had begun to move into this area.

"We would be a very likely candidate for facility modernization if such funds were to become available since we are operating under a hospital bed plan of 1925," said Clark, noting that 44 per cent of the hospital beds in Davidson County are substandard, that is, they do not meet the 1973 standards.

He said the replacement hospital now in the planning stage at Vanderbilt would have to be financed by the sale of bonds and an increase in hospital rates to patients.

Pointing out that the President's proposed budget cut to health is not yet law, Dr. Chapman called on a "concerned public" to go to bat for the medical schools and for the future of its own health care.

"I think that an informed public will inform Congress and Congress will make their public's deep concern over the issue of health care—and I am speaking of health care in the broad sense of health education, health research and the delivery of health care—known to the President," said Dr. Chapman.

"Then I think the executive and the Congress will both see to it that these plans are altered in a way that makes medicine again have a favorable outlook as to resources for quality education and quality care."

TRIBUTE TO BISHOP CHARLES P. GRECO

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. LONG of Louisiana. Mr. Speaker, the bishop of the Catholic Diocese of Alexandria has recently retired, because of his age. I think it fitting and proper

that we pause to reflect on the life of this man, the Most Reverend Charles P. Greco.

For the past 55 of his 78 years, Bishop Greco has been a priest. For the past 27 years—since 1946—he has been bishop of the Alexandria Diocese.

It would be impossible to recount the number of lives this man has touched in one way or another during the more than five decades he has served God.

I know of his many and varied accomplishments, and I feel it most appropriate to applaud Bishop Greco for his service to God and to his fellow man.

THE PRICE OF CLEAN AIR

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. KEATING. Mr. Speaker, the Environmental Protection Agency announced 3 days ago "drastic plans" for reduction in automobile transportation in 18 major metropolitan areas, including Washington, D.C.

The EPA announcement is in response to clean air requirements spelled out by Congress in the 1970 Clean Air Act. The requirements for 1975 are those which prompted the decision by EPA, and Acting Administrator Robert W. Fri, said, that—

We are basically attacking the problem by asking people to change their habits—their long-standing and intimate relation with private automobiles. This is a fundamental change, but the only one which will work.

While details of the EPA plan will vary from city to city, and while not all of these details are presently known, it seems apparent that new plans will call for some of the following:

First, limitations on on-street parking;

Second, new systems of carpooling;

Third, the banning of all automobiles from certain cities during certain times of the day;

Fourth, restrictions on the number of deliveries permitted to downtown retailers during normal working hours; and

Fifth, large surcharges on available offstreet parking.

On one of the evening network news programs last Friday, a correspondent from the Los Angeles area reported that many citizens were wondering if "they would be more miserable with the new EPA regulations than they are now with all the smog."

These events are certain to prompt some serious rethinking on the part of Congress and the entire American populace in regard to just how much clean air we really want and need.

One partial solution to the clean air problem in the District of Columbia was offered in a bill which I put before the Congress on May 10, 1973. This legislation would require that all civilian employees of the Federal Government pay for the privilege of parking, and that all

federally controlled parking spaces be allocated on the basis of car pools.

While the immediate impact of this legislation would be felt more dramatically in the District of Columbia, its enactment could provide a model for other cities which are considering actions to reduce the number of automobiles going in and out of their urban area.

When this bill was introduced more than 1 month ago, some persons expressed doubts about the need for adopting such new policies. Yet the recent action by the Environmental Protection Agency may serve to illustrate the need for reasonable and fair measures such as these to help offset the necessity for such drastic steps as those announced by EPA.

If the plans outlined by EPA are fully implemented, this will affect property rights in that restrictions may be placed on the number of automobiles permitted to be owned by each family.

If the new EPA guidelines go into effect, we may witness the creation of a new and unwieldy bureaucracy which will have the task of enforcing regulations and guidelines which, from a practical standpoint, could be completely unenforceable.

All this adds up to a distinct possibility of the average consumer confronted with costs and burdens which were not envisioned 3 years ago when Congress passed the Clean Air Act.

The result of these new policies could be a consumer backlash against the environmental movement which may deal a serious blow to the Nation's commitment toward cleaning up the environment.

This is a time for everyone to carefully consider the full implications of a clean environment. The questions which need to be raised and discussed are difficult ones. It is now apparent, however, that the original goals set forth in the Clean Air Act of 1970 may not be as reasonable as once believed.

The real question before us is not whether the United States will back off its original commitment to clean up the air, but whether the benefits of clean air are necessarily commensurate with the total costs.

I believe we can have it both ways. I believe we can move forward on a positive program aimed at reducing air pollution, and that such a program can be implemented without the staggering costs which will probably be incurred if we maintain our present course.

I believe the Congress and the American people will sustain their present commitment to produce a cleaner environment if it is clear that we are moving in that direction with reasonable attitudes toward what benefits are attainable at certain costs.

I sincerely hope that, in view of the recent announcement by the Environmental Protection Agency, Congress will give its thoughtful attention to the issues raised in my legislation, H.R. 7712. I believe its enactment into law would be a proper and fair step in the direction of reducing air pollution.

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AL LOWENSTEIN ON WATERGATE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. BINGHAM. Mr. Speaker, I commend to my colleagues and other readers of the CONGRESSIONAL RECORD the following powerful commentary by a former Member of the House, Al Lowenstein, who served during the past year as chairman of Americans for Democratic Action—the ADA:

THE WATERSHED OF WATERGATE

(By Al Lowenstein)

The unprecedented events and revelations of the past few months should make it unnecessary to stress that we cannot afford the customary "off-year" period of detachment or disengagement. We must try to influence the course of affairs in this extraordinary situation with all the determination and resources we can command.

One cannot be expected *not* to feel a kind of interior satisfaction over the capsizing of a palace guard whose combination of arrogance, dishonesty, and corruption has done such general damage to the nation and to cherished institutions. But we also must shudder at what all this has done to accelerate the decline of the credibility of all politics and of all government, and to erode further the influence of morality and high purpose in shaping the public's attitude toward its governance. Thus, in addition to exposing wrong-doing and bringing the guilty to justice, we must assess the extent of the damage and search out ways to repair, protect, and improve the fabric of the Republic. We must examine what has happened to us as a people during the cumulative tragedy of the last ten years, and we must think out what we want next: How did we get from *there* to *here*? What went wrong? How do we go about setting things right?

Meanwhile, there is the additional task of defending much that is hopeful and good against continuing assault. One might hope that the Administration, with its prestige in tatters, would abandon at least some of the policies which have divided and weakened a country weary of discord and division. But so far there is little to sustain such a hope.

The effort to justify years of horror in Indochina has extended to December-scale bombing in Cambodia, now without a scrap of legal or constitutional sanction.

The national outcry for reordered priorities has been twisted into the excision from the national budget of some of its most necessary and hopeful ingredients—and to achieve this strange end, even stranger procedures are concocted, including the ignoring of laws duly enacted whenever they don't suit the President.

Newsmen who insist on upholding the First Amendment face jail, while special "privileges" are discovered to shield executive bureaucrats who break the law.

The famous "compassion" which Henry Kissinger seeks for liars and crooks in high place is not sufficiently expansive to apply to the unwillingly unemployed, or to Cambodian peasants, or to welfare mothers, or to draft resisters, or to retarded children.

"Strict constructionism" vanishes (and the Constitution reels) under bombings, impoundments, and concealments, while some of the highest law-enforcement agencies and officials in the land rationalize and sometimes organize crimes, burglarize people's files and burn their own, and peddle illegal influence while waving banners touting law, order, and honor.

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Meanwhile, vital aspects of the national agenda remain neglected, though not even the current Ambassador to India is not likely to try to describe this neglect as benign.

But this sad, appalling and sinister mess provides opportunities almost as extensive as the dangers. The quality of Presidential leadership is clearer to millions of Americans, and people of all persuasions are disgusted as seldom in the past. It begins to be generally understood that men who lie about buggings can lie about bombings, that those who find "honor" in the Vietnam involvement are the same people who found honor in degrading the FBI, and that some who rode to power exploiting fears of crime have used power, once attained, to commit crimes and to shield criminals. So now it should be easier to focus attention and harness energies to deal effectively with real problems, and to forge new alliances out of shared frustrations. All of those who are determined to end the corruption of the public arena and to prevent the dismantling of much of what has been most promising in America since World War II should now be able to join together.

The end of the fighting in Vietnam should make possible the end of the fighting *about* Vietnam in the Democratic Party and among all Americans alarmed by the attitudes and tactics of the Nixon Administration. To re-fight the past in the midst of this present is to invite renewed defeat in the future. Wouldn't it be more useful to join together to try to prevent even more privilege from flowing to the too-privileged, and to try to restore constitutional balance and protect the general liberties? And to use the watershed of Watergate to elect a different leadership in 1974 and 1976?

What America needs now is the involvement and unified efforts of concerned and outraged people, not what Burke once called the "lumpish acquiescence" of a citizenry grown cynical about its capacity to end wrong-doing.

One dangerous side-effect of last fall's election is that some otherwise sensible people now seem to believe that the ideas and programs we have worked for are unacceptable to a majority of Americans.

There always will be moments when people of principle find themselves swimming upstream. There always will be sensitivities that unscrupulous, ambitious people can seek to manipulate to their own advantage. But whatever else November 1972 was, it was not a repudiation of the Roosevelt-Kennedy tradition. The desperate maneuverings of demagogues determined to divert attention and misstate choices show how clearly the President and his surrogates understood this central political reality. We must understand it as clearly, and act accordingly: to clarify what the Administration seeks to confuse, to unify whom the Administration seeks to polarize.

One sad fact underscored by the voting is how many Americans are losing faith in the electoral process. Mandates and coattails, trends and inconsistencies, all must be argued against the backdrop of record numbers of citizens refusing to vote for anyone in an election featuring presidential candidates whose goals and programs offered very real choices. We failed to make those choices clear and compelling to most voters. But that is a very different problem than the problem we would face if most voters had understood the choices and were prepared to vote *for* injustice, and against their own best interests in the process.

So now more than ever we must work to inform and arouse opinion, and to do that effectively we must offer honest and intelligent leadership that can articulate and inspire. This will not be easy, in the face of the wealth and power to distort now concentrated in the White House, and in the wake of bullets that destroyed those best equipped

to lead the effort. But the fact that these things are not easily done should propel us into working harder to do them, if we understand the stakes and care as we have professed to care about the outcome.

We are not at a high point in the annals of the Republic. But there is reason for hope, and where there is reason for hope, there is incentive for work. Certainly there is no excuse for quitting when there is so much to do—so many wrongs to right, so many wounds to heal.

Robert Kennedy once wrote, "Our future may lie beyond our vision, but it is not beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, will determine our destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live."

What we need now is to end the damaging detour that has led to such waste of lives and resources and has so hobbled the national spirit. Given the urgency and virtue of our goals, we would have to work for them even if they seemed impossible. But we should know they are not impossible—and that knowledge should increase our determination to work to achieve them. In any event, that is the only way we can live.

I. F. STONE ON IMPEACHMENT: PART II

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Ms. ABZUG. Mr. Speaker, in today's RECORD, I include the second portion of I. F. Stone's three-part series on impeachment. This part discusses the history of impeachment, with special emphasis on its inclusion in our Constitution by the Constitutional Convention of 1787 and the nature of the phrase "high crimes and misdemeanors."

Part I of this series appeared at page E4133 of the RECORD of June 15, 1973, and I shall include the third and concluding part in tomorrow's edition of the RECORD.

Part II follows:

I. F. STONE ON IMPEACHMENT: PART II

Impeachment is a form of trial by legislature. Its roots go back to a dim past when parliaments in France and England were more courts than legislatures. As the political power of the English Parliament grew, it began to use impeachment against corrupt or tyrannical officers of the Crown. Charges were brought by the Commons and tried before the Lords. The first impeachment is usually given as the Earl of Suffolk's case in 1386. In the revolutionary seventeenth century, impeachment was used by the House of Commons to terrorize the King's ministers and finally to establish parliamentary supremacy. Once this was achieved, the use of impeachment for political purposes died out. The seven years it took the Commons to try Warren Hastings by impeachment (1788-1795) finally demonstrated that it was too cumbersome—and repugnant—a process for ordinary criminal prosecution. The last trial by impeachment in England was in 1806.

The Framers of the Constitution were well aware of the abuses which mark trial by legislature. They outlawed one form altogether: the bill of attainder by which earlier parliaments, with or without hearing evidence, simply found a man guilty by majority vote. This was a device much used by sub-

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servient Parliaments under Tudor despotism and again by a revolutionary Commons in the seventeenth century. The outstanding example was the famous Earl of Strafford case where—realizing that the House of Lords was not convinced by the evidence in his impeachment—the Commons dropped that procedure, voted the Earl guilty by bill of attainder, and had him executed. The Puritans, our spiritual ancestors, were often as ferocious as Bolsheviks.

In writing the power of impeachment into the Constitution, the Framers sought to shut the door firmly on such excesses. The Constitution forbids trial by impeachment for ordinary citizens and ordinary crimes. The impeachment procedure was limited to trials of the President, the Vice President, "and all civil officers of the United States." In case of conviction the penalty may not be more than "removal from office and disqualification to hold any office of honor, trust or profit under the United States." Any other punishment for any crime involved can be imposed only after separate trial in a court of law. Impeachment was to be a weapon for policing conduct in office.

The Framers were principally concerned with providing a check on the President. The other officers were added to the impeachment clause in the final days of the Convention as a last-minute afterthought and were accepted without debate. During earlier discussion of the impeachment clause, George Mason of Virginia—more responsible than any other statesman for the Bill of Rights—spoke of impeachment as a necessary weapon to deal with "attempts to subvert the Constitution."¹ The words seem to fit the revelations being generated by Watergate. When Senator Ervin, who has seen them, says the domesite espionage plans in the as yet unpublished Dean documents display "the same mentality employed by the Gestapo in Nazi Germany,"² the words Colonel Mason used are not too strong to be applied today.

Much fresh material for an exploration of the impeachment process and its history is provided by Raoul Berger and Michael Les Benedict. Benedict offers a new view of the politics in Andrew Johnson's trials, the only impeachment of a President. Berger's book brings together a fascinating collection of his law review articles on the tantalizing legal problems involved in impeachment. Both books began long before Watergate as recondite studies into long forgotten questions, but they come off the press as urgent and controversial, though neither foresaw, or could have foreseen, how rapidly unexpected developments like the burglary of Watergate would make impeachment a live issue again.

Berger—after a lifetime in government and private practice—has had an extraordinary second career since his retirement. Zest for controversy and love of learning shine through the pages of his law review articles and books. Now, at seventy-two, he is writing a book on executive privilege, a topic of even more immediacy than impeachment, and one on which he has testified brilliantly before several congressional investigations.³

He strongly opposes the inflated claims of executive privilege made in recent years, notably by then Attorney General Rogers under Eisenhower. Berger is also a strong opponent of the expansion in presidential war powers, a subject on which he published a law review article of first importance last year.⁴ Those two studies and a major law review article on impeachment⁵ which is embodied in his new book seem to have drawn their motivation from opposition to the Indochina war.

Berger's basic position might be described as that of a radical traditionalist, seeking to strip away false, distorted, or mythological precedents by a return to the Constitution,

its sources, and its Framers, and fashion new conceptual weapons against current governmental usurpations. In this sense, he is like the late Justice Black and Senator Ervin a fundamentalist in constitutional law.

In two chapters of this new book on impeachment Berger considers the possibility of using impeachment to deal with the continuing Indochina war. In the first of these he discusses the impeachment of Andrew Johnson. "His impeachment," Berger writes, "poses an issue which may again confront us: is the President impeachable for violating a statute for example, an act that prohibits the use of appropriated funds for maintenance of ground troops in Cambodia if in his judgment it violates his constitutional prerogatives?"

The restriction on ground troops in Cambodia was passed by Congress in 1971, and not openly flouted by the executive. But the question has again become urgent with passage by the Senate, and debate in the House, of the Eagleton amendment which would bar the use of any funds for continued bombing over Cambodia.

The parallel with the impeachment a century ago is this: The immediate precipitant of President Andrew Johnson's trial was his attempt to remove Secretary of War Stanton in defiance of the newly passed Tenure of Office Act. Johnson claimed he had a right to ignore the act because he considered it an unconstitutional interference with the President's right to remove his cabinet officers as he pleased. Nixon, similarly, has taken the position that a cutoff of war funds while combat of any kind is in progress would be an unconstitutional interference with his powers as Commander-in-Chief. Whether Nixon will dare cling to so extreme a position in a crunch, against the background noises of Watergate, remains to be seen.

Berger, who takes a rather conventional view of Johnson's impeachment, believes such a constitutional crisis should be resolved by an appeal to the Supreme Court rather than by impeachment, as happened in Johnson's case. But in his concluding chapter Berger advocates impeachment as a last resort when the President takes the country into war without congressional consent.

Berger ends his book with a plea that we not deduce from the failure—and the legal clumsiness—of the Johnson impeachment that impeachment has proven "its unfitness as an instrument of government." But he favors its use only "as a last resort" and "with extreme caution." The Framers, he writes:

"Foresaw that impeachment might be subject to superheated partisanship, that it might threaten presidential independence; but recalling Stuart oppression they chose what seemed the lesser of evils. In our time the impeachment of President Truman, apparently for his conduct of the Korean War, was suggested by its staff to the Republican high command. There have been reiterated demands for the impeachment of President Nixon arising out of dissatisfaction with his program for disengagement from the war in Vietnam. . . . Those who are unwilling to concede that the President, without a congressional declaration of war, may commit us to a full-scale war with all its ghastly consequences may yet turn to impeachment as a curb on such presidential adventures."

Benedict's book on Johnson's impeachment devotes itself to rebutting the conventional view that it was the work of a radical Republican minority. His exhaustive analysis of the events which precipitated impeachment and of key votes during the trial shows that in fact Johnson's unwise and stubborn tactics drove the moderate Republicans into an alliance with the radicals though the former were lukewarm about any thorough Reconstruction of the South.

This is a useful corrective but it does not go far enough. The deeper issues were radical

Footnotes at end of article.

and class issues which disguised themselves in constitutional form. Basically the war was fought between contending white men; slavery was a moral and burning issue only for a minority of them. Otherwise the North would have imposed a thoroughgoing land reform on the South—as we did on a defeated Japan—and taken other basic steps to make a free landowning yeomanry of the blacks. To feel the agony of those issues for the newly emancipated and for great Republican radicals like Sumner and Stevens one must still go to the pages of DuBois's *Black Reconstruction*, however one feels about his political proposals. These deeper realities do not obtrude into Benedict's useful but sedate pages.

But Benedict does touch in his conclusion on a basic constitutional point, though he writes in a mood of what may be premature defeatism. He tries to rebut those historians who have seen in the Johnson impeachment an attempt to convert the American presidential system into one of parliamentary supremacy:

"But in fact it had not been Congress but the President who had been claiming broad new powers. It was Andrew Johnson who had appointed provisional governors of vast territories without the advice and consent of the Senate, who had nullified Congressional legislation, who claimed inherent quasi-legislative powers over Reconstruction. *In many ways, Johnson was a very modern President, holding a view of presidential authority that has only recently been established* [Italics added]. Impeachment was Congress's defensive weapon; it proved a dull blade, and the end result is that the only effective recourse against a President who ignores the will of Congress or exceeds his powers is democratic removal at the polls."

But what if the President uses his power to pervert the electoral process itself? What if he casts a pall on free discussion by setting up a secret network to buy and burglarize the opposition? These are new questions raised in the wake of Watergate.

In one respect, which would be crucial in any attempt to impeach Nixon, the events of Watergate, and its aftermath, have dated both books. To understand this change one must begin by observing that until now the central issue in impeachment has revolved around a famous phrase in the Constitution. Article II, which deals with the Presidency, says in its final section 4, that the President "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors."

What are high crimes and misdemeanors? This question has embroiled every impeachment trial in American history whether of a President or of judges. No phrase in the Constitution is more Delphic. A glance at its history is necessary to understand its ambiguities.

In the framing of the Constitution, Madison thought it "indispensable that some provision should be made for defending the community against the incapacity, negligence or perfidy of the Chief Executive." The impeachment clause, as reported out for debate by the Special Committee, provided for the President's removal from office by conviction on impeachment only for "treason or bribery," though an earlier version included "or corruption."⁸

The Framers had already written special clauses on treason into the new Constitution to narrow its meaning and regulate its mode of proof and trial. Their purpose was to avoid the abuse of the treason charge in English law and in English impeachments. All kinds of retrospective and "constructive," i.e., inferential, treasons were used to suppress opposition and restrict fundamental liberties in both common law prosecutions and in impeachments by Parliament.⁹

So in the debate on the impeachment

clause, as reported in Madison's notes, Colonel Mason wanted to know why this was limited "to treason and bribery only." He said, "Treason as defined in the Constitution will not reach many great and dangerous offenses." He added, "Attempts to subvert the Constitution may not be treason as above defined." He therefore proposed to add "or maladministration." Madison objected, "So vague a term will be equivalent to a tenure during pleasure of the Senate," which sits as a court to judge a bill of impeachment when brought by the House. So Colonel Mason withdrew "maladministration" and substituted "other high crimes and misdemeanors."

But just what are "high crimes and misdemeanors"? If the Framers were thinking of the Warren Hastings trial which had just begun in London when they wrote the phrase into the Constitution, the confusion was further confounded by that trial. The phrase may have been used in the bill of impeachment¹⁰ as an over-all rubric, but no less an authority than the magisterial English legal historian Holdsworth tells us that the specific charges were against Hastings were "serious breaches of the criminal law" and that in his trial the House of Lords rejected the view that it was not bound by the ordinary rules of evidence,¹¹ as might well be the case in the trial of a nonindictable offense. This seems to demonstrate that by the time our Constitution was being written, English usage had already turned "high crimes and misdemeanors" into an empty phrase, making impeachable crimes no different from indictable crimes.

Is this what the Framers intended? What are impeachable offenses under this clause in the American Constitution? Unfortunately this question has never been conclusively answered. The standard authority for the House of Representatives, *Hinds' Precedents*, devotes thirty-eight closely printed pages to the question without arriving at any definite answer.¹² "The meaning of the phrase, 'high crimes and misdemeanors,'" says Cooley in a footnote to Blackstone, "underwent much discussion in the case of President Johnson, who was tried on articles of impeachment in 1868, but the result of the case was not such that any authoritative rule can be derived from it."¹³

The answer lies somewhere in a murky area bounded by two definitions, one usually put forward by those who desire to impeach, the other by the defenders of those whose impeachment is being sought.

The first definition was bluntly expressed in the aborted effort by the Republicans to impeach Mr. Justice Douglas, the most recent attempt at impeachment. This began April 15, 1970, in a speech in the House by Republican Leader Gerald Ford. "The only honest answer," he said, sounding like a Jacobin, "is that an impeachable offense is whatever a majority of the House of Representatives considers [it] to be at a given moment in history [and] . . . conviction results from whatever offense or offenses two-thirds of the other body [the Senate] considers to be sufficiently serious to require removal of the accused from office."¹⁴ These are constitutional opinions he must regret as the possibility of a Nixon impeachment looms up. They embody exactly the same view taken by those who impeached President Andrew Johnson, but failed in the Senate by one vote of the two thirds required to convict.

The other equally classic definition, almost invariably put forward by the defense, was formulated by former Judge Simon H. Rifkind of New York as counsel for Mr. Justice Douglas. In a memorandum of law submitted to the House committee early in the proceedings, Judge Rifkind argued that only indictable offenses were impeachable, i.e., offenses against federal law. "There is nothing in the Constitution or in the uniform practice under the Constitution," he argued, "to suggest

that Federal judges may be impeached for anything short of *criminal conduct* [emphasis in original]. And the prohibition of *ex post facto* laws, the protection of due process, the protection of the First Amendment, and considerations of 'separation of powers' prevent any other standard."¹⁵

It is ironic—but not really strange—that this argument on behalf of one of the greatest liberal Justices in our history is identical in substance with that put forward in defense of one of the most hated illiberal—Supreme Court Justice Samuel Chase, whose removal by impeachment was sought—also unsuccessfully—for his conduct of trials under the Alien and Sedition Acts and the common law of seditious and criminal libel.

The House committee in its final report on the Douglas impeachment resolution concluded that it did not have to "take a position" on either of these two conflicting concepts of impeachment because "intensive investigation" had "not disclosed credible evidence that would warrant preparation of charges on any acceptable concept of an impeachable offense."¹⁶ The House accepted this verdict, clearing Mr. Justice Douglas.

But earlier in its report the House committee did take a position, and it was somewhere—though just where was not at all clear—between the prosecution's and the defense's interpretation of what constitutes an impeachable offense. It said the precedents showed "that the House of Representatives, particularly in the arguments made by its Managers [i.e., prosecutors] in the Senate trials [of impeachments], favors the conclusion that the phrase 'high crimes and misdemeanors' encompasses activity which is not necessarily criminal in nature."¹⁷ This is precise as description but inconclusive as doctrine.

Berger is critical of Johnson's impeachment and is downright effusive in praise of Johnson's defenders. But when it comes to the theory underlying the impeachment he agrees with Johnson's prosecutors. On the basis of a formidable inquiry into four centuries of English precedents, he concludes that "the test of an impeachable offense in England was not an indictable, common law crime." The Framers, Berger argues, separated impeachment from criminal process when they "withheld from Congress the power to inflict criminal punishment" by impeachment and limited the penalty on conviction by impeachment to removal and disqualification from office. His final argument is that the Constitution specifically provides that an official convicted on impeachment "shall nevertheless be subject to Indictment, Trial, Judgment and Punishment according to Law." Were impeachment a criminal process, this would be a violation of the double jeopardy clause.

There are additional arguments for this in the Federalist Papers. One of the arguments in the Federalist Papers for making the Senate rather than the Supreme Court the final judge of impeachments is that this would prevent an official convicted on impeachment from having to come before the same court if he were later prosecuted "in the ordinary course of law."¹⁸ The same Federalist Paper also shows that the Framers were not thinking of impeachment as a criminal process when it said that the Senate, sitting as the court on impeachment charges, "can never be tied down by such strict rules, either in the delineation of the offense by the prosecutors, or in the construction of it by the judges, as in common cases serve to limit the discretion of the courts in favor of personal security."¹⁹ It is clear that impeachment offenses were not intended to be limited only to indictable crimes.

FOOTNOTES

¹ In Madison's "Notes" in *Documents Illustrative of the Formation of the Union* (Government Printing Office, 1927), p. 691.

² *Washington Post*, June 1, p. 1, in an inter-

view the Senator gave in Winston-Salem, North Carolina.

³ His two-part study, "Executive Privilege v. Congressional Inquiry," in the *UCLA Law Review* in 1965 (referred to above), is already indispensable for serious consideration of the problem.

⁴ "War Making by the President" in *The University of Pennsylvania Law Review*, November, 1972.

⁵ "Impeachment for 'High Crimes and Misdemeanors,'" *Southern California Law Review*, XLIV (1971), already cited in Benedict's book on Johnson.

⁶ *The Making of the Constitution*, by Charles Warren (Barnes & Noble, 1967), pp. 660-661.

⁷ Indeed Hamilton in the Federalist Papers (No. LXXIV), answering the objection that the new Constitution as first presented contained no Bill of Rights, pointed to the treason clause as evidence of the Framers' concern for civil liberty. And Madison in No. XLIII explained that the purpose of the clause was to outlaw those "new-fangled and artificial treasons . . . by which violent factions, the natural offspring of free government, have usually wreaked their alternate malignity on each other."

It is again timely to recall that the Framers, in dealing with treason, the greatest danger to national security, were concerned with protecting the individual from the abuse of this charge by the state, and therefore made its prosecution more difficult than that of ordinary crimes. They did not provide that, where national security was involved, normal constitutional and legal safeguards might be suspended. The Constitution does not, in this as in many other respects, embody the jurisprudence of Richard Nixon or of the late Joseph McCarthy.

⁸ *The Encyclopaedia Britannica* (14th ed.) in its article on Hastings says he was tried for "high crimes and misdemeanors."

⁹ Holdsworth's *History of English Law* (London, 7th ed., 1956), vol. 1, p. 384.

¹⁰ See Sections 2008 to 2023, *Precedents of the House of Representatives*, Asher C. Hinds, ed. (Government Printing Office, 1907), vol. 3, pp. 321-359.

¹¹ Quoted in the *American and English Encyclopaedia of Law* (New York and London, 1900), vol. 8, p. 249, citing 4 Cooley's *Blackstone*, 5, note.

¹² Associate Justice William O. Douglas, Final Report by the Special Subcommittee on H. Res. 920 of the Committee on the Judiciary House of Representatives, 91st Congress, 2nd Session, September 17, 1970, p. 36.

¹³ Legal Materials on Impeachment, Special Subcommittee on H. Res. 920 of the Committee of the Judiciary, as above, August 11, 1970, p. 24.

¹⁴ Final Report cited in footnote 30, p. 349.

¹⁵ Ibid., p. 37.

¹⁶ No. LXV at page 335, Everyman's Library.

¹⁷ Ibid., p. 334.

EXTENSIONS OF REMARKS

Blues are the songs of despair, gospel songs are the songs of hope. When you sing gospel, you have the feeling that there is a cure for what's wrong.

Gospel music, thus, offers the people something to believe in—a reason for forging ahead instead of dropping out.

This uniquely American music speaks to the common experiences shared by all of us—happiness, grief, and the goodness of God and man. The composers, authors, publishers, and performers of gospel music have dedicated their lives to the glory of God through their various talents. It is fitting that we set aside some time each year to recognize them for their faith and their contributions to our American life.

WBBM EDITORIAL BACKS METRIC CONVERSION PROGRAM

HON. ROBERT McCLOY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. McCLOY. Mr. Speaker, it was good to receive support for a measure designed to convert our Nation to the metric system of weights and measures in an editorial on WBBM radio, Chicago.

According to the report which I have received, the editorial was broadcast during 10 of its regular newscasts on June 4, 1973.

The editorial should encourage the Congress to take action on this measure in which a number of my colleagues have joined with me in proposing a present congressional commitment and a 10-year period for substantial conversion to the metric system (H.R. 724).

The WBBM editorial follows:

THE METRIC SYSTEM

Children, teen-agers, adults and even teachers who have had a difficult time with the "new math" may be in for a much bigger challenge if Congressman McCloy has his way! The gentleman from the Thirteenth District is trying to get legislation through the House which would convert the United States to the metric system during a decade of transition.

That would mean an end to such things as inches and feet, pounds and tons—and a beginning of such things as grams and kilograms, meters and kilometers.

Certainly that language is unfamiliar to many Americans—but it is hardly new to camera buffs, pharmaceutical employees or experienced businessmen who have always bought or sold on the world market with the metric system. And since we are today more than ever involved in international trade, it makes no sense for us to retain the old British Imperial System of weights and measures—a system which even the British have given up. Indeed, the only countries who have not modernized their system are Burma, Ghana, Jamaica, Tonga and the United States.

Congressman McCloy proposes that the public be educated over the next ten years to the metric system. That is, admittedly, no mean task; but if the government and schools cooperate and communicate, we can be optimistic about its feasibility.

In fact, we must be for our present system has to go. It is antiquated and inadequate. Congressman McCloy has noted that "con-

version to the metric system would bring our great nation into step with every other nation of the world". In this case, we agree that it would be foolish to march to the beat of a different drum.

RAYMOND H. HERZOG

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. FRENZEL. Mr. Speaker, Mr. Raymond H. Herzog, president of 3M Co., with headquarters in St. Paul, Minn., recently made available to the Los Angeles Times some special remarks about multinational firms. These remarks stressed the fact that despite a good deal of criticism about multinationals, there is plenty of evidence to show that they are a great aid to our economy and that they create, rather than export U.S. jobs.

Mr. Herzog's remarks call for an expansion of free and fair trade, not a return to the protectionism of the 1930's. He also supports the President's trade legislation.

I believe that Mr. Herzog's remarks form a fine, accurate, and needed presentation on the subject of our economy, our trade balances and multinational firms. I commend them to my colleagues. His remarks follow:

REMARKS OF MR. HERZOG

There are new protectionists among us who would impede the growth of U.S. businesses in other countries—the so-called "multinationals." They would do so through a variety of restrictive trade, tax and investment controls. Basing their use largely on emotional appeals, they provide few specifics to back up charges that the U.S. multinational companies are "exporting jobs," flooding the country with "cheap imports" or "enjoying tax incentives" denied to companies which operate only in the United States.

Indeed, the weight of available facts contradicts the thesis, held in some segments of labor, that U.S.-based multinational companies are hurting our balance of payments or sending jobs abroad. Similarly, the idea that steps to discourage investment abroad will improve the U.S. economy or enhance our country's ability to compete in world markets is in defiance of reliable factual evidence.

Plenty of evidence exists, however, that we do have a balance-of-payments problem. But that imbalance would be much worse if U.S. companies had made no direct investments in plants and facilities abroad, since three times the number of dollars which are directly invested outside the United States each year are returned through earnings, royalties and other fees. The figures show that direct investment abroad in 1972 totaled \$3.3 billion, while the return during that same year was \$10.4 billion.

Thus, without foreign direct investment, our overall 1972 payments balance would have been in worse shape by \$7.1 billion. Without the foreign tax credit and the tax deferral on foreign source income—both of which the new protectionists in Congress would eliminate—it is unlikely that this investment would have been made.

Take the 3M Co. itself. In 1972 it returned \$145 million to these shores from its investments abroad and, in the process, created 500 new jobs in the United States related directly to our overseas business, out of a total of 3,400 new jobs for Americans created by

NATIONAL GOSPEL MUSIC WEEK

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. BAKER. Mr. Speaker, along with several colleagues, I am today reintroducing legislation providing for the designation of the first week of October of each year as "National Gospel Music Week."

Gospel music is an integral part of our American heritage. As Mahalia Jackson has pointed out:

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3M last year. In the period of 1968-1972, moreover, 3M helped reduce the balance-of-payments deficit by over \$600 million.

Where, then, does the U.S. balance-of-payments deficit come from?

Three of the principal components of our payments deficit are: our military presence overseas, our foreign aid program and our propensity to travel abroad.

A fourth component is our balance of trade with other nations, which went into deficit in 1971 for the first time in this century. The deficit, about \$2 billion in 1971, rose over \$6 billion in 1972—in response, at least in part, to a growing need to import many kinds of raw materials and fossil fuels.

The tally sheet would be even bleaker if it were not for the growth of multinational companies, which in 1970 accounted for 62 per cent of total U.S. exports in the manufacturing sector. (The U.S. Tariff Commission, in an exhaustive study of American-based multinational companies published in February 1973, notes that "industries which are larger investors abroad also contribute the most to aggregate U.S. exports, whereas industries in which multinational corporations are less important also are less important exporters.")

There is another allegation by the new protectionists that needs refutation. U.S. multinational corporations do not "run away" to low-wage countries in order to reimport back into the United States. Rather, 80 per cent of the investment in plants abroad by U.S. companies is in Canada and Europe—both high-wage areas. When you take productivity into account, 3M's per-unit costs abroad approximate those. Protectionists have alleged, too, that the jobs created abroad by U.S. companies could have been generated here instead, simply by serving overseas markets exclusively by exports. That's pure wishful thinking.

Quite simply, there is no way U.S.-based companies could serve their overseas markets through exports alone. Tariff and nontariff barriers, shipping costs, administrative and other expenses give competitors who manufacture in one market a virtually unassassable advantage over companies which export to it.

Moreover, for most types of products, the requirements of customers in a particular marketplace cannot be serviced quickly or completely enough from afar. The alternative to manufacturing abroad is to forfeit those markets to non-U.S. competitors, among them companies based in England, Germany, Italy and Japan.

It follows that if overseas markets cannot be effectively served by exports alone, the jobs which multinational companies have created in other countries would not otherwise have been created here.

The multinationals, because of the exports generated by their overseas operations, are creating jobs at home at a much faster rate than are other U.S. companies. From 1960 to 1970, U.S. employment by multinational companies increased 31 per cent while total U.S. manufacturing employment increased only 14 per cent.

In an attempt to administer a coup de grace direct foreign investment by U.S. companies, the protectionists allege that these companies pay lower taxes on their overseas operations than they would pay if these operations were set up at home. This is not true.

The tax rates high companies like 3M pay in the countries where they operate are comparable to those in the United States—and in some cases higher. If the rate is lower abroad, 3M pays the difference in U.S. taxes when the earnings are returned.

These facts are just part of the growing body of evidence that U.S. multinational companies have made—and increasingly make—a substantial contribution to our nation's economic health.

I do not deny that some U.S. industries have been sorely injured by low-price imports—the overwhelming majority of which are not produced by U.S.-based firms.

What has happened is simply that worldwide industrial development, made possible by unprecedented worldwide prosperity, has allowed other nations to become our trade equals. In some labor-intensive industries, they have gained an advantage. We retain a strong edge in high technology, capital-intensive industries such as computers, aerospace and many others.

In industries in which U.S. jobs cannot presently compete, we need broader adjustment assistance programs—such as were called for in the president's trade message—to retrain workers in higher-technology industries. We should also grant the President the authority he requests to negotiate with our trade partners to assure fairer access for U.S.-made products in their markets.

But shotgun legislation to restrain American companies from investing abroad would aggravate our problem by closing off, to U.S. industry and the American worker alike, overseas markets which account for 94 per cent of the world's population.

The facts clearly argue for freer, fairer trade—not a return to the protectionism of the 1930s. Only freer trade will develop a world economy in which people are partners in sharing economic progress, rather than rivals in almost continual conflict.

FOR LITHUANIA: THE FUTURE BRIGHTENS

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. MADDEN. Mr. Speaker, since the days in 1940 when Lithuania's freedom was shackled by the Communist dictators, the spirit of liberty for Lithuania has not diminished.

Back in the days of Lenin and Stalin, the optimism for the future of communism was at its peak. Since the overthrow of the dictator, Khrushchev, and the assumption of the present Communist regime has seen the economy and its production capacity at its lowest level.

The heads of the present Soviet dictatorship have descended to a degree where they are now asking help and assistance from our Nation, to feed their starving masses suffering from the absolute failure of their agricultural production. Only a few years have passed since the Soviet leaders would totally ignore asking the United States to ship millions of tons of grain and other food stuffs to feed their enslaved population.

On many occasions, I have spoken on the anniversary of Lithuanian enslavement and predicted that eventually the imprisoned population of the Soviets would prove to be the greatest offense for the destruction of the Communist tyranny.

Over the centuries many tyrants have been overthrown through the failure of their ability to govern and to establish a stable economy under their system of absolute rule and despotism.

Tyranny brings about discontent and insurrection among millions of its subjects who have no vote or opportunity to

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participate in elections in a government opposing freedom for the people.

The Lithuanian people have not relented one iota in their desire for national self-determination and religious liberty. The violation of human rights inflicted by the tyrannical persecutions of the leaders of the Soviet Union will eventually restore freedom and independence. Lithuania can look into the future with confidence when they find dictator Brezhnev coming to Washington with his retinue of co-Communist conspirators asking our President to cooperate, negotiate, and contract with the sole idea to get aid of our free democracy to rescue their failing communistic economy and help establish an agricultural production that will feed millions of his subjects.

It is now that Lithuanians, along with other Soviet captive nations, should urge our President to avoid any unwise agreements or call upon the American people to sacrifice either directly or indirectly in any agreements that would help the Communist dictatorship survive. Over the centuries all dictators have eventually collapsed through their desire for power, expansion, and enslavements that are sure to lead to destruction and eventually freedom for millions of their helpless citizens. I hope the free world, including the United States, has learned a lesson and will profit by the failures of dictatorships since the beginning of civilization. The time is right for Lithuania and other captive nations in central Europe to use their collective power and protest free world aid to the collapsing economy of the Soviet dictators and bring back to their mother nations freedom, liberty, and self-government.

U.S. CHAMBER SUPPORTS HOUSE HMO BILL

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. ROY. Mr. Speaker, the Health Maintenance Organization Act of 1973 is presently pending before the House Committee on Interstate and Foreign Commerce, on which I am privileged to serve.

I would like to call the attention of my colleagues to the special report of the Chamber of Commerce of the United States which deals with health maintenance organizations:

CHAMBER OF COMMERCE OF THE UNITED STATES—HEALTH MAINTENANCE ORGANIZATIONS

WHAT IS AT ISSUE

What role should Federal Government play in development of Health Maintenance Organizations (HMOs) as possible way of improving delivery of hospital and medical care . . . Should initial program be permanent or experimental . . . how much should be spent?

WHY IMPORTANT

Rapidly-escalating health costs . . . improvement in delivery hospital, medical care . . . are major concerns of business. HMOs,

such as Kaiser Foundation Medical Program, provide comprehensive "package" services on prepaid basis to those participating in plan. Some argue this integrated system superior to present fee-for-service system . . . more efficient . . . can lower costs. Others say no proof HMOs can provide comprehensive medical care, efficiently, economically to substantial segments of population . . . no proof they can flourish in marketplace without Federal subsidies . . . or reduce cost of purchasing services under employer-financed health insurance programs.

MAJOR PROPOSALS

H.R. 51 (*Rogers, D-Fla., Roy, D-Kans., others*). Authorizes \$280.7 million over 5 years to encourage expansion, development of 100 HMO's on experimental basis. Money may be spent for feasibility studies . . . planning, initial development costs . . . loans for initial operating costs . . . evaluation of program effectiveness. *Coverage*: open to all in test areas; employers required to offer option of HMO coverage to employees, but cost to firm cannot exceed outlays under company-sponsored health insurance program. *Services offered*: comprehensive . . . including physicians' services, inpatient, outpatient, hospital and extended care, diagnostic and rehabilitation, preventive health.

S. 14 (*Kennedy, D-Mass., Williams, D-N.J., others*). Authorizes \$1.5 billion over 3 years to encourage expansion, development of HMO's on permanent basis. Money may be spent for feasibility studies . . . planning, initial development costs . . . construction grants and loans . . . grants and loans for operating costs. Also establishes: Quality Health Care Commission and Federal Malpractice Reinsurance program. *Coverage*: everyone. *Services offered*: all services in H.R. 51, but even more comprehensive in scope.

H.R. 4871 (*Staggers, D-W.Va., Devine, R-Ohio*); **S. 972** (*Javits, R-N.Y., Schweiker, R-Pa.*) for Administration. Authorizes an unspecified sum (1974 Budget provides \$60 million) to encourage expansion and development of HMO's on experimental basis. Funds would be available for payment of planning costs . . . initial operating costs in medically-underserved areas. *Coverage*: not specified. *Services offered*: physicians, hospitals, health maintenance.

CHAMBER POSITION

Supports legislation such as H.R. 51 because it offers opportunity to experiment with Health Maintenance Organizations as one method of improving delivery of health care services.

Opposes S. 14 because of its permanent nature and potential for unlimited growth in fashion that could preclude freedom of choice by employers and employees.

CONGRESSIONAL STATUS

The Senate passed S. 14 on May 15 by a vote of 69-25—but only after adopting a Javits-Kennedy proposal to cut the authorization from the proposed \$1.5 billion to \$805 million for Fiscal Years 1974-76. A House Commerce Subcommittee on Public Health and Environment is ready to report H.R. 51 (as a clean bill with a new number) to the full Interstate and Foreign Commerce Committee.

The Administration, many members of Congress, and some experts in the health field believe that Health Maintenance Organizations—popularly called HMOs—can solve many of our major health problems. As a result, Congress is considering legislation that would put some hundreds of millions of dollars into the development and expansion of these organizations. The Senate has already passed its bill S. 14, and a House Commerce Subcommittee seems to be on the verge of reporting an entirely different bill.

Much of the pressure to provide Federal funds for HMOs, of course, is coming from

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the same source that is creating concern in other health care matters—costs.

Total spending for health has jumped from \$25.9 billion in fiscal year 1960 to \$83.4 billion in fiscal year 1972—an increase of over 220%.

Personal health care outlays amounted to \$72 billion or \$340 per person in fiscal year 1972, including at least \$20 billion a year spent by business for employer-sponsored health insurance programs, industrial medical facilities and Medicare payroll taxes.

The substantial increase in expenditures results from many factors, including population growth, greater use of health services and supplies by the population, improvements in technology and treatment procedures, and inflation. According to estimates prepared by the Social Security Administration, about 52% of the \$38 billion increase in personal health care expenditures since fiscal year 1965 was brought about by rising prices. Population growth accounted for 10%, and greater use of services and introduction of new medical techniques, the remaining 38%.

Besides inflation, other important and well-documented health problems face the country. They involve shortages and maldistribution of medical manpower, lack of access to care by important segments of the population, particularly in the inner city and rural areas, and inefficiencies and fragmentation in the organization and delivery of health and medical care services.

HEALTH MAINTENANCE ORGANIZATIONS

Generally speaking, a Health Maintenance Organization is any organized system that provides at least physician services, emergency care, and hospitalization to individuals who voluntarily agree to obtain their medical care for a fixed sum of money agreed upon in advance.

Probably the best known and largest example is the Kaiser Foundation Health Plan, Inc., which was started in 1942. The key features of this type of system are:

- (1) a fixed, prepaid charge for members of the plan;
- (2) voluntary enrollment, assuring subscribers of at least one choice of another health plan;
- (3) independent operation of each group;
- (4) sharing among the involved physicians of a percentage of the total income from subscribers on an incentive basis;
- (5) a requirement that the group medical managers (member-doctors and hospitals) live within budgeted incomes;
- (6) services from a group-controlled hospital as a base;
- (7) full-time salaried doctors responsible for the quality of care.

Many believe a system incorporating these features will bring greater efficiency and better organization to the delivery of health care services, and development of HMOs is a key feature of the Administration's health strategy. In his 1972 Health Care message, the President said:

"The HMO is a method for financing and providing health care that has won growing respect. It brings together into a single organization the physician, the hospital, the laboratory and the clinic, so that patients can get the right care at the right moment.

"HMOs utilize a method of payment that encourages the prevention of illness and promotes the efficient use of doctors and hospitals. Unlike traditional fee-for-service billing, the HMO contracts to provide its comprehensive care for a fixed annual sum that is determined in advance.

"Under this financial arrangement, the doctors' and hospitals' incomes are determined not by how much the patient is sick, but how much he is well. HMOs thus have the strongest possible incentive for keeping well members from becoming ill and for curing sick members as quickly as possible."

RELATIVELY SMALL NUMBER COVERED

At the end of 1971, according to health insurance industry estimates, about 180 million persons—nearly 9 out of 10 in the civilian population—had protection against hospital expenses. Insurance companies protected 63% of the 180 million, and Blue Cross/Blue Shield covered 43%. Only about 5% were covered by HMO-type organizations in independent health insurance plans that assume responsibility and risk for the organization and delivery of the hospital and medical services on a prepaid basis.¹

Social Security Administration data show that these independent plans covered about 8.5 million persons for hospital care, 10.9 million for surgical services and 10.8 million for x-ray and laboratory examinations. Since 1960, coverage under these plans for these types of services has grown between 43%-48%.

Further analysis shows that so far a few big plans have dominated the field. Of the 8.5 million covered by the independents, over 2 million were in two of the six Kaiser Plans, one in Oakland and the other in Los Angeles. Approximately 39% were enrolled in 10 plans.

At the end of 1972, about half of those covered were in only 28 plans, and some of them were quite small.

BARRIERS TO HMO DEVELOPMENT

With so many apparent advantages, why aren't more people covered by independent health insurance plans? A number of barriers impede the development of HMO-type organizations:

First, the laws in 22 States prohibit or limit the group practice of medicine, which is an indispensable element in this type of system. Second, most people lack knowledge about this type of system, and its advantages and disadvantages. Third, most physicians prefer to practice on the basis of a fee for each service rendered.

A final serious difficulty is that it takes substantial amounts of capital to get Health Maintenance Organizations started. At the end of 1971, for example, the Kaiser Foundation Health Plan, Inc., had a total investment in facilities of \$293 million, or \$125 per person, based on 2.3 million enrolled members. About 70% of this investment has been made since 1965. Now, costs are going higher. Walter K. Palmer, Vice President-Finance Kaiser Foundation Health Plan, Inc., has pointed out what inflation can do to the cost of constructing full-service medical centers:

"There are currently under construction, in one of the regions, two major full-service medical centers. When completed in 1974, they will cost \$250 per member related to the membership capacity of these facilities. Costs includes architects fees, land, building construction, equipment and land improvements, such as parking and landscaping. It is estimated that similar facilities commenced today would cost \$300 per member."

ECONOMIC ADVANTAGES OF HMO'S

Whether the HMO system results in substantial economies in health care delivery is far from determined.

Advocates of prepaid group practices contend that the system is able to provide more comprehensive benefits at lower costs than the traditional fee-for-service arrangement. Others disagree sharply.

U.S. Civil Service Commission statistics for the Federal Employees Health Benefits program show the hospital utilization of employees covered by group practice and individual practice plans is substantially lower than those insured under Blue Cross/Blue Shield and indemnity benefit plans. Because there seems to be no significant difference in the length of the hospital stay

¹ Totals exceed 100% because of duplicate coverage.

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among the employees covered by the different plans, it means the real savings in utilization is in the number of persons admitted as hospital inpatients. (Table I).

Data for the Federal Employees Health Benefits program also show that less surgery is performed under group practice plans than under Blue Shield. (Table II).

Others are convinced that widespread development of Health Maintenance Organizations will not result in any appreciable cost savings over medical care obtained through the fee-for-service system. This view is well expressed by Alex Gerber, M.D., a well-known California surgeon who is engaged in the group practice of medicine:

"Many people believe that group practice, through its use of pooled resources and paramedical personnel, can offer great cost-savings. Here, again, I fear they are overly optimistic. In actual practice, the savings tend to be relatively small. Such as they are, they tend to be put back into improvements of service or to redound to the benefit of the doctors rather than to bring about lower charges to patients. Group practice can offer a high quality of care, but not necessarily cheaper care."

"Even the mighty Kaiser system, with all its advantages of huge scale, admits freely that savings on that account are relatively minor. Kaiser's lower total cost results almost entirely from fewer hospital admissions and fewer patient days as compared to surrounding areas generally. This is comparing apples to oranges. California, especially, abounds in numerous small, proprietary hospitals operating under standards that are mediocre or worse, and the costly, inferior care that they give distorts the general average. A more valid comparison would be between Kaiser and fee-for-service groups that maintain equally high standards. My experience leads me to believe that such a study would show that Kaiser has no cost advantage important enough to overcome the disadvantage of its less personal and often inconvenient care."

TABLE I

HOSPITAL UTILIZATION UNDER FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM, 1968²
(Hospital Days Used Per 1,000 Covered Persons)

Plan:	Hospital days
Individual practice	471
Group practice	422
Blue Cross-Blue Shield	924
Indemnity (Aetna)	987

TABLE II.—SURGICAL PROCEDURES PERFORMED UNDER FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM, HIGH OPTION PLAN, 1968

[Annual rate per 1,000 covered persons]

Surgical procedure	Blue Shield	Group practice
All procedures	75.0	34.0
Tonsillectomy and/or adenoidectomy	6.9	2.4
Female surgery (mastectomy, D and C, hysterectomy)	9.2	4.8
Appendectomy	2.1	1.0
Cholecystectomy	2.1	1.5

DIFFERENT APPROACHES CONSIDERED

Congress is considering two different approaches to HMO legislation.

The key underlying question is whether a big new program should be set up to subsidize HMO's on a permanent basis, or whether legislation should set up a mechanism for pilot-testing to find out whether we should

² Source: Hearings, *Health Maintenance Organizations*, Subcommittee on Public Health and Environment, Committee on Interstate and Foreign Commerce, 92nd Cong., 2nd Session, Pages 64-65.

embark on any permanent subsidy program.

The Senate has passed its bill, S. 14—but before doing so cut the proposed \$1.5 billion authorization to \$805 million.

The House Interstate and Foreign Commerce Committee is likely to approve an experimental, pilot-testing approach reported by its Subcommittee on Public Health and Environment.

Essentially, it is H.R. 51, cosponsored by the Subcommittee Chairman Rogers (D-Fla.) and Roy (D-Kans.), although it will be reported as a clean bill with a new number.

It is a much more modest proposal than the Senate-passed bill. It would authorize about \$280.7 million in Federal appropriations to assist no more than 100 HMOs between fiscal year 1974-78.

A key aspect of the legislation, which the Senate bill backs, is program evaluation. It authorizes \$20 million in Federal funding to evaluate the operation of HMOs. The results will determine whether financial assistance should be extended to additional organizations.

HMO Option for Employees. One section of the bill would require employers with health insurance programs to amend these plans so employees could elect to enroll in a Health Maintenance Organization.

Many employers—generally large companies with collective bargaining agreements in effect—already make the option of prepaid group practice available to their employees. Some firms make this option available only after a company has carefully evaluated the type and scope of the benefit protection, the quality of medical services provided, and the proximity of the plan to the employees' residences. The purpose is to ensure that both the company and the employee receive good value for the dollars expended. If the prepaid group practice doesn't meet company criteria, then the firm does not enter into a contract.

The Chamber would prefer to see enrollment in HMOs stimulated through the normal collective bargaining process—but the bill does contain some protections.

It would be applicable only to those firms offering health insurance to their employees; no employer would be required to pay more for the HMO option than he now does for health insurance under collective bargaining or other contractual agreements; and, finally, since the legislation is experimental, there will be an opportunity to make changes if they prove to be necessary.

One change made by the Subcommittee in this area seriously weakened the experimental nature of the bill. As originally written, this provision would apply only to the 100 HMOs receiving Federal assistance. The Subcommittee broadened it to include all HMOs.

NATIONAL CHAMBER POSITION

Constructive improvements can be made in the delivery of hospital and medical care systems, whether carried out through prepaid group practice plans, medical care foundations, or through expansion of the outpatient service facilities of urban hospitals. There is no single delivery mode that is the "answer" to improved delivery of medical care services for the American people.

The National Chamber supports legislation that offers the opportunity to experiment with Health Maintenance Organizations as one method of improving health care delivery. However, the legislation must be built around the concept of pilot-testing, rather than permanent legislation, because employers, employees, and government still need answers to these kinds of questions:

Can HMOs provide quality medical care on an efficient and economical basis for substantial segments of the population?

Can large numbers of organizations flourish in the marketplace without the benefit of continuing Federal subsidies?

Can HMOs lower the cost of providing hospital and medical care services under employer-financed health insurance programs?

It is unsound to pump hundreds of millions—perhaps billions—of Federal dollars into Health Maintenance Organizations until this concept has been more thoroughly tested.

RARICK REPORTS TO HIS PEOPLE:
THE ENERGY CRISIS, AN INTERVIEW WITH SALEM S. AL-SABAH, THE AMBASSADOR OF KUWAIT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. RARICK. Mr. Speaker, an area of the world that relatively few Americans know very much about, but one that will play an increasingly important role in helping the United States meet its oil needs in the foreseeable future is the Persian Gulf area.

More than half of the world's proven reserves of petroleum lie beneath the sands and shallow waters of the gulf area. As the energy shortage continues to grow in the United States and Western Europe, the global influence of these oil-rich Arab States continues to increase.

Kuwait, located at the northern end of the Persian Gulf, is a strategic oil-producing center, and a long-time friend of the United States. To help us understand the position that this region will play in the future, in light of the energy shortage, and in the political situation in the Middle East, I have invited as my guest today His Excellency the Ambassador from Kuwait, Salem Al-Sabah.

INTERVIEW WITH AMBASSADOR AL-SABAH

Mr. RARICK. Mr. Ambassador, thank you for joining us.

Within the next few years, oil experts tell us that the U.S. will import from 25 to 75 per cent of its oil from the Persian Gulf area—much of it from Kuwait. Is production in your country being expanded to meet such growing energy needs?

AL-SABAH. Thank you very much for giving me this opportunity to clarify my country's oil position. In dealing with this question, one should bear in mind the following two factors:

1. While we are keen on meeting the growing oil demands of the industrialized nations we have to see to it that our best interests are served.

2. That the burden of supplying oil should not, and need not, fall on one state or one region alone.

RARICK. Well, we hear that Kuwait has frozen oil production at 3 million barrels a day. Does this mean that you are running out of oil?

AL-SABAH. No, and I hope not. Reliable information indicates that at the present rate of production we have a reserve that will last 30 years or more. However, with the development of modern technology more oil might be discovered. Oil is our only resource and we know that it will be depleted one day. So we are facing the situation where we have to increase our production and invest the accruing royalties or prolong the life of oil reserves for the next generations. The

Parliament and the Government of Kuwait chose the latter and put a ceiling on production at 3 million barrels a day.

The following guidelines have been taken into consideration before the decision was made:

- a. Present needs for development.
- b. Future needs for the coming generations.
- c. International monetary situation.
- d. Investment opportunities.

RARICK. Some Arab oil-producing countries are reported indicating that they might hold back oil supplies to the U.S. unless Washington alters its policies toward Israel. This is one fear many Americans have concerning a growing dependence on foreign oil imports. Is there any truth to this report circulated by the U.S. press?

AL-SABAH. Well, let me say this, that in the old days, trade and interest followed the flag. But nowadays, it's the other way around. The flag and interest follow the trade. You have your energy needs and we have the energy. So, I think we ought to sit together and discuss the obstacle which might affect our ability to meet part of your needs. Under these circumstances, politics may play a role since Kuwait is an Arab country and Arab countries, as you know, are concerned about the one-sided American policy. Vis-a-vis the Arab-Israeli conflict and wish the United States would adopt a more even-handed and balanced American policy in the Middle East. It's quite natural that we do not want our oil to participate in oiling the Israeli war machine used solely to seize more and more Arab land. Finally we have our own public opinion to account to.

RARICK. In the past, the U.S. has maintained a staunch pro-Israeli foreign policy, much to the displeasure of many Arab nations. Do you have any indications from our Government that the U.S. is moving toward a more neutral position in the Arab-U.S. relations?

AL-SABAH. During the 1956 Suez crisis, I remember, and I was a student then, that we demonstrated in support of American stand because we felt that the American government took the right decision. But now unfortunately, we turn to our public opinion and find that it is totally disillusioned about the one-sided American policy in the Middle East. Now, with the war in Vietnam almost over, we hope that the United States would reassess her policy according to her best interest. We know that the American people are basically friendly to our people and this would give us the hope that eventually a more even-handed policy would be formulated. And of course, there is the further pressure of the energy crisis. And as you indicated, even a food-production crisis.

RARICK. Mr. Ambassador, your neighbouring country of Iraq has looked to the Soviet Union for a recent arms buildup, and has purchased a number of Soviet-made tanks and jet fighters. Kuwait, on the other hand, has looked toward the U.S. for military hardware. Is there a significance to this split in the Arab community?

AL-SABAH. Well, there is no division in the Arab community—none whatsoever—concerning our stand towards Israel. We are all united on that. Each country, however, has its own foreign policy and its own individual security measures. As you know, it's no secret that Iraq has an arrangement with the Soviet Union and the United States has similar arrangements with other countries in the region. But, as for Kuwait, we are having a number of offers from different sources for arm supplies and our policy is to get the best available equipment. Of course, the quality of the equipment and the worth of the relations are factors in this choice.

RARICK. But there is no deep significance that we should interpret this as being any

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division among the people in the Middle East?

AL-SABAH. No, I don't think so. And I may add that we, in the area, believe as you do in the United States, in the well-known doctrine of "unity in diversity".

RARICK. The suggestion has been made in the American press that one reason for a buildup of American-produced military hardware in Kuwait is a result of outside pressure on your country. Are these suggestions accurate?

AL-SABAH. As I have said before we are not coming to the United States for arm supplies and that we have so many offers from various countries and we are considering all. Now, on the matter of outside pressures, I would like to emphasize that all of the talked about threats against our country is sheer speculation, but we cannot dismiss them. We have to prepare ourselves for any eventuality.

RARICK. Kuwait then, is still the master of its own destiny and it can take care of its own matters.

AL-SABAH. That's right.

RARICK. Well, are there any special political implications of the U.S.-Kuwait arms deal?

AL-SABAH. It's very difficult to judge on this, because we haven't decided one way or the other, but as I said, we are looking into the American offer more closely than the others.

RARICK. I understand our country has indicated a willingness to sell arms to your country. This is looked upon badly in some U.S. quarters.

AL-SABAH. They are already in Kuwait now with their offer to sell arms. But as for how badly this may be looked upon in some quarters is not our concern.

RARICK. Of course, if Americans do sell arms as is reasonably expected, that there will probably be American engineers or arms people who will go to your country to help indoctrinate your people—to teach them how to use these weapons.

AL-SABAH. We have Americans working in the oil fields and, of course, if there is any arms deal, we will be having an exchange of ideas, but our people have been coming here for training and maybe some will be going there.

RARICK. Another question that I hear from my people, is the concern that we, as Americans, might get involved in the Middle East in any of the arms buildups, there's a possibility that there could be an American involvement in any future regional conflicts in this area.

Some political analyzers in this country have expressed concern that U.S. involvement in the Middle East arms buildup could involve the U.S. in future regional conflicts. Do you have any indications that these fears are founded?

AL-SABAH. We talked about arms, but let me say that the philosophy behind the acquisition of arms in Kuwait is that we do so only to protect our sovereignty and independence, not like, for example, others who seek to extend their borders and to occupy the land of others through one act of aggression after the other.

But let me digress a little here and add that spending on our defense is outmatched manifoldly by our spending on health, education and other social services. Now to turn to your question about any possible American involvement in the Middle East, I fear that the continued occupation of Arab lands by Israel, made possible by the continued United States support, in arms and money, could be the basis of possible American involvement.

RARICK. In your country, do you feel there is any idea of expansionism?

AL-SABAH. No, on the contrary.

RARICK. You feel then that you have the right to defend yourself?

AL-SABAH. Yes.

RARICK. You have the right to make mutual friends around the world?

AL-SABAH. Absolutely.

RARICK. Our guest today has been the Honorable Salem S. Al-Sabah of the country of Kuwait. We are indeed happy that you would be with us on this program today, and I'm sure that many of our people in Louisiana have enjoyed meeting you through the TV media in their homes. I am sure they have learned much from your answers and philosophy that you have extended to them. We are most happy to have you in the United States and wish you and the people of Kuwait well.

AL-SABAH. Thank you very much for giving me this opportunity and I think, in doing so, it will give your people a chance to judge for themselves.

RARICK. Thank you very much, Mr. Ambassador.

AL-SABAH. Thank you.

PRICE CONTROLS THREATEN COLORADO FIRM—200 EMPLOYEES TO LOSE JOBS

HON. WILLIAM L. ARMSTRONG OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. ARMSTRONG. Mr. Speaker, during recent months I have watched with mounting concern the growing national acceptance of wage-price controls as a substitute for responsible economic policy.

Such controls are futile. These repressive measures have not controlled inflation. But they have caused shortages and rationing. Worse shortages, black markets, product quality deterioration, more inflation and pressure for still more stringent controls are inevitable unless we reverse our present reckless policies.

I have often discussed the overall policy considerations and I have tried to show the already serious damage to our economic system and the future threat to our nation.

Today I want to be more specific:

In my congressional district, there is a firm which may very well be driven out of business within the next several weeks as a result of price controls instituted last Wednesday. This firm is the Red Seal Potato Chip Co. It is a food processing company specializing in manufacture of potato chips and is the largest such firm in Colorado, a State with the highest per capita consumption of potato chips in the Nation. Red Seal employs approximately 200 people many of whom have been with the company for 15 to 20 years, and will undoubtedly have difficulty gaining employment of a nature to match their skills should Red Seal be forced to shut down this summer.

Red Seal serves all major food chains in the state including Safeway, King Soopers, National Tea, Albertson's, Target, K-Mart, and others. It also makes private label potato chips for a great many customers in the State. To do this, Red Seal supports approximately 50 truck routes, provides a payroll well in excess of \$150,000 per month and is a significant factor in the local economy.

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In the event anyone should think potato chips are a minor item in the food processing industry, let me point out that Red Seal purchases and chips some 25,000 tons—50 million pounds—of potatoes each year. This staggering amount clearly suggests disaster for many potato farmers if Red Seal is forced to close its doors.

The standard method for obtaining chipping potatoes is through a contract, with an agreed-upon price, for a specified period at the height of the growing season. Contracts expiring in mid-July call for payment of \$2.30 per hundred-weight, plus freight. While freight has normally been about \$1.10 from Arizona to Colorado, increased fuel costs have jacked that up to \$1.25. Thus Red Seal must pay a total of \$3.55 per hundred-weight for its potatoes under present contracts.

Bad weather has made it impossible for farmers to keep up with their contracts and they are now supplying only about 70 percent of contract amounts. The processor must then go into the noncontract market to obtain the necessary additional 30 percent to meet his production needs. From Colorado, at this time of the year, the only place a manufacturer can realistically look for additional potatoes is California. As a result of the selective price controls imposed last week—which exclude unprocessed agricultural products—the open potato market in California has jumped to \$8 per hundredweight plus an additional \$1.50 for shipping. For a firm requiring 200,000 pounds of chipping potatoes per day, this amounts to a substantial increase in supply costs which Red Seal cannot recover due to last week's edict. The processor is forced to absorb the increase himself.

In the case of Red Seal Potato Chips, the increase in supply costs for potatoes, while staggering, is not the only problem. Vegetable oils made from soybeans is a second element in the cost squeeze. Normally sold for 13 cents per pound on contract and presently 21.5 cents on open market, soybean based vegetable shortening has jumped 2 cents a pound due to the recent devaluation of the dollar. Soybeans are presently at their highest rate in many years and Red Seal must use some 300,000 pounds every 4 weeks. A single penny per pound increase therefore increases supply costs to Red Seal by \$3,000 per 4 week period. As a result of the selective price control policy vegetable shortening will not go down in price as would have otherwise been the case in a seasonal market.

Now what does this mean in real dollars to the total manufacturing problem faced by processing firms like Colorado's Red Seal Potato Chip Co.? Are not they simply caught up in the inflationary spiral like everyone else? The answers to these questions are not pleasant.

While Red Seal is obviously victimized, as is everyone else in business and agriculture by inflation, the selective price controls imposed upon them lead to disaster. Red Seal's losses through price increases for supplies which it cannot pass on to the market will amount to \$5,950

per day until July 15 when its present supply contracts expire. After that, accountants estimate losses will jump to \$7,450 per day. The simple fact is, Red Seal cannot absorb such losses very long. They will be forced to shut their doors and go out of business unless some relief is provided.

The president of Red Seal, Mr. Earl S. Wilson, informs me that he has received little encouragement from initial calls to the Cost of Living Council. He believes he will need relief by July 1st if he is to keep going. The relief must be in the area of 12 percent on Red Seal's private label potato chips and 5 percent on the Red Seal brand. Otherwise, he is through. So are 200 employees.

Mr. Wilson does not quarrel with the opportunity farmers have been provided to increase their prices. He fully realizes that the agricultural industry has unfairly been made a scapegoat for too long. The farmer has been, and still is, caught in a squeeze not of his own making. And it is about time he be allowed to start earning a full dollar for his product.

But the control policy places food processors in an impossible situation. While they are required to pay an open market price for their raw agricultural commodities, they cannot include that price increase in their selling price. Such a policy is patently unfair.

The inevitable consequences are unpleasant indeed, not only for food processing firms, but for farmers who supply them and for those who desire their products.

Mr. Speaker, Red Seal is just one of hundreds of companies, employing thousands of workers, who are being forced to the wall by these illogical policies.

In every State, similar problems are cropping up. They will grow steadily worse until we kick the controls habit and implement the fiscal restraint necessary to curb inflation.

LAW DAY, 1973, AT BOSTON
COLLEGE LAW SCHOOL

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with great pride and personal satisfaction that I attended a dinner meeting of the Boston College Law School Alumni Association honoring the alumni members of the judiciary on the occasion of Law Day, 1973.

The guest speaker was the Honorable Cornelius J. Moynihan, associate justice of the Superior Court of the Commonwealth of Massachusetts. Judge Moynihan is an outstanding teacher of property law at Boston College Law School, a prolific writer and contributor to the American law of property and to the annual survey of Massachusetts law, the author of the widely used "Introduction to the Law of Real Property," and a pre-eminent jurist who dispenses justice

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with a superb mixture of scholarship and human understanding.

I was fortunate indeed to study real property in Judge Moynihan's class at the law school, and was particularly proud when in 1963, as a member of the executive council of the Commonwealth, I had the privilege of voting to approve the then-Professor Moynihan's appointment to his present judicial post.

I should at this time like to share with you the judge's observations on the role of the judiciary on the occasion of the Law Day, 1973, dinner:

THE PLACE OF THE JUDICIARY IN AMERICAN LIFE

I am truly happy to be with you this evening and to join with you in honoring two of my former colleagues on the faculty of the Law School and so many graduates who have become members of the judiciary.

Professors O'Reilly and Sullivan were the first two graduates of the Law School to become law professors. Each has been for over thirty years a dedicated and inspiring teacher. The Law School owes to each of them an enormous debt of gratitude for a lifetime of devoted and talented service.

I have had the memorable experience of having taught both of them in Law School. In fact, I gave Professor O'Reilly the lowest grade in an examination (it was a B-) that he ever got in his life. And as I recall it, when Professor Sullivan was a student in my course in Personal and Real Property, he was fascinated by my style of teaching. After one class in which we had exhausted the subject matter of a case dealing with the law of coparcenary of a manure pile, I heard him snicker to a fellow student, "My God, the man is crazy". You can see that in those days we spent our time in class dealing with the large social issues of the times.

I am also delighted to be present on this happy occasion when the St. Thomas More award is being presented to Judge David Nelson. I know of no alumnus of the School more worthy of the honor. Since admission to the bar, he has personified one of the finest traditions of the profession. He has not only been an able and active practitioner of the law, he has also been an enlightened and progressive leader in the community. In our troubled city, he has helped to build a bridge of communication and understanding between black and white. I assure you that all of us on the Superior Court welcome him to our membership.

II. TRIBUTE TO GRADUATES WHO ARE MEMBERS OF THE JUDICIARY

It is peculiarly appropriate that at a dinner in observance of Law Day, the Alumni Association of the Law School should honor those of its members who have become Judges. I join with you in paying tribute to them. Almost every one of them was a student of mine at Boston College Law School. I like to think that in some small measure I contributed to the process of making them able members of the profession.

III. THE PLACE OF THE JUDICIARY IN AMERICAN LIFE

A. On an occasion such as this when we honor the graduates of the Law School who are judges, it may be well to consider for a few minutes the place of the judiciary in American life.

It is a remarkable, and in some respects a surprising fact, that of the three branches of government, none is held in higher esteem than the judiciary. During the last two centuries, if not in colonial times, our courts have been shown a high degree of respect and honor as institutions of government. If we inquire into the basis of this respect it can be said to be founded upon these factors:

- (1) The integrity of judges;
- (2) the fidelity of judges to the Law; and
- (3) the confidence and trust of our people in the Rule of Law itself.

The public has expected our judges to observe a high standard of honesty, both moral and intellectual, in the discharge of the duties of office, and fortunately, lapses from this standard have been few. This is all the more remarkable when we recall that in most of our states judges are elected to office, not appointed. Nothing is more destructive of the independence of the judiciary, or more corrosive of honesty and impartiality, than requiring a judge to become a political candidate for judicial office. Years ago, it was wisely said, "There is nothing wrong in making a judge out of a politician but there is everything wrong in making a politician out of a judge".

B. The Courts in the Last Decade:

The degree of confidence that our people have shown in the courts is strikingly evident if we look at the record of events during the last ten years. Those years have constituted a decade of vast change and deep unrest. In that decade we have witnessed a surging demand for racial equality and fair treatment under law. We have seen the fabric of our nation almost torn asunder by a war that polarized our people. We have seen peaceful protest movements change into disruptive and dangerous mob violence. Campus rebellions and seizure of buildings became almost commonplace. No segment of our society remained untouched in this decade of unrest and rebellion. From university classrooms to religious seminaries to prisons—all felt the impact of unrest and change. And to climax events, our cities have almost been crushed by an avalanche of crime.

C. The Courts in Time of Crisis:

Inevitably, the courts have been involved in these tempests of our times. They are not insulated or isolated from events that shape our lives. Mr. Justice Holmes once wrote that the Law is the witness and the external deposit of morality. It is also the mirror of life in all of its varied facets.

How have the courts responded to the recurrent cries of our times? On balance, what does the record show? There can be no single or clean cut answer to this question. Opinions will vary depending on the viewpoint of the observer. It is my own view (and it may well be a biased one) that on the whole the judicial record is fairly good.

To cite a few instances:

(1) In the fight for racial justice, the courts have been in the forefront of the battle. The United States Supreme Court, in particular, has had an inspiring record of enlightened leadership in this.

(2) In cases arising from anti-war demonstrations and protests, the courts have, on the whole, exercised a sensible restraint.

(3) Again, in cases stemming from campus riots and seizure of university buildings, the courts have, I believe, acted wisely and sensibly.

D. The Courts and Crime:

It is when we come to consider the functioning of our courts in the area of the administration of criminal justice that we notice an uneasiness in the public mind. It is doubtful that the public is satisfied that the courts are making an effective contribution to the fight on crime. This popular dissatisfaction is due to many causes. Among these causes is, of course, the genuine fear for personal safety that has become so widespread in our cities as a direct result of the increase in crimes of violence. A second cause is a misplaced confidence in the ability of the courts to solve the complex problem of crime. As we well know there is a widespread fallacy that if judges would only hand out long prison sentences in every case, the crime problem would largely disappear.

A third reason for loss of public con-

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fidence in this area is the unsettling effect of a few notable U.S. Supreme Court Decisions. These decisions, really few in number, have contributed to an unfortunate suspicion that courts are over-zealous in protecting the interests of criminal defendants. The classic case in court is *Miranda v. Arizona*. I have always felt that this decision was a bad piece of judicial legislation—as unwise as it was unnecessary. On the whole its effect was probably more psychological than practical. Yet in my own experience, I was required in three cases to release a murderer because his confession was obtained in violation of the *Miranda* rule and there was not sufficient evidence to commit him. In one of these cases a homosexual had murdered an eight year old boy after abusing him. In these cases the confession had been obtained before the *Miranda* case but the trial took place after it.

E. The Public Demand for Judicial Intervention:

Public confidence in our courts may, of course, be carried to an extreme and there are instances of this happening. Too often there is evidence a naive belief that every problem that arises can be solved by a decision of the courts, that every social or economic dislocation can be corrected by the judicial department of government. Indicative of this attitude is the increasing demand for judicial intervention in matters of local concern or of local administration. Judges are asked, for instance, to issue decrees on the subject of dress codes for high school students; to determine how many four letter words a school teacher can write on a classroom black-board; to conduct civil service examinations; and to supervise our prisons.

I am frank to state that I am not aware of any special competence that judges have to solve the terribly complex social problems that trouble our times. They are not gifted with a wisdom denied to the legislative branch of the government. Perhaps we judges should have in mind the famous remark of the Duke of Wellington that he thought he should always have a man standing behind him whose duty it would be to remind him that he was not God.

At times one may think that every U.S. Supreme Court Justice needs two such men. I must confess to having such a thought upon reading the recent abortion decisions handed down by that court. You will recall that in those cases, the court reached the remarkable conclusion that all pregnancies are divided into three parts, and then proceeded to legislate on that basis.

IV. CONCLUSION

These random observations of mine on the place of the Judiciary in American life may or may not meet with your endorsement. I am confident, however, that you will agree that all of us, judges and lawyers alike, have a common ideal: to practise our profession as servants of the Law in a ministry of Justice. In the conduct of human affairs, there is no higher calling. May it not be said of us—as St. Thomas More said of the bishops who subscribed to the Oath of Supremacy demanded by Henry the Eighth—"They lacked the grace to stand to their Learning".

IN SUPPORT OF A LEGAL SERVICES CORPORATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. RANGEL. Mr. Speaker, under the leave to extend my remarks in the RECORD, I wish to state my strong support

for the bill proposing the creation of a National Legal Service Corporation. In light of this support, I am inserting in the RECORD a salient article written by Pulitzer Prize-winning columnist, Davis S. Broder. The column appeared in the Washington Post on February 21. It deals with the desperate situation of legal services in this country today.

After quoting from President Nixon's poverty program reorganization message of 1969 in which the President characterized "the sluggishness of many institutions at all levels of society in responding to the needs of individual citizens as one of the central problems of our time," Mr. Broder points out how the President's current domestic policies do nothing to revitalize these lagging institutions. With particular regard to the abandonment of a strong and viable legal services program for the underprivileged in this country, Mr. Broder comments:

It is a callous sacrifice of the minority who are poor to the political tactic of attempting to create a Republican majority from the many who are complacent and comfortable.

I concur with the opinion of this distinguished columnist.

The article follows:

POLITICAL GAIN: BILLING IT TO THE POOR (By David S. Broder)

Whatever its shrewdness as a political tactic, the Nixon administration's retreat from welfare reform and its willingness to abandon or dismember the program of legal services for the poor is undercutting the moral and logical base of its own design for reshaping domestic policy.

That is a sweeping statement, I realize, but it is the only conclusion one can draw from a consideration of the contradictions between the premises of the President's program and the actions he is sanctioning today.

A convenient starting point from which has happened is a paragraph of Daniel P. Moynihan's new book, "The Politics of a Guaranteed Income," in which Mr. Nixon's first-term domestic counselor discusses the three "strategies" available to the government to assist the poor in America.

One was the "services strategy," the direct provision or financing of a wide variety of programs aimed at meeting the needs or improving the opportunities of the poor. As Moynihan notes, this was "quintessentially the approach of political liberalism in the middle third of the 20th Century."

The second was the "legal strategy," the use of the courts and the legal process to end discrimination and obtain equal access to all public programs and facilities. This approach, carried out by both private organizations and the government, was embodied, among other places, in the legal services program of the anti-poverty agency, the Office of Economic Opportunity.

The third was the "income strategy," the transfer of money to the poor via the simple mechanism of taxing-in-and-paying-out, with the goal of enabling the poor to obtain, through the marketplace, the goods and services they most valued for themselves.

Given this choice of options, Mr. Nixon's domestic strategy unfolded in clear and logical terms.

In his first years as President, we saw Mr. Nixon slowing the growth rate of domestic service programs, while putting increasing reliance on the income and legal strategy. His own words are worth recalling.

In his 1969 welfare reform message, he said: "I propose a new approach that will make it more attractive to work than to go on welfare, and will establish a nationwide mini-

mum payment to dependent families with children. I propose that the federal government pay a basic income to those American families who cannot care for themselves in whatever state they live."

In his poverty program reorganization message of that same year, Mr. Nixon proposed that "the office of legal services . . . be strengthened and elevated so that . . . it will take on central responsibility for programs which help provide advocates for the poor in their dealings with social institutions. The sluggishness of many institutions at all levels of society in responding to the needs of individual citizens is one of the central problems of our time," he said. "Disadvantaged persons in particular must be assisted so that they fully understand the lawful means of making their needs known and having those needs met."

In the light of that history, what can one say about Mr. Nixon's current domestic policy? He has carried forward his campaign against the "services strategy" full blast and in his new budget is proposing not just the slowdown, but the abolition of dozens of programs designed to provide services for the poor.

But what has happened to the other two strategies that were to substitute for it? The incomes strategy has been abandoned by Mr. Nixon. There is no welfare reform or minimum-income proposal in his budget, and none is likely to be forthcoming.

As for legal services, the outlook is equally grim. Having frustrated Congress's efforts to create an independent, nonpolitical Legal Services Corporation by insisting on personal control of its board of directors, Mr. Nixon is now presiding over the destruction of the existing OEO legal services program, which has been signally successful in obtaining equal access to government benefits for its poor clients and which enjoys the strong support of the organized bar.

At the same time, he is continuing the other phases of his decentralization program by proposing to go beyond general revenue-sharing into a broad range of subsidies to local governments, for them to use as they wish.

In effect, he is telling the poor, "Don't come to Washington with your problems. Get what you need from your local government."

To do that to the poor, without giving them the financial or legal resources to wage the fight for their rights in those thousands of local communities, is not a strategy for achieving social justice and simultaneously reducing the power and influence of the central government.

It is a callous sacrifice of the minority who are poor to the political tactic of attempting to create a Republican majority from the many who are complacent and comfortable.

It is a disillusioning spectacle for those of us who thought Mr. Nixon was attempting something more worthy.

HON. MIKE McCORMACK CALLS FOR COAL RESEARCH AND DEVELOPMENT TO AVOID DEPENDENCE ON PETROLEUM IMPORTS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Monday, June 18, 1973

Mr. TEAGUE of Texas. Mr. Speaker, this morning, my colleague, Congressman MIKE McCORMACK, addressed the National Coal Association on the subject of coal and energy.

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I believe that Congressman McCORMACK's comments are of profound importance and should be thoughtfully considered by every Member of this body. As you know, Congressman McCORMACK is chairman of the Subcommittee on Energy of the House Science and Astronautics Committee and has taken the lead role in proposing an organized program to overcome the energy crisis.

As Congressman McCORMACK points out in this article, coal is the "one source of energy that can protect us from dependence on imported petroleum." He also made a series of well-prepared and extremely thoughtful recommendations for research and development involving coal. I submit herewith the text of Congressman McCORMACK's remarks.

ADDRESS BY CONGRESSMAN MIKE McCORMACK

To me, the energy crisis that this nation faces today may be divided into four separate, distinguishable crises. Each is interrelated with the others, and each is of approximately equal concern to this nation at this time.

The first crisis has to do with the availability and distribution of gas, petroleum products, and electricity to avoid shortages during the coming months. We are all familiar with reports of localized shortages of gasoline, heating oil and fuel for farm vehicles, motor transports, police and fire departments, ambulances, and jet planes. Each day brings new reports that municipal governments, for the first time, are unable to contract for the delivery of petroleum-based fuels for public service vehicles.

In the Pacific Northwest, interruptible electric power has been cut off from some major industrial users, such as aluminum reduction plants. In this instance, the shortage is caused by a light snowpack and the consequent low spring runoff in the Columbia River system, but it indicates how fragile our energy supply system really is. Closer to home, of course, is the fact that voltages in the Boston-Washington corridor must be cut on warm days, such as we experienced last week.

This is the first element of the energy crisis—the problems that we face within the next twelve to thirty-six months to distribute the energy that is available to us so that necessary services are provided for, and to assure that the economy of each region in this country is protected from harm. A classic example of this problem is the prospective shortage of fuel for the harvest, now underway in Texas and the Southwest. This will continue as the harvest moves north to Canada. This is a management crisis, and I believe that the fact that we are not prepared to handle it in a timely and orderly manner is a national disgrace. I will return to this immediate phase of our energy crisis, but I want to emphasize that this is just one indication of the immediate need for a national energy policy and for aggressive programs to carry it into effect.

The second crisis we face is one of providing reasonable, prompt relief for the first crisis, without avoidable harm to the environment. We have been plagued by unnecessary delays in getting nuclear and other thermal power plants built and producing; by delays in building oil refineries and deep water ports; in exploring and developing oil and gas fields, on shore and off; in developing new, modern, safe coal mines and coal gasification and liquefaction plants.

The delays that we have encountered in these areas have a number of causes, including the unforeseen impact of environmental protection laws, and, in some cases, obstructionist litigation in the name of environmental protection. We have also experienced lack

of managerial and administrative imagination and planning.

This demonstrates again the need for a National Energy Policy. However, it must be emphasized that correction of all these delays immediately would not, in and of itself, solve this nation's energy problems. It would, of course, have a significant impact in the near future, but it would not protect us from the third crisis.

The third crisis involves the apparently unavoidable necessity of importing vast quantities of oil from the Middle East during the 1970's and 80's.

Being dependent upon imports is a new phenomenon that has come upon us so suddenly that we are experiencing great difficulty in comprehending the magnitude of the problem and its implications. James E. Akins, writing on the oil crisis in *Foreign Affairs* magazine, April, 1973, says, "As late as February, 1970, President Nixon's Task Force on Oil Imports assumed that . . . the United States could remain essentially self-sufficient in oil," and that "most of (our imports) could come from the Western Hemisphere."

"These projections were spectacularly wrong," Akins points out. "Total imports this very year, 1973, will be . . . substantially above the level the Task Force predicted for 1980." Estimates by the State Department now predict that by 1980, about 35% of our total consumption of oil will come from the Middle East. There are suggestions that even these estimates are too conservative, and that the twelve to fifteen billion dollars per year trade deficit that such imports would create may be low by a factor of two. This is one of the major elements of our energy crisis and one of the most serious problems facing our nation. It is already upon us, and will inevitably become much worse.

Beyond this, however, lies the fourth crisis—the simple fact that the United States, and even the "oil-rich" Middle East, are inevitably running out of natural gas and petroleum.

The twentieth century will be marked in history as an incredible orgy of burning of gas and petroleum, when this country and a few other nations rose to remarkable levels of affluence and glory. But this profligate use of cheap energy, which we treated as a "throw-away" item of little consequence, is coming to an end—probably for us by about the year 2000. By then, even with exploration and drilling programs, off-shore and in Alaska, we will have burned up virtually all of these resources. It is not too soon to realize that we must develop programs that will provide us with adequate energy for the future—enabling us to maintain our national security, provide a decent standard of living for all, and still protect our environment. A challenge of this magnitude, even though the curtain may not fall for 25 to 30 years, constitutes our fourth crisis, and, because of its profound implications for our way of life, it is no less urgent than the other three.

To attack all these problems at once we must have an integrated national energy policy with aggressive programs which will provide us with increased amounts of energy we will require, while conserving our natural resources and protecting our environment to the fullest possible extent.

To deal with the immediate crisis of the distribution of energy available to us this year and next, we need, more than anything else, better planning and better management. I support S. 1570, by Senators Jackson and Humphrey and others, which will require the President to draft and implement a distribution plan for petroleum and petroleum products. This non-voluntary program avoids the objection from industry that a voluntary program might involve violations of anti-trust laws.

However, I submit that this is not enough.

Before we can handle the problems of energy demand and distribution, we must understand the factors controlling them. The fact that our present and impending regional shortages of fuels and electricity came upon the government and the public without much warning is, to me, inexcusable. My Subcommittee on Energy has recently held hearings on this subject. As a result of our findings, I shall soon propose that an energy data and information center be established immediately, containing all the relevant information affecting energy production and consumption, with computer capability to analyze the interrelationships of each with the other, and to determine in advance the impact of any reasonable, predictable phenomenon upon the availability of any form of energy in any region of the United States at any time in the near future. With the advantage of such information, the Administration should be able to take timely action to avoid future energy crises.

In providing solutions for our second crisis, several steps are obvious. Of course we must enact legislation at once to authorize construction of the Alaska pipeline. We must also take whatever steps are necessary to eliminate needless litigation which is presently delaying the siting of some nuclear power reactors, oil refineries, pipelines, deep water ports, and other similar facilities. In this respect, I am encouraged by AEC support of plans to standardize nuclear reactor design.

It is essential that we adopt a common sense and realistic approach toward immediate conflicts between energy requirements and environmental protection. While we must impose the strictest feasible environmental control on every step of every form of energy conversion, handling, and consumption, it is self-defeating for us to allow blind emotionalism to keep us from providing the energy we need, when we need it. It should be emphasized that for any state or area to assume that it can enjoy the benefits of clean energy by dumping the associated environmental problems into another region is unconscionable and cannot be tolerated. To assume that a society can have an expanding population with an increasing standard of living, particularly for those of low-income levels, while imposing new energy-consuming environmental standards for automobiles, industry, and power plants, without additional energy production, is irrational. Predicating our present policies on such irrationality would have a catastrophic effect during the next ten to twenty years.

Of course, it appears impossible today for us to avoid the third crisis—the importation of very large quantities of petroleum, through the 1970's and into the 1980's. Long-range predictions of this sort are likely to prove unreliable, but the best imaginable situation is still profoundly disturbing. Obviously, importation, in and of itself, is not necessarily unhealthy, although the associated trade deficit almost certainly would be. Much more serious are the national security implications associated with *dependence* upon such imports, particularly from the Middle East. I therefore join with Senator Jackson in proposing that this nation build a ninety day reserve of petroleum in this country at the earliest possible moment.

It is at this point that the coal industry, working with the federal government, can make a profound contribution to our national security and our way of life by helping to alleviate the energy crisis. *Coal is the one source of energy that can protect us from dependence on imported petroleum.* During the next 20 to 30 years, coal alone can provide us with adequate quantities of domestically produced and reasonably inexpensive liquid and gaseous hydrocarbons adaptable to our existing industrial and energy infrastructure.

In addition to the 90 day reserve of petro-

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leum, I will recommend standby procedures under which many central power stations presently burning oil or gas shall be able to convert if necessary to the burning of coal within the ninety day period allowed by our petroleum reserves. I will recommend that, although no scrubber system exists today which will meet air quality standards for stack gas emission, provision also be made to equip plants on standby for conversion to coal with the best scrubber systems available. Such a standby program obviously also assumes that coal will be available to be burned. This, in turn, assumes operating coal mines and transportation systems. It may also require amending our environmental protection laws to relax air quality standards until technology catches up with our desires.

I do not take the potential cost or the logistical implications of this matter lightly, but the options open to this nation in the event that, for any reason, our oil supplies should be abruptly cut off, let us suppose, in 1980, would be 1) yielding to whatever demands the oil-producing countries might make as the price for resuming exports, or 2) taking military action to secure the oil, or 3) going without one-third of our oil supply, and suffering the economic and societal consequences. Obviously none of these options is acceptable.

Not only must we rely on the burning of more coal, we must, in the near future, depend upon liquid and gaseous fuels produced from coal. I am appalled by the fact that, although it has been common knowledge that our coal reserves will last for several hundred years, and although it has been obvious that we must have coal gasification and coal liquefaction plants on the line in the very near future, we have not yet established an organized, integrated, sharply-managed, mission oriented program for coal utilization. During the last ten days I have heard persistent rumors that in his coming energy message, the President will recommend shifting the Office of Coal Research into the Atomic Energy Commission. I hope this is true, and that it comes to pass. I will certainly support it, for I believe that the national laboratories operated by the AEC have the organizational, scientific, and technical expertise to put together a crash program to get coal back into the mainstream of energy production. Here, I want to make a sharp distinction between coal, on the one hand, and all of the alternate energy sources on the other. While we cannot establish an Apollo-like program or another Manhattan project for all of energy, we can certainly do so for coal.

I believe that a national commitment to have full-size, economically feasible coal gasification and liquefaction demonstration plants on the line by 1980 is not an unrealistic goal if the project is managed by a national laboratory and if it is appropriately well-funded, starting with adequate planning money in Fiscal Year 1974, and massive financial support for pilot plant construction in 1975. It seems realistic to me to assume demonstration of several processes for both liquids and gas; and that processes for high and low BTU gas, for off-site and on-site consumption, be demonstrated. I think it is instructive to consider that such a monumentally important goal would cost only a small fraction of the cost of putting a man on the moon. Indeed, it probably would not be more than the cost of a single new combat-ready aircraft carrier.

Obviously, other research must accompany coal gasification and liquefaction R&D. We must undertake immediate, thorough, studies of new, safe, deep mining techniques, including remote mining, all having a minimum impact on the environment; on in-situ coal gasification and liquefaction; on pre-combustion clean-up of high-sulfur coal,

including solvent refining, either in-situ or after mining.

We need a program to demonstrate economically feasible and environmentally acceptable methods for neutralizing acid mine wastes, and for land and environmental reclamation in any area where strip-mining is contemplated.

We must undertake to develop a workable exhaust clean-up technology, with the goal of meeting present EPA standards by 1980 for central power stations burning high sulfur coal, at a cost of not more than one mil per kilowatt.

We must explore the pipeline transportation of coal, specifically to East and Midwest markets.

We must have a systems-analysis of the logistics of coal gasification and liquefaction, including especially the availability of process water, and the economic trade-offs related to the location of coal, water, and markets for synthetic fuels. We should study the possible synergistic benefits of using raw, untreated sewage as process water in coal gasification and liquefaction processes, thus possibly obtaining otherwise unavailable process water, while reducing or even eliminating the need for sewage disposal facilities in some communities.

All such studies, and research and development, should, it seems to me, be financed partially by the coal industry, and partially by the federal government. All patents should be licensable to any applicant. Federal involvement should terminate with successful demonstration.

A massive research and development program must also be undertaken at once to develop new sources of energy. Several categories of research are inexpensive compared to, for instance, nuclear energy research, and may yield results on a relatively short time scale. These include solar energy for space heating of buildings and the heating of hot water for domestic uses, as well as central power stations located in the desert and powered by large "solar farms."

Work in geothermal energy can and should be pushed aggressively. Sources of geothermal energy such as high pressure underground waters, hot water and hot rocks, should be investigated, and feasibility studies for covering energy from these sources should be carried out as rapidly as possible.

We have established a national policy that the year 1980 is a target date for having the Liquid Metal Fast Breeder demonstration plant on the line. I think this is a commendable goal and that it should be supported, along with alternate breeder concepts on a longer time scale. However, I believe that research and development in solar and geothermal energy should be given the same priority and the same target date for successful demonstration plants.

At the same time, of course, we need to increase our support for basic research and applied R & D for new types of batteries, for commercially feasible fuel cells, and for less expensive solar cells. We must investigate cryogenic transmission, electrical energy storage, high voltage transmission, a national electric grid, and other energy research areas as they evolve.

We must also provide incentives for energy conservation, but we must not delude ourselves into thinking that even successful conservation programs will significantly relieve the pressures in any of the four crisis areas I have earlier described. Nevertheless, I think we should consider a horsepower tax on all automobiles over 100 horsepower, and on all automobile engines providing less than twenty miles per gallon. I think we should consider providing income tax benefits, even including a negative income tax, for acceptable home improvements which contribute to energy conservation. We should provide incentives for designing new

public buildings which require less energy to heat, light, and cool than some established norm.

For the more distant future, of course, lie the great adventures of nuclear fusion and satellite solar energy. It seems to me that these two programs should be on parallel timeliness. I am encouraged by recent programs in plasma confinement studies, and I am supporting an increase of \$9.5 million in the fusion budget for FY 1974 for ten specific projects, that, hopefully, will prepare the groundwork for an accelerated fusion research program, should one be recommended for Fiscal Year 1975. It is my hope that we may have a fusion demonstration plant on the line before the year 2000, and that, if satellite solar energy does prove to be feasible, and if a technique can be developed to mass-produce cheap, relatively efficient solar panels, we may have a satellite solar energy demonstration unit functioning at the same time.

All this amounts to the greatest challenge and the greatest commitment this nation has ever undertaken short of a major war. It will demand more from many of us than we have ever been asked to do before. But the role of coal and the challenge to the coal industry are uniquely important.

Providing adequate energy while protecting our environment will be an act of dedication to the future. It will require new ideas, resilience, calculated risks, and creative imagination. This is a time for looking forward, and I, as Chairman of the Energy Subcommittee, am looking forward to working with you in industry. I am convinced that we will succeed.

DESERTER? NO—RESISTER

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Ms. ABZUG. Mr. Speaker, last month Army Medic Eddie Sowders made a dramatic and public return to military control, after more than 3 years of absence from the Army. He returned in this manner, during informal congressional hearings, to show that war resisters are not "cowards, criminals, or underachievers" as some people say. He has now received a dishonorable discharge.

His story is told in a recent statement distributed by Safe Return, which I include in the RECORD at this point:

DESERTER? NO—RESISTER

Like many GIs, I at one time supported the war in Vietnam. I believed the President and military leaders when they said our mission in S.E. Asia was to protect the Vietnamese from aggression. So, in 1966, I volunteered for Vietnam duty.

I was assigned to an evacuation hospital where we received "fresh" casualties direct from combat areas. Many of these victims were Vietnamese civilians, mostly women and children hit by U.S. artillery and bombing. Many had been severely burned by napalm and white phosphorous; weapons used only by the U.S. These casualties would come in "waves", sometimes hundreds at a time, when U.S. forces attacked their hamlets. What affected me most I guess, were the children. I watched many of them die from their terrible wounds; we "saved" others—to be crippled or maimed for the rest of their lives.

Some of the GIs I worked with reacted to this carnage by intensifying their hatred for

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the "gooks." Many of us, however, began to understand through our personal experience of Vietnam, the depth of the lies and deceptions practiced on us, and the American people, by our country's leaders. It was they who trained us to kill without question and to hate our "enemy"—the Vietnamese. They concocted such phrases as; "kill-ratios", "secure-areas", "search and destroy" and the like, to mask the reality of their combat policy in Indochina.

Yet, it is these same policy-makers (and their successors) who today brand me, and hundreds of thousands like me, as "criminals" who must be punished. The Pentagon dismisses us resisters as "under-achievers," "immature," and "poor material." How true! For the majority of resisters to this war, especially "deserters" these insults are nothing new. Poor white people, Blacks, Puerto Ricans, and Chicanos have always been called "underachievers" and worse. When my parents were forced onto welfare due to unemployment and illness, the same things were said.

We are wanted of course, when there are wars to be fought. Then, we're drafted or driven into the military, shipped off to fight and die in the name of a society that has only exploited and oppressed us. When we come home (if we come home) we're hit with unemployment and cut-backs in the disability and training programs we were promised.

Like thousands of other vets, I learned the truth about Vietnam, first-hand. In April 1970, I made my decision to refuse further participation in a military system which had forced me to help carry out its policies in Vietnam. For the past three years, except for a period in Canada, I've lived underground in America, cut off from my family and friends. It has meant drifting from one low-paying job to another, often going without food or shelter.

"I make no apology for my act of resistance. I could do nothing else at the time. But, underground life has become intolerable to me. So, I'm here today, to draw attention to the true facts concerning my case and the cases of tens of thousands just like me. We are not criminals to be hunted and imprisoned. Over half a million of us have "deserted" from the military since 1965. Most have already returned to military control, to be punished with jail and bad discharges. Like thousands of AWOLs before me, I'll be court-martialed by a jury composed of career officers, sentenced to a military prison and finally, returned to civilian life with a bad discharge to insure that their punishment extends into the rest of my life as much as possible."

Eddie Sowders has spent his entire adult life under the shadow of the military. In 1965, at age 18, he enlisted in the Army to escape the frustration and poverty of home. He was trained as a medic and sent to Germany. He volunteered for Vietnam, and arrived there in July 1967. During his year in Vietnam, where he was stationed in an evacuation hospital which treated "fresh" casualties from the field, he treated thousands of wounded Americans and Vietnamese. He left there opposed to the war and determined to help bring it to an end. He started to do this within the military, even reenlisted and requested a second tour in Vietnam, to go there and work visibly against the war. But Eddie was soon forced to face the decision of remaining in uniform or "deserting". In April, 1970, he went to Canada. Two years ago, he returned to the United States and has lived underground as do tens of thousands of military resisters like himself, under the constant threat of apprehension and imprisonment. He has remained, all during his years in exile and underground, active against the war and with movements for social

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change. He is now in the stockade at Ft. Meade, Md., awaiting court-martial.

The history and present situation of Eddie Sowders is not unlike that of most resisters to the war in Southeast Asia. There have been over 450,000 "desertions" since the beginning of the war. 560,000 men have been given debilitating less-than-honorable discharges from the military as a DIRECT result of their opposition to the war and to the racism and oppression rooted in the military system. With draft resisters and civilians who have been arrested and convicted added to these figures, nearly one million people would benefit from a just amnesty.

Eddie's mother, Mrs. Lora Sowders, of Detroit, also spoke during the amnesty hearings:

"I am the mother of eight children, two girls and six boys. We've never, since I can remember, had an easy life and we've raised our children in poverty. Because he is disabled, the best job my husband could get was as a guard, which payed very little. I also worked, but during the time my husband was off, we could not afford a sitter.

"My oldest son, Eddie, got along well in school and wanted to go to college, but school authorities refused his request for college courses. So, Eddie quit school, because they weren't teaching him a thing; there was nothing to hold him there. They denied him a future. With no education, he couldn't get a decent job. He was only prepared for service and they only trained him for war. A war that poor have been forced to fight, but one which we didn't want or need.

"Eddie didn't know that when he volunteered for Vietnam—he still believed in his country. I tried to tell him how senseless the war was, but he sincerely believed he was doing the right thing. I was afraid for him while he was there. I knew that the only thing he could gain was death, because the war was not for us, the poor Americans.

"While in Vietnam, Eddie wrote about how he had been brainwashed into believing in the war. He wrote with a new understanding of many things: his childhood, education, beliefs, and things that led him into the military. He returned from Vietnam sullen and quiet, not wanting to discuss what he had seen.

"Yet, he re-enlisted and requested to return to Vietnam to somehow help in ending the war he was now so strongly opposed to. Over a year later, he left the Army and went to Canada, which made me happy.

"I didn't raise sons to be fed into and pushed around by the military, simply because I haven't the money needed to keep them safe. My son, Eddie, and the thousands of men like him, need and deserve an amnesty, without conditions, because they are not criminals. They have all left the military or refused the Draft in opposition to a war that none of us stood anything to gain from, but everything to lose."

Safe Return is a national committee with the objective of winning a universal, no-strings amnesty for all categories of war resisters.

They have a Washington office staffed by Vietnam-era vets, who are lobbying on Capitol Hill and providing a regular distribution of amnesty materials to all members of Congress. They also assist family members of war resisters to lobby with their individual Congressmen.

Safe Return has sponsored the public surrender of three Vietnam veterans who have refused further military service out of opposition to the Vietnam war. They had lived for several years either underground or in exile and their surrender dramatized the need for universal amnesty. They waged vigorous campaigns of defense for these men, based on their duty to refuse to execute criminal military policies in Indochina.

Safe Return also provides speakers for public events and debates; publishes relevant

materials on amnesty, and acts as a clearing house for people seeking suggestions and ideas on implementing local amnesty work.

FORA. Families of Resistors for Amnesty, has been organized with the aid of Safe Return. Several hundred family members have already joined and a number of chapters are in formation in cities like San Francisco, Portland, Detroit, New York, Seattle, and New Jersey. FORA chapters are conducting petitioning and letter-writing campaigns, distributing the new FORA resister-bracelets, and in some towns, working on local electoral referendums on amnesty. Safe Return may be reached at 156 Fifth Avenue, Suite 1003, New York, N.Y. 10010.

SUTTON BLASTS REVENUE SHARING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 1973

Mr. RANGEL. Mr. Speaker, the Citizens Task Force on Revenue Sharing, a group involved in analyzing this new fiscal policy, recently held hearings in New York City to consider the efficacy of revenue sharing as it relates to our city.

The Task Force listened to testimony from the distinguished president of the Borough of Manhattan, Percy Sutton. I now submit excerpts from President Sutton's remarks for the information of my colleagues.

The success of revenue sharing may well influence and reflect the future success of our cities and our Nation. We would do well to carefully scrutinize this fiscal policy before we accept it.

Mr. Sutton's testimony, as reported by the New York Voice on June 1, 1973, follows:

GOOD IN THEORY BUT NOT PRACTICE: SUTTON BLASTS REVENUE SHARING

Following are excerpts from testimony on Revenue Sharing by Manhattan Borough President Percy Sutton before the Citizens Task Force on Revenue Sharing at hearings held last week at the Association of the Bar, 42 West 44th St.

Revenue sharing, as it is now structured and as it is presently funded, is not adequate to meet the most elementary needs of the people of the Borough of Manhattan.

The concept of revenue sharing is a necessary one. The trend in American government for decades has been to centralize and super-centralize at all levels.

It is the super-centralization of power at the Federal level in the hands of the President that has helped to create a climate in which a Watergate could occur. It is the super-centralization on a local level which has resulted in vast inefficiency and unresponsiveness in city government.

So the concept of revenue sharing is a good one—to return the power of decision making to the local units of government to implement and deliver the services of government at that level where they might be most efficiently and accountably delivered.

Revenue sharing is the wave of the future. But Revenue sharing as it is now being implemented is nothing short of a major disaster for the City of New York and for my Borough of Manhattan. At the same time that the Nixon administration is launching a revenue sharing program, it is also causing the cutback of some 13 major social services in the Borough of Manhattan.

The much-heralded Federal Revenue Sharing Plan will result in a net loss of funds for New York City. This is because of a number of sweeping cutbacks—the moratorium on Federal housing subsidy funds; the new legislative ceiling on federal social service spending; the discontinuation of the model cities program; the tightening of income eligibility grants for day care and food stamps; the seven provisions of the proposed Federal budget for 1974 halting the O.E.O. Community Action Emergency Employment Act Assistance, halting urban renewal funding and halting the Neighborhood Youth Corps.

For the City of New York, and for cities across America, the funds thus held back by the Nixon budget substantially exceed the new monies available for revenue sharing. The result is a net loss.

I and my colleagues are left, therefore, with the choice of drastically cutting back services or else petitioning the Legislature for a State takeover of certain municipal services. I find it very ironic that a revenue sharing program which was originally conceived as a device for maximizing decision making at the local level should instead result in vastly increased pressures for the centralization at the State level of what are essentially local services.

HOUSE OF REPRESENTATIVES—Tuesday, June 19, 1973

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not mercy and truth forsake thee; bind them about thy neck; write them upon the table of thine heart.—Proverbs 3:3.

"Send down Thy truth, O God;
Too long the shadows frown;
Too long the darkened way we've trod;
Thy truth, O Lord, send down.

"Send down Thy love, Thy life,
Our lesser lives to crown,
And cleanse them of their hate and
strife;

Thy living love send down.

"Send down Thy peace, O Lord;
Earth's bitter voices drown
In one deep ocean of accord;
Thy peace, O God, send down."

EDWARD R. SILL.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 470. An act to amend the Securities and Exchange Act of 1934 to regulate the transactions of members of national securities exchanges, to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define certain duties of persons subject to such Acts, and for other purposes;

S. 907. An act to authorize the appropriation of \$150,000 to assist in financing the Arctic winter games to be held in the State of Alaska in 1974; and

S. 1386. An act to authorize appropriations for the saline water program for fiscal year 1974, and for other purposes.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

JESSE McCARVER, GEORGIA VILLA McCARVER, KATHY McCARVER, AND EDITH McCARVER

The Clerk called the bill (H.R. 1315) for the relief of Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver.

There being no objection, the Clerk read the bill as follows:

H.R. 1315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the following persons the amount shown opposite his or her name:

Jesse McCarver----- \$1,500
Georgia Villa McCarver----- 12,500

Kathy McCarver----- 1,000
Edith McCarver----- 2,000

The amounts paid under this Act shall be in full settlement of all claims of the named individuals against the United States arising out of the automobile accident which occurred on June 12, 1965, near McMinnville, Tennessee, on State highway numbered 8, between an auto driven by Georgia Villa McCarver and a vehicle driven by a member of the Tennessee National Guard while on weekend training maneuvers.

Sec. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That notwithstanding the time limitations of section 715 of title 32, United States Code, or of any other statute of limitations, the Secretary of the Army is authorized to consider, settle, and if found meritorious, to pay in accordance with otherwise applicable law the claims of Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver arising out of an automobile accident which occurred on or about June 12, 1965, near McMinnville, Tennessee, on State highway numbered 8, involving a military vehicle driven by a member of the Tennessee National Guard; and the claims filed on or about April 24, 1970, in behalf of the said Jesse McCarver, Georgia Villa McCarver, Kathy McCarver, and Edith McCarver with