

H.R. 9258. A bill to repeal the recently added limitation on the amount of Federal payments to States for skilled nursing home and intermediate care facility services under the medicaid program; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 9259. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 9260. A bill to provide that the Administrator of the Social and Economic Statistics Administration, Department of Commerce, be subject to Senate confirmation, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WIGGINS (for himself and Mr. DENT):

H.R. 9261. A bill to amend title 28, United States Code, to change the age and service requirements with respect to the retirement of justices and judges of the United States; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 9262. A bill to authorize the establishment of the Tallgrass Prairies National Park in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WON PAT:

H.R. 9263. A bill to extend to certain uninsured residents of the United States in Guam, Puerto Rico, and the Virgin Islands the social security benefits normally provided to individuals who have attained age 72 and who fulfill other special conditions; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 9264. A bill to confer U.S. citizenship on certain Vietnamese children and to provide for the adoption of such children by American families; to the Committee on the Judiciary.

By Ms. ABZUG (for herself, Mr. ASHLEY, and Mr. COUGHLIN):

H.R. 9265. A bill to prohibit discrimination on the basis of sex or marital status in the granting of credit; to the Committee on Banking and Currency.

By Mr. ASPIN:

H.R. 9266. A bill to amend the Securities and Exchange Commission Act of 1933 to authorize the Securities and Exchange Commission to regulate the structure of certain

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corporations and other firms engaged in petroleum refining; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 9267. A bill to amend title 5, United States Code, to include guards, special policemen, and other personnel of the General Services Administration engaged in protective services for Federal buildings within the provisions of such title providing civil service retirement for Government employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. HORTON (for himself and Mr. ERLENBORN):

H.R. 9268. A bill to amend section 552 of title 5 of the United States Code (known as the Freedom of Information Act) and to establish a Freedom of Information Commission; to the Committee on Government Operations.

By Mr. MELCHER (for himself, Mr. BREAUX, Mr. CLEVELAND, Mr. FLYNT, Mr. HANSEN of Idaho, Mr. HASTINGS, Mr. JONES of North Carolina, Mr. LATTA, Mr. MAYNE, Mr. MCCOLLISTER, Mr. MOLLOHAN, Mr. RARICK, Mr. RHODES, Mr. ROBERTS, Mr. STEELMAN, Mr. WARE, Mr. WHITEHURST, and Mr. BOB WILSON):

H.R. 9269. A bill to amend section 28 of the Mineral Leasing Act of 1920, and to authorize a trans-Alaska oil and gas pipeline, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALFE (for himself, Mr. EDWARDS of California, Mr. WALDIE, Mr. SEIBERLING, Mr. RANGEL, Mr. CONYERS, and Mr. OWENS):

H.R. 9270. A bill to amend title 18 of the United States Code to establish an Office of the U.S. Correctional Ombudsman; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 9271. A bill to confer U.S. citizenship on certain Vietnamese children and to provide for the adoption of such children by American families; to the Committee on the Judiciary.

By Mr. STEELE:

H.R. 9272. A bill to suspend for a 3-year period the duty on fair stained and better india ruby mica films first or second quality; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 661. Joint resolution, a national education policy; to the Committee on Education and Labor.

By Mr. OWENS:

H.J. Res. 662. Joint resolution, a national education policy; to the Committee on Education and Labor.

By Mr. OTT (for himself, Mr. ADDABO, Mr. ANDERSON of Illinois, Mr. ARCHER, Mr. ASHROOK, Mr. CHAPPELL, Mr. COHEN, Mr. CONLAN, Mr. CRANE, Mr. DAVIS of Georgia, Mr. DORN, Mr. HANSEN of Idaho, Mr. ICHORD, Mr. MONTGOMERY, Mr. MURPHY of New York, Mr. MYERS, Mr. ROBERTS, Mr. CHARLES H. WILSON of California, Mr. BOB WILSON, Mr. WON PAT, and Mr. YOUNG of Illinois):

H. Con. Res. 267. Concurrent resolution providing for continued close relations with the Republic of China; to the Committee on Foreign Affairs.

By Mr. FULTON:

H. Res. 491. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. THOMPSON of New Jersey:

H. Res. 492. Resolution providing pay comparability adjustments for certain House employees whose pay rates are specifically fixed by House resolutions; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROYHILL of Virginia:

H.R. 9273. A bill for the relief of Maria Martins Sanchez; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 9274. A bill for the relief of Peter Van Der Heyden; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 9275. A bill for the relief of Lt. Col. Laurence E. Gardner; to the Committee on the Judiciary.

By Mrs. HOLT:

H.R. 9276. A bill for the relief of Luther V. Winstead; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 9277. A bill for the relief of Ierotheos (Jerry) Kallias; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HOME TO VIRGINIA

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 12, 1973

Mr. SCOTT of Virginia. Mr. President, the July issue of Reader's Digest features an interesting and informative article on the historic, scenic, and economic aspects of the Commonwealth of Virginia. The article, written by James Daniel as part of the Digest's Armchair Travelogue, is entitled "Home to Virginia."

Mr. Daniel points out that millions of Americans can trace their family roots to Virginia, where our Nation's history began in the early 1600's. In fact, the author writes that:

Perhaps half of the U.S. population has some distant family tie with the Old Dominion.

On a tour of our beautiful Commonwealth, Mr. Daniel points to a number of the most significant features of her rich heritage. The author notes that Virginia is not only the scene of some major events of our country's past like the founding of Jamestown and Williamsburg, the battles of the American Revolution and the Civil War; but it is also the home and birthplace of eight of our Presidents.

Since the article should have widespread interest, I ask unanimous consent that it be printed in the RECORD and command the article to reading by my colleagues.

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

HOME TO VIRGINIA

(By James Daniel)

Three hundred and sixty-six years ago this spring, three tiny English ships, the *Susan Constant*, the *Godspeed* and the *Discovery*, after 18 weeks on the perilous Atlantic, hap-

pened on the mouth of Chesapeake Bay and sailed through the capes into calm water. Wading ashore, Capt. Christopher Newport and his 142 men marveled at the "faire medowes and goodly tall trees." After thanking God for bringing them to Paradise, they claimed, for James I of England, all of North America between Spanish Florida and French Canada, from the Atlantic to the "China Sea." Our nation's history had begun.

Today the visitor to the site chosen by these men for settlement finds only the foundations of the statehouse and other buildings, and the ivied ruins of an ancient church where "Jamestown" stood until destroyed by fire in 1968. But nearby is a replica of the 1607 town, with its palisaded log fort and thatched-roof, wattle-and-daub houses. And tied up in the James River are full-scale reproductions of Captain Newport's three brave ships.

Such panoramas of history abound in Virginia, and provide a special thrill for the 45 million people who visit the state each year. Some are drawn to the birthplaces and homes of Virginia's record eight Presidents—Washington, Jefferson, Madison, Monroe, W. H. Harrison, Tyler, Taylor and Wilson.

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Others blend history with scenery, camping in a score of state and national parks from seashore to mountaintop.

For many, going to Virginia is like going home. For more than two centuries, Virginia was the largest and most populous colony and then state; her surplus population poured south, west and north. In the 12 generations since 1607, Virginians have intermarried with non-Virginians to the point where, today, perhaps half the U.S. population has some distant family tie with the Old Dominion.

One golden day last October, my wife and I decided to return to the place of our roots. Our gateway was Alexandria, downstream from the Great Falls of the Potomac. To the southeast begins Tidewater, Virginia, an area cut by the Potomac, Rappahannock, York and James rivers into (reading north to south) the Northern Neck, Middle Peninsula and Lower Peninsula, and by Chesapeake Bay into a fourth peninsula, the Eastern Shore. It was the serendipitous discovery of this inland-sea area, with its 3400 miles of coastline and deep alluvial soil, that made Virginia an almost instant economic success. Horses and roads were unnecessary because tobacco, worth almost its weight in precious metal in London, could be put in barrels and rolled aboard ship directly from the great Tidewater plantations.

A day in Alexandria—visiting Christ Church, where Washington worshipped; Gadsby's Tavern, where he and other planters gathered to talk crops and politics; and nearby Mount Vernon, George and Martha's elegant Georgian mansion—helps the visitor unwind and sense the more languid tempo of the South. Moving southward to Fredericksburg—today smoothly organized to display early houses and Civil War battlefields (60 percent of the war took place in Virginia, and there are more than 1000 battle sites awaiting the visitor)—you are poised for the drive down the Northern Neck, where each turn of the wheels takes you further back in time.

Stratford Hall Plantation, the great Jacobean and Georgian mansion built in the late 1720s by Thomas Lee, evokes an age when a lord's house resembled a fortified castle. Lee was the first native-born Virginian to be appointed acting governor; two of his sons signed the Declaration of Independence; and Robert E. Lee, his great-nephew, was born here.

Crossing the Rappahannock, the visitor is in a part of Virginia where tobacco was king. At Urbana is a brick tobacco warehouse dating from the 1680s, the only survivor of 20 such structures built in the 17th century to store tobacco before it was shipped to England. Because there was hardly ever enough gold and silver in Virginia to meet the needs of trade, tobacco-warehouse receipts provided a form of paper money. Taxes were collected in tobacco, and clergymen drew their salaries in tobacco or tobacco receipts. Even the first "maides" imported to marry settlers were sold to prospective husbands for 120 pounds of tobacco.

Across the York River, below Gloucester, we picked up the Colonial Parkway to Williamsburg, the capital of Virginia from 1699 to 1780, where 173 acres of restored buildings, gardens and other attractions draw 1.5 million visitors annually. (The first-time visitor should plan to spend at least three days in Williamsburg; it's worth every minute.) From Williamsburg, we drove to Yorktown on the York River side of the Lower Peninsula, to see the house where Lord Cornwallis surrendered in 1781. Then on to Jamestown, on the James River side, where it all began with the arrival of Captain Newport's ships.

The courage required of those early English adventurers—and the changes in the world that have occurred since—came fully home to us as we drove the five-mile-long bridge from Newport News across the James. Looming to the left was the world's largest

private shipyard, Newport News Shipbuilding, a subsidiary of Tenneco Inc., where 27,500 workmen swarmed over two nuclear-powered aircraft carriers, five nuclear frigates and seven nuclear submarines. All three of Captain Newport's ships could be hung, like so many Christmas-tree balls, from the bridge of a single carrier.

We now headed west along the south side of the James River estuary, lined on both sides with plantations bearing such lilting names as Bermuda Hundred, Flowerdew, Westover, Shirley. Up the Appomattox River, a tributary of the James, lies Petersburg, where colonists established a fort and Indian trading post in 1645. After a visit to Petersburg's Civil War battlefield, we drove west to Appomattox Court House and the surrounding village of half a dozen houses, all faithfully restored by the National Park Service. Before visiting the McLean House, where Lee surrendered and we finally became "one nation, indivisible," we saw a slide film during which Union General Philip Sheridan utters his classic description of the Civil War's tragic desolation: "The crow that flies over the Valley of Virginia must henceforth carry his rations with him." (Fortunately, my wife and I found the food situation vastly improved since Sheridan's time, as was Virginia's welcome to Yankees.)

A few miles west of Appomattox, we caught our first pulse-quicken sight of the Blue Ridge. By Lynchburg, we had a full view of the range, which stretches south into North Carolina and north to Pennsylvania. It is of an indescribable light and shimmering blue, and to the early settlers it was the end of the known world. Somewhere beyond, by a mythic northwest water passage, they believed, lay Cathay.

Joining the Blue Ridge Parkway, which follows the Blue Ridge Mountains for 355 miles, we spotted the Peaks of Otter. Here, a small bus takes visitors to within easy walking distance of the bare granite summit of one of the state's highest mountains (altitude: 3875 feet), Sharp Top.

We spent the next day in the Shenandoah Valley, which lies between the Blue Ridge and the next range of mountains bordering Kentucky and West Virginia. From here you can go south to the Appalachian poke-bonnet and zither-strumming country, and on down to Cumberland Gap, through which Daniel Boone led wagon trains into the heart of the continent. Or you can stay to investigate such curiosities as Natural Chimneys, Natural Bridge and nine different caverns. As a young surveyor, George Washington was so impressed with Natural Bridge—a stone arch higher than Niagara—that he cut his initials high up one wall. They're still there.

We drove north to Staunton, Woodrow Wilson's birthplace, and recrossed the Blue Ridge to Charlottesville, where the Jeffersons and a few other Tidewater families moved in the early 1700s, establishing a western outpost. We lunched at 200-year-old Michie Tavern, once owned by Patrick Henry's father, then drove up Thomas Jefferson's little mountain (literally, *Monticello*) to see the magnificent house that occupied his attention all the years he was governor, minister to France and, finally, President.

From Charlottesville, a fast new road took us to Richmond, through country so wild that the first month the road was open 47 deer were killed by cars. Jefferson moved the capital here from Williamsburg in 1780, and personally designed the Capitol building after a Roman temple at Nimes, France. The home of Chief Justice John Marshall is nearby, as is St. John's Church, where Patrick Henry jumped to his feet to shout, "I know not what course others may take, but as for me, give me liberty, or give me death!"

Our last stop in Richmond was at the State Archives, where I ordered a photostat of the will of my great-great-great-great-great-great-grandfather, Capt. William Daniell, who came to Virginia in 1657. Written

in Elizabethan script and dated October 8, 1694, it powerfully summons up the spirit of the 17th century in its very first words: "In ye name of God amen . . ." One of the will's stipulations, in particular, held my eye: "To my loving son James Daniell one cow & calfe & a gun over & above his equale part."

They say every man, till he dies, secretly measures himself against his father, and presumably every woman does the same with her mother. But how well do we measure up against those more distant figures—our forefathers and mothers who bravely ventured to the New World so long ago? Have we kept their faith? Would they be proud of us?

There's no place like Virginia for being moved to ask such questions—and no place that offers more of the materials needed for arriving at answers.

THE REVEREND OLYMPIA BROWN

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ASPIN. Mr. Speaker, an article in the Kenosha News recently brought to my attention the little-known fact that Wisconsin's first ordained woman minister served in my home district at the First Universalist Society in Racine, Wis. The Reverend Olympia Brown came to Racine in 1878 and lived there until 1926, where she was an outspoken advocate of women's suffrage. I think my colleagues would be interested in her story, and I submit it for inclusion in the RECORD:

STATE'S FIRST ORDAINED WOMAN IN AREA RECORDS

The pastorate of Wisconsin's first ordained woman minister is among historical records chronicled in documents of the Unitarian-Universalist congregation in Racine which have found a new home in the Area Research Center in the University Archives at the University of Wisconsin-Parkside.

The records, which cover the history of the congregation from its founding in 1842 to 1965, were presented by the church's board of trustees to the Wisconsin State Historical Society, which maintains Area Research Centers at various UW campuses including Parkside.

Records of regional interest given to the society are ordinarily housed in the Research Center nearest their area of origin for easy access by scholars and interested members of the community.

The Racine congregation, which merged with the Unitarian Fellowship of Kenosha when the Universalist and Unitarian denominations merged nationally in 1961, is now known as the Unitarian-Universalist Church of Racine and Kenosha.

The congregation traces its beginning to 1842, six years before Wisconsin became a state, when a group of ten citizens banded together to form the First Universalist Society of Racine. Initially, they met in homes and, in 1851, the congregation dedicated its first church at the present site of Racine Motor Inn on Monument Square, then known as Market Square.

The present church at 6th St. and College Ave., known as the Church of the Good Shepherd and marked by a weather vane in shape of a shepherd's crook until an irreverent wind blew it off several years ago, was dedicated in 1895.

The elaborate hand-written script of the early church rolls reads like a who's who of Racine's pioneer industrial, political and civic leaders. Among the members were J. I.

Case, N. D. Fratt and Stephen Bull—all of whom have present-day Racine schools named for them.

The first volume of the records indicates that in 1845, the congregation took a vote on the abolition of slavery. The balloting, limited to men of the congregation, resulted in a tie—a remarkably liberal result almost twenty years before the nation moved to decide the question in the Civil War.

The year 1878 marked the beginning of the nine-year pastorate of Wisconsin's first woman minister, the Rev. Olympia Brown (Willis), who built a national reputation as a suffragette—one of the first and most articulate advocates of women's rights, who urged today's liberationists by continuing to use her maiden name after her marriage.

Church documents include her letter of acceptance and record the unanimous vote of the congregation to engage her for two years at an annual salary of \$500. By 1881 the sum was increased to \$800.

Convinced that the church should be a forum for discussion of social issues, she invited such well-known suffragettes as Julia Ward Howe, Elizabeth Cady Stanton and Susan B. Anthony to air their views from the pulpit.

Under her ministry, women were allowed to vote and hold office in the church.

She was less successful in a bid to give women the vote in school elections. She lost a court case in 1887 which sought to force municipalities to provide separate ballot boxes to allow women to vote in school elections. A circuit judge ruled in her favor but the state supreme court reversed the decision and Wisconsin women were not enfranchised for school elections until the legislature provided separate ballot boxes in 1901.

A native of Michigan and the daughter of "radical" parents who believed in educating girls, the Rev. Brown attended Antioch College, one of the first co-educational institutions, and subsequently entered the Universalist Theological School of St. Lawrence University at Canton, N.Y. She was ordained in 1863 and was pastor of churches in Weymouth, Mass. (where she met and married John Henry Willis) and in Bridgeport, Conn., before coming to Racine.

She died in 1926 shortly after returning from a trip to Europe with her daughter Gwendolyn and is buried in the family plot in Mound Cemetery. Gwendolyn, like her mother active in civic and social causes, died in Racine in 1969.

University Archivist Nicholas C. Burkel calls such church records a treasure trove for historians. Modern trends in historical scholarship are increasingly turning from political history to social and cultural history drawn from the records of institutions such as churches, he said.

Such items as correspondence, meeting minutes, business records and membership lists may have made reading as stimulating as a laundry list at the time they originated but they become exciting with the passage of time, he added.

In addition to making such records available for research and scholarship, placing the materials in Area Research Centers such as Parkside's offers safe storage as well as tender loving care by trained professionals for records in need of repair or restoration.

The Racine congregation's decision to offer its records was motivated in this manner. According to Kenneth Herrick, a member of the board of trustees, one of the early record books was missing for many years and recently was returned to the congregation after it was discovered among papers from an estate.

The Research Center at Parkside also has records dating from 1850 to 1880 of the First Congregational Church of Kenosha—and says Burkel, would be glad to provide a home for records of other institutions.

DR. TODD ELECTED AS PRESIDENT OF AMA

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HOSMER. Mr. Speaker, Dr. Malcolm Todd, a friend of many of us in the Long Beach area was recently elected as president of the American Medical Association. I have known Dr. Todd for many years, and I am gratified to know that such a fine doctor and citizen has been chosen as chief spokesman for the Nation's physicians.

Dr. Todd's service to the field of medicine and to his community have been exemplary.

Mac Todd's ideas about how the medical profession can better serve the community are commendable and are bound to help all of us.

An editorial that appeared in the Long Beach Independent Press Telegram on July 2, 1973, said this about Dr. Todd:

NEW VOICE FOR PHYSICIANS

Dr. Malcolm Todd has thousands of friends in Long Beach and around the country who were gratified by his election as president of the American Medical Association.

It was not his strong and compelling personality that won him election as the chief spokesman for the nation's physicians, however. It was his strong and compelling ideas about what he and the AMA could do for practicing physicians and for the people they serve.

As fellow residents of Long Beach, we are naturally gratified by Dr. Todd's election. As newspapermen, we are particularly gratified that he spoke out in his campaign on the need for better communications between the AMA and newsmen.

It was especially commendable that he did not envisage the job solely as communicating about doctors to the public. "We also have to have information coming back from the local level," Dr. Todd told his fellow physicians. "It's a two-way street. And I think we could be doing a much better job with this."

We confess to a touch of nervousness at the name Dr. Todd selected for part of his proposed communications program: Truth Squad. Dr. Todd proposes creating one to answer "slanted newspaper editorials, letters to the editor and political charges."

It is only the name that bothers us. If the squad's work is to correct factual error, we will applaud it unreservedly. Editors, letter writers and politicians make mistakes. Maybe some will be made deliberately. But surely most are not. The implication of the phrase "truth squad" is that the other guy is lying and that it takes some sort of paramilitary attack to set him straight.

Considering that journalists are just about as sensitive as physicians, perhaps Dr. Todd would consider turning his proposed "truth squad" into a "communications office."

Dr. Todd's other plans as leader of the country's physicians strike us as wholesome in wording as well as in intent.

He thinks many malpractice insurance premiums are unnecessarily high and without having any statistical information our hunch is that he is right. Anything he can do to solve the complex legal problems that surround the malpractice issue is bound to help lower the cost of health care.

Dr. Todd is concerned that practicing physicians have a voice in government health care decisions. The desirability of this seems undebatable.

He favors "unified" membership in the AMA and its constituent medical societies. That is, every physician would be a member. This seems to us to be as useful for the medical profession and the public it serves as California's unified bar has been for lawyers and Californians generally.

The new AMA chief's argument for training more general physicians—"more doctors who take care of people" is the way he puts it—also seems good to a layman. Increasing specialization has sometimes meant higher costs for medical care and has sometimes meant reduced availability of medical care.

If bright young men and women interested in medicine are not all to follow the lure of prestigious specialization—which has a strong intellectual appeal, and is financially rewarding, too—some positive action will have to be taken by the profession. Dr. Todd's proposal is that the top scholarships and fellowships go to "the fellows who are going into primary care." That proposal is at least a good starting point for discussion.

Mac Todd has other ideas he'll be talking about around the country. We're glad physicians will be listening to a man we have found to be an earnest, realistic and concerned leader in his profession. We will be listening, too.

TRAGEDY OF NORTHERN IRELAND

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BIAGGI. Mr. Speaker, the British Government's exacerbation of the tragedy of Northern Ireland continues. Each day the death toll rises, the violence abetted by Whitehall's policies escalates, and the Special Powers Act coupled with "internment" remains in effect. Eyewitness accounts of physical and mental torture sanctioned by the London government have increased to shocking dimensions.

In the course of the past 2 weeks, I have had read into the Record the motion and certain sections of the brief now pending before the European Commission of Human Rights concerning allegations of inhumane treatment on the part of the British Government toward the people of Northern Ireland. Consistent with my past commitment to provide my colleagues with an accurate representation of events in Northern Ireland, I submit for the Record the third section of the brief, provided by Mr. Luis Kutner, attorney, Chairman of the Commission for the International Due Process of Law:

III. EXHAUSTION OF "AVAILABLE DOMESTIC REMEDIES"

The Commission has requested specific information regarding Applicants' exhaustion of "available domestic remedies". The following information, which has been available to the Commission since July, 1972, is here reiterated:

1. In November, 1971, Counsel for Applicants petitioned the City of Belfast High Court. Said Petition for a Writ of Habeas Corpus was denied on or about January 10, 1972 by Chief Justice Robert Lowry.

2. Further, a Petition for Writ of Habeas Corpus on behalf of Applicants herein was

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filed in November, 1971, against Queen Elizabeth the Second, Rt. Hon. Brian Faulkner, Rt. Hon. Edward Heath, Sir Edmund Compton and Mr. J. M. Benn. Service was made on all Respondents.

3. On or about May 3, 1972 a Petition for Repeal of the Special Powers Act of 1922 [*qua* the Right of Petition granted by Article Five of the Bill of Rights] was filed with Rt. Hon. Edward Heath, Prime Minister, and Rt. Hon. Reginald Maudling, Secretary of State for the Home Department. Said Petition remains unanswered to date.

Another Petition for Repeal of the Special Powers Act of 1922 was filed on May 3, 1972 with Queen Elizabeth the Second. There has been no response to date to said Petition.

4. On December 21, 1971, Luis Kutner, counsel for Applicants herein, met with senior officers of the Rt. Hon. Brian Faulkner at Stormont Castle. Internment policies were discussed, and a "new Irish internment policy" was promised. The continuing Irish debacle repudiates any notion of a "new internment policy". [Reference is here made to the testimony of Luis Kutner before the U.S. Senate Subcommittee on Europe, February 28 and 29 and March 1, 1972, where accounts of said meeting are set out in the record (Exhibit II appended hereto)].

The Commission is respectfully reminded that by virtue of the Special Powers Act of 1922, there are virtually no realistic or bona fide remedies available to Applicants. Under the Special Powers Act, warrantless searches, detention and imprisonment without charge or trial, denial of the right to counsel, denial of the right to trial by jury; even of the right to trial, are all countenanced. In sum, legal remedies are wholly foreclosed to detainees. The historic Anglo-Saxon guaranteed rights are abandoned. Applicants' fundamental rights have been suspended by the malefic operation of the Special Powers Act.

Applicants have thus been forcibly precluded from seeking domestic remedies. They exist in the vacuum of lawless deprivation. Their "domestic remedies" are pragmatically non-existent. Further, as set out herein, all avenues have been exhausted by counsel for Applicants. The documentation of the pursuit of Applicants' "remedies" proves the utter futility of prosecuting Applicants' rights on the domestic level.

It has been shown that "available domestic remedies" are pragmatically non-existent for Applicants; that their efforts to vindicate their rights have repeatedly been arbitrarily refused, circumvented or obfuscated by the minions of British injustice.

Further, domestic remedies, even if available, would be insufficient to restore Applicants to their former positions or to reverse the effects of the shocking contumelies heaped upon Applicants. Applicants have been denied their freedom and their fundamental rights since August, 1971; they have suffered inhuman tortures and deprivations; their families have likewise suffered. Their injuries are nearly incalculable. A remedy in reparation for the torture, physical and psychological, suffered by Applicants, was not available at the time the within Applications were filed. Release from custody or trial could not make the Applicants herein whole. Only censure by an international tribunal and reparations by Respondents herein can begin to compensate Applicants for the wrongs they have suffered.

That wrongs have been done to Applicants is patent; further, information regarding these wrongs is readily accessible to Respondents herein, yet difficult or impossible of attainment to Applicants. Information regarding the names of persons detained, the time and reasons for detention, the length of detention, and the treatment during detention are all within the exclusive possession of Respondents. Said information has been denied and made inaccessible to Applicants and their counsel. Applicants have thus

been obstructed and frustrated in the preparation of their case because the information sought by the Commission is within the exclusive possession and control of Respondents. For this reason, Applicants within Motion seek the Commission's direction to Respondents to furnish information regarding the detention of Applicants and others similarly situated.

Finally, Applicants are indigent. Some have been detained for nearly two years and deprived of the opportunity to earn wages or satisfy obligations. Their families have incurred burdensome liabilities of rent, mortgages, and the expenses of daily living. Such indigence of Applicants and others similarly situated effectively precludes their pursuit of "domestic remedies".

The facts set out in the original Application with reference to Patrick McDonnell are in full compliance with the total facts required, which indicate exhaustion of available remedies in the question of his liberty. Further, the allegations in the affidavit of Mrs. Brigid McDonnell are allegations which apply in substance and in the main to all of the Applicants herein.

Any excuse to dismiss the Applications of all except Patrick McDonnell would be in shocking derogation of the spirit and letter of the Convention of the Council of Europe.

In further regard to the domestic remedies question, the Recommendations of the 1968 Conference of the International Commission of Jurists are particularly apt:

"Experience has shown that purely domestic remedies are not always adequate. In times of political turmoil or ideological passion, governments, and even judges, readily impose their views without regard to the rights of the individual or minorities. In this age of technocracy there is a continuous increase in administrative controls, and bureaucrats in many countries tend to ride roughshod over the rights of those they dominate.

"In such cases, it becomes obvious that citizens must have the right to appeal to impartial bodies outside their national frontiers and must enjoy the possibility to have violations of their rights redressed, as a result of action taken by such bodies.

"... Regional arrangements are the most effective means for the international protection of human rights.

"At the regional level, the only valid system which exists today is that provided by the European Commission for the Protection of Human Rights and Fundamental Freedoms. The adoption of analogous conventions is to be strongly encouraged in other regions. The operation of the European Convention on Human Rights as well as the work done by the Inter-American Commission on Human Rights indicate the value of such regional institutions. The formulation and adoption of such regional systems was suggested as one of the chief targets for the future advancement of human rights." [Bulletin of the International Commission of Jurists, No. 36, December 1968, at 37]

How hollow these words sound in light of the Commission's perverse refusal to consider the plight of the detainees of Northern Ireland! Surely, the time has come for the Commission to take notice of the inhuman acts being perpetrated by the government of the United Kingdom. The acts complained of are CRIMES—international crimes against human rights, crimes which obviate the trans-national concept of human dignity. These acts are *delicta iuri gentium* and the ultimate denial of human rights, Genocide and Humanicide.

Genocide has been defined as certain acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such. These acts include killing, causing serious bodily or mental harm, inflicting conditions of life calculated to bring about physical destruction, and the like. Respondents are challenged to show

that the acts committed by them against the predominantly Catholic minority in Northern Ireland are not acts of Patent Genocide.

The Humanicidal acts of Respondents are contrary to moral law and are abhorrent to all who possess a modicum of regard for the dignity of man. As such, they must be strenuously opposed.

If indeed the progress of civilization is to be measured by the advancement of human rights, then it is the indubitable responsibility of the Commission to act in vindication of Applicants' rights, and to put to an end the genocidal and humanicidal policies of Respondents.

Six million Jews, two million Catholics and twenty-eight million Christians were slaughtered while mankind stood by in apathy. Can it be that no lessons have been learned from the tragedies of history? Can it be that the Commission will apathetically engage in technicalities while men (and women) in Northern Ireland are tortured, enslaved and destroyed?

RENT CONTROLS ARE DESPERATELY NEEDED

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BRASCO. Mr. Speaker, it is hard to exaggerate the plight of the modern city dweller today, as inflation ravages his budget and the difficulty of surviving in a city environment increases. Nowhere is this more true than in my home city of New York. The quality of life is very visibly deteriorating before our eyes.

Lower and middle income people are particularly hard pressed. This is especially true in respect to living space. Decent apartments are at a premium all across New York. Further, rents for such apartments are rapidly rising out of sight, leaving the average person in an untenable situation.

In many areas of New York, and we hear of Manhattan most, prices and rentals are out of sight. Yet this phenomenon is not limited to one borough. All across the major residential areas of the city the same situation prevails. It can truthfully be said that this is one of the main reasons why so many middle class citizens are fleeing the city, eroding the tax base and hastening the decline of the community.

I have some understanding of the situation confronting property owners, with a stake in turning a profit on their investment. Certainly they are entitled to such returns. However, we must take into account the plight of hundreds of thousands of people in one city alone. In effect, we must have some form of rent control on a Federal basis, even if for some temporary length of time.

I have joined in sponsorship of such a measure, and believe it is long overdue. H.R. 8621 is designed to alleviate the plight of the 37 percent of those Americans who rent their dwellings. It would roll back and stabilize rents at levels of January 10, 1973, until June 30, 1974, the date the current moratorium on Federal housing funds is set to expire. Let it also be noted at this point that the moratorium on housing funds was imposed by the administration in spite of many indications that the move was unwise.

Under its provisions, H.R. 8621 would enable landlords to raise rents to cover tax increases or because of necessary capital improvements to the housing unit in question.

Above all, we have to prevent the phenomenon which has come to haunt so many city dwellers; a property owner suddenly imposing a drastic hike in rentals on a tenant, with the flat announcement that the tenant can take it or move. Such a situation is commonplace across the country today, and only the Federal Government has the power to bring it under some form of control.

Rental costs are, along with food, the major components of any person's budget. In order to make ends meet, millions of people must be safeguarded from astronomical, sudden hikes in rentals.

Still another provision of the bill states that if a State or locality has its own rent control laws, the Federal statute would apply when it would result in a lower unit rental. In other words, the benefit of doubt is always in favor of the lower cost to the tenant. In my own home city of New York, this would have the effect of preventing increases currently allowed under the State vacancy decontrol law, and would have the effect of rolling back a number of large rent increases.

This measure should not be interpreted as an antiproperty law. Landlords must understand that public suffering and indignation as well as the present administration policy leave little alternative. Some landlords have abused their status as property owners, creating an untenable situation. Action, therefore, for the relief of millions of people, is imperative.

It is worth adding that America is in a sorry mess when administration economic policies create such economic havoc that we confront rent controls, gas shortages, energy crises, lettuce at 70 cents per head and unheard-of inflation.

HON. JAMES V. SMITH

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. SIKES. Mr. Speaker, all of us were saddened to learn of the tragic and untimely death last month of James V. Smith who served with ability in this body in the 90th Congress, representing the Sixth District of Oklahoma.

He went on to serve as Administrator of the Farmers Home Administration, a post he held with distinction. This agency is one of especial value to rural America and Jim Smith took full advantage of the opportunity for service to the people he loved and respected so deeply.

Mr. Smith was first an American but he was also a true Oklahoman. Born there, he grew up and was educated in his native State. He engaged in the cattle business there and even before entering Congress he compiled an outstanding record of public service. He was named Jaycee Outstanding Young Farmer in 1958. He was a member of the board of regents of Oklahoma 4-year colleges, and he brought his knowledge of people

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seeking higher education to Congress when he came.

In none of his many undertakings did he fail his friends, his State, and his Nation. I was proud to share his friendship and to work with him for a better America.

Now, he has been taken from us, but all of us who knew and respected James V. Smith of Oklahoma will remember his devotion to duty and his love of country. Our sympathies go out to his wife and his children in their bereavement.

JOHN INGERSOLL: A HARD WORKING LAW ENFORCEMENT OFFICER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. WOLFF. Mr. Speaker, 2 weeks ago, Mr. John E. Ingersoll resigned as Director of Bureau of Narcotic and Dangerous Drugs just before its dissolution and replacement by the Drug Enforcement Administration. I supported the President's request for this reorganization, but that support was no indication of dissatisfaction with the job done by John Ingersoll.

Mr. Ingersoll was appointed Director of BNDD in July, 1968 by then Attorney General Ramsey Clark. He was retained by President Nixon's Attorney General, John N. Mitchell, because of the conscientious job Ingersoll was doing in attacking this country's drug problem. His continuing successes increased as BNDD became more effective.

Why then was he told last February that he would not be appointed to direct the President's new Drug Enforcement Agency? It cannot be because of incompetence, certainly, for his work has been commendable throughout his tenure.

I want to commend Mr. Ingersoll for his work in combating drug traffic. He would have undoubtedly continued his effective procedures in the Drug Enforcement Administration. Denied that opportunity, I hope he will still offer our Government his expertise on the drug problem.

I ask that an article from the Washington Star-News of Friday, June 29, 1973, about Mr. Ingersoll's resignation be included in the RECORD at this point:

INGERSOLL QUILTS; DRUG UNIT SHIFTED

(By Miriam Ottenberg)

John E. Ingersoll, first and only director of the Bureau of Narcotics and Dangerous Drugs, left his job today after disclosing that he was told as long ago as February that "unnamed White House officials" did not intend to keep him in office after the drug control program was reorganized.

The reorganization, which abolishes BNDD and sets up the Drug Enforcement Administration to fight the drug traffic, becomes effective this weekend. No DEA director has been announced yet.

Ingersoll had been mentioned as a possibility but, as he wrote Atty. Gen. Elliott Richardson in an exchange made public today:

"Last February, as you know, your predecessor former Atty. Gen. Richard Kleindienst advised me that unnamed White

House officials did not intend to retain me after the drug control program was reorganized.

"I have heard nothing since to indicate a change from that position. Under such circumstances, I have been left no alternative but to seek and obtain other employment. I decided to leave federal service and accept an offer in the private sector."

He did not say where he was going, but it was disclosed that a major corporation wanted him to handle its international security.

While the officials who allegedly did not want Ingersoll nominated to the new job remained unnamed, a Capitol Hill source said he was sure the President's former top aides H. R. Haldeman and John Ehrlichmann were behind it.

Another source suggested that the administration is seeking a person for the job who would be more inclined than Ingersoll to view the post as a political one and would remain Nixon's effort in drying up the drug traffic.

Ingersoll, 43, was formerly police chief of Charlotte, N.C., and an executive of the International Association of Chiefs of Police. He was brought into the Justice Department in April 1968 by then Atty. Gen. Ramsey Clark as assistant director of the Office of Law Enforcement Assistance.

In July 1968, Clark named Ingersoll director of the new Bureau of Narcotics and Dangerous Drugs.

Richardson, in accepting Ingersoll's resignation praised him for the difficult job he had faced in merging the personnel and functions of previously separate organizations and making them operate as an effective team in the war against drug abuse.

THE LATE HONORABLE CHARLES R. HOWELL

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 10, 1973

Mr. FORSYTHE. Mr. Speaker, it was with deep sorrow that I learned of the passing on July 5 of the Honorable Charles R. Howell, the former colleague of many Members in this Chamber and an old friend.

During his tenure in Congress, Charlie Howell served what is now a major portion of the Sixth Congressional District. As the Congressman from Burlington and Mercer Counties, he performed with wisdom and distinction.

He achieved great respect from the people of both counties, as well as the entire State of New Jersey, over the span of 6 years as he served in the 81st, 82d, and 83d Congresses.

Mr. Howell, born on April 23, 1904, in Trenton, N.J., was a distinguished insurance man before he entered the political arena. When he left the House, it was to run as the Democratic candidate against Senator CLIFFORD P. CASE.

Losing by the narrowest of margins, Mr. Howell was appointed New Jersey State Commissioner of Banking and Insurance, in which post he served until March 1, 1969.

During this period I was privileged to serve as a member of the New Jersey Senate, and came to know Charlie Howell as a dedicated and efficient administrator, as well as a good friend.

In New Jersey, Charlie Howell was

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known for his dedication to the cause of civil rights, and for his advocacy of major social legislation. Prior to his election to Congress, he served in the New Jersey State Assembly from 1944 to 1947.

In Congress he became known for major achievements in the field of education and labor, and left a substantial positive mark on many important statutes considered during those years.

New Jersey residents who care about people and their problems will not forget Charlie Howell, and neither will I. He was a dedicated servant, and he will be missed.

**FISHING TERRITORIAL LIMIT
SHOULD BE 200 MILES NOW**

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. TIERNAN. Mr. Speaker, I believe that it is time for Congress to act vigorously to save the American fishing industry. Congress should give overwhelming support to the bill to extend our fishing territorial limits to 200 miles until this fall's Law of the Sea Conference arrives at a more permanent solution. Foreign ships are depleting traditional American fishing grounds off our coasts, and if this competition remains unchecked, the American fishing industry is doomed.

The challenge of foreign competition is a vast and still growing one. Interest and investment in fishing has undergone a worldwide explosion relatively recently. Fishing is now a major industry for many nations all over the globe. For example, one out of every four ships over 100 tons launched in 1968 was a fishing vessel. With the increased number of ships and ever better technology, catches have skyrocketed. In 1948, according to the United Nations' Food and Agriculture Organization, the total world catch was 19.9 million metric tons. Twenty years later the catch was 64 million metric tons.

Foreign fishermen find grounds off the American coasts to be particularly productive. In 1927, 2,992 foreign fishing vessels were sighted off the U.S. Atlantic coast. These vessels ranging from Maine to Cape Hatteras, caught 960,000 metric tons, equaling the American catch for the same period. The popularity of our Atlantic coast shows no signs of slackening, for in March 1973 the Soviet Union deployed vessels there with more than twice the capacity of vessels she deployed in March 1972.

This foreign competition severely affects American fishing efforts and, indeed, is detrimental to the whole country. The total catch of our fishermen over the past several decades remained constant at the 3.5 million metric tons. American demand for fishing products drastically increased so that while in 1965 we imported half of our fishing products, in 1972 we imported 66 percent, leading to a billion dollar balance of payment deficit in fishing products.

Even more important, in my view, is that competition for the catch has over-

come conservation of the resource. In 1972 New England fishermen landed only 380 million pounds of food fish. In 1961, the figure was 742 million pounds. Moreover, catches in certain species of fish are rapidly declining, including fish that traditionally have been the backbone of the New England fishing industry—1972 haddock landings were 12 million pounds, down 10 million from 1971. The 1961 haddock landings were 134 million pounds. Cod landings were down 13.2 percent from 1971, continuing a decline in recent years. The 1972 ocean perch catch declined 1 million pounds from 1971. In 2 years the stock of herring along the Atlantic coast has decreased by 95 percent and stocks of yellow-tail flounder, mackerel and sea scallops are also threatened.

Faced with this situation, the United States appealed for international cooperation, turning to both the International Commission of the Northwest Atlantic Fisheries and bilateral agreements with fishing competitors. In the ICNAF we met little success. The United States called for quotas based upon United States and Canadian traditional interests in the Northwest Atlantic. The Soviet Union replied with a call for quotas based upon the previous 3 to 5 years, the years of their greatest fishing effort to that time. In 1971 the issue of quotas and inspections arose again; and in spite of most of the other Commission members' acceptance of on-board inspection, the Soviet Union refused to consider it. In our bilateral efforts, we have met more success, especially in establishing no fishing zones south of ICNAF jurisdiction. Unfortunately agreements of this sort are always limited, and some nonsignatory is always willing to fish in the no fishing zone.

Therefore, I believe that we have no choice but to extend the limit of our fishing jurisdiction. It is by no means a perfect answer. Hopefully, some sort of agreement will result from the Law of the Sea Conference embodying a species approach. Until then, though, we must protect our fishing resources. We must not allow competition to rout conservation to the final destruction of several of our most precious marine species and the American fishing industry. I urge my colleagues to support the effort to extend America's fishing territorial limits to 200 miles.

JOINT COMMITTEE ON ENERGY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. SHRIVER. Mr. Speaker, with the creation of the Office of Energy and Natural Resources, combined with the proposal of a Cabinet-level department of the same name, the Nixon administration has demonstrated its willingness to deal with the energy crisis and related areas forthrightly. Additionally, this action underscores the need of Congress to examine the energy needs of the Nation on a continuing and thorough basis.

In order to accomplish this, it is my belief that the Congress should establish

a Joint Committee on Energy. That is why I am pleased to join in bipartisan cosponsorship of H.R. 6313, legislation which addresses itself to the creation of such a committee.

It is vitally necessary for the Congress as an institution to modify itself in order to deal efficiently with current priorities. This legislation offers such a change. Currently, 28 of the 38 standing committees retain jurisdiction over energy-related legislation. This figure does not include select committees and joint committees which have held hearings on the topic of energy. Furthermore, more than 400 bills and resolutions have been introduced in the Congress which deal with energy and related topics. In my belief, these figures further emphasize the need for a Joint Committee on Energy.

Mr. Speaker, I urge my colleagues to act expeditiously on this proposal. The joint committee is most desirable in moving the legislative branch as a more fully functioning partner in establishing the Nation's energy agenda.

THE ENERGY CRISIS AND DIRTY AIR

HON. DONALD G. BROTHMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BROTHMAN. Mr. Speaker, on June 29 I introduced legislation which would help ease the energy shortage and help clean up the air in our Nation's higher altitude cities at the same time. Today I am pleased to announce that nine of my colleagues in the House have joined with me in this effort.

The majority of my colleagues in the House have been deluged with mail regarding the energy crisis, particularly this summer as it relates to the supply of gasoline. I would like to point out to these members that, because of the 1970 Clean Air Act, literally millions of gallons of fuel are being wasted in high altitude areas each year. This is gasoline truly wasted. Its consumption does not mean that citizens of these areas will enjoy cleaner air. To the contrary, they will have air nearly twice as polluted as it would be at sea level.

To reiterate what I said on June 29, the 1970 Clean Air Act is basically a sound and effective piece of legislation. It was a major step toward reducing the terrible smog problems evident in our Nation's urban areas.

However, because we were walking new ground, so to speak, the Congress did make a few mistakes. The one my bill seeks to correct involves the problem of altitude. At 6,000 feet, there is less oxygen per volume of air than there is at sea level. The efficiency of an automobile engine depends, among other things, upon the air fuel ratio at which it is set. Consequently, automobiles set to run efficiently at sea level use too much gasoline at higher elevations. This results in poor gas mileage and increased emissions.

The 1970 act did not require that altitude be taken into account in the setting of the auto emission control systems. My bill would correct this situation by re-

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quiring that any vehicle covered by this act comply with auto emission standards at that altitude, up to 7,000 feet, at which the automobile is ultimately sold.

In addition, my bill would require that the Administrator of EPA, or any State agency he may designate, issue regulations authorizing the manufacturer or dealer of a new car to make the necessary corrections. At the present time, the dealer of a new car is taking a chance of being fined \$10,000 for each infraction if he makes these modifications.

Another provision of my bill would be to allow the Administrator to grant an additional year to those States he deems to be making a good faith effort to meet their ambient air quality requirements unless the 1-year extension recently granted the automobile manufacturers is rescinded. For those States where the automobile accounts for a preponderant percentage of air pollution, it is virtually impossible to meet the 1975 State standards if the stricter automobile standards do not take effect until 1976. At best it will take 2 or 3 years to effectively phase in the cleaner engines for the level of overall air pollution to be reduced. To require the States to meet these requirements sooner would create large-scale economic dislocation and confusion.

Finally, my bill authorizes \$750,000 for the further study of air pollution problems at the higher elevations and the best solutions for reducing them. It is this research money that will ultimately provide the answers to the more difficult technical questions which must be answered if we are to achieve the quality of air to which we aspire.

Mr. Speaker, it is important that we correct the problems created by the 1970 act. The effects of this problem are widespread and should certainly deserve the attention of the Congress when it addresses itself to Clean Air Act amendments later this year. To illustrate just how widespread the problem is, I call attention to the following cities above the 4,000-foot level which would benefit from my amendments:

[Feet above sea level]

Albuquerque, N. Mex.	4,945
Butte, Mont.	5,765
Cheyenne, Wyo.	6,100
Colorado Springs, Colo.	5,980
Denver, Colo.	5,280
Helena, Mont.	4,155
Ogden, Utah	4,295
Pueblo, Colo.	4,690
Reno, Nev.	4,490
Salt Lake City, Utah	4,390
Santa Fe, N. Mex.	6,950

Mr. Speaker, I believe that these areas are entitled to expect that Federal legislation designed to clean up the Nation's air does its job at any reasonable altitude. Consequently, I urge the Congress to correct this situation at an early date.

PHILIP BURNETT CONCLUDES CAREER

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ASPIN. Mr. Speaker, my colleagues and I have probably known many in-

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dividuals who, after retirement from an exemplary career—perhaps in the military or other government service—have successfully acquitted themselves in a second lifework. But how many have gone on to a third profession?

Dr. Philip M. Burnett, of Kenosha, Wis., is such a man. After over 20 years working in various posts for the U.S. State Department, Dr. Burnett has served the last 6 years as library director at the University of Wisconsin-Parkside in Kenosha. Because he has reached mandatory retirement age, his duties as library director are over; but this fall Dr. Burnett begins his third career with a full teaching load in Parkside's social science division.

I submit for inclusion in the RECORD a Kenosha News article noting Dr. Burnett's retirement:

PHILIP BURNETT CONCLUDES CAREER AS UNIVERSITY OF WISCONSIN-PARKSIDE LIBRARY HEAD

"One of the tests of a place is how you feel when you walk into it. When I walk into a library, I feel awfully good, my blood just seems to run quicker."

Philip M. Burnett, director of the University of Wisconsin-Parkside Library, has been in and out of libraries all his life, as a student, researcher and teacher.

Following a 21-year career of government service with the State Department and Foreign Service, Burnett came to Parkside in 1967 to head up the establishment of a major library at the new campus, and begin a new career.

On Sunday, the 65-year-old Peterborough, N.H. native will officially step down in retirement and trade the library directorship for that of a Parkside professor.

He will teach courses suited to his experience in Parkside classrooms this fall: new offerings he is developing are called European Diplomatic History, 1850-1919, International Politics, and Research Sources in Political Science.

Kenneth Herrick, who heads the library acquisitions department, will be acting director until a new director, expected to be announced shortly, begins Sept. 1.

In Burnett's nine-year span with the Parkside library, the staff has mushroomed to 12 professional librarians, 15 classified staff and 55 part-time student helpers. The library has reached the halfway mark in its bound volume capacity of 400,000 and boasts more than 1,900 newspapers and periodicals, 5,000 reels of microfilm, the equivalent of 75,000 books on microfiche, a collection of 1,300 rare and unusual books and 150 electronic study carrels programmed from the Learning Center.

From its first home in a little red schoolhouse on Wood Road with four desks, half a dozen filing cabinets and 20 cartons of books, the library has undergone several moves and finally made its biggest last August, to the new Parkside Library-Learning Center. The move involved more than 200,000 books, periodicals and equipment moved from Tallent Hall and other storage points in Kenosha and Racine.

The library and its operation has consistently won consensus praise from students, faculty and administrators alike and came in for special accolades from the North Central accreditation team, which unconditionally accredited Parkside last year.

Burnett, who guided the growth of the library, embarked on his library career at the age of 55. Prior to that, he was in the Foreign Service from 1957-63 as first secretary and economic section chief at U.S. embassies in Asuncion, Paraguay and San Salvador, El Salvador. He retired to earn his master's degree in library science at UCLA.

He worked in the state department from 1942-57 and was assigned to historical and administrative research, United Nations matters and foreign service personnel analysis. From 1940-42, he taught at the College of the City of New York and Bennett Junior College, Millbrook, N.Y. He was also a research assistant for the Carnegie Endowment for International Peace.

Besides his master's in library science, Burnett holds a Ph. D. in history and international relations from Columbia University and bachelor and master degrees from Columbia and Yale University.

He and his wife live in Kenosha at 6720 3rd Ave.

NELSEN COMMISSION REFORMS FOR DISTRICT OF COLUMBIA AS PART OF SELF-GOVERNMENT BILL ENDORSED BY MAYOR WALTER E. WASHINGTON

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. DIGGS. Mr. Speaker, the task of streamlining the cumbersome and complicated government of the District of Columbia is approaching final action by the House. Two years ago Congress established a "Little Hoover Commission" chaired by the gentleman from Minnesota, ANCHER NELSEN, that has now issued a voluminous report calling for an end to the conflict and duplication between the different agencies which administer parts of the government for the District of Columbia.

Today Mayor-Commissioner Walter E. Washington testified before the House District Committee in support of H.R. 9056 which focuses executive and legislative authority for the city of Washington, D.C., in an elected mayor and city council.

In commenting on title II, the reorganization title of H.R. 9056, Mayor-Commissioner Washington said:

Earlier this year, when I appeared in this room to describe the organization of the city government, and to report on our progress in carrying out the recommendations of the Nelsen Commission, some members of this Committee expressed amazement at the way the city government was fragmented by precedent, by history and by special legislation. Enactment of Title II will go a long way toward ending this fragmentation.

Markup sessions on H.R. 9056 will continue in full committee for the rest of this month, and floor action is due after the August recess. I am sure that Members of the House will be interested in the full text of the statement from this morning's meeting:

STATEMENT OF WALTER E. WASHINGTON, MAYOR-COMMISSIONER OF THE DISTRICT OF COLUMBIA

I am pleased to appear before the House District Committee today on this important occasion—the start of full committee consideration of H.R. 9056 to grant the residents of the City of Washington the power to govern themselves.

The extensive work already done by the subcommittee and the full consideration being afforded by the entire Committee augurs well for our citizens. I am sure that a measure will emerge that will serve the city and the nation well.

At the request of the Chairman, my appearance today focuses on the governmental

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reorganization proposals in Title II of HR 9056 which are being given special consideration at this time.

In June of last year, in a statement to this Committee on the subject of local self-government, I described the process as, and I quote: "the ability of a people through self-determination to chart their own course ... to determine their own priorities."

GOVERNMENTAL ORGANIZATION

That is more than the ability to choose officials through the electoral process. That relates as well to the machinery of government, its organization and scope. And that brings me to Title II which would transfer to the District Government control over some very important functions which though local in nature are now under the jurisdiction of federal entities.

These functions relate to housing and community development, local planning and manpower programs. Specifically, Title II would transfer to the District of Columbia the Redevelopment Land Agency, the National Capital Housing Authority, the local planning functions of the National Capital Planning Commission and the local manpower activities of the Federal Department of Labor. These transfers are consistent with the recommendations of the Nelsen Commission and the longtime objectives of the city government. I fully support them as an effort to lodge authority with responsibility in the interest of effective local government.

Earlier this year, when I appeared in this room to describe the organization of the city government, and to report on our progress in carrying out the recommendations of the Nelsen Commission, some members of this Committee expressed amazement at the way the city government was fragmented by precedent, by history and by special legislation. Enactment of Title II will go a long way toward ending this fragmentation. I note that these transfers are to be effective as of July 1, 1974, six months prior to the effective date of the home rule charter. That will permit the new popularity elected officials to start out strengthened by the incorporation of these important functions which should properly be the responsibility of the District Government.

HOUSING AND COMMUNITY DEVELOPMENT

RLA and NCHA are two closely related agencies, technically federal, but called upon to perform local functions. The two agencies work closely with the city government already and are partially under local control through the appointive power. But they are not part of the District Government.

Although the two agencies do work with each other and with other District agencies, at best it is a fragmented approach to those housing and community development problems, which should be dealt with as part of a fully coordinated and integrated city effort.

I am glad to see that RLA and its board would be subject to the city's reorganization powers. That is a logical step toward the creation of a housing and community development capability for the city. An end of fragmentation will help us speed our many important pending projects including the rebuilding of the riot corridors, the redevelopment of downtown, our programs for Anacostia and other neighborhood improvement efforts.

The ability to tie closely together our housing and community development components is more than a bureaucratic convenience. It gives us a mechanism to meet the housing and community needs of our people as part of a program that looks not only at housing but all the related social needs as well. The social costs of inadequate housing must be considered together with the physical construction costs. The transfer of NCHA and RLA will enable the city to do just that.

PLANNING FUNCTIONS

Title II would also provide for a new relationship between the National Capital Plan-

ning Commission and the city government to permit the District Government to do local planning while reserving Federal planning duties to NCPC, which would have broadened membership.

The important thing to me is that the legislation recognizes that the city government must be able to plan for the city's physical development in relation to overall community needs. It is ironic to give a government responsibility to operate a billion dollar Administration, which is a unit of the Federal Department of Labor and includes within it the local United States Employment Service. Throughout the nation, the United States Employment Service is organized into state agencies under state and local jurisdiction. Only in Washington, D.C. is this important local function under Federal control.

The legislation would establish alongside USES in the new Manpower Administration the existing Office of the Director of Apprenticeship, and the Apprenticeship Council together with the responsibilities of the Secretary of Labor with respect to the processing of claims for work injuries to city government employees.

Since the manpower component relates closely to the needs of people, the city must be able to examine its manpower requirements and opportunities as part of the city's programming for its people. It is a matter of finding jobs for people and people for jobs, of being aware of and keeping pace with the changes that are always occurring in a dynamic city in an expanding metropolitan area. We have managed to make these important connections through DCMA by dint of good will and cooperation, but the fragmentation is clear.

A locally-controlled Manpower Administration properly would have appropriate operating and administrative relationships with respect to other manpower and labor functions of the city government.

GENERAL COMMENTS

There is a general point to make about Title II. All of its provisions would carry out, at least in part, the recommendations of the Commission on the Organization of the Government of the District of Columbia headed by the distinguished gentleman from Minnesota, Anchor Nelsen. As you know, I have generally supported the recommendations of the Commission and I fully support the thrust of the provisions of Title II designed to carry them out.

With respect to those agencies to be transferred as organization entities, H.R. 9056 in effect provides that they operate like their counterparts in states and cities under local jurisdictions, and like them derive much of their support from federal programs.

It is particularly important that the transfers be made at this time to enable the city government to deal more effectively with the changes that have been proposed in the funding arrangements for these programs. Meanwhile it would be desirable for these agencies to retain existing Small Business Administration Section 8-a "set aside" authority until legislation to permit District government participation in this useful program can be enacted in accordance with the Nelsen Commission recommendation.

At an earlier appearance, I committed the city government to work closely with the Committee in developing the best possible vehicle for granting self-government to the people of this city. In its main outlines, it is an important measure and one I can generally support. There are a number of areas which I have outlined in written comments to the Chairman where the bill can be improved and strengthened further in my judgment. My staff will continue to be available to discuss these items in detail at the Committee's convenience.

CONCLUDING REMARKS

I pledge the continued cooperation and assistance of the city government as other

sections of the bill are explored including the vital matter of the Federal payemnt, the role of the executive and other organizational questions.

As I previously indicated, by transferring vital local functions to the city, a stronger government will emerge, since you have made clear the intention to place authority where responsibility already is or should be. At the same time, you have moved to free Congress from the burdensome involvement in matters of purely local concern. In this fashion, you have endeavored to create an effective government without impinging on the ultimate power of the Congress to exercise its Constitutional responsibilities.

I appreciate the opportunity to present my views on this very important aspect of the home rule legislation.

MURDER BY HANDGUN: A CASE FOR CONTROL—NO. 2

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HARRINGTON. Mr. Speaker, yesterday I inserted into the RECORD the first of a series of daily accounts of handgun murders. Today I am inserting the second such account, the case of former world lightweight boxing champion, Wallace "Bud" Smith, who was shot to death on July 10 in Cincinnati.

Smith, who was national AAU champion in 1948, represented the United States at the Olympics, and won his world championship in 1955, died a violent but simple death. His death was simple because it resulted from a single bullet from a single gun, a bullet which lodged in Smith's forehead as his assailant was driving away.

Smith's three children were notified of their father's death the next morning.

Today's handgun murder account reinforces the need for strong legislation to control the sale and possession of handguns. Today Bud Smith is dead. Today there is an unknown American who is alive, but tomorrow will be dead. The account of his death will be carried in the CONGRESSIONAL RECORD. The continued unrestricted use of handguns will make it very easy indeed to run such an account in the RECORD every single day.

The article from the July 11 Washington Post follows:

EX-BOXING STAR SMITH KILLED

CINCINNATI, July 10.—Former world lightweight boxing champion Wallace (Bud) Smith, a "likable sort" who had frequent brushes with the law, was shot to death today.

Arrested less than two hours after the shooting and charged with first degree murder was John Lamar, 36, of Cincinnati.

Police said Lamar shot at Smith, a native of Cincinnati, from a moving car after Lamar had argued with a girl friend.

Smith, 44, apparently unaware of the argument, hailed the woman, Delores Watts, 40, to talk, police said.

They said Lamar approached in his car and exchanged words with the couple. The shot, which struck Smith in the forehead, was fired as he drove away, police said.

A spokesman for Smith's former wife, Betty, who is remarried, said Smith's three children were notified of the death this morning.

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Smith was national AAU champion in 1948. He then went on to the Olympics, later turning pro, in his professional career he won 33 of 61 bouts, with six draws.

He beat Jimmy Carter in 1955 for the world lightweight championship, and lost the title to Joe Brown in 1956. He retired in 1959, remaining in the Cincinnati area where he lived in hotels. He had frequent brushes with the law for gambling and other charges, and had no permanent employment.

"He was a likable sort," said Smith's former trainer, John Joiner of Cincinnati. "I was talkin' to him just the other day. He looked to be in good health."

Joiner said Smith did not seem bitter about the unhappy ending to his boxing career. "I think it's easy come easy go with boxers," Joiner said.

Smith joins a list of former champions and top contenders who have met premature death in the last few years, such as Sonny Liston (found with traces of narcotic in his bloodstream); Rocky Marciano (airplane crash); Randy Turpin (suicide); Eddie Machen (fell out of window); Zora Folley (swimming pool accident); Freddie Mills (gunshot).

And Frankie DePaula (gangland murder); Orlando Zulueta (stabbed in brawl); Chick Calderwood (car crash); Masso Ohba (car crash); Billy Bello (narcotic overdose); Battling Torrez (gunshot); and Al (Bummy) Davis (gunshot).

SMALL BUSINESS TAX REFORM ACT OF 1973

HON. WILLIAM S. BROOMFIELD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. BROOMFIELD. Mr. Speaker, I rise to introduce the Small Business Tax Reform Act of 1973. This legislation is of vital importance to the Nation's 8½ million small businessmen and I urge the House to give it serious and careful consideration.

For too long, Congress has neglected the legitimate interests of the small business community. For too long, tax reform has been weighed in favor of the largest and wealthiest corporations. That is exactly what happened in 1969 and again in 1971 when tax reforms were passed in an effort to stimulate business and straighten out the economy.

The very largest firms, the top 5,000 according to earnings, realized major gains thanks to a variety of investment credits and depreciation options. This gave them the impetus to expand sales and more important new ways to avoid taxation.

However, those gains came to the expense of the independent grocer, the family hardware store and the millions of small businesses that make up the backbone of our economy.

As a result, a firm earning \$500 a week pays on the average 50 percent of that sum in taxes. Yet, the conglomerate making \$5 million a week in earnings gets away on the average with a tax liability of almost half that percentage.

It is about time we turned the tables and gave the little guys the same breaks and opportunities which for so long have been the special advantage of the giants.

The Small Business Tax Reform Act of 1973 would do just that. It proposes as many as 40 changes in the tax treatment of small and medium-size businesses—those with less than \$1 million in earnings—to guarantee them a reduction in taxes.

Of utmost importance in these days of inflation and looming Government deficits, is that these tax reductions will not result in the loss of one penny of taxes to the Federal Government.

My bill is designed to shift 1 percent of the income paid by corporate taxpayers from new, struggling companies to the established and wealthy corporations which can well afford to absorb such a minimal increase.

One percent may not seem like much but it will result in the shifting of billions of dollars of tax liabilities off the shoulders of the small firms which have been hardest hit by the fluctuations in the economy.

It could mean the difference between solvency and bankruptcy for tens of thousands of firms who are not only struggling to make ends meet but must face the prospect of added costs just to keep pace with recent Federal environmental and safety standards.

Many people are unaware of the important role that the small businessman plays in maintaining the economic well being of the country. Small businessmen employ 35 million Americans and contribute \$420 billion to the annual gross national product.

However, the Federal tax treatment of small businesses is acting to discourage people from starting their own enterprises.

For example, a family restaurant trying to get off the ground must pay about \$800 in accountant costs to handle Federal paperwork before it takes in a dime of profits. Then, it starts paying taxes at the rate of at least 22 percent and as much as 50 percent.

It has been estimated that in 1971 when Congress passed the Revenue Act to stimulate the economy, as much as 40 percent of the \$11.5 billion in tax credits went to the 400 largest corporations. The tax reforms of 1969 had even a more lopsided effect.

Talk about tax reform is fine. But until reforms are written that will filter down to the vast majority of all Americans—and all businesses instead of the exclusive few at the top—tax reform will not have much effect on the economy.

LEE HAMILTON'S WASHINGTON REPORT ENTITLED "THE FLAG"

HON. LEE H. HAMILTON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include my Washington Report entitled "The Flag".

THE FLAG

After the signing of the Declaration of Independence on July 4, 1776, Americans realized they needed a national flag to replace the many flags flown in various sections of the colonies during the Revolutionary War.

On June 14, 1777, the Continental Congress adopted a brief resolution:

"Resolved that the flag of the thirteen United States be thirteen stripes, alternate red and white; that the Union be thirteen stars, white in a blue field, representing a new constellation."

Since this resolution failed to spell out the other details of the flag, the result was confusion and diversity of design, with 4, 5, 6, 7 and 8-pointed stars arranged in different designs. Stars were positioned at different angles, flag proportions and the arrangements of stripes varied.

In 1794 Congress changed the flag design by adding a stripe for each state admitted to the Union. (It was a 15 stripe flag that flew over Ft. McHenry on September 13, 1814, and was the inspiration for Frances Scott Key's "The Star Spangled Banner.") The addition of the stripes for each new state was not very practical, so the Congress in 1818 provided that thirteen stripes represent the original colonies and one star for each new state be added to the flag on the Fourth of July following admission.

The popular story of Betsy Ross sewing the first flag at George Washington's request is only a part of the nation's folklore. There was a Betsy Ross who did make flags, but there is no proof of the legend. Frances Hopkinson, designer and signer of the Declaration of Independence, is the most probable designer of the flag, and, although he submitted a bill of \$2,700 for his labors, there is no record he was ever paid. Many theories have been put forward to explain why stars and stripes were chosen for the new flag, but none are certain, and most connect the nation's flag to earlier colonial flags which often featured both stars and stripes.

From 1777 to 1912, the flag was officially changed 24 times, without official standards being set. Finally, on June 24, 1912, President William Taft signed an executive order prescribing the official proportions of the flag (1 unit by 1.9 units), the arrangement of the stars, and the relative sizes of the stars and stripes. Prior to the order, approximately 66 different sizes with varying proportions had been used by government agencies alone.

Since 1912, two more stars have been added to the blue union for Alaska and Hawaii (1959), making the 27th official change in the flag.

Traditionally, red stands for hardiness and valor, white for purity and innocence, and blue for vigilance, perseverance and justice.

We honor the flag with a pledge of allegiance: "I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

Frances Bellamy, a Baptist minister, wrote the pledge, which was first used at the dedication of the World's Fairgrounds in Chicago on October 21, 1892, the 400th anniversary of the discovery of America. The wording of the pledge has been altered slightly and it was officially designated as the "Pledge of Allegiance to the Flag" in 1945. In 1954 the words "under God" were added.

On this 197th birthday of the nation, Americans will observe with pleasure the display of the American flag in homes and celebrations across the country. Each of us will be the better on this July 4th if we pause to ponder the flag. It is the honored symbol of the nation's unity. It represents the power, the purpose and the people of America. It reminds us of freedoms won, constitutional rights cherished, ideals promised, and duties required.

"When I see the flag," said a 19th century clergyman, "I see the nation."

REVENUE SHARING

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

• Thursday, July 12, 1973

Mr. KEMP. Mr. Speaker, general revenue sharing has become a permanent fixture of American public policy. I am hopeful that the Congress adopts the concept of special revenue sharing, as well, and begins to disengage from the dangerously inflationary and uncontrollable approach of categorical grant-in-aid programs.

There are some who have expressed concern over spending by local communities as a result of funds accruing from general revenue sharing. While Congress is closely watching the results of general revenue sharing, it is premature to dwell on its occasional shortcomings.

The Buffalo Evening News carried a superb editorial in its June 19, 1973, edition. Entitled "Revenue-Sharing Troubles" the article cogently describes the obvious advantages which emerge from general revenue sharing; that is, the potential for reducing bureaucratic red tape, providing local officials with greater discretion in tailoring funds to community needs, and accountability to local constituents. All are affirmative steps which must be perpetuated. I recommend the editorial to my colleagues:

REVENUE-SHARING TROUBLES

Sen. Jacob Javits voiced some disturbing observations in his discussions here with local officials on the rather confused current status of how Washington plans to distribute billions of dollars in federal aid to local communities.

To be perfectly fair about it, no one should underestimate the difficulty of the decisions facing Congress. The issues are complex in the deepest, even philosophical, sense.

Back in January, President Nixon urged Congress to junk numerous single-purpose, categorical aid programs to local communities. He wanted them consolidated into four so-called special revenue-sharing programs covering broad policy areas—education, law enforcement and justice, manpower training, and urban community development. The merit of this change in the method of distributing aid lies in its potential for reducing bureaucratic red tape and providing local officials with greater discretion in tailoring funds to community needs.

But Congress hasn't yet made up its mind about all this, which is a problem of increasing concern, since the new federal budget year begins July 1. Like others, including Sen. Javits, we would not want to see the old programs expire, leaving an aid void, before any new arrangements take effect.

Whatever Congress does and whenever it does it, the House and Senate need to be certain that urban areas don't suffer financially during the transition from one kind of distribution approach to another.

Of equal concern was the New York senator's doubt that Congress would enact a save-harmless provision guaranteeing that urban communities would receive at least as much after special revenue-sharing programs began as they do now under the categorical ones. Not to do this at a time when the overall federal budget is expected to rise by close to \$20 billion in the new fiscal year, and undoubtedly even more in succeeding ones, would be indefensible.

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Numerous local officials around the country, including Buffalo Mayor Stanley Makowski, have urged such a save-harmless provision against any net loss in aid. And at least with respect to his special revenue-sharing program for community development, President Nixon has advocated the no-net-loss standard.

There are plenty of places in the federal budget where Congress can cut back spending in order to stay below the total \$268 billion anti-inflation ceiling while still protecting communities against any significant net losses under new special revenue-sharing formulas.

As to Sen. Javits' reservations about how some local communities are spending the \$5 billion or so a year in general revenue-sharing funds, we believe Congress ought to hold its fire. This is a new program, begun only last year, and mistakes will be made at first. And we doubt that any year will go by without some mistakes. But as with free speech, the enormous advantages of general revenue-sharing shouldn't be narrowed for all simply because of the mistakes of a few. One of those advantages is more discretion and responsibility for local officials in spending this aid, with accountability not just to Congress but to their own local constituents.

OUR NATION MOURNS THE PASSING OF CLIFTON'S FIRST LADY MAYOR AND GREAT AMERICAN, THE HONORABLE ANNA M. LATTERI

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ROE. Mr. Speaker, the residents of the city of Clifton, my Eighth Congressional District and the State of New Jersey sorrowfully bereave the passing of a great lady from our midst. On Sunday evening, July 8, 1973, a most outstanding citizen, long time personal friend and mayor of Clifton, the Honorable Anna M. Latteri, entered into eternal rest leaving a magnificent legacy to our people of a first lady filled with compassion and benevolence for her fellowman and an exemplary record of good works in public service on their behalf. I respectfully request you and our colleagues here in the Congress to join with me in silent prayer to her memory and extend our most sincere condolences to her children and their families: her son, Dr. Salvatore Latteri of Clifton, N.J.; and her daughters, Mrs. Joseph "Adrienne" Di Tommaso of Philadelphia, Pa., and Mrs. Joseph "Maria-Rose Ria" Scoma of North Plainfield, N.J.; as well as all of the citizens of her beloved city of Clifton.

Yes, our community, State, and Nation have indeed been enriched by the quality of her leadership and the wealth of her wisdom as the elected chief executive officer of New Jersey's eighth largest city. Her outstanding achievements and colorful tenure of public office have most assuredly helped to make Clifton a better city to live in and America more beautiful.

Anna Latteri was born in New York City and after graduation from the local parochial school, she attended Dickinson High School, Jersey City, N.J., and Pace College in New York where she majored

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in accounting and law. She was credit manager for a Long Island City firm when she met her late husband, Alfio Latteri, who was representing his firm in a court litigation. Mrs. Latteri helped win the case for her employer and 6 months later married the man she had defeated. It was a most tragic loss to her when, then a member of the city council, her husband, who campaigned for her and proudly supported her public stances, collapsed and died of a heart attack in a crowded meeting room at the public library in April 1969, when Anna was embroiled in a heated debate.

She was the first woman to be elected to the city council of Clifton in 1966 and received the greatest number of votes in a field of 27 candidates to become the first lady mayor of the city. During her council years, Anna was outspoken in her war on drug abuse; she was a strong advocate and guardian of the needs of our senior citizens and retirees; always concerned about the quality of the educational pursuits of our children and young people; and an ardent booster of beautification, urban renewal projects, and all other endeavors and human needs throughout our community, State, and Nation.

She was a member of the board of library trustees and was on the board of education from 1962 to 1965. For many years she was an officer of the Preakness Hospital Board of Managers. She was affiliated with the Committee on Human Resources of the U.S. Conference of Mayors; a trustee of Ladycliff College, Highland Falls, N.Y., and president of its auxiliary; a trustee of the Chilton Memorial Hospital Association; civic chairman of the Passaic County Sabin oral vaccine program; a member of the Senior Guild of St. Mary's Hospital, Passaic; Clifton Chapter of ALSAC; Italian Cultural Institute of Seton Hall University; and organizer of the Bayley Seton League at Seton Hall's Paterson College.

Anna Latteri's dynamic public career was premised on her philosophy that she believed women could bring "stability, fairness, and dignity" to Government and there is no doubt that she achieved that noble objective. In April 1973, I was pleased to participate in a testimonial dinner given in Anna's honor called "An Evening for Anna," when she was presented with a resolution of the New Jersey State Senate honoring her as the "First Lady of Clifton." In fond reminiscence it is interesting to note that her flair for hats, which were many and varied, was a personal preference that individualized her appearance to all of us and brought her the affectionate and warmly expressed nickname of "The Hat" but she will long be remembered for her expertise in government administration, her understanding and benevolence for the needs of our people and her relentless devotion to the city of Clifton which were all intertwined in an unbeatable combination which won her the respect and esteem of all who had the good fortune to know her.

Mr. Speaker, I am privileged and honored to seek national recognition of Anna Latteri's outstanding achieve-

ments and good deeds, as well as her diligent dedication and sincerity of purpose in her quest for improved living conditions, dignity, and the highest standards of excellence for each and every citizen. She will be sorely missed by all of us, and I do trust that her family will soon find abiding comfort in the faith that God has given them and in the knowledge that their mother, the Honorable Anna Latteri, is now under His eternal care. May she rest in peace.

TO EXEMPT ALASKA FROM LUMBER EXPORT LIMITATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. YOUNG of Alaska. Mr. Speaker, on Monday, July 16, when the Export Administration Act, H.R. 8547 is considered, I will introduce an amendment to exempt Alaska from the export limitation of softwood lumber set out in section 10(a)(2) of the bill.

This amendment has been agreed to by the sponsor because of its importance to Alaska, and because the amendment does not detract from the intent and purpose of the bill. The ceiling limitation on softwood lumber has been lowered by the yearly average of lumber exported from Alaska, which is roughly 27 percent of the total lumber exported from the United States. Thus, the ceiling as adjusted does not affect the limitation of exported lumber from the "lower 48."

However, the primary reason Alaska can be exempt without affecting this bill is because the timber industry does not affect the "lower 48." Alaska lumber is not a source of supply to the home-builders in the United States. It never has been and it never will be for the simple reason that no one can afford Alaskan lumber except the Japanese.

There are two main reasons for this: The Jones Act and the high cost of logging and processing lumber in Alaska.

As a noncontiguous State, the Alaska economy is dramatically affected by the Jones Act. The high cost of shipping goods from the southern U.S. ports on American ships has pushed the cost of living up higher than in any other State. More important is its effect on our industry. The cost of shipping Alaska lumber to the "lower 48" on American bottoms is but one of the major factors which has priced this lumber out of the U.S. market.

The second major reason Alaska lumber is not competitive with U.S. lumber prices is that the cost of producing the lumber in Alaska is so much higher over the cost of producing it in the northwest. Labor costs and logging camps and sawmills range from 25 to 30 percent higher than in the Northwest. Gross loggings costs exceed northwest costs 35 to 40 percent. When these costs are considered with the fact that a high percentage of Alaska timber is of low grade lumber, it becomes apparent that there is no mean-

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ingful competition in the U.S. market for Alaska lumber.

With this amendment, Alaska's economy is helped and Alaska helps the U.S. economy. Since the beginning of the Alaska timber industry in 1956, nearly all of its lumber has been exported, accounting for \$750 million worth of favorable balance of trade credits. In short, this amendment is the best for everyone. The domestic timber market in the "lower 48" is untouched, and we increase the U.S. exports.

Finally, an export limitation on Alaskan lumber would have a devastating effect on the Alaskan economy. Since 95 percent of this lumber is exported, an export limitation on Alaskan lumber would close most of the mills and logging camps. This could mean a yearly loss of approximately \$76 million to the southeastern Alaska economy, a loss of 8,700 jobs which is 50 percent of the labor force in southeastern Alaska. It is clear that an export limitation on Alaskan lumber would deal a serious blow to the economy in the State.

It is for these reasons that I urge the passage of my amendment.

An Amendment to H.R. 8547, As Reported. Offered by Mr. Young of Alaska:

Page 7, line 4, strike out "one billion" and insert in lieu thereof "750,000,000".

Page 7, line 6, insert, "other than Alaska" immediately after "United States".

U.S. WHEAT TO POLISH MOSCOW'S PUBLIC RELATIONS IMAGE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. RARICK. Mr. Speaker, some of the U.S. wheat we so generously "sold" to the Russians, subsidized at great expense by the American taxpayer, may be used as a public relations tool to build goodwill for the Soviets in Bangladesh.

Reports indicate that the Dacca Government has asked the Russians to reroute some 200,000 tons of the U.S. wheat to its country. The Russians would in turn be paid back from stocks of free wheat the Bengalis will receive later this year from the U.S. food for peace program—Public Law 480.

The reason given for Bangladesh seeking their wheat from the Soviets, rather than the United States directly, is that the sale to Russia so depleted our stocks that we are now unable to meet such handout requests.

I raised the question earlier this year as to how much of the wheat and feed grain we "sold" the Soviets at lower than cost prices could be expected to find its way into international markets. My question is beginning to be answered.

Perhaps this is what the Assistant Secretary of Agriculture for International Affairs and Commodity Programs, Carroll Brunthaver, referred to when he stated that in 1973—

The U.S.S.R. would probably need to import some grain anyway to permit *normal exports* or some stock buildup. (Italic added.)

The American taxpayer is being exploited by being forced to pay higher food prices at home as a result of the international grain manipulation, while Russia uses our commodities as "normal exports."

Reports from Europe in May indicate that the Russians have resold butter purchased from the common market to Chile. Since the butter was also heavily subsidized by the European Economic Community, the Russians realized a nice profit on the resale of their "normal exports." The American taxpayer who is still footing the bill for the wheat deal trading blunder can expect future resales of U.S. wheat as "normal exports."

The reports of the Moscow-Dacca dealings came within a few days of the Government Accounting Office's official report to Congress detailing just how bad the wheat swindle hit the American public's pocket book.

I request that the following related newscuttings be inserted.

[From the Washington Post, July 11, 1973]
DACCA SEEKING UNITED STATES-RUSSIAN LOAN OF WHEAT

(By Ronald Koven)

Bangladesh has appealed to the Soviet Union to divert some of the wheat it is buying from the United States to help avert a severe food shortage.

According to high Bangladesh sources in Washington, Dacca has pledged that it will reimburse the Soviets next year with surplus they expect to get from the United States under the Food for Peace program.

Such an arrangement would amount indirectly to joint Soviet-American aid for Bangladesh.

When Soviet Communist Party chief Leonid I. Brezhnev was in Washington three weeks ago, a bipartisan group of 39 senators sent a letter to President Nixon asking him to request the Soviet leader to divert 500,000 tons of his American wheat to Bangladesh.

A White House spokesman refused to say whether President Nixon had brought the proposal up during his talks with Brezhnev.

Bangladesh has since made its own direct appeal to the Kremlin for 200,000 tons to be delivered in the critical period before the start of the Bengal harvest in late November, Bangladesh diplomats here said. The initial Soviet reaction was not unfavorable, according to a report from the Bangladesh ambassador in Moscow.

The Soviet Union contracted last year for 11 million tons of U.S. wheat and more than 6 million tons of feed grains. Much of this grain is still in the pipeline. Transfer of the Soviet-owned wheat to Bangladesh would simply involve changing the destination of grain ships now loading in Texas ports.

Bangladesh diplomats say they consulted beforehand with the U.S. government about the appeal to Moscow. The Americans said they would be willing to consider the idea if the Soviets go along.

The appeal to Moscow was made necessary by the shortage of American grain surpluses after the \$1 billion U.S. sale to the Soviet Union.

Only yesterday, Bangladesh bought, with a U.S. aid grant, 100,000 tons of American wheat at the open market price of about \$145 a ton delivered in Bangladesh. It is part of a total of 280,000 tons Washington agreed on Friday to provide for delivery during July, August and September—200,000 in direct grants and 80,000 under the Food for Peace program (PL 480).

Bangladesh officers say they are very pleased with Friday's U.S. commitment, which almost meets their request of 300,000 tons for the current quarter. But the Amer-

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icans have been noncommittal about the total Bangladesh request of 1.5 million tons for all of fiscal 1974—850,000 tons under PL 480 and the rest in aid grants.

Officials at the Food for Peace program say they are only making commitments on a quarter-by-quarter and even a month-by-month basis until the size of the American fall and spring harvests is known.

U.S. crop acreage has been vastly expanded this year, and, barring a weather calamity, Washington should have more PL 480 surpluses available for Bangladesh and other food aid recipients later on. Bangladesh ranks with India as the major beneficiary of Food for Peace.

The United States has provided Bangladesh with a total of 1.05 million tons of wheat and rice in the 18 months since it achieved its independence in December 1971—an amount equal to what the country is asking for in the current fiscal year.

But, starting with the current fiscal year, all PL 480 grain for Bangladesh will be under provisions of the law that provide for payment in local currencies. The money is spent in the country for U.S. embassy and other U.S. local expenditures. Bangladesh had received all its previous PL 480 surpluses as outright gifts.

There seems to be no immediate prospect that Bangladesh can become self-sufficient in food, and the United States, as the world's principal donor, will most probably be called upon to help it for some years. Bangladesh government plans foresee self-sufficiency in three to five years at the earliest.

[From the Washington Post, July 10, 1973]
GAO LINKS SALES OF GRAIN TO SOVIET, FOOD PRICE RISE

(By Marilyn Berger)

American farmers, consumers and taxpayers were all short-changed because of the failure of the Department of Agriculture to properly assess the rising world demand for wheat, congressional investigators concluded yesterday.

It was the Russians, who made massive purchases at low prices in the summer of 1972, who benefitted most from Agriculture's apparent inability to gauge prospects for wheat sales.

In a detailed 84-page report released yesterday, the General Accounting Office cited reports showing that "as early as January, 1972, the (U.S.) Embassy (in the Netherlands) commented that U.S. wheat . . . dominated the market because of competitive pricing"

The GAO also cited "Russian activity in purchasing wheat" in March, 1972, at approximately the same time that principal U.S. competitors—Australia and Canada—were pulling out of the export market. Finally, it cites repeated reports from the U.S. agricultural attache in Moscow starting on Feb. 18 saying that "the Soviet wheat crop would be adversely affected by freeze damage."

The report states that "because Agriculture's estimates of the extent of damage and expected short-fall in grain production could not be verified, they were not released to the public." In an accompanying communication included as an appendix to the report, Secretary of Agriculture Earl L. Butz said the department possessed no information about the Soviet Union's "actual buying intentions" so it could not be accused of failing to disseminate information to the public.

The GAO report states that "Agriculture officials . . . knew that Russian leaders had made a commitment to their people to increase the protein component of their diets . . . and that they needed increased food-stuffs and protein to meet this commitment."

The report stated that "farmers generally were not provided timely information with appropriate interpretative comments to help

them make sound marketing decisions." As a result, the report said, despite massive grain sales to the Soviet Union, "farmers . . . sold in historic selling patterns. Some even sold before their normal time because of the projected market conditions."

It stated that "Agriculture was unprepared to discharge its reporting responsibilities." The GAO said that the public disclosures that were made "reflected Agriculture's inability to assess the implications of information available to its analysts and presented a distorted picture of future market conditions."

The assurances of subsidies, the report said, put grain traders in a position to offer lower prices to the Soviet Union than would otherwise have been possible. "There is reason to believe," the report said, "that Russian needs would have dictated purchases of significant quantities even with higher prices." It said that "Agriculture will pay over \$300 million in subsidies on Russian and other sales," although there were prospects that these sales could have been made with reduced subsidies if the department had responded more rapidly to the available information.

"We estimate that about half the \$300 million in subsidy payments will go toward compensating exporters who had to cover their Russian sales with high domestic purchase prices," the report said.

There were salutary effects of the Russian sales, the GAO report said. These included improvements in the U.S. balance of payments, increase in farm incomes, creation of new jobs, reduction of surplus stocks and the use of idled acreage.

On the negative side, the report said, "Domestic wheat prices rose from about \$1.68 a bushel in July, 1972, to \$3 in May, 1973. Consumer costs attributed to the sales included higher prices for bread and flour-based products, increased prices for beef, pork, poultry, eggs, and dairy products resulting from higher costs for feed grains, and a severe disruption of transportation facilities with attendant higher costs and shortages or delays in delivering certain supplies."

The administration announced on July 8, 1972, that it would extend \$750 million worth of credit over a three-year period for Soviet purchases of U.S. grains. Officials expressed surprise when the Russians immediately purchased \$1.1 billion the first year, \$700 million of which went for 440 million bushels of winter wheat.

"The Russian sales," said the GAO report, "magnified imperfections in the management of the wheat export subsidy program . . . The program lacked appropriate administrative controls."

The GAO chided Agriculture for a "hands-off attitude" which "indicated that these (Russian sales) were normal commercial transactions; but they were not normal . . . because of the large quantities and heavy subsidies involved and the effect the purchases had on various segments of the U.S. economy . . . We believe Agriculture relied too much on the competitiveness of the wheat export trade to police its program."

"Congress should consider requiring that agencies develop definitive ground rules so that expected benefits from exports can be appropriately weighed against their impact on various segments of the domestic economy," the report said.

It recommended that the Agriculture Department review the wheat export subsidy program—now suspended—"and predicate its reinstatement on a meaningful justification for its existence." It recommended further that the department "devise a better system of coordinating with private exporters on the sales of agricultural products to Communist countries." The department has already instituted a system of voluntary reports on export sales.

The GAO said it was continuing an investigation to determine whether five of the

large U.S. exporters involved in the sales to Russia made excessive profits. A sixth company, it said, had not cooperated in the review. It was learned that this company is the Dreyfus Corp. of New York.

FEDERAL TRADE COMMISSION REPORT CITES OIL INDUSTRY MONOPOLY AS CONTRIBUTING TO GASOLINE SHORTAGE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. EVINS of Tennessee. Mr. Speaker, on October 6, 1970, as chairman of the House Select Committee on Small Business, I requested the Federal Trade Commission to study and investigate the fuel and energy crisis with respect to the trend toward monopoly and conglomerates in the industries in this field.

Our committee developed testimony in 1971 which showed that major oil companies account for approximately 84 percent of refining capacity and 72 percent of the natural gas production and reserve ownership. The committee also developed evidence that 30 percent of domestic coal reserves and more than 20 percent of uranium production and more than 50 percent of uranium reserves are in limited corporate holdings.

In an opening statement during hearings conducted in Nashville, Tenn., on October 28, 1971, I referred to my request for the FTC investigation of energy monopolies and stated:

We want to find out whether there exists a monopolistic concentration or a conspiracy to increase rates by creating artificial shortages of coal and gas supplies.

A year earlier in a letter dated October 13, 1970, I was advised by then Chairman Miles W. Kirkpatrick of the FTC that—

The Commission has directed today that the initial planning phases of the energy portion of the concentrated industries study be given high priority.

During hearings subsequent to this letter, witnesses from the FTC were urged to expedite and complete its report.

Now, almost 3 years following my request, an FTC staff report has been completed which confirms my worst fears—that the major oil firms, which consistently appear to cooperate rather than compete in all phases of their operations, have behaved in a similar fashion as would a classical monopolist: They have attempted to increase profits by restricting output.

The report also adds that the 18 major oil companies have cooperated in influencing legislation, bidding for crude oil leases, establishing the purchase price of crude oil from which petroleum products are made, transporting the crude oil, refining it and marketing gasoline.

The report continues:

In sum, the majors continually engage in common courses of action for their common benefit.

The majors have used the [gasoline] shortage as an occasion to attempt to debilitate, if not eradicate, the independent marketing sector.

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It is also reported in the press that the Commission staff has recommended antitrust action against the big oil companies to reverse the monopolistic concentration in this industry. Certainly such action is long overdue because evidence has shown that these industrial giants have also acquired great reserves of coal, natural gas, uranium, and other fuel and energy sources.

Because of the interest of my colleagues and the American people in this subject, I place in the RECORD herewith articles from the Washington Post, the Washington Star, and the newsletter of the American Public Power Association.

The articles follow:

[From the Washington Post, July 8, 1973]

Oil Noncompetition Cited in FTC Study

(By Carole Shifrin)

Anticompetitive practices by the nation's large oil companies, a general spirit of intra-industry cooperation instead of competition, and government policies have together created the nation's current gasoline shortage, a Federal Trade Commission staff report says.

The report says the "major firms, which consistently appear to cooperate rather than compete in all phases of their operation, have behaved in a similar fashion as would a classical monopolist: they have attempted to increase profits by restricting output."

The major companies—18 of them—have cooperated with one another in influencing legislation, bidding for crude oil leases, establishing the purchase price of crude oil from which petroleum products are made, transporting the crude oil, refining it, and marketing gasoline, the report charges.

"In sum, the majors continually engage in common courses of action for their common benefit," the report says.

The report suggests that the major oil companies are using the current gasoline shortage their activities helped create to eliminate "the only viable long-term source of price competition"—the independent marketer.

Noting that more than 1,200 independent gasoline stations were forced to close in the first five months of this year, the FTC staff report says: ". . . The majors have used the shortage as an occasion to attempt to debilitate, if not eradicate, the independent marketing sector."

They are not doing this by lowering prices in those areas where they compete with independents—who have generally charged two to six cents per gallon less than the majors—but by not permitting their prices to rise.

In a normal competitive market, the report explains, the "cure" for a shortage would be for prices to increase this in turn would cause producers to increase supply and also discourage some consumption; thus, supply and demand would be brought into equilibrium.

Instead, the independents who are having to pay higher prices for their wholesale products—if they can get them at all—have to raise their prices, while the majors absorb their higher costs thus not allowing their gasoline prices to rise. "The independents, of course, simply do not have available supplies of gasoline to deal with such a tactic," the report says.

"As the shortage forces them to curtail sales, they must raise prices; the sole basis on which they can compete with the majors is destroyed."

The majors, the FTC staff report says, have never tried to compete on price, only in "secondary respects" such as appearance and location of stations, giveaways, credit card services, and maps.

At the same time they develop "an elaborate network of devices" to limit the supply

of crude oil available to independent refiners and refined products available to independent wholesalers and retailers, the report says.

If the majors' current pricing tactic is at all successful, the staff predicts, "the consumer will pay dearly . . ."

The report, prepared by the FTC's Bureau of Competition—the antitrust enforcement arm—and the Bureau of Economics, is part of the culmination of an almost two-year study of the effects of the structure, conduct and performance of the oil industry and whether its firms are engaged in unfair methods of competition in violation of the law.

A copy of the report—sent to members of Congress who requested it—was obtained by The Washington Post. Not sent to the Hill was another report containing an analysis of alternative courses of action for the commission's consideration and the staff's recommendations.

The staff is said to have recommended the bringing of antitrust charges against the eight largest oil companies which, if successful, would result in a considerable restructuring of the industry. The staff recommended that the FTC seek the divestiture of some of the industry's functions—now interrelated—to foster competition in its various phases: production of crude oil, transportation, refining and marketing.

The report points out that in 1970 the eight largest firms—operating in varying degrees in all phases of the industry—held 64 percent of the nation's proved crude oil reserves, accounted for 58 percent of refining capacity, and 55 percent of the gasoline sold.

The top eight companies are Atlantic Richfield, Exxon, Gulf, Mobil, Shell, Standard Oil of California, Standard Oil of Indiana, and Texaco.

The oil industry didn't get where it is today nor did it create the current gasoline shortage by itself, the FTC staff says.

"There also has been a significant contribution made by the United States government." The report says that federal and state governments ". . . do for the major companies that which would be illegal for the companies to do themselves." These things have included the oil import program, which restricted the flow of competing foreign supplies into this country; the oil depletion allowance, which allowed the firms to make their greatest profits on crude while the independents have little crude production; the foreign tax credit, and price controls, all of which altered the system of supply and demand to the industry's benefit.

The staff was not happy about its own past performance either, its past approach—seeking to correct specific anticompetitive practices at the marketing level—really ignored "the market power associated with vertical integration and limited competition," the report says.

Among the report's significant findings:

The petroleum industry, and refining especially, is characterized by high barriers to entry, preventing new firms from being attracted into the market by the industry's excess profits. There has been no big entry into refining in 20 years.

With their economic resources and advanced econometric models "the major oil companies should have been able to predict the current increase in demand for petroleum products," the report says. "Whatever their forecasts showed," they failed to expand refinery capacity, to meet present future need the report says.

Even though some firms have plans to build new refineries, ". . . the prospects for the next three or four years (the period needed for construction of new refineries) appears bleak," the staff said. "As demand increases more rapidly than refinery capacity, shortages of petroleum products will become more acute." The degree of severity will depend upon prices—the lower they are, the

more critical the shortages will be, the staff said.

[From the Washington Star, July 8, 1973]

FTC CITES MANIPULATION IN SHORTAGE

(By G. David Wallace)

A Federal Trade Commission staff study says the nation's petroleum shortage is the product of anti-competitive practices fostered by government regulations and manipulated by the major oil companies to protect their profits.

"In the many levels in which they interrelate, the majors demonstrate a clear preference for avoiding competition through mutual cooperation and the use of exclusionary practices," the study said.

The oil companies "have behaved in a similar fashion as would a classical monopolist: They have attempted to increase profits by restricting output."

The only effective competition has come from independent gasoline stations, said the staff, and the study estimated that 1,200 independent stations closed in the first five months of this year.

"What has happened here is that the majors have used the shortage as an occasion to attempt to debilitate, if not eradicate, the independent marketing sector."

If the majors' attempt "is at all successful in diminishing the market shares of independents the consumer will pay dearly for this advantage," the study said.

The study is the result of nearly two years of work. The staff obtained answers to detailed questionnaires on relationships between the majors and independents. Attorneys and economists searched the files of more than 50 unidentified cooperating companies. Federal and state regulators provided data. Executives of major oil companies have been called before non-public hearings.

The study was intensified at the request of Congress and presented to the five-member commission last Monday. The commission has not taken any action or made the document public.

The Associated Press obtained a copy from sources outside the FTC.

Also under study by the commissioners is a still-unreleased legal analysis of possible actions aimed at spurring competition in the industry. Industry sources have said the analysis recommends a concerted antitrust attack on the biggest companies' control over pipelines, refining operations and marketing.

The report noted that Arco, Exxon, Gulf, Mobil, Texaco, Shell, Standard Oil Co of California and Standard Oil Co. of Indiana are tops across the board in the petroleum industry. As of 1970, the eight held 64 percent of the nation's proved crude oil reserves, accounted for 58 percent of the crude refining capacity and sold 55 percent of the gasoline that the nation's motorists bought.

"The petroleum refining industry is the pivotal point in the petroleum industry," the study said.

A shortage of refining capacity has been cited as the root cause of present fuel shortages. The FTC staff argued that the refinery level is where industry cooperation and government policies have granted the most power to the 18 major companies.

One obvious barrier to new refinery entrants is the estimated \$250 million cost of a new refinery, the staff reported. It said there has been no new entrant in the refining field since 1950.

The study said that even if a potential new refiner could raise the money, he'd shy away.

One reason cited was the federal oil depletion allowance, which provides a tax credit for a proportion of profits earned on crude oil. The purpose was to encourage oil exploration. But the FTC staff said that because the allowance makes crude oil profits the least taxable of any phase of the majors'

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operations, the majors claim that most—if not all—their profits come on crude oil.

Through this simple bookkeeping operation, "it pays to raise crude prices up to a point where refinery profits have been reduced to zero," the staff said.

[Newsletter, America Public Power Association, June 29, 1973]

FTC STAFF RECOMMENDS ANTITRUST ACTION AGAINST EIGHT MAJOR OIL COMPANIES

A staff report due to be presented to the Federal Trade Commission next week will recommend sweeping antitrust action against the eight major U.S. petroleum companies including proposals aimed at inducing competition by compelling divestiture of refineries by the giant firms which also produce crude oil and control marketing operations . . . The companies singled out for action are: Exxon, Texaco, Gulf, Mobile, Standard Oil of California, Standard Oil of Indiana, Shell and Atlantic Richfield . . . The staff investigation of anticompetitive activities in the petroleum industry involving concentrated control of refinery capacity and pipelines and related marketing practices was initiated at the request of Sen. Philip Hart (D., Mich.), chairman of the Senate Antitrust and Monopoly Subcommittee, made in September, 1970 . . . Sen. Hart also urged a probe of industry and Federal Power Commission claims of a critical gas reserves shortage, which led to refusal by the major companies to comply with FTC subpoenas seeking disclosure of their reserves data . . . Although the FTC investigation reportedly had bogged down, dwindling supplies of gas and fuel oil and spiraling prices—forcing shutdown of independent petroleum firms and gas stations on a national scale—have prompted renewed demands in Congress for prompt action by the Trade Commission. . . . In a related development this week, Sen. Thomas McIntyre (D., N.H.), introduced legislation that would force major oil producers to abandon their retail marketing operations, warning that if Congress does not act swiftly, a few major petroleum companies will soon completely dominate the industry's wholesale and retail functions.

REFORMING ELECTION DAY

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. KEATING. Mr. Speaker, I have introduced legislation which would make election day a national holiday. My legislation, House Joint Resolution 652, would also shorten the general election period by making the primaries later in the year. The bill would also establish simultaneous voting hours coast to coast on election day.

The impetus for my legislation was the extremely poor voter turnout in the 1972 election. With only 55 percent of the eligible voters going to the polls, the United States had the dubious distinction of being one of the lowest percentage voting countries in the free world.

The Senate has recently passed legislation similar to my bill and it is my hope that the House will hold hearings and consider this proposal.

Following is a chart which was compiled by the Congressional Research Service on recent elections in free nations around the world:

Figures on voter participation in selected general elections

Country, date of election, and participation of eligible voters:

	Percent
Australia,* December 2, 1972	97
Belgium,** November 7, 1971	91.5
Canada, October 30, 1972	74.5
Denmark, September 21, 1971	86.3
France,** June 2, 1969	77.2
Germany,** November 19, 1972	91.1
India, March 9-10, 1971	53.7
Ireland, June 18, 1969	75
Italy,* May 7-8, 1972	93.1
Japan, December 10, 1972	71.8
Netherlands,* November 29, 1972	82.9
Norway, September 7-8, 1969	80.9
Sweden,** September 20, 1970	88.2
United Kingdom, June 8, 1970	71.3

* Compulsory voting.

** Vote on Sunday.

THE UNINVESTIGATED WATERGATE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. RARICK. Mr. Speaker, while the Watergate hearings featuring the White House palace guards continues to occupy the full stage of American media entertainment, another administration scandal posing a more direct and dangerous threat to the American people and government continues almost unnoticed.

In early May Teamsters President Frank E. Fitzsimmons received the Israel Silver Anniversary Award for his efforts in the investment of Teamster pension and health and welfare funds in \$26,000,000 worth of Israel bonds.

According to news reports, present and participating in the praise of the Teamster leader was Secretary of the U.S. Treasury, George Shultz. Also present at the Teamsters testimonial was Herbert Stein, chairman of the President's Council of Economic Advisers.

Not only does it seem strange for the trust funds of American organized labor to be invested in a foreign nation but to the apparent approval of two of the administration's top economic advisers who otherwise express public concern over inflation and the credit crunch.

Thirty days later we read in the Wall Street Journal where the Teamsters Union was approved for a "wage and benefit" boost averaging slightly more than 7 percent a year and reported as—

Helping the Nixon administration keep labor settlements in low gear.

The report continued—

The Cost of Living Council was obviously pleased at the size of the tentative settlement. "It sounds good" said one Council insider when advised of the major elements of the agreement.

Supposedly, the Teamsters pay raise was found "within the Government's 'flexible' phase III guidelines," which allow wage increases of 5.5 percent a year unless otherwise approved by the Cost of Living Council headed by John T. Dunlop.

Even stranger, is another report from the Wall Street Journal linking John T. Dunlop, who directs the Government phase III economic controls, as a stockholder along with an impressive cast of labor leaders said to include George

Meany, president of the AFL-CIO; Lane Kirkland, secretary-treasurer, AFL-CIO; Alexander Barkin, director of COPE; and others, in a 15,000-acre resort in the Dominican Republic.

Reportedly, Dunlop sees no conflict of interest over his Cost of Living Council duties and his venture with labor leaders.

While the main show is in Washington, the greatest threat to the American people is on the back burner and receiving very little attention and no investigation.

If the American people are to believe that President Nixon knew nothing of the actions of his Attorney General and campaign manager, then they may be expected to believe that he also knows nothing of the deals of his economic advisors, despite a telegram of praise from the President read at the Teamster-Israel function by his Secretary of Treasury.

I include the related newsclippings:
[From the Washington Star and Daily News, May 11, 1973]

ISRAEL HONORS TEAMSTER HEAD
(By Claire Crawford)

Teamsters President Frank E. Fitzsimmons is this year's unlikely "Able's Irish Rose."

Fitzsimmons received the Israel Silver Anniversary Award last night for being instrumental in the investment of Teamster Pension and Health and Welfare funds in \$26 million worth of Israeli bonds.

Fitzsimmons is an Irishman, but last night's dinner for 2,500 Teamsters and Teamster employees was declared his "Bar Mitzvah" by Herbert Stein, Chairman of the President's Council of Economic Advisers.

Stein went on to detail the common links between the Israelis and the Irish, who have been called one of the lost tribes of Israel.

Both, said Stein, have spent a certain period of time under "the British yoke"—"though the Israelis broke it earlier." And both, Stein said, have no oil . . . "and to live under the British with no oil one must develop a sense of humor."

Stein went on to praise Fitzsimmons, a rather controversial labor leader, as "a friend of Israel" and for his "force and diligence."

Treasury Secretary George Shultz also praised Fitzsimmons and read a similar telegram from President Nixon. Atty. Gen. Richard Kleindienst agreed he was a good guy.

But it was Labor Secretary Peter Brennan who got the big hand and shouts of "Give 'em hell, Pete" from the lively crowd, which earlier had sung, spontaneously, the Star Spangled Banner when it was played.

Brennan said of Fitzsimmons, "He's a real man. He's got guts and he's shown it and I'm happy we're both Americans and both Irish."

Then quoting an old Irish saying which the crowd cheered, he said, "May the wind always be at your back and may ye be dead an hour before the devil knows you're gone."

Fitzsimmons, who rules less and is therefore liked more by his junior officers than was his predecessor, Jimmy Hoffa, was appropriately grateful.

He thanked everyone and spoke of the parallels between the struggling state of Israel and the labor struggle in America.

In what was taken as a reference to the Watergate affair, he said, "There is no time like the present to support our leaders and uphold the dignities and morals of our country."

He called Israel "the last outpost of Democracy in the Middle East."

Israeli Foreign Minister Abba Eban was scheduled to present the medal, but bowed out as "indisposed" after having a "heavy schedule the last few days." New Israeli Am-

bassador Simcha Dinitz did the job and said the Teamsters' investment made it possible for Israel to "not only support war but to launch peace."

Teamsters spokesmen say labor has always supported Israel because the Israeli labor movement, Histadrut, is the only free trade union in that part of the world.

The bonds pay 5 1/2 percent interest. Perhaps, said one cynical guest, ITT should have purchased \$25 million worth of bonds in the incumbent Chilean government they favored rather than trying to stop the opposition.

The evening was informal. Most of the day's guests wore black tie but the audience did not.

Brennan said he was not packing his legendary gun and seems to be losing his Irish sense of humor about it. He said someone had started the story as "good publicity," but "I never carry one."

In the past The White House has reported he has checked a gun when he sees the President.

Whatever, Brennan went on to say he had been surprised by the indictments of John Mitchell and Maurice Stans yesterday. "I'm always surprised . . . or life wouldn't be worth living." He said he had been traveling around the country, and the working man "isn't interested in Watergate . . . a little irritated. But they are talking about the high cost of living."

They don't want price freezes because that means wage freezes, he said—which is also what the Nixon Administration says.

The Washington Hilton Ballroom was decorated with shimmering silver and baby blue streamers and a huge picture of Fitzsimmons with Golda Meir.

The menu was strictly truck driver's meat and potatoes. But in honor of the President of the biggest international union in the world, it was called "Tornados Marchand du Vin on Toasted Crouton" and "Pommes Parisienne."

[From the Wall Street Journal, June 29, 1973]

TRUCKERS REACH TENTATIVE PACT WITH TEAMSTERS

WASHINGTON.—The Teamsters union and the trucking industry reached tentative agreement on wage-and-benefit boosts averaging slightly more than 7% a year, helping the Nixon administration keep labor settlements in low gear.

The tentative nationwide agreement, which is subject to rank-and-file ratification, would give some 400,000 drivers hourly wage increases of 35 cents in the first year and 38 cents in each of the following two years. Based on a current average hourly wage of \$6.16, the pay increase would average about 5.6% a year.

The expected hourly pay boosts in the 33-month accord would include eight-cent cost-of-living increases guaranteed in the second and third years of the agreement. And, if inflation continues as its present rate, the agreement's cost-of-living escalator clause could add an extra three cents an hour to the drivers' pay checks in each of the second and third years. In any event, the maximum cost-of-living increase would be 11 cents an hour.

Hefty improvements in pension and health-and-welfare benefits would amount to 15 cents an hour in the first year and 12 1/2 cents in each of the following two years. Employer contributions for these fringe benefits currently average about 70 cents an hour.

With a fifth week of vacation added for drivers with more than 20 years on the job and an extra holiday in the final year of the contract, sources familiar with the negotiations indicated the annual increases in the wage-and-benefit package would average slightly more than 7%.

While most analysts look at the agreement in terms of the hourly rate by which local drivers are compensated, the drivers who operate over long distances are paid by

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the mile. The mileage rate, which is considered to be about equal to the hourly rate on an annual basis, would increase 0.75 cent in the first and second years, and by 0.5 cent in the third year. The current rate is 15.3 cents a mile.

SEEN WITHIN GUIDELINES

Both sides claimed the tentative settlement wrapped up at 6 a.m. yesterday after an all-night negotiating session was within the government's "flexible" Phase 3 guidelines. These guidelines allow wage increases of 5.5% a year, plus fringe-benefit improvements of 0.7% annually.

The Cost of Living Council was obviously pleased at the size of the tentative settlement. "It sounds good," said one council insider when advised of the major elements of the agreement.

Labor Secretary Peter Brennan congratulated the Teamsters' negotiating committee for doing "a fine job for the welfare of your membership, for your country and its future." W. J. Usery Jr., head of the Federal Mediation and Conciliation Service, also showed up at a gathering of the committee here yesterday to praise the unionists for managing to reach agreement well ahead of the expiration date of the current contract.

In addition to its moderate size, the tentative agreement averts a guideline negotiating crisis in the talks government officials have viewed as the "most crucial" in this heavy bargaining year. The current 36-month contract that gave the drivers wage increases alone totaling about \$2 an hour expires at midnight tomorrow.

The agreement was hammered out in the talks that began May 10 between the Teamsters and Trucking Employers Inc., the industry's major bargaining arm. There had been a general understanding well before the formal talks started, however, that the average hourly pay increases would be about 40 cents a year.

[From the Wall Street Journal, May 25, 1973]
STRANGE BEDFELLOWS FROM LABOR, BUSINESS OWN DOMINICAN RESORT

(By Jonathan Kwitny)

PUNTA CANA, DOMINICAN REPUBLIC.—Here on the eastern tip of this nation, an unlikely assortment of Yankee imperialists—labor leaders, employers and mediators—have established a semiprivate resort in the sun, complete with tobacco plantation.

As a result, hundreds of Dominicans who used to live here—farming, fishing, feasting their eyes on the white sands and on the azure waters of the Atlantic and the Caribbean—have had to get out, for a small price.

The cast of imperialists includes George Meany, president of the AFL-CIO; Lane Kirkland, the AFL-CIO's secretary-treasurer; John T. Dunlop, the former labor mediator and Harvard dean who directs the government's Phase 3 economic controls; Theodore Kheel, the New York lawyer, professional labor mediator and periodic champion of liberal causes; Alexander Barkan, director of COPE, the AFL-CIO's political arm; and Edward J. Carlough, president of the sheet metal workers.

All are stockholders in the 15,000-acre Punta Cana resort and plantation. And, except for Mr. Meany, they are frequent visitors here, according to the secretary in Punta Cana's booking office in Santo Domingo.

SEAFARERS AND SEATRAIN

Punta Cana's 60 stockholders also include Keith Terpe, president of the Latin-American division of the seafarers' union, and Joseph Kahn and Howard Pack, chairman and president of Seatrain Lines Inc., which employs members of Mr. Terpe's union. Seatrain also negotiates contracts with the masters, mates and pilots union, whose members include Lane Kirkland. Seatrain ships dock in the Dominican Republic twice a week.

The secretary at the booking office says

she can't remember any visit to the resort by Mr. Kahn or Mr. Pack. She says Mr. Terpe last showed up about a year ago. That was about the time he was indicted in Puerto Rico for misappropriation of union funds. He denies the charge, and trial is pending.

Neither Mr. Dunlop nor Mr. Kheel sees a conflict of interest in participation in Punta Cana with labor leaders. Mr. Dunlop says he put all his stock in a blind trust when he became Phase 3 czar, adding: "I haven't the vaguest idea what I own or don't own." He says he has been to Punta Cana only about twice.

Mr. Kheel points out he is a private counsel, not a government official. "Nobody is required to come before me," he says. "If they don't think I'll be impartial, they won't go to me. I just see to it that I give them all the facts, and it's up to the parties to make any objection they want to."

START OF STORY

The Punta Cana story began in December 1968, when a man named Carlos Manuel Rodriguez Valeras walked into the Superior Land Court in Santo Domingo. He said he owned the land that now is Punta Cana but had lost his deed and wanted a new one.

Accordingly, on Dec. 13, 1968, the classified advertising section of the newspaper *El Caribe* carried a small notice saying that anyone who cared to challenge the claim should come forward.

Three days later, not one farmer or fisherman had crossed the jungle from the property to the courthouse, 140 miles by road, to file a challenge. No one else had filed a challenge, either. So on Dec. 16, the court gave a fresh deed to Mr. Rodriguez. One year and two days later, on Dec. 18, 1969, he sold it for \$115,000 to Coddetreisa, a new corporation.

Soon after the corporation acquired title, evictions began, with compensation. "Under Dominican law," explains Mr. Kheel, who was one of the original members of the corporation, "it is necessary to pay squatters who have been there a considerable time." Local residents now say the payments ranged from \$50 to \$70 a family.

Most of the families, who weren't anxious to sell in the first place, considered the payments inadequate.

"SOLDIERS FROM PALACE"

But when they balked, according to several current residents who won't let their names be used because they're dependent on the Punta Cana resort in various ways, "soldiers came from the palace"—the palace of President Joaquin Balaguer—and told the people to get out or be chased out.

Many got out. Lacking land now, they felt forced to sell their cows, chickens and other livestock and equipment at far below value.

Court records in Higuey, the provincial capital, show that about 75 men petitioned for the right to stay on the land or receive more money for it. They were turned down. After forced eviction, many former residents slipped or cut their way through Coddetreisa's barbed wire and tried to plant crops on the land they had farmed. Fifteen men served jail terms for doing this repeatedly.

Today, the Punta Cana resort consists of 10 cabins plus a main building that contains several extra bedrooms, an office, a dining room and Trader Frank's Shipwreck Bar. There is also a recreation house featuring Ping-Pong, darts and a television set. Each cabin has tile flooring, a sitting room and two bedrooms with twin beds.

Punta Cana has been open 18 months and has received plugs in the American press. Still, most guests are Coddetreisa stockholders and their families and friends, most of whom pay full price.

The original members of Coddetreisa—an acronym for Compania de Desarrollo (development) Turistico, a Residential e Industrial, S.A.—were Mr. Terpe of the seafarers, who first informed the other American investors about the property; Mr. Kheel; the

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AFL-CIO's Mr. Kirkland; Jay Schafran, a law partner of Mr. Kheel's who has since joined another law firm; Charles Cahill, an American living in the Caribbean area who was brought in at Mr. Terpe's suggestion to be resident manager of Coddetreisa, and three Dominicans headed by Frank Ranieri, who is a Santo Domingo businessman and son of the Italian consul in Santo Domingo.

In October 1970, Mr. Cahill was fired as manager and Mr. Ranieri took over the company's office in Santo Domingo.

Mr. Kheel says he himself is by far the largest stockholder, with Mr. Ranieri next and no one else with more than 5%. He says Mr. Meany has only 1% and has never been to Punta Cana, although a large oil painting of the resort by Mr. Meany, done from a photograph, decorates Mr. Ranieri's office.

So far, court records indicate, \$518,000 has been invested in Punta Cana, and two new lodge buildings with room for a total of 80 persons are scheduled for next year. Mr. Kheel says the resort, planned as "essentially a middle-class place," is operating "slightly in the red." The first tobacco crop has yet to reach market.

[From the Washington Post, July 5, 1973]

COST OF LIVING COUNCIL

(By Hobart Rowen)

Sooner or later—and hopefully sooner—the Nixon administration will decide on the price and wage "goals" for Phase IV, and whether or not those goals should be achieved by setting out specific, numerical guidelines.

The biggest issue, at the moment, is whether to publish a specific wage standard, like the 5.5 percent limit on wage increases that was used in Phase II.

It is no secret that John T. Dunlop, the tough and experienced labor negotiator who heads the Cost of Living Council, views the 5.5 percent pay standard with distaste. "I do not believe a policy can be encompassed within a single number," Dunlop says, "and I believe that attempts to identify a policy with a number are a mistake."

Others disagree. For example, former Pay Board member Arnold Weber, asked to consult on the shape of Phase IV, thinks that the prospective success of Phase IV hinges on the use of "specific and identifiable" standards so that business and labor leaders will know what is expected of them. Federal Reserve Chairman Arthur F. Burns agrees.

In the fight that is developing over this principle, Dunlop has the support of Treasury Secretary George P. Shultz, who agrees that the real test of responsible wage behavior is continued stabilization of total compensation in the private economy.

What Dunlop and Shultz have going for them is the fact that typical wage behavior has been decidedly "responsible" so far this year, with union leaders concentrating on improving fringe benefits, which don't get cranked into cash wage percentage gains that make the headlines.

Ruffling through stacks of paper in his COLC office, Dunlop insists that one number can't handle the complicated, differentiated labor-management problems. The Phase II Pay Board, he insists, paid lip service to 5.5 percent while sweeping under the rug bigger chunks of increases sneaked through by both union and management representatives who were simply smarter than the Pay Board.

He claims that the Price Commission's much advertised assertion that it would not approve price increases that reflected wage boosts higher than 5.5 percent (plus .7 percent for fringes) is a phony.

"You need a separate wage standard to deal with separate problems, or to deal with inequities," Dunlop says. "Sometimes, you have to compare a wage request with somebody else's. Or it may have to be in dollar terms rather than percentages. What it

comes down to is that you need a whole family of standards."

He argues that 5.5 per cent can be too little in dealing with very low levels of pay, as in the dress industry, and too high in others, as for plumbers. "These guys who invented guidelines have never settled a damn strike in their lives," Dunlop angrily insists. On the practical side, Dunlop says, the 5.5 per cent tends to become a floor, rather than a ceiling. "It's a hell of a position to put a union leader in," he says. "They go back to the rank and file, and they say: 'S-t, you only took what they offered.'"

Yet, a specific wage standard, accompanied by a specific price goal, is of great symbolic importance. The public has an easy-to-understand concept of what the stabilization program is all about, and the program is easier to administer.

But above all other considerations, the single number, highly publicized, provides a self-enforcing tool for businessmen dealing with non-unionized labor, and for smaller unions not subject to Dunlop's personal arm-twisting.

For the future, the critical thing will be the behavior of prices. The wage moderation so far this year is unlikely to continue, with or without a specific Phase IV guideline, if inflation in food, gasoline and other raw materials prices continues out of hand.

Barry Bosworth of the Brookings Institution has, I think, the right perspective on this issue. The strict 5.5 per cent guideline of Phase II was correct, and a key to its success. That number did in fact provide a ceiling, and helped in the deceleration of wage increases.

But a new number, for Phase IV, could become a target instead of a ceiling. Thus, it probably would make sense to continue the Phase III 5.5 per cent "voluntary" standard unchanged so long as actual wage increases aren't creating trouble. But this would have to be coupled with a firm commitment to go back to a more rigid guideline if wages, over-all, get out of hand.

What would help, more than the rules, would be a tough attitude on both prices and wages by Shultz, Dunlop & Co. Dunlop has done a good job on the wage side. But for prices, Phase III has been a disaster.

We probably need to go back to a separation of the pay and price functions, coupled with an affirmative statement from the price-controllers that registers some belief in the controls business, rather than apologies for controls, or promise to get rid of them as fast as possible. If that's too much for the current crop of controllers to swallow, they should quit and let somebody else take over.

WATERGATE HEARINGS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. MICHEL. Mr. Speaker, I noticed a column written by Mr. Jude Wanniski appearing in yesterday's issue of the Wall Street Journal setting forth a strong defense of President Nixon with respect to the current Watergate hearings over in the Senate.

The column speaks for itself and I include it in the RECORD at this point:

ONE OF THE 17 PERCENT DEFENDS MR. NIXON

(By Jude Wanniski)

Although there may have been some wavering in the rough spots, it has never been difficult for quite a few Americans—17% of us according to Gallup—to believe Richard Nixon is telling the truth when he says he

was not involved in the planning or cover-up of Watergate.

Indeed, the week of John W. Dean III that persuaded many Americans the President must be guilty had the opposite effect on this embattled minority group of Nixon believers; the assumption of Mr. Nixon's veracity and innocence was steadily reinforced.

That basic assumption took shallow root among most Americans with the very first reports of the Watergate break-in. A year ago, Mr. Nixon's most devoted admirers simply judged that he was too good a man to be involved in any way with so sordid a business. His critics have always believed that Richard Milhous Nixon is unscrupulous, capable of anything. But at least at the start, they too seemed to judge that their nemesis of more than a quarter century would never be so foolish as to risk the scandal of the century in order to find out what Larry O'Brien was saying on the telephone.

These varied judgments came easily to Americans because they've had more exposure to Richard Nixon than to any other person in public, political life. After 27 years on stage, he has been so thoroughly dissected and analyzed that there is almost nothing we don't know about the man. Friends and foes agree he's solitary, resilient, combative, intelligent, moody and short-tempered under stress, prone to exaggeration and hyperbole, capable of pettiness and magnanimity, moderately puritanical, and distinctly lacking in style, flair, charisma or what have you.

We also know that in 27 years of political life he has never been caught in a lie. He has pushed and pulled on the truth, infuriating his critics with his "trickness," his ability to twist weakness to advantage. But so far as the public record shows he's never been nailed to an out-and-out falsehood. If he had lied and been caught, by now we surely would have been reminded of it.

STRETCHING THE IMAGINATION

Knowing him as well as we do, neither friend nor foe should be able to imagine him vowing, as New York City mayoral candidate Mario Biaggi did, that he did not take the fifth amendment in testimony before a grand jury, knowing all the while that conclusive proof to the contrary was at hand. It is only slightly less implausible to imagine him thinking he could get away with an unequivocal denial of the Watergate cover-up; he would have to believe that men like Archibald Cox, Elliot Richardson and Sam Ervin would fall asleep while the network of cover-up conspirators remained silent, and imprisoned, in order to preserve his place in history. To a President who spent his first term reading about the most secret decisions of his administration in Jack Anderson's column, it would have taken monumental optimism to think he could get away with it at all.

These surmises allow us to assume the President is innocent even while we keep an open mind to his possible guilt. But there are two surmises that cut against the grain.

The first is that Mr. Nixon, if he really wanted to clear himself in a hurry, would have issued a definitive statement on what really happened. As it is, he gives the appearance of a man who has something to hide. But if the President did not orchestrate Watergate or his cover-up, he would no more be able to issue a definite statement at this point than is Sen. Ervin or Mr. Cox. To do so, he would have to pick and choose among the myriad statements, allegations, recollections, and denials of guilt of a host of his subordinates. This is a process the Ervin Committee will find difficult even after months of extensive hearings; for the President to now throw together his theory of what happened would be as inappropriate as his 1970 faux pas when he announced the guilt of Charles Manson before the jury rendered its verdict.

The other surmise that cuts against the grain is that it is hard to see how all these

dismal things were going on all around Mr. Nixon at the White House and he didn't know about them. Again, friend and foe credit the man with intelligence, tenacity, inquisitiveness; it's hard to believe these virtues became inoperative in the face of Watergate.

Yet we learned from Mr. Dean, the person who so far more than any other sought to implicate the President by telling all, that the President did not understand "the full implications" of the cover-up until March 21 of this year. The president himself told us that this was the day on which he learned of "a real possibility that some of these charges were true."

Mr. Dean, who admits to being a central, active participant in the cover-up, was not moved to tell the President about those implications from June 19, 1972 to March 21. The thrust of his testimony was that he assumed all through this period that the President was generally aware of White House involvement in the cover-up even as he was repeatedly telling the nation that there was none. It's also clear from this testimony that he, Dean, also assumed the President wasn't fully informed on the specifics of the cover-up; otherwise, there is no conceivable reason why Mr. Dean should have been driven to seek a meeting with Mr. Nixon on March 21 in order to catalog many of those details.

NO "FIRST-HAND" KNOWLEDGE

No matter how Mr. Dean chooses to characterize the bulk of his testimony, it could in no way be considered "first-hand" knowledge of Mr. Nixon's complicity in the cover-up. Nearly every point he attempted to make to that end, beginning with his Sept. 15 conversation with the President, rests solely on his, Dean's, impression of what was on Mr. Nixon's mind.

The only evidence that fits into Sen. Baker's category of first-hand knowledge was two bits of conversation with Mr. Nixon, the two remarks Mr. Dean remembers as Mr. Nixon having made on March 13 regarding a million dollars of hush money and executive clemency for Howard Hunt.

The President's recollection of these remarks—as reflected in an unofficial second-hand account of his meetings with Mr. Dean—is that these subjects first came up in his March 21 meeting, and that he, the President, ridiculed the idea of paying blackmail, and that he only then learned from Mr. Dean that Charles Colson had discussed the idea of executive clemency with Hunt.

These impressions and recollections on Mr. Dean's part are nevertheless damaging to the President if we are willing to place a higher degree of faith in Mr. Dean's memory than in Mr. Nixon's veracity. Yet if what Mr. Dean remembers discussing with Mr. Nixon on March 13 actually was a part of the March 21 conversation, there is no irresolvable conflict between the two.

The fact that these two Nixon-Dean talks were only a week apart, a frantic week for Mr. Dean, and that Mr. Dean made no notes of them but reconstructed them from memory in June, must also weigh in the balance. But more than that, the Dean recollection imparts a strange coloring to the two meetings; the sequence has an inner implausibility, one that might be credible only if we can believe Mr. Dean looked on the President as a person possessed of child-like naivete.

On the 13th, according to Mr. Dean, here is the President telling him a million dollars hush money is no problem and that Hunt has been promised executive clemency. A week later, Mr. Dean the lawyer sits down with Mr. Nixon the lawyer and explains to him "the full implications" of all this.

Along the way in the meeting of the 21st, Mr. Dean informs the President "that Kalmbach had been used to raise funds to pay these seven individuals for their silence . . . and for this cover-up to continue it would require more paying and more money. I told him that the demands of the convicted indi-

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viduals were constantly increasing." Why did Mr. Dean bother to bring all this up on the 21st if Mr. Nixon not only knew about it a week earlier, but also was nonchalant in agreeing to pay blackmail?

The unofficial White House account of that Nixon-Dean meeting of the 21st, as relayed to the Ervin Committee via telephone by Presidential Counsel Fred Buzhardt, asserts that Mr. Dean "stated Hunt was trying to blackmail Ehrlichman about Hunt's prior plumber activities unless he was paid what ultimately might amount to \$1 million. The President said how could it possibly be paid. "What makes you think he would be satisfied with that?" Stated it was blackmail, that it was wrong, that it would not work, that the truth would come out anyway. Dean had said that a Cuban group could possibly be used to transfer the payments. Dean said Colson had talked to Hunt about executive clemency."

Two days after this meeting, Mr. Dean went to Camp David. There's some disagreement on whether he was asked before he went or after he got there to write a full report on Watergate, but no dispute that he was asked to write a report. Neither did Mr. Dean testify that he was asked to write a doctored version of what he knew to be the truth. Thus, we are supposed to believe that the President and his chief of staff, Mr. Haldeman, were anxious to have Mr. Dean write the indictment that would surely guarantee the President's impeachment.

Of course, what Mr. Dean did write at Camp David (Exhibit No. 29 in the Senate Committee) does not form the basis for articles of impeachment against the President. It implicates Messrs. Mitchell, Magruder, Haldeman and Ehrlichman in the Watergate cover-up, but pins Watergate directly and solely to G. Gordon Liddy: "He told me that this was his operation that had gone bad . . . I asked him if anyone from the WH was involved in any way and he said no."

Furthermore, instead of encompassing Mr. Dean's alleged desire to end the cover-up and remove the "cancer" from the presidency, his Camp David report not only makes no mention of his "first-hand" knowledge of President Nixon's involvement, but also exonerates Charles Colson. According to Mr. Dean's Senate testimony, Mr. Nixon himself told Mr. Dean on March 13 that Hunt was promised executive clemency by Mr. Colson. Yet at Camp David, Mr. Dean writes: "Colson talked with Bittman [Hunt's attorney] again and told him that he couldn't give a hard, and fixed commitment (sic), but that as Hunt's friend he would do everything he could to assist Hunt in getting clemency in approximately a year." Thus Mr. Dean's story in March was far different than it was before the Ervin committee in June.

Mr. Dean so coolly and consistently stuck by the testimony he laid out before the Senate committee that it is hard to believe that he doesn't believe the story he has told. Which is why it is so generally agreed that his testimony was "credible," that he has "credibility." But it is not only possible that his perspective has been warped during the passage from the pro-Nixon to the anti-Nixon phase of his personal odyssey, it is demonstrably so. It's possible to believe he has told the truth, yet is not to be believed, that in reconstructing the past year from memory he has rearranged the furniture, a foot here, a foot there.

How, though, is it possible that Richard Nixon, the smart, tenacious pro of 27 years experience, could remain for so long in the dark? Mr. Dean himself seemed almost outraged, in retrospect, that the President last August would tell the American people that he, Dean, Counsel to the President, had conducted an investigation of Watergate and found no one at the White House involved. He didn't conduct any investigation, he told the Senate committee, and he hadn't even talked to the President. Mr. Dean implies he was used.

CURIOS INCIDENTS

And yet, as his Camp David memoirs indicate, he talked to the mastermind of Watergate, G. Gordon Liddy, and Liddy told him "it was his operation that had gone bad," that no one at the White House was involved. It's odd Mr. Dean wouldn't consider this an important bit of information for the President as having been dug out by Dean. Funny, too, that he could absolve Press Secretary Ronald Ziegler of knowing the facts because he, Dean, kept Ziegler in the dark. Wouldn't it be unusual if Mr. Ziegler, on one of his frequent trips to the Oval Office, hadn't reported to Mr. Nixon that Mr. Dean says everything is okay, the White House is clean? And that throughout the period to March 21, Mr. Nixon was being fed similar reports emanating from Dean and others.

As a whole, Mr. Dean's testimony, like Chinese food, was only momentarily filling. Its bland delivery made it palatable, but upon a second viewing and third and fourth reading it is unsatisfying. How much more meaty it would have been if he had been able to testify that last August, or in September or February, he had confronted the President with the cover-up.

But he never did and so all he really has is an impression that the President knew, must have known, and unrecorded recollections of conversations that took place on March 13, or was it the 21st?

No, so far as the Dean testimony is concerned, it is now easier to presume the President's innocence. As it unfolded, even as Americans either exulted or despaired over the President's guilt, a great wave of relief spread over that number of us who are still prepared to believe a man we have known for most of our lives than to trust in the motives, the memory and the vantage point of a young man we have not even known for 27 days.

ENVIRONMENTAL AWARD

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. GOLDWATER. Mr. Speaker, the Naval Civil Engineering Laboratory at Port Hueneme, which is in my congressional district in California, recently was honored by being chosen the winner of the 1973 Secretary of the Navy Environmental Protection Award. Knowing Capt. E. M. Saunders, commanding officer, and the personnel in his command, it is not difficult to understand why they were chosen for this award. I send them my most sincere congratulations, and know my colleagues will be interested in reading a newspaper article that describes this event:

NAVY'S ENVIRONMENTAL AWARD WON BY NCEL

The Naval Civil Engineering Laboratory (NCEL) at Port Hueneme was today named winner of the 1973 Secretary of the Navy Environmental Protection Award.

In a presentation this morning before 340 NCEL employees, Robert D. Nesen, assistant secretary of the Navy for financial management, presented a trophy to Capt. E. M. Saunders, commanding officer of the laboratory.

NCEL was judged best in its category—naval research and development activities—for "the most significant environmental protection program during the year."

The laboratory's environmental protection program included the Navy Environmental Protection Data Base, of which the laboratory is deputy program manager; pollution

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control and/or abatement devices; new beneficial environmental projects; identification of new pollution problems; interagency workshops and seminars, and dissemination of printed materials to various environmental groups.

The office of the secretary of the Navy in congratulating the winners said "the selection of the winning activities presented a challenge to the environmental experts . . . the types and extensiveness of environmental programs which have been initiated by individual commands within the past year are indicative of the environmental awareness which has been created among our military and civilian personnel."

ENEMIES OF THE PEOPLE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. RANGEL. Mr. Speaker, New York Times columnist and author Tom Wicker was one of many individuals whose name appeared on the "master list" of enemies prepared by the Nixon administration.

In a recent column entitled "Enemies of the People," Wicker writes of his reaction to this development.

I now submit the column for the collective attention of this body:

ENEMIES OF THE PEOPLE

(By Tom Wicker)

CHICAGO.—I have had a mixed reaction to being named on a long "master list" of enemies of Richard Nixon and his Administration, and on another list of "less than twenty" particular enemies that Mr. John Dean forwarded on Sept. 14, 1971, to an aide of Mr. H. R. Haldeman.

My first emotion was plain indignation. Like most of the American people, I tend—probably too much so in any case—to identify the President with the nation, hence with its people. I know I am not an enemy of the nation or of the people, and I resent any such suggestion.

But I also felt a flash of fear. I have relatives, children, who could be hurt; like anyone else, I have human flaws that clever investigators might exploit and a reasonably good name of which I am jealous.

But natural indignation and ignoble fear quickly faded in a kind of puzzlement. I would never have expected the Nixon Administration to list me as a friend, nor do I want any Administration to do so. But I had always thought that political conflict was in the nature of "agreeing to disagree"—that no matter how bitter and vigorously expressed their political differences might become, political opponents could maintain a civil relationship and be mutually respectful at least of the rights and integrity of the other.

In his last years in office, for example, President Johnson would have had every reason—if he thought about it at all—to be strongly resentful of my expressed attitude on his conduct of the war in Vietnam. But it never occurred to me then that I or anyone would be placed by him on a list of "enemies" to "screw" through tax investigation or other abuses of governmental power. Nor do I believe the Johnson Administration did any such thing; the Nixon Administration's determination to "get" or "screw" political opponents, even potential opponents, by any means, illegal or otherwise, seems to me far beyond any reasonable view of the nature of democracy, or any generally accepted political practice.

Even so, I was also amazed in reading the "master list," the smaller Dean list, and

a "priority" list of enemies prepared by Mr. Charles Colson, another Nixon aide, to discover how ludicrous all this listing was. Not that most of the people on the lists are not estimable; but what were these important men doing, in their high offices, taking time out from the great national affairs to put down the names of movie stars, reporters, businessmen, political contributors and the like, as "enemies" demanding surreptitious counterattack?

From the most powerful institution in the world, did these petty men have nothing better to do than to gaze, with fear and paranoia, at outspoken citizens, and call them "enemies" for being so?

In fact, the comic-opera aspects of the "enemies" lists tempted me to the kind of flippancy and derision that the witty Ken Galbraith—himself on the "master list"—recently recommended as the best way to deal with the Nixon Administration. All sorts of wisecracks suggest themselves—"The King's honors list," for example—but the truth is that however ludicrous they may be, these lists are not really funny.

They are sad. They are sad because they show that even great power could not make of Mr. Nixon and his aides anything but small and fearful men. They are sad because they disclose a great nation being led by men unworthy of her and her history. They are sad because they represent so graphically, for so many people, the last crumbling of illusion—the final evidence that there is nothing magical or ennobling about the Presidency, nothing about American power that makes it less corrupting than any other brand of power.

But if the enemy lists are sad for those reasons, like so many other aspects of the Watergate revelations, they are hopeful, too. Disillusionment is enlightenment; to know things as they are is better than to believe things as they seem. The lists confirm what the 1970 internal security plan and the Ellsberg break-in suggested—that the Watergate burglary itself was only the tip of the knife, that American democracy has been retrieved in the nick of time from the police state it so nearly became.

That is why, once indignation and fear had passed, the temptation to laugh had been overcome, and puzzlement had turned to sadness, I knew I belonged on those lists. Of such people as those who compiled them, and the man they served so zealously, who would not be an enemy?

HOW MUCH DOES IT COST
TO RUN A CITY?

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BRAY. Mr. Speaker, our colleague H. R. Gross recently compared the costs of Washington, D.C., to Indianapolis, Ind. Lou Hiner, Washington correspondent for the Indianapolis News, commented on it in his column of July 7, 1973:

DISTRICT OF COLUMBIA BUDGET FAR EXCEEDS
INDIANAPOLIS

(By Lou Hiner Jr.)

One member of Congress believes the city fathers of the nation's capital should visit Indianapolis to find out about a few economies in city government.

Rep. H. R. Gross, R-Iowa, a former Indianapolis radio newscaster, compares the \$1.2 billion Washington city budget with the \$288.5 million Indianapolis' outlay. The D.C. budget includes \$187.5 million in Federal funds, quite an increase over the \$37 million of 1963.

"Compare the 42,000 municipal employees in Washington with the 9,600 in Indianapolis, a city of almost identical population," Gross says.

Continuing his dialogue on Washington fiscal matters, Gross adds:

"Because it is the seat of the Federal government, it has the highest and most constant payroll of any city of its size in the country, yet one out of every six persons is on welfare rolls.

"As of today, Washington owes the U.S. Treasury \$970 million. It is building a subway system which city officials told Congress would cost \$2.5 billion and be paid for out of receipts from fare boxes. It is now estimated to cost at least \$4 billion and the Federal government has guaranteed \$1.2 billion of the subway bonds."

YOUNGSTOWN MODEL CITIES PRESENTS EDUCATIONAL PROGRAM TO A NATIONAL MODEL CITIES CONFERENCE

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. CARNEY of Ohio. Mr. Speaker, on Thursday, July 12, 1973, I received a letter and enclosure from Mr. Kenneth Carpenter, executive director of the Youngstown Model Cities program. In his letter, Mr. Carpenter advised me of Youngstown Model Cities' participation in a national Model Cities Conference, and requested that I place the report on Youngstown Model Cities' educational programs in the CONGRESSIONAL RECORD. I, therefore, insert Mr. Carpenter's letter and the Youngstown Model Cities presentation in the RECORD at this time. The letter and presentation follow:

CITY OF YOUNGSTOWN,

Youngstown, Ohio, July 10, 1973.

The Honorable CHARLES CARNEY,
The House of Representatives,
Washington, D.C.

DEAR SIR: The Youngstown Model Cities participated in a national Model Cities Conference titled "Lessons Learned," at which time we presented our educational programs.

Since this presentation the program has gained national recognition as one of the most successful programs Model Cities has developed.

I am sending you a copy of the presentation and requesting that you enter it into the CONGRESSIONAL RECORD, so that other cities throughout the country may have an opportunity to benefit from this experience.

Thanking you in advance.

Yours truly,

KENNETH CARPENTER,
Executive Director.

ELEMENTARY AND SECONDARY PROGRAMS

(By Dr. Ronald Richards)

In Youngstown there is an Elementary Guidance Program in two model neighborhood schools. This is only one component of the model cities educational program. It is not the whole thing. There is also a Concerned Parent Organization dealing with parent-school communication; a Tutorial Aides Program provided help for children in the various schools within the model neighborhood; and a Breakfast Program conducted in model neighborhood schools.

The Elementary Guidance Program grew out of specific requests and demands by parent groups to the model cities staff and directors in early 1970. At the same time Youngstown University was developing a

new masters program in counseling.

Specific concerns expressed by model neighborhood residents included:

(1) Lack of parental participation in the schools and the planning of the programs.

(2) A high number of underachievers, drop-outs and push-outs in model neighborhood schools.

(3) Lack of sensitivity among school staff to the special needs, problems, values and special strengths of students in model neighborhood areas.

(4) Lack of any kind of guidance services being provided at the elementary level. This point was true not only in model neighborhood schools but in the entire city of Youngstown.

The planning and preliminary discussions went on for about a year. In 1970, a guidance consortium was established which involved the model cities agency, the Youngstown Board of Education and the State University.

ROLES OF EACH PARTICIPANT IN THE CONSORTIUM

Model Cities provided the major costs of funding, nearly 100% of the total direct costs of the program. They coordinated the program with other educational programs. Furthermore, they were to monitor the implementation and evaluation of the program at the end of the first year.

The Board of Education administered the project, hired the staff and supervised them, provided office space, building facilities and general administrative support for the program.

Youngstown University released one guidance faculty member to work as consultant or program director for the first year. This cost was also paid by Model Cities. Also, the University provided support in planning, in meeting with parents and in program evaluation.

The immediate objective of the program was to develop a program where none had existed before; a program which involved parents; a program which addressed itself to the special needs of students, the developmental needs which may or may not be met.

There were several specific goals they aimed for by the end of the first year:

(1) To have clarified a role definition for the counselors who were hired for this program. They seemed rather obvious and should have been worked out before hand but elementary counseling can be variously defined depending on the expectations and orientations of people involved. They were seeking a role that would be effective in the setting where they were.

(2) Wanted regular, on-going contacts between parents and teachers throughout the program.

Long range program objectives addressed to the child were based upon the developmental needs of all children:

(1) Need to develop a sense of responsibility for one's own behavior;

(2) Need realistic and generally favorable appraisal of self;

(3) Need affective and socially acceptable ways of relating to others. For example peers, adults, authority figures and younger children;

(4) Need understanding of world of work and education and the role of schooling;

(5) Need effective problem solving and decision-making strategies;

(6) Need understanding of human behavior and especially why people do things they do;

(7) Need awareness of other people.

In terms of staffing and implementing the program there was one certificated, full-time counselor assigned to each school and one secretarial assistant who was a model neighborhood resident.

The University supervisor worked half-time between these schools. The University supervisor's role was working closely with

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counselors in planning, organizing and offering specific guidance services within the schools. He assumed a primary responsibility, along with the counselors, for meetings and contact with model neighborhood residents and teachers. Further, because they were unable to find counselors specifically trained for elementary school guidance, the supervisor acted as a consultant to them in terms of the development of this role.

The counselor's role focussed around three major components:

(1) *Counseling*—addressed itself specifically to the children, individually or in small groups.

(2) *Consultation*—entailed talking to a student, helping him plan while actually not counseling. Also consultation with teachers was included in this component.

(3) *Coordination*—included many supportive guidance activities, testing programs, case studies, information gathering, referral to outside agencies or specialists, etc.

Developmental and remedial activities are another aspect of the counseling program. Developmental activities include:

Classroom or large group guidance activities, conducted by the counselor with the teacher assisting. They are regularly conducted sessions. They are structured programs using such mechanism as role play and discussion to teach understanding and recognition of feelings, attitudes common to children. Further stress is placed upon the skills of communicating with each other in groups.

Counseling with small groups. Many children have common problems which are not amenable to the teacher. They are gathered in small groups of four to eight children and met regularly by the counselor. These problems include such things as shyness, low self-image, social isolation, etc.

Other developmental activities include in-service training, consultation to teachers; and parent contacts.

The evaluation of the program is difficult because the present duration of the program is only seven months. The evaluation team was from Model Cities with model neighborhood residents, along with principals and staff members.

They felt the guidance program is a viable means of dealing with special needs of children. There was an overwhelming opinion that it should be continued and expanded to other schools. Parents reported changes in their children in such areas as attitude of children toward school, improved social adjustment, and, in a few cases, improved academic performances.

Within the school changes occurred such as a steady increase in the frequency of counselor-teacher contacts. In the beginning of the year the teachers were not working closely with the counselors but by the end of the year they were very much involved.

THE HONORABLE JIM SMITH OF OKLAHOMA

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. JONES of North Carolina. Mr. Speaker, I was certainly saddened when I heard of the tragic accident which took the life of a former Member of this body, and one whom I considered a friend. Beyond any question, he was one of the most popular Members during his service in the House. Later, in his position as Administrator to the Farmers Home Administration, he continued to

provide the same cooperation and understanding which he had as a Member. I do not ever recall asking for assistance when it was not cheerfully given.

I join with others in expressing my sympathy to his family, but also to reassure them of the warm affection and high regard in which he was held by all of us.

APPELLATE REVIEW OF SENTENCE

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. KEATING. Mr. Speaker, one of the more important areas of the criminal justice system is the manner in which convicted felons are sentenced. Widespread disparities in sentencing, not uncommon under present practices and procedures, undermine respect for the law and the institutions responsible for applying the law.

On January 3, 1973, I introduced a bill to provide for appellate review of sentences arising in the district courts of the United States. The bill also calls upon the States to adopt similar measures.

This legislation provides that a defendant may file an appeal on the grounds that the sentence imposed bears no reasonable relationship to the crime committed, given the circumstances surrounding commission of the crime. In other words, this legislation is directed at insuring the application of a most basic principle of legal justice—that similarly situated individuals be treated alike.

Support for legislation to achieve this objective has been received from the National Commission for the Reform of Federal Criminal Laws—the Brown Commission—and the ABA Advisory Committee, as it is widely accepted that inappropriate sentencing disparities are harmful to the victim, the general public, and the defendant.

It is especially important to enact this reform because of the crucial role which sentencing plays in the administration of justice. The two basic purposes of sentencing are to provide an appropriate penalty for violation of the law, and to deter the commission of future crimes by the offender. In order for these objectives to be accomplished, both the public and the offender must believe that the law is being applied with equity and fairness.

The New York Times recently contained an article which discussed this topic in some detail, and I would like to bring it to the attention of my colleagues: U.S. COURTS ACTING TO END DISPARITY IN PRISON TERMS—TRISTATE SECOND CIRCUIT WILL SET UP A PANEL TO EXPERIMENT WITH NEW PROCEDURES

(By Lesley Oelsner)

A broad effort to end the "irrational and disparate sentencing" of defendants in the Federal courts in New York, Connecticut and Vermont—in part by experimenting with such innovations as three-judge sentencing panels—was announced yesterday by the chief judge of the United States Court of Appeals here.

The effort is "long overdue," Chief Judge Irving R. Kaufman said in announcing the plan.

"Irrational and desperate sentencing exists nationwide, and our local courts are not immune from its effects," he said.

Sentencing practices in America have fallen into a "hodgepodge," he went on, and the program announced yesterday could well serve as a model for reform in "courts across the country."

PREVIOUS REFORMS LIMITED

Previous court reform efforts have been limited, generally applying to only one court. Last fall, for instance, the State Appellate Division here set up a three-judge "sentencing panel" system in State Supreme Court in the Bronx. Under it a judge is not permitted to sentence a defendant until he has discussed the case with two other judges. Several other courts in the nation have similar system.

Under the plan announced yesterday a 14-member committee of judges, prosecutors and lawyers drawn from New York State, Connecticut and Vermont—which make up the Second Circuit of the Federal judicial system will begin at once to draw up new sentencing procedures.

The committee headed by the former chief judge of the circuit, J. Edward Lumbard, will set up experimental programs in district courts, study the "ration and depth" of sentencing disparities, analyze previous reform proposals and make recommendations.

A VOLUNTARY PROGRAM

The experimental programs will be conducted on a "voluntary" basis, Judge Kaufman said, with the consent of the judges in the various courts, and variations on the three-judge panel plan are likely to be tried. At present the District Court in Brooklyn is the only one in the circuit using such a system.

Judge Kaufman said the Lumbard committee would also consider the recommendations made recently for the Federal courts here by a special committee of the Association of the Bar of the City of New York.

These recommendations include follow-up inquiries by judges to find out what became of the defendants they sentenced, explanations of each sentence at the time of imposition and "frank" presentence conferences between all the parties in a case.

In addition the association committee urged three-judge panels.

Beyond that, the Lumbard committee will also analyze a proposed amendment of the Federal Rules of Criminal Procedure, under which sentences would be reviewed by a panel of district judges.

DISPARITIES APPARENT

The basic aim of all the reforms is to eliminate differences in the way defendants convicted of the same crime are treated. Modern penal thinking stresses "punishment to suit the individual" rather than the crime, and thus most experts believe that at least some differences in sentencing are both permissible and advisable. However, it is now generally agreed that differences in sentencing go beyond what is justified.

A study by The New York Times last fall found vast sentencing disparities in both state and Federal courts here. The study, which led to the creation of the Federal three-judge sentencing program in the Bronx, found disparities that reflected differences in defendants' economic status, in race, in geography and in the judges' personalities.

The Times found, for instance, that whites get shorter prison terms than nonwhites. Records of the Federal Bureau of Prisons for fiscal 1970, for example, showed that the average sentence of whites was 42.9 months but that of nonwhite inmates 57.5 months.

In drug cases the average sentence for whites was 61.1 months; for nonwhite, 81.1 months.

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Defendants represented in the Federal courts by private counsel fared far better than those represented by court-appointed counsel, the study showed. And the study also found that defendants sentenced in Federal Court in Brooklyn averaged longer terms than those sentenced in Federal Court in Manhattan—a point stressed again last spring by the bar association committee.

INADEQUATE GUIDELINES NOTED

Robbery, for example—as the bar association pointed out—draws an average term of 152 months in Brooklyn and 100 months in Manhattan.

The disparities come about, Judge Kaufman said in an interview, in part because of the "conflicting aims and purposes of our criminal justice system—rehabilitation, isolation and retribution."

At the heart of the problem, though, according to another Federal judge, Marvin E. Frankel of the Manhattan court, is the lack of adequate guidelines and laws for judges to follow in sentencing.

Judge Frankel, who wrote a book, "Criminal Sentences," last winter in which he described the situation as "lawless," has been appointed to the Lumbard committee. Another appointee is former United States Attorney Whitney North Seymour Jr., who has criticized sentencing on the ground that well-to-do white-collar criminals fare far better when sentenced than poor people charged with such crimes as auto theft.

The problem of disparate sentencing is decades old, but, as Judge Kaufman put it, it has remained "submerged for many years."

"Recently," he said, "the issue has been brought into the open, and the time is long overdue for the bench and the bar to take the lead in re-examining the question."

Five other Federal judges are on the committee: James T. Foley, chief judge of the District Court in Albany; Harold R. Tyler Jr. of the Manhattan court; Robert C. Zampano, New Haven; John T. Curtin, Buffalo, and Edward R. Neaher, Brooklyn. Paul Curran, United States Attorney for the Southern District of New York, and Robert Morse, United States Attorney for the Eastern District, have also been appointed.

Other members are Patrick Wall, a trustee of the Legal Aid Society; Murray Mogel, chief of the Legal Aid's Federal defender unit; John S. Martin Jr., former assistant solicitor general of the United States and former assistant United States attorney, and James M. LaRossa, former Legal Aid lawyer.

Robert D. Lipscher, executive of the Federal circuit will be secretary.

CAPTIVE NATIONS WEEK

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ADDABBO. Mr. Speaker, it is fitting that we recognize and participate in Captive Nations Week ceremonies at a time when the United States and the Soviet Union are increasing mutual efforts to move closer in areas of trade, cultural exchange, arms control, and other subjects including procedure to avoid world military conflict.

The spirit of cooperation among world powers can lead to discussions about the relief of those 1 billion people living in captive nations—people whose hopes for a better world can only be realized if the Soviet Union policy toward them is changed. Viewed in that light, our continued support—spiritual

and cultural—of captive nations is more important than ever before. We reaffirm that support of our statements in the House today.

SAVE NEW YORK CITY'S 35-CENT TRANSIT FARE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BINGHAM. Mr. Speaker, the inadequate condition of mass transit facilities in many of our big cities is a prime factor in the excessive use of private cars in urban areas, which in turn exacerbates the problem of air pollution and the energy crisis. Unfortunately, funding for mass transit has received short shrift from Congress, despite the energetic efforts of many urban Members, and public transportation systems suffer increasing operating deficits and lack of financing for capital improvement.

As a result of such financial difficulties, the Port Authority PATH transit system in New York City raised its fare from 35 cents to 50 cents a ride, and the New York City public bus and subway system is under pressure to raise its fare from 35 cents to a sum which could be as high as 60 cents. A fare hike of this magnitude is unthinkable, but any fare hike is tragic, hitting at the working people, students and schoolchildren, and the elderly, all of whom are dependent on public transportation. More people will turn to private automobiles for transportation in the New York urban area, the already appalling air pollution of the city will be increased, and excessive amounts of gasoline will be consumed. All possible action must be undertaken at the city, State, and Federal level to preserve the 35-cent fare.

WCBS-TV in New York recently broadcast two fine editorials on the urgent need to find methods of preserving the 35-cent transit fare, and I am including them for reprinting in the RECORD:

[WCBS-TV Editorials]

THE FARE QUESTION

A big question is looming larger for New Yorkers. It is the fare question. Can the 35 cent transit fare be saved?

The issue is clear. Unless sufficient tax funds can be found to subsidize existing transit fares in New York City, the cost for a single ride on a bus or subway could go from 35 cents to as high as 60 cents next year.

How could this happen? Well, two years ago, Mayor Lindsay and Gov. Rockefeller agreed to a patchwork subsidy system to keep fares at 35 cents. Now that arrangement is coming to an end. Mayor Lindsay has put no new money into the city budget to subsidize the basic transit fare next year. Gov. Rockefeller and the legislature took no action this year to give additional state help to subsidize the fare.

So the city faces a fare crisis, one that could confront the city with a major transit strike next March. Bus and subway fares could rise so high that many riders would abandon transit, crowding roads with cars, clouding the air with pollution.

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Obviously, something has to be done to save the 35 cent fare, and lower it if possible. The first thing the city must do is demonstrate that its leaders agree that the fare is worth saving. A coalition should be formed to save the fare, one that pulls together leaders of the city's major businesses, civic groups and its diverse communities.

The coalition to save the fare should insist that candidates for mayor agree to work for a common approach to subsidizing the fare, and urge the governor and the legislature to take action on transit subsidies in the special session coming up this summer.

New York City can save the fare. But the leaders of the city have got to get together and agree on an approach before they can get action from Albany.

PATH FARES

Recently the Port Authority decided to raise fares on its PATH transit system, from 35 cents to 50 cents a ride. It chose the wrong path.

The Port Authority explained that it was raising fares because its deficits were too high. No one would argue that the deficits are climbing. But the Port Authority chose the wrong way to offset them.

By raising transit fares on the PATH system, the Port Authority is likely to encourage more commuters to abandon trains and use their cars. One traffic expert estimates that higher PATH fares will cause a ten per cent increase in the number of cars coming into Manhattan from New Jersey.

What's more, the Port Authority is taking this step at a time when federal environmental officials have called for drastic steps to cut the number of cars moving between New York City and New Jersey as the best means of easing the region's air pollution problem.

Did the Port Authority have any alternative? It did indeed. It could have chosen to raise its tolls on bridges and tunnels linking New York and New Jersey. These tolls have not been raised since they were established in 1928. In fact, they provide special bargain rates for commuters who drive into Manhattan every day, 25 cents each way. That's half as much as the new PATH fare would be.

If the Port Authority had raised its bridge and tunnel tolls, it could have used these funds to hold the PATH fare, encouraging mass transit use, discouraging auto use and air pollution.

PUBLIC BROADCASTING'S "BY THE PEOPLE"

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. KYROS. Mr. Speaker, the following newspaper article from the Daily Kennebec Journal in Augusta, Maine, has been brought to my attention, and I would like to share it with my colleagues. This article chronicles the rise to success of an experimental program of the Maine Public Broadcasting Network, "By the People"—a weekly program produced by Maine residents.

Mr. Speaker, I consider "By the People" to be an outstanding example of the great potential of public television in this Nation. In view of the fact that the authorization for public broadcasting is scheduled for consideration on the floor of the House later this week, I commend the following article to the attention of my colleagues:

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PUBLIC BROADCASTING'S "BY THE PEOPLE"

What began this winter as an experiment in "public access" television has become so successful and popular that the experiment has expanded into a full fledged, twice-a-week series.

The experiment is By the People, the Maine Public Broadcasting Network's weekly television program produced by the people who live in Maine.

And, this month, By the People will expand to a twice-a-week series, on Mondays and Thursdays, at 7:30 p.m., on MPBN's three television channels and on WCBB, Channel 10 in Augusta. This new schedule is the result of the many requests of groups and individuals who want to make use of By the People's air time.

When it began in January, the program was the first effort to give the public continuous, regular access to air-time, by inviting them to appear on and produce their own television show. Groups, organizations, and individuals have been able to use half an hour on Maine public television to make presentations, to talk, show films, and slides, or to do whatever they want (within the reasonable limits of "fair play" and the regulations of the Federal Communication Commission). It has been a series for people who normally don't have access to television time, which is why it's called a public access series.

AMBASSADOR OF GOODWILL

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mrs. HOLT. Mr. Speaker, I rise today to express my sympathy upon the death of Mr. Sam Lorea, Annapolis' "Ambassador of Goodwill."

Sam was known to thousands of residents and visitors to Maryland's capital city as a man of strong convictions, unrelenting patriotism, and true sincerity. His friends knew no economic, occupational, or racial boundaries. They ranged from the professor to the waterman, and from the politician to the mechanic. He will be deeply missed by all of us who knew him.

Mr. Speaker, I would like at this point to insert a copy of the resolution which was recently adopted by the mayor and city council of Annapolis which clearly captures the feelings of Sam Lorea's many friends upon his death:

RESOLUTION

A resolution to express the sympathy of the City of Annapolis upon the passing of Sam Lorea.

Whereas, on the first day of July, 1973, Sam Lorea died at home on Prince George Street in the City of Annapolis; and

Whereas, Sam, as he was affectionately known by his countless friends, was an institution in the City; and

Whereas, his demise will leave a void in the community; and

Whereas, he was a strong and patriotic supporter of his country, his state, county and the City of Annapolis; and

Whereas, he numbered the high and the mighty of this country as his friend along with the poor and the less fortunate; and

Whereas, he was an extremely kind person with strong opinions; and

Whereas, the Mayor and Aldermen of the City of Annapolis feel that his passing will mark the end to a special era in Annapolis:

Now therefore: Be it resolved by the mayor

and aldermen of the city of Annapolis that it expresses its deepest sympathy upon the death of Sam Lorea, an outstanding Annapolitan and sometimes affectionately referred to as the "goodwill ambassador of Annapolis"; and

Be it further resolved by the mayor and aldermen of the city of Annapolis that a copy of this resolution be spread upon the Journal of Proceedings of the Mayor and Aldermen and that copies be sent to his family.

WATERGATE—AS SEEN BY BRITISH MP

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Memphis Press-Scimitar, June 22, 1973]

BRITISH MP CHARGES WATERGATE INVESTIGATIONS BEING USED IN AN ATTEMPT TO DESTROY NIXON

As an indication of British reaction to the Watergate affair, the Press-Scimitar is publishing this signed article by Angus Maude, a member of the House of Commons.

In blunt language, Maude raises some serious questions about the conduct of the investigations now going on and possible motives behind them.

The author also points to President Nixon's achievements and the possible damage to the American people if Watergate results in the President's undoing.

The article first appeared in the London Express.

(By Angus Maude)

LONDON.—Have the Americans taken leave of their senses? Looking objectively at the handling of the Watergate Affair and its ramifications, one is almost forced to the conclusion that they have.

It is pretty horrifying to watch the way in which supposedly responsible Americans in the higher echelons of politics and public affairs are going about the business of discrediting not only their President but the whole system of government in the United States.

The press and the other media are enthusiastically urging them on and revelling in the resultant mess. Every accusation against President Nixon and his staff, however untested and however tainted its source, is given the widest publicity.

Every possible innuendo is used to slant the impression given to the public, apparently in the hope of fixing the people's verdict before half the evidence has been heard.

Perhaps the most nauseating feature of the campaign is the self-righteous pretense of the smearers that they are only "acting in the public interest" and "helping to get at the truth." The only facts that they are interested in are those that can be used to discredit the President; and the way the campaign has been handled is not in the public interest at all, but deeply damaging to the United States and to all the best things for which America stands.

All the half-forgotten elderly whizz-kids of the Jack Kennedy era have been writing articles—many of them syndicated over here—viciously venting their traditional hatred of President Nixon, but adding sententiously that the whole horrible business is really a blessing in disguise which will lead to much-needed reforms in the system of government.

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Clearly they see it as a heaven-sent bandwagon on which they can hitch a ride towards the ultimate triumph of Senator Edward Kennedy. That a victory for this man would be for them and for most of the Eastern American liberal establishment, a desirable consummation of the present campaign is a sufficient guide to their sense of values.

Of course, the Watergate Affair is a sorry mess. It is at least obvious that the President appointed some pretty strange people in his personal and political staffs. But the widespread assumption that he himself is guilty of corruption and illegal practices is still unsupported by convincing evidence.

In default of this, his detractors have resorted to the argument that if he were not guilty he would already have proved himself innocent—which is a typical inversion of the principles of fairness and justice for which they purport to stand.

The important point, however, is this. Whatever truth emerges at the end of the inquiries, whether the President is vindicated or brought down, the whole business is being handled and exploited in a way calculated to do the most not the least, lasting damage to America and to the true interests of its people.

Mr. Nixon's enemies, of course, are saying smugly that it is HIS handling of the affair that is doing all the damage; but even a cursory study of the American press coverage makes it clear that this is not true.

They are out to destroy him, and they do not seem to care who or what suffers in the process.

Of course I do not know what, if anything, the President has to hide. But at this critical juncture for both the American economy and his own foreign policy, he carries a burden of responsibility that must make him hesitate to become personally involved too deeply in the comparative irrelevancy of the Watergate inquiries. Any responsible householder is more concerned about an imminent threat to the fabric of his building than about a temporary smell in the drains.

You would have thought that any educated American could foresee the desperate consequences of a major constitutional crisis at this time. And that any responsible commentator over here would hesitate before light-heartedly handing out more ammunition to America's enemies in this country. Yet the B.B.C. seems to be positively revelling in it.

Let us remember one or two things about President Nixon.

He won his landslide election victory because the American people recognized his practical achievements and wanted him to complete the job.

He seemed to be halting the hopeless drift towards anarchy and violence in which the country was involved. Peace had returned to the chaotic university campuses. A stand was at last being made for law and order. He was getting to grips with the problem of inflation.

Mr. Nixon brought to its only possible end, the hopeless bloody struggle in Vietnam—a struggle to which Kennedy and Johnson had committed America at the wrong time and on the wrong terms. He had laid the foundations of detente with Russia and China.

America, and indeed the whole Western world, already owes him quite a lot. If he survives we may yet come to owe him great deal more. No possible successor is likely to be a statesman of anything like his calibre.

Above all, let us pray that if Mr. Nixon is brought down by the rabble now pursuing him, the damage to America and its friends may be less than they seem determined to inflict. Perhaps they will at least have the grace to stop appearing to enjoy it all so much.

CITY OF CORSICANA RECEIVES GOVERNOR OF TEXAS ACHIEVEMENT AWARD

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Corsicana, Tex., county seat of Navarro County and site of the first oil discovery in Texas was awarded the Governor's Achievement Award, the State's top award for achievement as a result of facelifting and modernization of streets, buildings, streambeds, and other facilities during the year 1972. The recognition program is sponsored by the Texas Department of Community Affairs, the Texas Agricultural Extension Service, and the four regional chambers of commerce. Accepting the award was the mayor, Mrs. Sue Youngblood. In accepting the award, Mrs. Youngblood gave credit to Mr. Jack Russell, city manager; Mrs. Hershel Boyd, secretary to the city manager; Mr. Dick Ballenger, city manager appointee; and Mr. Tom Longley, city engineer.

A news report of the award follows:
[From the Corsicana Daily Sun, June 14, 1973]

"OPERATION TOTAL BEAUTIFICATION": A REPORT ON CORSICANA IN 1972
(By Jack Russell)

In March 1972 the City of Corsicana discovered that it had been suffering from an illness. The illness was diagnosed as TB (Terrible Blahs). A checkup revealed the following symptoms of this dreaded disease:

Hundreds of buildings within the city were falling down, junk yards were springing up on vacant lots, the city's paved streets were coming apart, it had become impossible to travel on many dirt streets after a rain, water distribution lines were deteriorating and their frequent repairs were destroying the streets, the city's sewage collection lines and sewage treatment plant were overloaded and dumping untreated sewage into the creeks causing the Texas Water Quality Board to become concerned, drainage channels throughout the city were filled with silt and no longer effective, city and commercial signs along the highways had become faded, bent or broken, and unreadable, one-fourth of the parking meter poles in the downtown area were bent and leaning at awkward angles, the municipal airport looked like an abandoned World War II training base, the city garage and warehouse looked like a junk yard, refuse and brush were stacking up in people's yards faster than sanitation crews could remove it, city streets were no longer being swept, Pioneer Village, once visualized as an important tourist attraction, was all but abandoned, many areas of the city were in the dark at night due to inadequate street lighting, one of the city's fire stations looked like a prime target for condemnation, attendance at all city parks was declining due to inadequate and neglected facilities available in the parks, the city dump was not only unsightly but the city was about to be fined for not meeting State Health Department standards, and even the City Hall had become overcrowded and a source of embarrassment to public officials trying to impress potential industrial prospects and satisfy the needs of the citizens of Corsicana.

It was obvious that the only cure for such a catastrophic illness as TB (Terrible Blahs) would be through use of the miracle drug

with the same initials, Total Beautification. Out of thin analysis of city problems Operation Total Beautification was born. For fear of killing the patient with an overdose, the medicine was administered in small doses throughout the year. The first dose was administered to eliminate the spread of the disease. This dose took the form of revising, updating and rigidly enforcing city codes and development standards. These measures would halt the spread of blight and insure that more of the same problems were not being created in new housing and commercial developments. Many substandard buildings were condemned and torn down.

Once the spread of disease was stopped, the second dose would serve to rebuild community pride. It was decided that the city could be a catalyst in rebuilding civic pride through improvement of its own facilities. In order to accomplish many public improvements with very limited funds over a short period of time it was necessary to reorganize the city staff and make it more efficient and more responsive to the City Manager, City Commission, and citizen needs. After reorganization the city immediately launched a beautification program which included replacing 300 damaged or missing traffic control and street name signs, straightening over 350 bent signs and parking meter poles, stripping and removing grass from the airport runway, painting the airport hangar, repairing the fence around the airport, remodelling and making extensive improvements to Pioneer Village, thoroughly overhauling and cleaning the city garage and warehouse, completely remodelling a fire station and painting the trim of all the fire stations, adding street lights where needed, installation of a sanitary landfill operation at the city dump, putting commercial refuse customers on container service to reduce piles of refuse around commercial establishments, expanding brush, leaf and refuse pickup service in residential areas to provide pickup service more often, clearing brush and improving park facilities at Lake Halbert Park and Bunert Park, repairing damaged equipment and erecting additional lights at all parks, cleaning out the underground storm drain system, clearing brush and debris from creeks throughout the city, sweeping downtown streets, and the City Commission meeting room was remodelled.

With the city having set the mood for the rest of the community through a cleanup campaign of city facilities it was time for dose number three. The third dose was a bond promotion campaign to obtain funds for major city improvements and to schedule these improvements over a five year period. A five year capital improvements program was developed and a bond election was held to obtain citizen approval for financing of the program. This program was overwhelmingly approved by the voters and provided \$3,450,000 in funds for extensive water, sewer, street and drainage improvements as well as for construction of a new city hall and fire station. Revenue sharing funds and federal and state grants-in-aid were also programmed into the five year capital improvements program. 1972 Revenue sharing funds also provided money to pave 3 miles of streets and to gravel 4 miles of streets, and to overlay 6 miles of streets.

The fourth and final dose put the patient well on the road to recovery. It consisted of an extensive eight week Environmental Beautification Campaign sponsored by the Chamber of Commerce and Jaycees with considerable help from other civic clubs and the Public Schools. One week was devoted to each of the eight voting precincts within the city. During the week assigned to each precinct, businesses and residents within the precinct were encouraged to clean up their property. Schools and churches and many organizations within the precinct as-

sisted. The city refuse collection crews concentrated on an assigned precinct each week and hauled off everything the area residents cared to discard. The city also launched full speed into implementation of the five year capital improvements program. Much progress was made in 1972 in Corsicana as a result of Operation Total Beautification. Even greater progress will be achieved in 1973 and 1974 as the capital improvements program is implemented. This status report is being furnished to encourage more businesses and residents of Corsicana to clean up, paint up, and fix up. Let's improve our environment. Some examples of the work accomplished through Operation Total Beautification are furnished on the following pages.

A summary of activities in each category under which our scrapbook will be judged are listed below:

CITY PARTICIPATION

Operation Total Beautification as the slogan would indicate involved the efforts of all of the citizens of Corsicana. The people were kept informed about the beautification effort through extensive newspaper and radio coverage. The schools and civic clubs also played an important role in disseminating information as well as helping with the actual work in many of the projects undertaken. The Chamber of Commerce and Jaycees were particularly helpful through their sponsorship of the single biggest project of the year, which was the eight week long environmental and beautification campaign. Poster and slogan contests were held within the schools to publicize the cleanup efforts. The schools carried on cleaning projects on their respective campuses. High school students chose certain areas and worked on Saturdays during the cleanup project. Various beautification and cleanup projects were undertaken by the Navarro County Action Committee personnel and scout troops within the City.

Hundreds of citizens took part in development of the five year capital improvements program. Study groups made recommendations based on their analysis of a professionally prepared comprehensive plan. Two hundred people turned out to a town hall meeting to organize into the Citizens for Progress Association to help tell the citizens of Corsicana about the five year plan and why they should vote for bonds to help finance the plan.

COMMUNITY-WIDE BEAUTIFICATION

Every section of the city was improved through the efforts of Operation Total Beautification. The City overlayed 6 miles of streets and gravelled 6 miles of streets. Two miles of drainage channels were cleared and cleaned. The channel was realigned to save large trees. An old eyesore downtown was converted into an attractive and much needed municipal parking lot. Extensive improvements were made at Pioneer Village, to the facilities at the municipal airport, and to all city parks.

PROPERTY IMPROVEMENT

Many junk cars were removed at no expense through a contract with a local junk car dealer. The City provided the dealer with releases from liability and the dealer hauled them off. The appearance of numerous areas within the city were improved through this method of junk car removal.

Thirty-five dilapidated houses were torn down through the enforcement of the housing code.

The standard city week ordinance was enforced to the fullest extent possible on vacant lots during the summer.

Beautification efforts of city forces during the year were tremendous, but the most gratifying success of Operation Total Beautification was that it furnished the necessary

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incentive for property owners to clean up and repair their own property as public property in the neighborhood was improved. An inspection tour of city street improvements revealed that property owners along the improved streets were also improving their own property. Buildings were being painted, parking lots overlayed with asphalt, and driveways repaired along the improved streets.

ECONOMIC DEVELOPMENT

Economic development was made in diversified areas in Corsicana in 1972. The Chamber of Commerce Industrial Team, Industrial Foundation and other interested citizens were responsible for locating four manufacturing firms in our city. They were:

Bee Trailer Mfg. Co., W. Highway 31, Busy Bee Mfg. Co., 5th & Commerce, Farmster, Inc., E. Highway 31, and Fibercon, Inc., E. 12th Ave.

Space does not permit the story of the efforts in individual cases, but the diversification of these plants added much to the economic development of Corsicana in 1972. They also called for an aggressive effort on the part of the leadership of our city.

In other areas the City of Corsicana hired a full time manager for Pioneer Village. This resulted in efficient management and improved facilities leading to more tourist business for our city.

The Chamber of Commerce Public Relations Committee in an allied effort paid tribute to the service station operators of our city in May of 1972 to give impetus to the summer vacation and tourist business.

An additional effort to promote our city was another project of the Public Relations Committee—that of producing a ten minute film—a graphical presentation of the assets of Corsicana. Every avenue was used in showing this film as a selling tool.

The City took a unique step in assisting in the economic development of Corsicana by combining all development activities into one department and preparing a manual to make it easier to develop, and at the same time, protect the City from substandard development. The introduction to this manual is quoted below:

"The information presented in this manual has been developed from city ordinances and policies to assist the persons desiring to develop land and construct buildings within the City of Corsicana. The goal of the city staff is to make it as easy and as inexpensive as possible for the developers and builders to operate in Corsicana, while at the same time to assure that the resulting growth from such a policy will not create future burdens on the citizens of Corsicana in the form of poorly constructed streets, inadequate drainage, inadequate fire protection, low water pressure, overloaded sewer lines, and sub-standard construction. The inevitable result of poor planning is either a decaying city or high taxes to finance the correction of these ills.

The Department of Municipal Services has been created to assist the developers and builders in Corsicana. It is the responsibility of the Director of Municipal Services to coordinate all activities pertaining to development and enforce all city ordinances concerning development. Under guidelines established by the City Manager and City Commission, the DMS shall assist the developer in processing his application for zoning, platting of land, obtaining approval of construction plans, inspection of subdivision installations, obtaining permits for construction, and inspection of construction. Many functions of city government and all citizens are affected by the creation of a new addition to the city; therefore, several city departments must become involved in the review process along with the Planning Commission and City Commission and City En-

gineer. We hope that through the creation of a Department of Municipal Services to serve you, we will be able to expedite this work with a very minimum of delay, expense, and inconvenience to the developers and builders.

These regulations are intended to benefit both the subdivider and the City. The legitimate subdivider is protected from the unfair and unscrupulous operator who seeks to develop a piece of land, avoid improvements, and sell it to unsuspecting purchasers. These policies have been prepared to reduce "red-tape," processing time and development costs to the very minimum necessary to insure proper development. With your cooperation additional restrictions will not be necessary and we can continue to maintain our reputation for being one of the easiest cities in North Central Texas in which to build and develop land. It is with this view in mind that we pledge to work with you to build a greater Corsicana.

This diversified economic development paid off in dividends in 1972, but more importantly will pay further dividends in the years to come.

THEME

Operation Total Beautification was selected as the theme for the past year's activities because of the magnitude and variety of efforts put forth to improve the environment and living conditions for all the people of Corsicana.

COMMITTEE COORDINATION

Because of the large scope and complex nature of Operation Total Beautification, the various phases of the program to improve the City were coordinated through the Chamber of Commerce and the City Government of Corsicana where full-time, paid personnel were available to implement the many sound ideas and programs which were presented by the people of Corsicana.

AWARDS FOR HIGH PRODUCT QUALITY AND DEPENDABLE CUSTOMER SERVICE

HON. ANDREW J. HINSHAW

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HINSHAW. Mr. Speaker, it is always a real pleasure when one's constituents are singled out among thousands of firms to receive an award. Such is the case with De Soto, Inc., and Master Fence Fittings, Inc., both of Orange County, Calif.

The award donor, Sears, Roebuck & Co., a giant in the industry, has awarded a "Symbol of Excellence" to these two firms for the year 1972 in recognition of the excellence of the merchandise they produced for Sears, the dependability of the supply, and the initiative in developing new products. Only 397 out of the 20,000 major merchandising sources of Sears received this award.

The awards to my two constituent firms come at a time when high-product quality and dependable customer service have become thought of by some as vanishing arts. It is thus very reassuring to me that these suppliers continue to emphasize excellence in the marketplace. This excellence is the result of the ability of both management and employees to

do their work well and capably, in a spirit of high morale and pride.

To those at De Soto, Inc. and Master Fence Fittings, Inc., I extend my congratulations and good wishes for the future.

TERRITORIAL SOCIAL SECURITY AMENDMENT

HON. ANTONIO BORJA WON PAT
OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. WON PAT. Mr. Speaker, on behalf of the thousands of elderly persons on Guam, the Virgin Islands, and Puerto Rico who have reached the age of 72, yet are ineligible to collect social security benefits, I am today introducing a measure to provide our senior citizens with the benefits they deserve and need.

The bill I introduce today would amend section 228(e) of the Social Security Act to include Territorial Americans within the scope of this section of Federal law. As you know, section 228(e) was originally passed some years ago to permit elderly Americans who have reached the dignified age of 72 and have not contributed sufficiently to the social security fund to be eligible for benefits. Due to an oversight in the law, however, your fellow Americans in the Territories were not included in section 228(e), thus denying these citizens even the scantest pension to help them through their twilight years.

I need not go into the various horror stories, oft-repeated here, which detail the incredible hardship our senior citizens endure because of inadequate finances. It is no secret that large numbers of these people failed to generate sufficient earning power to carry them through their retirement years. And, in these times of skyrocketing living costs, how our financially dependent elderly can be expected to make ends meet is beyond me.

Of course, age is a great leveler of persons and the elderly in the American territories are just as troubled by insufficient funds as are those here on the mainland. While I do not contend that my amendment would make anyone in the U.S. territories rich, it would provide them with some small pension—enough, hopefully, to help carry them through their greatest difficulties.

However, this measure is only one part of a package of legislation I am supporting to aid our elderly. Recently, I also was proud to cosponsor four additional bills, the first of which would provide a much needed 50 percent across-the-board increase in social security benefits. Present pension levels are insufficient to permit retirees or other individuals who depend on social security for their livelihood to live in dignity. The measure which I cosponsored with Congressman JAMES BURKE of Massachusetts, H.R. 8116, would make the level of social security payments equitable with present-day living costs. In keeping with the Congress' concern about budgetary

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matters, our measure provides for the additional cost of the pension increases to be born equally by employers, employees, and the Federal Government. Of equal note is another provision of H.R. 8116 which raises the amount of outside earnings which a beneficiary may accumulate without suffering deductions from his benefits. Within reasonable limitations, we should not penalize the elderly for being able to augment their meager pensions by outside income. H.R. 8116 takes cognizance of this by extending the present monthly limits on outside income from \$175 to \$250.

It is conceivable that all sources of income available to persons over 62 may still leave these individuals without sufficient funds to live decently, particularly in view of the severe fluctuation of our economy in recent years. Additional income protection should also be provided in this instance, and I have joined with numerous of my colleagues to support Congresswoman BELLA ABZUG's bill, H.R. 8546, which would provide an income floor for individuals over 62 of \$3,750—or \$5,000 for married couples.

The third measure which I support would create a temporary, experimental program to encourage the care of elderly individuals in their own homes. This measure, H.R. 8595, which I cosponsored with Congressman WILLIAM LEHMAN of Florida, authorizes the Federal Government to conduct, on a trial basis, a program in which families who agree to care for their dependent elderly relatives will be given a small subsidy to help offset the added cost of special services, such as nurses or special equipment or facilities. Experience has shown that the elderly fare much better in familiar surroundings and with their own families who want them. However, infirmed elderly persons often require special care which many families are financially unable to provide. H.R. 8595 would provide Congress with an insight to this problem and, hopefully, a workable program which would assist families to take care of their elderly dependents.

From the scope of these four measures which I have so far discussed, it becomes obvious that our Nation's elderly are having grave problems calling for congressional response. The needs of the elderly are much more extensive than I have indicated here, of course. So great are the problems facing our senior citizens that Congressman WILLIAM RANDALL of Missouri, has recently introduced legislation, which I support, to establish a Special Congressional Committee on Aging. We believe that the creation of such a unit would serve as a focal point of the various difficulties facing the aged, and perhaps help us to find the solutions required to eliminate many of these problems.

In summary, then, I call on my colleagues to give these measures their earnest attention and support. It is my firm belief, and I believe that all of my colleagues agree, that our senior citizens who have served this country so well in the past, whether on Guam or elsewhere in America, must not be forgotten. It is they who made the sacrifices to get this

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Nation through two world wars. It is they who fought for the majority of social legislation now on the law books. And it is they who should share in the bounty of a society they did so much to create.

The bill follows:

H.R. 9263

A bill to extend to certain uninsured residents of the United States in Guam, Puerto Rico and the Virgin Islands the social security benefits normally provided to individuals who have attained age seventy-two and who fulfill other special conditions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 228(e) of the Social Security Act as amended, is modified by deleting "and the District of Columbia," and inserting in lieu thereof "the District of Columbia, Guam, the Commonwealth of Puerto Rico, and the Virgin Islands."

A GREAT MAN

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ROSTENKOWSKI. Mr. Speaker, on June 25, 1973, WBBM radio, a CBS affiliate in my own city of Chicago, broadcast an editorial which I found most interesting. It paid tribute to a man whose entire career has been devoted to but one overriding concern—the betterment of his city. In this time of cynicism and distrust, it is especially heartening to see a man receive the recognition that is sought by so many, but truly deserved by very few. The mayor of Chicago, Richard J. Daley, is certainly well deserving of the tribute paid to him by WBBM.

At a time when so many Members of Congress are concerned about our dying urban areas, I think that it would be appropriate to insert in the RECORD at this point, the editorial about the man who runs the city that "lives";

A GREAT MAN

It's sometimes good for us to see ourselves as other people see us. It's sometimes good for us to see our city and our officials as others see them. Last week, Chicagoans got a chance to see their Mayor the way other Mayors see him.

Richard J. Daley attended the United States Conference of Mayors in San Francisco. Clearly, he was the center of attention and the recipient of the most lavish praise. Host Mayor Joseph Alioto described him as "the greatest Mayor in the Nation". Alioto's tribute was not unique. Other Mayors had glowing words to say about Daley. One comment—"He is the most effective leader of the cause of American cities".

We at WBBM are proud of the compliments paid to our Mayor. But we think they should come from Chicagoans, not just outsiders. Mayor Daley has done tremendous things for this city. Look for a minute at Chicago's loop—the heart of the metropolis. It is neither dead nor decaying as are the cores of cities like Cleveland or Detroit. Daley has and is keeping it alive. And look at construction. Sears Roebuck, for one, was planning on moving its headquarters to the sub-

urbs. Mayor Daley played a major role in keeping Sears in the City—thus creating thousands of jobs for our citizens. Look, too, at our services. It is rare that anyone complains about garbage pickup in Chicago. In New York City, that's all they discuss!

We've been darn lucky to have a man like Richard J. Daley at the helm in Chicago. Let's tell him that we also appreciate his efforts and let's thank him for his devotion to the welfare of this midwest home we share.

A TRIBUTE TO THE LATE TED BINGHAM, DAYTON OMBUDSMAN, JOURNALIST, PHILOSOPHER, SOLDIER, CITIZEN

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. WHALEN. Mr. Speaker, the citizens of the Dayton, Ohio, area were greatly saddened last week by the sudden death of Mr. Theodore C. Bingham, the Dayton ombudsman.

On July 3, a heart attack took Ted from our midst at the age of 48 and left all of us in the Dayton community the poorer for his departure. As the first Dayton ombudsman, Ted did a superb job and attained national recognition for his accomplishments. It was no surprise to those of us who knew him personally because he was totally motivated by the benefit to the public of what he was doing.

Ted was indefatigable in building the operation of the justifiably praised ombudsman's office. But his style was uniquely low key, always persuasive but never the hard sell or anything approaching that of an arm-twister. His commitment was more than strong enough to eliminate any need for anything other than his gentlemanly approach.

Before undertaking the arduous task of ombudsman, Ted Bingham was a newspaperman with broad experience which contributed to his effectiveness as the ombudsman. He left his position as editor of the editorial page of the Journal Herald, in which he distinguished himself, to assume his new responsibilities. He earlier had been the paper's Washington correspondent and assistant city editor.

As mild in manner as Ted was, he did not shirk confronting the uncomfortable or the dangerous. This fact was evident from his tenacity as a newspaperman and editorialist. It also was reflected in his bravery as an infantryman during the Normandy invasion in World War II where he incurred wounds in combat which took years from which to recover.

Ted Bingham was one of the finest, concerned citizens I have ever known. I am keenly conscious of a deep sense of loss which I know is shared by thousands of people in the Dayton area.

Mr. Speaker, I insert at this point in the RECORD editorial comments on Mr. Bingham's passing which were published in The Journal Herald, the Dayton Daily News, and the Kettering-Oakwood Times:

EXTENSIONS OF REMARKS

THEODORE C. BINGHAM

When a newspaper editorializes about one of its own, there is a tendency, we suspect, for readers to discount the sentiments as hyperbole. Don't make that mistake with these thoughts about Ted Bingham, who died Tuesday at age 48. He was everything we say he is.

Ted is best known as the Ombudsman, or director of the Office of Citizen Complaints. But increasingly, the civic ombudsman movement across the nation is coming to bear his mark, as attested to recently in several national periodicals. That mark is a reflection of Ted's compassion, his organizing genius and his irrepressible determination.

But we at The Journal Herald knew Ted back when—back when he joined our staff in 1959 as a reporter and during those later years when his gentle, but emphatic, prose graced these pages. He served as editor of our editorial pages from 1964 until 1971.

We knew him as a big, amiable fellow, full of good humor and empathy. But most of all, we knew him as a man of saintly spirit, who loved those who vilified his convictions with the same fervor as he did those who thought he could do no wrong. We knew him also as a man who loved his country in all its majesty—from its rocks and rills to its exciting diversity of people.

Ted Bingham felt and cared as few people do. Those simple virtues were the fountainhead from which his life and service issued forth. And it is those virtues which those of us who knew him as friend and colleague as well as those who knew him only as Ombudsman will find it so difficult to replace in our personal and community life.

TED BINGHAM

The best memorial that could be constructed to the memory of Theodore C. Bingham, the Dayton ombudsman who died Tuesday, would be to insure the continuing, unfettered work of the Office of Citizens' Complaints that he built.

Bingham's accomplishments in the office were remarkable, particularly since he was forced to spend much of his time soliciting financial support for his vital work. His successor should be able to count on better.

Ted Bingham's largest success was in the faith his office earned. That faith was rooted in Bingham's personality. In 1971 he left his position as editor of the editorial page of the Dayton Journal Herald. He explained to friends that he felt it was time to start anew, and to start by helping people.

There are many people in the Dayton community he helped in large ways and small who will remember him for that.

TAPS FOR TED BINGHAM, CIVIC TROOPER

(By Jim Fain)

Some things you may not have known about Ted Bingham, ombudsman:

He was a 19-year-old infantry private when he was almost killed by a German shell during the battle for Normandy in World War II. There was some question as to whether he would walk again. He underwent hospitalization for what seemed forever and got back on his feet through sheer guts.

He lived the rest of his life with shrapnel in his spine and in varying degrees of pain. He could either sit or stand only for so long a time before it became unbearable. He never spoke of this and even his closest friends did not know of his suffering.

Ted and Millie met on a blind date at Indiana University, where they both were students. He was a skinny beanpole, and Millie did not know that was the result of war wounds. She found herself much excited by his intellect.

The next time they saw each other was during a campus snow fight. He hit her with a snowball which, since she was wearing

glasses, she thought a bit much. She grabbed a handful of snow and started chasing him. Finally she caught up and crammed the snow into his face. He fell down in the snow, laughing triumphantly. After awhile, she asked why he was so happy.

"They told me I could never run again," he said.

In Dayton, he played tennis at least twice a week. He had a strong serve and a slashing forehand. His son, Tim, in whom he rejoiced, also developed a love for the game.

"I can still beat him," Ted told me recently, "but not for long. He's getting good. My own father played tennis with me until I beat him. Then he stopped. I'm going to play with Timmy when he is creaming me, for as long as he wants to play."

Ted, Millie and Timmy loved nature. They took a camper on vacations and saw much of the country. Once, Ted got an appointment with Robert Frost, whom he much admired, when they were roaming through New England. Frost's secretary explained sternly in advance that they must not stay longer than one hour.

When the Secretary appeared at the end of the hour, with a schoolmarm look on her face, Frost said to her: "I will not let this man go, no matter what you say." Ted stayed for nine hours. Finally the secretary came back and said, "Whether Mr. Frost approves or not, you have to go. He has to eat and go to bed."

Most of you know that Ted was an uncommon man, gentle, caring, extraordinarily bright, possessed of a fey sense of humor, glorying in any joke as long as it was victimless. He could not bear for people to be hurt.

You may not know that the Ombudsman program he created here is unique in that it is not responsible to any single government and has the independence vital to its effectiveness as spokesman for the little man. For that reason, it has attracted an admiring national press for Dayton.

Keeping it that way forced Ted to work brutal hours at fund-raising and public relations. These plus the internal problems of administration were more than he could stand. That is why his big, sentimental heart gave out.

This was a possibility of which he was privately aware. The ombudsmen of two other major cities had died in their 40s, of heart attacks, and they were carrying a great deal less of a fund-raising load than was Ted.

He served this community magnificently, often in ways totally invisible to the public. He died in that service, a casualty of the severity and complexity of today's urban trauma.

As an old refugee from the Brown Shoe war, to which Ted contributed much of his youthful body, I have a thing about "Taps," as played on an old beat-up bugle. It is a difficult call, often beyond the bugler, but somehow even the occasional cracked notes add to its poignancy. They play it at military funerals. I remember it in connection with close war-time friends who lost their lives absurdly young, when they had so much to contribute.

I don't suppose it is practicable but it would strike me as appropriate if that sizable and diverse legion who loved Ted could gather on a lonely hilltop someplace with someone who could blow the poignant bars of Taps on an old, battered bugle, and then, without speaking, could all just walk away.

OMBUDSMAN'S DEATH CREATES VOID

(By Don Wright)

He was called the Dayton area's ombudsman, but too many of Ted Bingham's days were spent doing what he called "fund-raising."

Mr. Bingham, whose unexpected death this week stunned the newsmen and community leaders who knew and respected him, fought

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a constant battle to serve the citizens of Montgomery County in a manner he considered necessary.

Officially, he was director of the Office of Citizen's Complaints. Unofficially, he was spokesman for the downtrodden, representative of the unfortunate and flag-carrier for the ignored.

His job was designed to be a buffer between the county's local governments and the citizens those governments served.

But he was often thrown into being an adversary of government because of government's inefficiency, its disregard for citizen's desires and its self-serving approach to problem-solving.

He had difficulty during the last 18 months raising enough money to assure continued operation of the ombudsman's office because of resentment from local politicians and bureaucrats.

More than one city manager or municipal department head rallied that there was no need for an area ombudsman, that citizens should direct their complaints immediately to the governments concerned.

They failed to recognize that people lack trust in government of any kind and that citizens feel they cannot depend on government to respond to their complaints.

Doubtless, Mr. Bingham earned the displeasure of many a public servant by relaying to them citizen's complaints about traffic lights, chuckholes in the streets, poor trash collection, discourteous government workers and the like.

But even his critics cannot dispute that he was effective in his role as citizen troubleshooter. The number of complaints handled by his staff multiplied each year since the ombudsman's office was established in 1971.

And many a problem was solved which, we are sure, would have been pigeon-holed had bureaucrats not felt pressured by Theodore C. Bingham and company.

Resentful public servants reacted sometimes with vocal ridicule of the idea of an ombudsman and sometimes with refusal to support the Office of Citizens' Complaints financially. Few were inclined to refuse to take action when complaints were relayed to them by way of the ombudsman's office, however.

Mr. Bingham and his staff were constantly hanging to their jobs by a financial thread, and Mr. Bingham was forced to appeal, hat in hand, for financial assistance from the likes of the Dayton City Commission, the Kettering and Centerville Councils and the various school boards in the county, most of whom either ignored his requests or "took them under advisement."

We don't doubt that a breath of relief will be expelled by more than one bureaucrat when he realizes he won't be bothered by Ted Bingham any more.

Perhaps someone new will move into the ombudsman's office, and it would be untrue to claim that Ted Bingham cannot be replaced.

But anyone who knew the big Kettering man, his quiet manner, his determination and his idealistic, honest approach to problem-solving knows that Ted Bingham's death creates an emptiness in the Dayton area that cannot be filled.

TRIBUTE TO THE LATE JAMES V. SMITH

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. FLOWERS. Mr. Speaker, I join today with my colleagues in paying tribute to the late Jim Smith, former Con-

gressman from Oklahoma and recently retired Administrator of the Farmers Home Administration. During my association with Jim at the FHA, he was always most helpful in solving problems faced by constituents in the rural areas of my district.

We all feel a great loss because of his tragic and untimely death although we will always remember the great service he rendered to his Nation. His State and our country are better for the years of faithful service so generously given by Jim Smith. To his family and loved ones, we tender our deepest sympathy.

IN SUPPORT OF HUMANE TREATMENT FOR ANIMALS

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. KEATING. Mr. Speaker, today I am cosponsoring a bill to discourage the use of inhumane steel jaw leghold traps. This legislation, which has the strong support of 34 other Members of the House of Representatives, would establish standards for trapping on Federal lands through the restriction of all traps which do not instantaneously kill or painlessly trap animals.

The inhumane trapping conditions which exist today are inexcusable. Animals may die a slow, tortuous death over a period of days as they lie in steel jaw leghold traps, with their limbs broken or mangled.

H.R. 8065 would work to correct this reproachable situation, through the provision of a seven-member Commission to help in determining which traps shall be approved by the Secretary of the Interior—traps which would "capture painlessly or kill instantaneously."

In addition, all traps which have not been approved by the Secretary would be prohibited from entrance into interstate commerce. This provision would become effective 6 months after promulgation of the regulations by the Secretary.

The use of all other than approved traps would be illegal on public lands after the same 6-month period. Labeling requirements for interstate shipments of hides, furs, et cetera, would be imposed as well.

Effective 2 years after the promulgation of the regulations, would be the prohibition of interstate commerce of animals or animal products trapped or captured by other than approved traps. The Secretary also would have the authority to enter into cooperative agreements with States or political subdivisions to assist them financially in compliance with the requirements of the act. Commercial trapping would not be stopped by any means. It would be conducted, however, with only approved traps.

Finally, the bill would provide penalties for violation of the legislation and encourage citizen participation.

This bill has already gathered widespread congressional as well as public support. Such support is motivated by a deep concern and desire for the humane

treatment of animals which have, for so long, been neglected.

I urge my colleagues to join in support of this legislation.

THANKS TO FRANK WILLS

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. UDALL. Mr. Speaker, I present you and the other Members of the House, through an editorial from Ebony, to the man who "opened the Watergate," a black man. Frank Wills was the man to first discover the Watergate break-in. He is one of the many blacks who has fostered and encouraged a state of justice under law in this country, and one of the many who has reaped too few of the benefits this country has to offer.

I am shocked that the Watergate affair happened at all, and yet we owe much to Mr. Wills for beginning the long process that is bringing it to light. We can hope that this incident has made the people aware of needed election reforms. Should they go into effect scandals like this one need never happen again. Thank you, Mr. Wills.

The editorial follows:

WITH THANKS TO FRANK WILLS

No one would pay much attention to Frank Wills if they passed him on a Washington, D.C. street. About six feet tall and weighing maybe 155 pounds, Frank looks like hundreds of other lean young black men trying to make a living despite the odds thrown against them largely because they are black.

Wills might easily have become one of the young black militants who felt that they were the main targets of President Richard M. Nixon's "law and order" campaign. Lord knows he didn't have much to look forward to and, each time he tried to make some progress, he was pushed back.

Born in Savannah, Ga., Wills dropped out of school in the 11th grade and went north to Battle Creek, Mich., to study heavy equipment operation at a Job Corps training center. But after he finished his training, he could not find a job in that field and he finally drifted to Washington in 1971 and was hired as an \$80 a week security guard.

A TWIST OF FATE

If one believes in fate or that the Lord works in strange ways his wonders to perform or in plain poetic justice, then one can really appreciate the fact that Frank Wills, now 25 years of age, was hired to work at the office building in the Watergate complex, one of the newest and most modern developments in all of Washington. That was at a time when Watergate was one of the most prestigious addresses in the capital and, despite his meager pay, Wills had a pride in his job which many of the big names thrown about later in connection with Watergate probably could never understand.

As a new man on the job, Wills started on the "graveyard shift," working from midnight to 7 a.m. On June 17, 1972, he was still on the midnight shift and for that seven hours he was supposedly the only man on duty in the entire office building. Frank started his rounds in the basement and one of the first things he noticed was that someone had placed tape on the lock of the door leading to a fire stairwell that went directly to the Democratic Party's national headquarters. At first, Wills says, he thought it

had been done by workmen who sometimes tape a lock so that they can move supplies in and out without locking themselves out. Wills removed the tape, secured the door and went on about his rounds. Finding everything in order, he returned to his station, took a snack break at a restaurant across the street and began his second round. When he got back to the stairwell door, he found that the lock had again been taped.

OPENING THE WATERGATE

Like many young blacks who are forced to take menial jobs at slave labor wages, Frank Wills was gifted with more intelligence than the job really requires. Realizing at once that someone either had been or was still in the building, Wills did his task quickly and correctly. Armed only with a nightstick, he could not risk a search of the building against likely armed burglars. Wills went back and called the police and helped them in the early part of the search. But the building buzzer rang and he had to go back to the entrance before the police reached the National Democratic Committee office where five men, employed by the Committee for the Re-election of the President, were bugging the office. Frank Wills, an \$80 a week, black security guard, had, through his alertness, opened the gates on one of the greatest White House scandals of all times.

"HOW HIGH, OH LORD, HOW HIGH?"

Because of Frank Wills, the five men (James McCord, Bernard L. Barker, Eugenio R. Martinez, Frank E. Sturgis and Virgilio R. Gonzales) involved in the actual bugging were caught red-handed. The immediate reaction for both the press and the public was to laugh and say, "How stupid can you get?" It was clear fairly early that the Committee for the Re-election of the President was behind the bugging but the whole episode was so amateurish, so Amos 'n' Andy, that many at first took it rather lightly. It was an election year and the Democrats were battling each other and Nixon was already running so strong that no one could believe that his men would stoop so low to conquer. Five grown men caught in the national headquarters of the Democratic Party trying to bug the offices—ridiculous.

Sen. George McGovern and several others tried to make a campaign issue out of the affair but did not get very far. The arrested men weren't talking and no one seemed concerned enough to really push the issue. And then President Nixon put an additional silencer on the affair by reporting that Presidential counsel John W. Dean III had conducted an investigation which showed that no person at that time on the White House staff had been involved in the bugging.

But there were some (including the Washington Post newspaper columnist, Jack Anderson, Martha Mitchell and Chief U.S. District Judge John J. Sirica who presided over the trial of the five captured inside the Democratic headquarters and spy-heads G. Gordon Liddy and E. Howard Hunt) who didn't believe that the Watergate caper was restricted to such a few and who constantly searched to see just how high up the responsibility did lie. Like an old rural preacher, they asked "How High, Oh Lord, How High?" The answer they got eventually may have surprised all of them.

THE BIRDS BEGIN TO SING

When Judge Sirica handed down a 6- to 12-year sentence and a \$40,000 fine to G. Gordon Liddy and provisional maximum sentences (with a hint that they could be lessened if they began to talk) to five others, the Watergate case began to ferment. James McCord, primarily an electronic specialist and not a politician, began to break down and soon others were talking. When the big birds, Dean and Jeb Stuart Magruder, former deputy director of the Nixon re-election cam-

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paign, started to sing, Watergate exploded. Within weeks Nixon's chief of staff H. R. Haldeman, key aide John Ehrlichman, FBI Director L. Patrick Gray (he burned secret papers) and Atty. Gen. Richard Kleindienst all resigned and Dean, Nixon's counsel, was fired amid talk that Nixon should have fired them much, much earlier. The President could not come off clean for while it appears that he did not know of the planned bugging, he did know much more than he chose to tell after the crime had come to light.

A BIT OF BLACK LIGHT

It all might possibly not have happened if it had not been for young Frank Wills and his devotion to duty. His reward was a small raise, so small he quit to join another security force at \$85 a week. And now there is more participation of blacks in law and order. The grand jury investigating the Watergate case is largely made up of blacks and a bit more black light may be turned on the subject when any of the indicted Watergate conspirators come to trial. If they are tried in Washington with its 80 percent black population, their juries will be largely black and with the evidence coming to light of not only spying but the mishandling of literally millions of dollars in campaign funds, those black jurors may be deciding the fate of some very high placed white folk. Let us hope that all these blacks remember that what this nation needs is law and order—with justice.

HYPNOTIC LIES ABOUT TERRORISTS

HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. TAYLOR of Missouri. Mr. Speaker, the American people will not soon forget the brutal and callous assassination of Dan A. Mitrione, an American AID police adviser, who was working in Uruguay. Mr. Mitrione's death came at the hands of the Tupamaros, a terrorist group that operated in that nation during the mid-1970's.

A recent film, "State of Siege," which purports to document the assassination of Mitrione, was discussed in the July 1, 1973, edition of the Sunday Star and Daily News.

The article entitled "Hypnotic Lies About Terrorists" offers much food for thought about attempts to glorify the taking of a human life for political purposes. I offer it for the enlightenment of my colleagues.

The article follows:

STATE OF SIEGE; HYPNOTIC LIES ABOUT TERRORISTS

(By Ernest W. Lefever)

The American debut in April of the film "State of Siege," produced by Costa-Gavras, was conceived in silence and born in controversy. The producer's reputation for "Z" and "The Confession" led the American Film Institute to schedule, sight unseen, "State of Siege" as the first foreign offering in its new home at the Kennedy Center here. But when AFI Director George Stevens, Jr. saw it, he abruptly canceled the film because it "rationalized an act of political assassination" and was thus inappropriate to show in a memorial to an assassinated President.

The "censorship" furor precipitated by the cancellation soon gave way to a more serious debate about the basic character of this political film produced by the "Hitchcock of

the Left" and co-written by the author of "The Battle of Algiers," Franco Solinas, a member of the Italian Communist party.

Is "State of Siege" a factual documentary, as its writers repeatedly claim, or is it fiction, propaganda, or a mixture of all three? Whatever the answer, does the film rationalize assassination and other forms of terrorism?

In a score of American interviews, Costa-Gavras asserted that the film is a factually exact portrayal of the public life, work and death of Dan A. Mitrione, an American AID police adviser in Uruguay who was kidnapped and murdered by the Tupamaro terrorists in mid-1970.

In the film, the interviews with Costa-Gavras and Solinas, and the book, "State of Siege" (the film script and supporting "documents"), the Tupamaros are presented as the heroes of the people's revolution against a repressive and semi-fascist Uruguayan government. Dan Mitrione is cast as a willing tool of American imperialism and repression, a super CIA agent who under the guise of an AID adviser promotes and teaches police torture and organizes and supports "death squads" to murder "democratic leaders." He is portrayed as a calculating and ruthless man, without sentiment.

The cool facts contradict the torrid film at almost every significant point. The film says Mitrione was sent to the Dominican Republic for two years to install, with the help of the U.S. Marines and the CIA, a reactionary junta regime acceptable to the United Fruit Co. and Cardinal Spellman. Actually, Mitrione never set foot on Dominican soil.

The film says Mitrione was dispatched to Brazil to replace "Goulart's democratic regime" with a repressive military government. In fact, Mitrione was not an agent of any kind. He never worked for the CIA or FBI. He was an AID police adviser in Rio de Janeiro and Belo Horizonte helping to improve law enforcement by encouraging the civil police to become more professional through better training, communications equipment and organization. He and his fellow AID advisers were there at the request of the government and advised the police under both the Goulart and successor regimes.

Current AID has a small number of police advisers in 17 different Third World countries and provides training for police officers from twice that many at its International Police Academy here. Like other forms of U.S. technical assistance, the public safety program is open and its activities are often covered by the press. Its aim is to upgrade all aspects of civilian law enforcement, except those related to political intelligence.

The film says that Mitrione taught new and sophisticated forms of torture to the police in Brazil and later in Uruguay. There is not a shred of truth in this allegation.

From its beginning under the Eisenhower administration, public safety advisers have stressed professional, legal and humane methods in interrogation, crowd control and all other aspects of police work. In a worldwide study of the program at the Brookings Institution, including field work in 15 countries, I found no evidence to support the torture charge which has appeared in Communist and other far-left publications that typically portray the United States as a semi-fascist and repressive power.

The film says Mitrione organized and directed fascist "death squads" who physically eliminated revolutionary leaders in Uruguay. Neither he nor any other American official had anything to do with such vigilante groups, which, in any event, did not even exist in Uruguay in 1970, the period of the film. Several sporadic groups did appear in 1971 and 1972, and they accounted for at least two murders, to the embarrassment of the Uruguayan authorities.

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The film depicts the Tupamaros as latter day Robin Hoods—clean shaven, young, virile, disciplined, intelligent, competent and possessed of a dream of compassion and justice—but because of government repression they were compelled to kidnap and later “execute” Mitrione.

In fact, the Tupamaros stand somewhere between the American Weathermen and the Black September fighters. The Tupamaro terrorists have no positive political or social program and they never gained significant popular support. (At the zenith of their power in 1971, their most closely allied political faction gained 4.3 percent of the popular vote.)

The film dramatically portrays manufactured violence by Uruguayan authorities (incidents drawn from the future and twisted almost beyond recognition) but shows almost no Tupamaro violence.

The Tupamaros initiated terror in Uruguay; Mitrione was their twelfth murder victim. The film acknowledges only the Mitrione murder, but this brutal and senseless act is not shown, presumably to make the Tupamaros look better. Not reluctant to recruit common criminals into their ranks, the Tupamaros had a long record of terrorism, including assault, robbery, arson, kidnapping, and bombing. In 1969 alone they made violent assaults against 38 policemen; four policemen were murdered.

The film implies that a “state of siege” was put into effect in 1968. This was not true.

Uruguay in 1970 was one of the most open and democratic countries in the world. There was no death penalty and the maximum sentence for any crime was 30 years. The prisons were run by the Ministry of Culture. The wide spectrum of political groups were free to organize. The Communist party had 37,000 members with elected representatives in both houses of Parliament and published a daily newspaper. There were no “political prisoners,” only persons held for committing ordinary crimes.

(Basic Democratic rights continued in Uruguay until April 15, 1972—almost 20 months after Mitrione was murdered—when a form of martial law was declared by parliament in response to Tupamaro terror. Last Wednesday, the president in cooperation with the army closed parliament and created a Council of State, in its place, to deal with “left-wing subversion” and the economic crisis.)

“State of Siege” is a Marxist diatribe that omits, fabricates or twists facts to serve its propaganda purpose.

The reason for the film’s existence, said Solinas, is American “imperialism, with its mechanisms of repression, its murders, its tortures. The occasion for the film was the capture and death of a person who symbolized this mechanism.” Costa-Gavras added: We “also felt we had to make a movie” that would prompt the audience never again to regard “an American Embassy as just an embassy but as a center of espionage, surveillance and political pressure.”

Though some critics saw through it and said so, the documentary claim was accepted at near or face value by other American critics. Judith Crist in New York Magazine saw the film as an authentic document. Costa-Gavras, she said, has performed a “public duty that the American media has failed in.” Noting that the co-authors “researched and documented their case,” she is horrified at revelation “heaped upon revelation” portrayed by this “brilliant” exposé of “American imperialism in Latin America.”

To Penelope Gilliatt of the *New Yorker*, it was a “thoughtful new political film;” to Liz Smith in *Cosmopolitan*, “the most important political film of this decade;” to Donia Mills of *The Star-News*, “powerfully reasoned; and to Archer Winsten of the *New York Post* it was of “inestimable value.”

Costa-Gavras, despite protestations to the contrary, not only rationalizes but justifies

and romanticizes political assassination and terrorism, though Solinas appears to have some misgivings about the political utility of assassination. As a loyal communist, Solinas may be aware that the Tupamaros were denounced in 1971 in Moscow as “petty bourgeois pseudo-revolutionaries” and “rollicking loud-mouthed thugs” using “gangster tactics.”

But Costa-Gavras has no such reservations. He said the Tupamaros represent an intelligent and effective “liberation” movement, characterized by “perfect organization” and “held together by serious, passionate idealism.”

In several interviews Costa-Gavras says that the murder of Mitrione was necessary, justified and efficacious, an example to be emulated. Even with his reservations, Solinas says the Tupamaros, like the “Black September fighters at Munich,” did not want to kill their hostage, but they were “forced to execute him.”

Costa-Gavras goes further in a rhetorical question: “Who killed him? The Tupamaros with three or four bullets, or the government, backed up by the American Embassy, which decided not to free the 150 political prisoners?”

How will different viewers be affected by the film? Perhaps the isolationist will be confirmed in his conviction that America has no business working for orderly development. The guilt-ridden American may find strange satisfaction in the lashes of two professional America-haters. To angry, idealistic and frustrated young people, the hypnotic simplicity of the virile and romantic Tupamaros may suggest a way out of their helplessness and alienation. To the Arthur Bremer and the Sirhan Sirhans with their twisted psyches, it may suggest one final act of political violence that will enshrine them in immortality.

GREAT NECK, N.Y., HIGH SCHOOLS RECEIVE AWARDS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. WOLFF. Mr. Speaker, it is an honor to bring to the attention of my colleagues the accomplishments of the Great Neck high schools. Both of the schools received national awards for their exceptional service to women and their teaching about environmental problems.

Mr. Theodore Henning of the educational council, Massachusetts Institute of Technology, came to a public board meeting at the Cumberland School to present North and South Senior with Ellen Swallow Richards Awards “for exceptional service, by education and counsel, to women who aspire to careers in the professions.” MIT is celebrating the 100th anniversary of its first woman graduate and Great Neck was chosen “in recognition of the outstanding women students sent to MIT over the years.” Twenty-five percent of the Great Neck graduates going to MIT are women.

Both North and South Senior were also named national Merit Award winners by the President’s Environmental Awards program. The awards were for “exceptional service to the Nation in inspiring and guiding youth toward restoring and preserving our living environment.” Norman Sklar, faculty sponsor of the Ecology Club, and Elliot Klein, the club’s president, received personal awards of

excellence signed by the President. The Ecology Club has also been honored for its film on the impact of Kennedy and LaGuardia airports.

These awards should make every citizen of Great Neck proud of their school system.

EMERGENCY SUPPLY OF AGRICULTURAL PRODUCTS

HON. HAROLD V. FROELICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. FROELICH. Mr. Speaker, and Members of the House, for 2½ days, I have waited patiently to offer an amendment to H.R. 8860, the Omnibus Farm bill. Abruptly at 12:15 p.m. today, the House arose from the Committee of the Whole which was discussing this bill, and put off further consideration until next Monday.

In view of this action, I would like to inform the House of the contents of my proposed amendment to the farm bill and the reasons for it.

The text follows:

On page 41, after line 10, insert the following:

EMERGENCY SUPPLY OF AGRICULTURE PRODUCTS

Sec. 811. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall, under the provisions of this Act, assist farmers, processors, and distributors in obtaining such prices for agricultural products that an orderly, adequate and steady supply of such products will exist for the consumers of this nation.

(b) The President shall make appropriate adjustments in the maximum price which may be charged under the provisions of Executive Order 11723 (dated June 13, 1973) or any subsequent Executive Order for any agricultural products (at any point in the distribution chain) as to which the Secretary of Agriculture certifies to the President that the supply of the product will be reduced to unacceptable low levels as a result of the freeze or subsequent modification thereof and that alternative means for increasing the supply are not available.

(c) Under this section, the term “agricultural products” shall include meat, poultry, vegetables, fruits and all other agriculture commodities.

This amendment would require an adjustment in the price for any agricultural product where the Secretary of Agriculture determines that the current price freeze or future price controls will produce a shortage of that product and there is no alternative means for increasing the supply.

If things remain as they are, consumers will soon find it difficult to buy many agricultural products such as eggs, chicken, pork, beef, cherries, milk and other commodities. This is because the cost of producing these products has gone up even faster than the cost of living. The result of the 60-day price freeze is that the farmer cannot obtain from the processor or retailer a sufficient price to cover his cost. We do not know what phase IV will bring from the administration. Therefore, this amendment addresses itself to both the 60-day price freeze and the new economic controls that will be imposed in the next weeks.

We have seen and heard of the baby chicks and the unhatched eggs that are being destroyed throughout this Nation. Stories are rampant about the producers who have determined not to participate in their normal production for the fall and early winter market. Many consumers within days will not be able to purchase poultry at their normal retail grocery store or meat market. The Wright Broiler Co., Inc. of Shawano, Wis., in my congressional district, informs me that they will be unable to purchase chickens for distribution in northern Wisconsin and northern Michigan next week because they must sell them under the freeze for less than their purchase price. The critical nature of the present situation is clearly expressed in the following letter that I am including in the RECORD at this point from the Wright Broiler Co., Inc.:

WRIGHT BROILER CO., INC.,
Shawano, Wis., July 7, 1973.

Re: Phase 3 1/2.

Congressman FROELICH: Wright Broiler Co. is in the business of distributing fresh ice pack fryers in northeastern Wisconsin and upper Michigan. Our past volume has been about 10 million pounds annually.

The present price freeze is about to put us out of business and leave this area without a local supplier. We, as distributors, are held to a price ceiling—while our suppliers—the producers are not—so as the prices rise we are forced out of business.

About 65 percent of the fresh fryers in the United States are distributed by independent firms such as ours—if relief doesn't come soon the distributing business will be taken over by the giant companies like Central Soya, Con Agra, Allied Mills, Ralston Purina—who are producers. Thus they have no price ceilings.

We need a pass through to survive. The fryer industry will produce all of the fryers this country needs at a very competitive price (taking into consideration the cost of grain) and we will get them to the housewife fresh and wholesome if the federal government will just allow us to. Just think, 8 to 12 lbs. of good high protein meat for about 1 hour's labor.

Because of what has happened in Phase 3 1/2 there will be some shortages for the next 2 to 3 months—but this can be corrected, right after that—if something is done now to take off controls. It is very important that something be done immediately before too many breeders are killed.

If this can't be done through congressional action—what about a Supreme Court injunction to lift controls—time is very important.

Please call me if I can be of any service.

Sincerely,

LEMUEL J. WRIGHT,
President.

My congressional district also includes Door County, one of the cherry-growing areas of this country. There is a serious question in this area as to whether or not the crop will be picked this year. The USDA estimates that the Door County cherry crop will be about 6 million pounds compared to 9 million pounds in 1972. The USDA further estimates that the national cherry crop will be 165 million pounds, 105 million pounds below last year and the smallest cherry crop since 1963. Unless the President or the Cost of Living Council take steps to revise the regulations applying to finished products, retailers will be locked into last year's price, unable to up the ante for the processor, who, in turn, will be unable to pay the grower a price which

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would make it economically feasible for him to remove the fruit from the tree. Efforts to persuade the CLC to give some relief to the industry are underway but so far there has been no indication that relief is in sight and that the cherry harvest slated to begin the third week of July will get underway.

I am told by some of my constituents in the retail grocery business that, since they sold strawberries during the period used to establish the base price for the 60-day freeze, they cannot now buy strawberries to sell at a profit. But, their competitors who were not selling strawberries during this base price computation period are able to buy strawberries at the higher price and sell them at a profit. Is this fair?

In my district is one of the Nation's biggest meatpacking firms east of the Mississippi. It is called the Packerland Packing Co. Just last week, Norval Dvorak, an official of the Packerland Packing Co., announced that the company is curtailing production "primarily because we do not know what our future is going to be in the meat business." Packerland has also suspended a \$6 million expansion program intended for its Green Bay, Wis., and Chippewa Falls, Wis., plants. This expansion program was to have doubled the company's approximately 600-person payroll roster. My office has been working with this company in trying to convince the Cost of Living Council to adjust its procedure for pricing of individual cuts of meat that vary seasonally and to apply the price freeze to the total animal. The Cost of Living Council rejected this proposal and we are now suffering from the results of that narrow-sighted view of the CLC.

With the steady decline in the number of cattle put on feed in April, May, and June, the curtailing of production, and the closing of some slaughterhouses, we are rushing into a very critical period of red meat shortages. Just yesterday in the Washington Star-News, Smithfield Packing, Inc., the largest plant in Virginia and one of Virginia's largest hog buyers, announced that it laid off 20 percent of its 1,200 employees because it, too, is caught in the squeeze caused by the administration's 60-day retail price freeze. Mr. Allan T. Anderson, the vice president of Smithfield Packing, is quoted as saying:

The industry is sick. We need immediate relief. For us to stay in business, the government is going to have to allow us to pass through the increased cost.

Mr. Anderson is absolutely correct in his statement. The situation not only of his firm but also the industry is critical. The administration is either unable or unwilling to act. It is therefore Congress' responsibility to include in the agricultural bill an amendment such as I have proposed. This amendment places the responsibility upon the Secretary of Agriculture and the President to adjust any future price control policy that will in effect reduce the supply of an agricultural product below an acceptable level of need. An excellent editorial on the subject has just come to my attention. It was printed in the June 29, 1973, Post Crescent of Appleton, Wis. I include

this editorial in the RECORD for the edification of my colleagues:

FREEZE COULD CAUSE FOOD SHORTAGES

President Nixon's freeze on retail prices without placing any controls on costs makes a mockery of all the laws of economics and is likely to create serious food shortages. It offers no corrective measures and creates problems rather than solving any.

Milk is a good example. The cost of feed needed by dairy farmers has nearly doubled in the last year. Faced with a ban on raising the retail price of milk, dairy farmers are selling their cattle for slaughter to take advantage of high beef prices.

As a result milk production in Wisconsin has declined by 3 per cent at a period of the year when it usually reaches peak volume.

The National Milk Producers Federation has asked for an exception for the freeze in the case of retail milk prices. It estimates that a 10 to 12 cent per gallon increase will be needed to correct the situation. It will take several years to build dairy production herds back up again, so if the situation is not corrected immediately, milk shortages could extend several years into the future.

The same thing is occurring with the production of chickens and eggs. Sen. William Brock (R-Tenn.) told the Senate Banking Committee this week that hundreds of thousands of baby chicks are being destroyed because of the cost-price squeeze. Secretary of Agriculture Butz, appearing before the committee to oppose the administration program, said there will be a pork shortage in six months because farmers are selling hogs that should be kept for breeding. The number of beef cattle being taken to feed lots is going down, forecasting a beef shortage in two years. Butz and Brock told the committee in effect that the administration approach is creating more problems than it is solving.

Nixon's price freeze was totally a political maneuver aimed at quelling the rising chorus of criticism of retail prices, particularly for food. But it makes no sense to control prices if controls are not placed on costs such as wages and raw materials.

The President had better come forward with his Phase 4 plan before this temporary freeze does mortal damage to our food supplies.

The National Independent Meat Packers Association letter to me dated July 11, 1973, is also another expression of the dangerous path we tread. Its content is as follows:

THE NATIONAL INDEPENDENT MEAT PACKERS ASSOCIATION

Washington, D.C., July 11, 1973.

Hon. HAROLD V. FROELICH,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FROELICH: For more than 100 days meat packers have been operating under a ceiling price freeze while their raw materials have remained free of federal intervention.

During 70 days of the freeze period, non-meat costs increased substantially, all of which had to be absorbed by the packers. Packaging materials, boxes, gas and other fuels, trucks and equipment have all increased substantially with no provisions for a pass through of these costs.

The demand for meat products is highly seasonal and under normal circumstances prices for wholesale and retail cuts vary substantially from season to season. (Prices for products not in demand are reduced in order to maintain an even flow of all cuts of beef and pork. Prices for other products are raised to offset the lower return from products with little demand.)

Since the advent of the freeze on meat prices on March 29, the meat industry has been prohibited from exercising its traditional pricing mechanism with the result

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that products in high demand are selling at abnormally low ceilings and other products, of necessity, are being sold below ceiling.

While the meat industry has been laboring under price ceilings and while their non-meat costs have skyrocketed, other factors have also been working to the detriment of the meat packers—and the consumer.

Feed, equipment and operating costs have also increased for the cattle and hog producer and feeder. Although technically there are no ceilings on the price of raw agricultural products (livestock) in practice, the producers and feeders realize meat packers are limited in the price that can be paid and still stay in business.

Consequently, the livestock and meat industry is going out of business at an ever increasing rate. Livestock producers and feeders cannot raise red meat animals to a marketable weight and sell at a profit. Small cattle feeders are not restocking their feed lots. Commercial feed lots are replacing feeder cattle at much lower rates. Hog producers are getting out of the business at an alarming rate.

While pork production is down as much as 14 percent from a year ago, sow slaughter is up 2-3 percent. From 40 percent to 80 percent of the sows coming to market have been bred. This means that next winter's pork supply will not be born. As a result an even greater burden will be placed on an already short supply of beef.

Presently, beef production has been reduced 20 percent because meat packers cannot continue to lose up to \$11 per head on all cattle slaughtered and continue to stay in business. Additional cutbacks in production are occurring as packers' earlier earnings are depleted.

Pork production has been reduced more than 20 percent and is dwindling rapidly. Hog prices have increased an average of \$9 cwt since the March 29 freeze began. This has forced pork packers into a substantial loss position after a mediocre year in 1972.

The reduction in the production of beef and pork has necessarily resulted in reduced supplies of meat for the processed meat industry. Many manufacturers of luncheon meats have indicated they have raw materials to last through midweek but have little or no hope for supplies beyond that period.

Plant closings are increasing almost geometrically in rate. A week ago, there were only about 5 known plants that had closed. Today we know of 40 meat plants that have closed because of the price freeze. There are undoubtedly many more that we are not aware of.

As long as the meat price freeze is in effect, livestock production will decrease and meat production will decrease. Livestock men and meat packers cannot be expected to stay in business and operate at a loss. We do not believe that the Economic Stabilization Act was passed with this intent nor do we believe that any industry should be forced to operate at a loss—for even a day, much less for weeks and months.

Notwithstanding the deplorable financial situation of the meat industry as a result of the price freeze, the American Consumer is the big loser. Her opportunity to choose among a selection of meat products is rapidly diminishing. Within a few short months, she will no longer be able to go to the market and decide whether she wants to buy meat or what meat product she prefers. Soon she will have to stand in a queue and hope that there is still some meat available when she gets to the head of the line. The price will be low enough but the supply will be low also.

Is all of the foregoing a fairy tale? No, not a bit. It's a recitation of the hard facts resulting from the price freeze imposed on meat, March 29. The meat supply is becoming critical. Fewer products will be in the meat

cases beginning this week. Why? Because, the natural supply and demand economy of the livestock and meat industry was disrupted.

If the American Consumer is to have a choice of meat products in the future, the U.S. Government will have to get out of the price manipulation business. No producer nor packer will engage in the business if he does not have an opportunity to make a profit.

True, if price ceilings were removed today, meat prices would increase. But, the incentive to produce livestock would be encouraged and farmers who have gone out of the business would begin to produce again. Within two years, livestock supplies would be back to normal and on the increase. Meat prices would also seek a more reasonable level. And, equally as important, Consumers would have a choice of which products to buy or not buy.

The time has come to abandon ill-advised, short-term goals and strive for realistic long-range objectives. The cure for meat prices may result in higher prices in the immediate future but will assure reasonable prices and adequate supplies in the years ahead.

We respectfully request you urge the President to remove price ceilings from all agricultural products, unprocessed and processed. You will be striking a blow for the consumer and the economy.

Very truly yours,

JOHN G. MOHAN,
Executive Vice President.

Dairy farmer after dairy farmer has written my office complaining of the effects of the retail milk price freeze that directly reflects upon the price he can obtain for his milk while the cost of cattle feed continues to soar. Rumors continue to circulate about fluid milk being in such short supply next winter as to require some type of rationing.

Clearly, present economic policy is crippling the agricultural sector of our economy. It has already contributed to a food shortage and will aggravate that shortage each day it is continued. These shortages will result in the consumers of this Nation standing in lines to purchase needed food and will contribute to the skyrocketing of food prices. It is imperative that action be taken now, either by the administration or by this House and this Congress in this bill.

Phase 3½ as a tragic failure. My proposed amendment would lessen the future effects of this bad economic agricultural policy.

I urgently request the chairman of the Committee on Agriculture, the gentleman from Texas (Mr. POAGE) to review my proposed amendment and consider including it in the committee bill that is reported back by the Agriculture Committee for floor action next Monday.

THE LATE HON. JAMES V. SMITH

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing my sorrow at the untimely death of our good friend, James V. Smith. Certainly his death is a loss to his State and the Nation. It was my pleasure to work very closely with Jim Smith, not only in Congress but during his period as head of

the Farmers Home Administration. It is my judgment that in handling the tremendous responsibilities of his position, he did such a splendid job, and the results of his efforts will be felt for many years to come by all in rural areas. His activities in providing rural water systems, rural homes, sewage and water grants not only has made life better for millions of Americans in rural areas, but because of his activities, conditions in our cities are better than would otherwise be true.

I agree with the many fine things that have been said here today, and to his family and loved ones, we express our deepest sympathy in their loss.

STATEMENT UPON INTRODUCTION OF A BILL REQUIRING SENATE CONFIRMATION OF THE POSITION OF ADMINISTRATOR, SOCIAL AND ECONOMIC STATISTICS ADMINISTRATION, DEPARTMENT OF COMMERCE

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. WHITE. Mr. Speaker, I am today introducing a bill in the House of Representatives, identical to that introduced by Senator WILLIAM PROXMIRE of Wisconsin, which provides that the Administrator of the Social and Economic Statistics Administration of the Department of Commerce, shall be subject to confirmation by the U.S. Senate.

Much has been written and spoken in past months about the nominations of two men to high positions in the field of government statistical gathering and dissemination.

The groups that have expressed their concern, not only to Members of the Senate, but to Members of the House as well, represent a very broad range of business, governmental, and academic activities. They are professionals who can do a better job if their basic data are improved. They believe that this can best be done if data gathering and dissemination are in the hands of skilled professionals, well-trained in statistics and the relevant social sciences.

Many of these groups have come to me in my position as chairman of the Census and Statistics Subcommittee of the House Post Office and Civil Service Committee, to request my intervention to see that only highly qualified professionals head the various statistical agencies of Government.

Since the U.S. Senate is vested with sole power in the confirmation of appointments to the various Federal positions, my intervention as a Member of the House of Representatives, or as chairman of the Census and Statistics Subcommittee, was not as appropriate as the introduction of the instant bill. I am in agreement that Congress should have the final say in who heads the statistical agencies of government, and that the private and public sector should be afforded an opportunity to voice their opposition to, or support for, the

nominees. The bill I am introducing today will accomplish this end.

**SAUDIA ARABIA PUMPS U.S.
FOREIGN POLICY**

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. YOUNG of Alaska. Mr. Speaker, I am certain it is apparent to most of us by this time that King Faisal is willing to take advantage of his nation's wealth of oil. Thus it seems that our dependence on Arabian oil may soon erode our relations with Israel. Alaskan oil could help but it may already be too late. A recent Washington Post article entitled "to Saudis Ponder Whether to Produce the Oil U.S. Needs," explains the situation in some depth. I commend it to your attention.

[From the Washington Post, July 11, 1973]
SAUDIS PONDER WHETHER TO PRODUCE THE OIL
UNITED STATES NEEDS

(By Jim Hoagland)

DHARHARAN, Saudi Arabia.—The midnight sky glows in fierce red hues here at the edge of the world's largest oil field, where American companies are racing to escalate production needed to fill spiraling global energy demands.

The dancing, hissing natural gas flares that burn in the horizon ripple in the desert wind.

Across the Arabian Peninsula 1,000 miles away, Saudi Arabian merchants sweep into American banks in Jeddah each morning with huge sacks of 100 rial notes, each equal to \$25. A tidal wave of money is rushing into the country as more oil pours out.

In his modest, green-tile-roofed summer palace in the mountain town of Taif, King Faisal receives visitors with an elegant politeness, standing as they enter and shaking hands with them.

Rapidly and perhaps somewhat reluctantly becoming one of the most powerful leaders in the Arab world, Faisal quickly shows that he is spending much of his time brooding about the twin flows of oil and money and their impact on the entire Middle East.

Suddenly, Saudi Arabia has shifted from being seen as the West's main hope for solving the energy crisis to being another unpredictable factor in the volatile world of oil and politics.

"The United States cannot take us for granted any longer," a Saudi leader, who was educated in the United States and describes himself as pro-American, said strongly. "Cooperation has to work both ways."

The four large American petroleum companies that jointly operate here are pushing ahead with a crash expansion program around Dhahran that could thrust Saudi Arabia beyond the United States and the Soviet Union as the world's largest petroleum producer in four years.

Increasingly, however, company officials wonder if they will be allowed to use the new facilities they are frenetically installing at the rate of \$500 million a year. Specific warnings by the Saudi petroleum and foreign ministers and a more general declaration to this correspondent by King Faisal last week have made it clear that Saudi Arabia is seriously considering blocking future oil production increases because of what is seen here as all-out American support for Israel.

A Saudi decision to freeze production at current levels could create chaos in an

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energy-hungry world, and competent Saudi officials predict that the psychological impact of such an announcement would drive already rising oil prices upward even more sharply overnight.

The open discussion of such a possibility by the Saudis already amounts to a major policy setback for the Nixon administration in the Middle East.

An unstated but priority aim of the administration has been to keep America's growing need for Arab oil and its support for Israel separated, or, as a member of the Washington foreign policy community put it recently, "on two separate tracks." The pronouncements of Saudi leaders are the first serious merging of the two tracks.

They also signify Saudi Arabia's new awareness of its growing power. Amassing foreign currency reserves at a rate of \$100 million a month faster than it can spend them, this nation of about 5 million people is abandoning its traditional isolationism and is cautiously emerging as a major force in international, Arab world and Persian Gulf politics.

"All the Arabs know that it is in the hand of this government alone to 'get the West to behave' as they tell us again and again," a key Saudi policymaker said.

The other major factor in the new Saudi willingness to tie oil to politics is the growing realization here that this desert kingdom's still developing economy cannot absorb the enormous revenues that increased production and higher oil prices are bringing. Given its conservative investment policies and the present uncertainty of international monetary conditions, top Saudi officials feel that production above the 8 million barrels a day figure of May is wasteful for them.

The Saudis have passed this message to Washington through a number of channels. They have not made it clear exactly what they want in the way of a change in American Middle East policy.

But a series of conversations with Cabinet-level officials over the past week did indicate that the Saudis feel they need some public sign of American willingness to consider the Arab cause more seriously, especially in areas like voting in the United Nations Security Council.

"We are not asking for the destruction of Israel," said a Saudi minister. "We want a reasonable policy to bring a settlement."

Other Saudi leaders stress that their government has been "disappointed and embarrassed" by the Nixon administration's failure to move on the diplomatic front while stepping up new military aid to Israel, despite what Saudis insist were clear promises of a shift in the Middle East after President Nixon's reelection last year.

The underlying suggestion is that the Saudis went out on a limb by counseling restraint on other Arab countries, especially Egypt, on the basis of an expected American shift that has not materialized.

Previously undisclosed production statistics for this year underscore the West's increasing dependence on Saudi Arabia, which has oil reserves estimated by the Saudi government at 156 billion barrels, 22 per cent of the non-Communist world's total proved oil reserves.

In May, production by Aramco, the operating company for Exxon, Standard Oil of California, Texaco and Mobil, soared above 8 million barrels a day. If oil industry estimates of Soviet production are accurate, Saudi Arabia has quietly surpassed the Soviet Union as the world's second largest producer by a small margin.

Sand storms in the Persian Gulf hindered ship loading in June and production slipped back to 7.2 million barrels a day for the month, even with the oil port closed 49 per cent of the time. This was the original target figure for average production by Aramco in

1973. Since production usually rises more sharply in the second half of the year, it will easily be exceeded—if Saudi Arabia permits the increases. In the first week of July, Aramco says its production was running at 8.6 million barrels a day. U.S. production is less than 10 million barrels daily.

In six months, Saudi Arabia has increased its total crude oil production by 40 per cent. Aramco's estimated capital budgets of \$500 million for 1974 and 1975 indicate that the company plans at least a 20 per cent increase in production in each of those years, meaning that, by the end of 1975, the company sees a world-wide market for Saudi production of 12 million barrels daily.

This month, 500,000 barrels of Saudi oil will be imported into North America. Industry sources predict that the United States will need to import five times that figure by 1975 to keep pace with growing energy demands.

At current production, Saudi Arabia will earn more than \$4 billion in oil revenues this year, a 30 per cent increase from last year. At least \$1 billion will be added to Saudi Arabia's present foreign exchange holdings of \$3 billion.

The rush of new oil revenue into Saudi Arabia has stunned even Saudi financial managers, who until a few months ago were predicting that their sparsely populated country, which has few telephones and long-distance highways, and insufficient numbers of schools, would be able to spend enough of the revenue to make oil production increases worthwhile.

Faisal, who sees a long-term danger to the intensely conservative Saudi society from too much easy money, has resisted large-scale social welfare programs and bureaucracies such as those that have helped other gulf states soak up their oil money.

The national development budget has spurted from virtually zero four years ago to \$8 billion in the last fiscal year. But only 62 per cent of the development funds could actually be spent last year.

"We don't have enough contractors to do what we can budget, and what we want to do," Hisham Nazir, president of the government's Planning Organization, said. "There aren't enough contractors in the world."

Nazir's organization is drawing up a new five year economic plan to begin in 1976. It will call for \$40 billion to \$50 billion total expenditures. The budget figures assume that Saudi oil production will increase only by 10 per cent annually in the future.

"Saudi Arabia must draw a firm policy on oil production," said Nazir, one of five key officials named by Faisal to the newly formed Supreme Petroleum Council. "The policy will have to put an end to waste" brought about by over-production, which adds to Saudi internal inflation and the piling up of devaluing dollars.

"We have to strike a balance between competing factors that include our development requirements, prolonging our national oil reserves over the longest period, the absorptive capacity of our economy, the accumulation of monetary reserves that decline in value while prices for oil rise, and world energy requirements."

A Saudi Cabinet minister explained: "We have found that the maximum revenue we can usefully absorb is brought in by production of 7 million barrels a day. Anything we produce over that harms our own interests, by keeping prices down and by disturbing our economic balance."

"We are prepared to go out of our way and produce more. But we have to have a reason."

The Petroleum Council which clearly mixes foreign and oil policy interest, will recommend Saudi Arabia's first national petroleum policy to Faisal. The debate over freezing production at current levels is expected to go on for some months, while the

Saudis look for signs of a change in Washington.

Saudi officials stress that in their view they are not talking about "using oil as a weapon," as more militant Arab states have demanded. There are no suggestions here of a complete oil cutoff to Western countries similar to the one that was briefly tried in 1967.

But if Arab-Israeli fighting should resume these same officials make clear, Saudi oil would be immediately cut off. "If there is a battle, we are in it," said one authoritative source. "People had better understand that now."

One suggestion that will reportedly surface in the Petroleum Council involves freezing production at this year's original target figure, 7.2 million barrels a day, for the rest of this year and 1974. This would have an especially sharp impact on the oil companies, who would see the return on their massive new investment delayed.

The Saudi Finance Minister, which faces difficult decisions on the accumulating revenue increases, is reliably reported to be pushing hard for a production freeze. So is the Foreign Ministry, which must bear the brunt of Arab criticism of Saudi Arabia's traditionally close ties to the United States.

Saudi Arabia's new activism in Arab affairs was underscored last week when the kingdom granted the Arab Socialist Baath government in Syria a \$24 million development loan.

Top aides credit Faisal, 67, with having dissuaded Egypt's President Anwar Sadat from launching a military strike into the Israeli-occupied Sinai Peninsula in early June, and a top envoy was to be dispatched to Cairo this week to assure Sadat of continued Saudi financial support if Egypt stays out of the proposed merger that Libya's firebrand young leader, Col. Muammar Qaddafi, is pushing.

Saudi officials are diplomatically vague when asked what first step the United States could take to evidence a change toward the "evenhanded" policy Faisal called for last week.

"The puzzle is what is it that our American friends want," said Foreign Minister Omar Saqqaf. "Why is the help always for Israel? There are more than 2.5 million Palestinian people either in refuge (abroad) or under occupation

"If people think this question is going to be as it is now forever, they are wrong," he added. "We are friends with the United States. We want to be friends. But there is always a limit."

TRIBUTE TO THE LATE JIM SMITH

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. WYMAN. Mr. Speaker, our former colleague and dear friend, Jim Smith, passed away at his farm in Chickasha, Okla., on June 23. To all of us who knew Jim during his service in the House, and later in the Farmers Home Administration, his untimely death was particularly tragic.

My friendship and warm association with Jim has extended from the day I was elected to the House in 1962. We came to Congress together and were fellow Members of the 88th Club. Over the years my high regard for his beliefs, his goals, and his efforts continually grew.

His talents and capacity for public service were recognized after he left Congress. He was appointed by the President to be Farmers Home Administrator and served in that office until January of this year.

The people of the Sixth District of Oklahoma were truly fortunate to have had Jim's able representation. The Congress was equally fortunate to have had him as a Member. He was competent, careful, efficient, effective, a good man, and a valued friend. His presence will be sorely missed, but his memory will long be with us. I join today in extending my deepest sympathy to Jim's wife and family during this difficult and tragic time.

BOARD OF VETERANS' APPEALS TO OBSERVE 40TH ANNIVERSARY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. DORN. Mr. Speaker, on Friday, July 27, 1973, the Board of Veterans' Appeals of the Veterans' Administration will observe its 40th anniversary.

On July 28, 1933, the Board of Veterans' Appeals was created by the Congress to bring finality and stability to existing appellate systems in the Veterans' Administration. Until that time, many systems had been tried and ended in failure because veterans were not satisfied until the head of the Veterans' Administration had personally decided their individual appeals. When the Board was established, the Congress said it would act for the agency head and that its decisions would be final. Only then did stability and order begin to evolve. To achieve the desired result, the Congress also decided that the Chairman, Vice Chairman, and members of the Board should be appointed by the Administrator of Veterans' Affairs, with personal approval of the President of the United States.

The present Board of 42 members is made up of career attorneys and physicians who have, because of their expertise in the myriad of laws and regulations administered by the VA and their knowledge of the many disabilities and diseases known to man, progressed to their high posts. These individuals are all veterans. They come from all walks of life and represent an excellent cross-section of America by area, background, education, age, and experience.

The Board Members, with the assistance of a large staff of approximately 110 legal and medical advisers, decide some 30,000 individual veterans' appeals each year. About 75 percent of the veterans are represented by service organizations or attorneys and full rights of personal hearing and due process of law are provided for all who elect to appeal.

The Board must decide the most controversial legal and medical questions that arise in the adjudication of individual claims within the Veterans' Administration. The variety of questions submitted for final resolution are almost

infinite. Its members are trained to approach each appeal with complete fairness and objectivity in weighing evidence. They are ingrained with the attitude to "decide with the heart as well as the mind."

Since its founding the Board has decided almost 1 1/4 million appeals for benefits to veterans and their dependents.

During its 40 years of existence, the Board of Veterans' Appeals has had the following persons serve as its Chairman: John G. Pollard, 1933-37; Robert L. Jarnagin, 1937-57; James W. Stancil, 1957-71; and the present Chairman, Lawrence R. Pierce, Jr., who was appointed to the position in 1971. Mr. Sydney J. Shuman presently serves as Vice Chairman, and Mr. Woodruff J. Flowers, Jr., serves as Deputy Vice Chairman.

Chairman Pierce has announced that the Board will observe its 40th anniversary with an "open house" on July 27, 1973, to which Members of Congress and their staffs are invited. Mr. Speaker, I would strongly recommend to my colleagues that if at all possible they take advantage of Chairman Pierce's kind invitation and visit the Board of Veterans' Appeals on July 27. I am sure they will find the visit to not only be enjoyable but most informative as to the services performed by the Board of Veterans' Appeals.

POLITICS AND PEOPLE

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. RIEGLE. Mr. Speaker, Mr. Otten, of the Wall Street Journal, has today written a timely and perceptive analysis concerning continuing Presidential isolation and lack of forthrightness on numerous matters. All evidence available to me confirms Mr. Otten's depressing assessment. I include the article for the interest of my colleagues:

WATERGATE FABLES

WASHINGTON.—Two fables from everyone's childhood keep coming to mind as the Watergate waves pound on.

One is the tale of "The Emperor's New Clothes." The analogy may not be absolutely apposite, but it surely has been the case that once the challenge to the Watergate way of business was finally raised, everyone was suddenly able to see that things had been going all wrong for quite a while. American Airlines is only the latest example; in the weeks and months ahead, many more persons are bound to be stepping forth to give their own eyewitness accounts of the emperor's nudity.

The second fable probably offers a more precise parallel—the well-known story of "Wolf, Wolf," and the little boy's inability to convince the village that he was finally telling the truth about the wolves in the sheep pasture. President Nixon's problems may be even more acute; he must persuade the public not only that the White House is finally telling the truth—after top aides long lied about so many things and he himself did so much bobbing and weaving—but also that he has changed things so thoroughly that the past pattern cannot possibly be repeated.

And so far, Mr. Nixon is falling short on both jobs.

Admittedly, it will, at least, be tremendously hard to rebuild credibility so thoroughly shattered. A Gallup Poll released last week found 71% of the public believe Mr. Nixon either planned or knew of the Watergate bugging in advance, or was involved in the cover-up.

Such deep and widespread doubt can't be overcome by Mr. Nixon simply saying one of these days, "Well, maybe some of the things I told you before weren't quite right, but this time I *really* am telling the truth." Most Americans would like to believe their President, but the record of deception and dishonesty over the past 12 years, in the Kennedy, Johnson, and Nixon administrations, has raised their guard extra-high. It's not likely to be lowered by a mere presidential proclamation that this time the wolf is really out there eating those sheep.

This will probably remain true no matter how the Watergate hearings and investigations go over the next few weeks—no matter how stoutly Messrs. Mitchell, Haldeman, Ehrlichman and others insist the President himself was always in the clear. The public is simply too suspicious now.

Thus Mr. Nixon must do far more than merely assert his innocence. Some additional presidential explanation and elaboration appear essential, and the earlier the better. Moreover, when it comes—whether in a press conference, TV speech or White House release—the statement must be more complete and convincing than Mr. Nixon's earlier ones.

Yet even a detailed statement and one that does stand up, may not do the trick. Even more importantly, Mr. Nixon probably needs to show that he has learned some lessons from the whole dismal mess, some new ways of carrying on the job. There must be less secrecy and evasion, less presidential isolation, less emphasis on sycophantic loyalty as the pre-eminent test of administration officials, less paranoid distrust of Congress, the bureaucracy and the press.

It is here that the administration's recent record is so discouraging. Except for a few cosmetic changes for public relations reasons, so much seems to be going on as before.

Typical was the administration's handling of news stories about sizable government outlays to improve the presidential quarters at San Clemente and Key Biscayne. The first White House reaction was to label the stories wildly exaggerated; no more than \$39,525 had been spent, for example, on the San Clemente facilities. Well (a few weeks later) maybe it was actually \$465,352. Well, (still later) maybe it had actually topped \$700,000. But anyhow, practically everything was ordered for security reasons—flagpole, lawn sprinklers, den furnishings, and the rest.

If presidential security demanded large outlays, or presidential efficiency, or even presidential comfort, why not come right out and say so? The public certainly wants its President to be properly protected, and able to work in well-ordered surroundings. And if some of the expenditures weren't quite kosher, why not just admit someone had goofed? The White House approach once again simply made everyone believe the worst.

Similarly disquieting was the administration's challenge to John Dean's testimony. The memo sent the Ervin Committee was originally presented as an official White House analysis. Then, when it didn't go over too well, word came that the President hadn't approved it; it wasn't a "White House position," but merely a White House lawyer's "hypothesis prepared as a basis for cross-examination."

Mr. Nixon clearly remains just about as isolated as ever. No presidential press conference discusses Watergate, Cambodia or anything else. An occasional carefully sheltered public appearance, such as Monday's stop in

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Kansas City, hardly fills the gap; instead, it underlines how rare and how screened his appearance have been.

Ronald Ziegler, despite a proven record of having repeatedly misled press and public, continues as the President's official spokesman and is even promoted to major presidential adviser. "Nixon: An Angry, Isolated President," a recent Washington Post headline declares, an analysis shared by most veteran Nixon-watchers.

The White House proclaims plans for more frequent presidential meetings with Cabinet and congressional leaders. A few of these may actually occur, but they seem designed chiefly for public show. There's little evidence the President is really listening to anyone outside the White House.

John Connally is returning to private life precisely because he felt he wasn't having very much impact on the President. The exact influence of the two seasoned hands recently recalled to White House duty—Melvin Laird and Bryce Harlow—is almost uncertain; almost daily, stories relate new struggles between Mr. Laird and Haldeman-holdovers who apparently still wield large amounts of power than can only be called amazing in light of their past performance.

Again and again, the administration has been haunted by John Mitchell's early admonition to "watch what we do, not what we say." Thus far, in his vital need to rebuild public confidence and support, Mr. Nixon hasn't done too much in either regard.

ANNIVERSARY OF INVASION OF LITHUANIA

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. WOLFF. Mr. Speaker, on June 15, 1940, Lithuania lost her independence. It is not only on the anniversary of this sad occasion that we should appreciate the civil rights that should be the heritage of all men, but we should also be aware of the severe restrictions that the people of Lithuania and many other nations live under every day.

Lithuanians may have lost their independence when the Soviet Union invaded and annexed the Baltic States, but they have not given up the fight for their freedom. Between 1940 and 1952, about 30,000 Lithuanians lost their lives fighting for the freedom of their fellow Lithuanians. During 1972, there were many demonstrations in Lithuania against the Soviet presence, and rioting followed the self-immolation of Romas Kalanta. Two others besides this young Roman Catholic burned themselves in protest.

Lithuanians have been fighting for their freedom, but the present situation is no different from the repressive conditions of the past. The rights to worship, assemble freely and elect their leaders are still denied. Since 1942, the United States has not recognized the occupied Baltic countries, but there are still strong ties between the people of the United States and Lithuania. The anniversary of the invasion of Lithuania is an appropriate hour to strengthen the ties between the people of Lithuania and the United States, for these ties keep the hope for freedom alive in Lithuania.

W. ALLEN WALLIS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, a constituent recently called my attention to an excellent commencement address given by W. Allen Wallis, chancellor of the University of Rochester, which appeared in the June 25, 1973, issue of the *National Observer*.

He expressed the thought, with which I am in full accord, that—

Somehow we must reach our young people and tell them the truth.

He concluded:

I only wish that every young person in this country could read this talk.

As I believe Chancellor Wallis' address will be of interest to all who read this RECORD, I insert it at this point in the RECORD:

COMMENCEMENT ADDRESS BY W. ALLEN WALLIS

About 15 years ago I read accounts of nearly a hundred commencement speeches. They were given in different parts of the country, by different kinds of speakers, at different kinds of institutions. Through all the diversity that is one of the glories of American higher education ran one binding thread to which even the most individualistic commencement speakers conformed. Each speaker advised the graduates to be nonconformists. To conform to his own advice, a commencement speaker that year would have had to urge the graduates to conform.

Five years ago, I noticed another similarity among that year's commencement addresses. Most speakers made the point that the students who were then disrupting colleges and universities were only a tiny fraction of all students. Then they criticized the press for giving disproportionate attention to a tiny minority. Finally, that year's typical commencement speaker proceeded to devote the rest of his talk to that minority.

This year all commencement speakers are discussing Watergate. Yours is no exception. What I have to say about it will, I venture to boast, not resemble what other commencement speakers are saying about it, except in one fundamental point: I agree, of course, that Watergate is deplorable, disgraceful, immoral, shocking, inexcusable, alarming, reprehensible, and quite a few things besides, none of them nice.

But the saddest thing about Watergate is that in important respects it is far from unique, or even unusual. It is another of those many instances in which the end is regarded as justifying the means. One thing different about Watergate, however, is that the end is not acceptable to the academic-journalistic complex, as were the ends pursued by Daniel Ellsberg, the Berrigan brothers, the anti-war rioters, the Black Panthers, and innumerable others stretching back to the sit-in strikers of the 1930s.

The proper relation between ends and means is a profound question in moral and social philosophy. The assertion we frequently hear, that the end justifies the means, is clearly not tenable; but neither is the opposite assertion, that some means—are absolutely wrong in all circumstances, no matter what end they may serve.

THE LITTLE WHITE LIE

If we say that the end never justifies the means, we are immediately refuted by the little white lie that protects the dying mother from knowing of a disaster that has befallen her most beloved child, or by the medi-

cal researcher who, by sacrificing the lives of a hundred animals, saves the lives of a thousand humans; or by the would-be assassin of a Hitler.

On the other hand, if we say that the end justifies the means, we face the problem of how ends are to be justified—the problem, in other words, of knowing the proper means for determining what ends are right and what priorities should govern ends that conflict.

During the nearly two centuries since the Declaration of Independence and the Constitution were written, there has been a great shift of American political thought away from primary emphasis on means and toward primary emphasis on ends. Emphasis has shifted away from adjusting the rules of the game, to use an analogy, and toward adjusting the score.

When the Constitution was written, political thought was strongly influenced by the mercantilist policies that had prevailed for two centuries. Under mercantilism, governments prescribed in elaborate detail what would be done, how it would be done, by whom it would be done, what raw materials and machinery would be used, and where they would come from, who could consume what, and in general what the outcome of social, political, and economic processes should be. Results did not always come out as prescribed, of course, and this lead to stronger and even more pervasive controls, to fiercer punishments, and to controls on who could say what, to whom, and how, who could travel and where, and who could associate with whom.

By the end of the Eighteenth Century, enlightened political thought turned to specifying the rules rather than the results of social life. The American Constitution lists a small number of specific things to be done by the Federal Government, explicitly withdraws from it powers to do any other things, and mostly concerns itself with the rules of the game. That is, it concerns itself largely with means rather than ends, the Bill of Rights being the most important and obvious of these means.

By the end of the Nineteenth Century a great transformation had occurred among the leaders of American political and social opinion, and during the second quarter of the Twentieth Century this became transformation not just in opinion but in law and practice. It was a transformation in opinions about how social progress and social justice can best be assured. The earlier view had a profound distrust of coercion of some men by others, so it regarded progress and liberalism as almost synonymous with limiting the power of government. The modern view has a profound faith in the omniscience, omnipotence, and beneficence of government, so it regards progress and liberalism as almost synonymous with expanding the power of government. That transformation, I suggest, made Watergate inevitable.

By "Watergate," I refer not just to the intrusions on the Democratic National Committee in 1972 and activities related to that. I refer also to the reaction by journalists and politicians to the Watergate break-in, which—as I shall explain later—has been morally even more corrupt than the Watergate activities themselves. I refer still more broadly to a pattern in American public affairs that has been growing since the Second World War—the McCarthy craze; income-tax corruption in the Bureau of Internal Revenue, the Department of Justice, and the White House staff during the Truman Administration; eavesdropping by Government prosecutors on conferences between defendants and their lawyers; military conscription in peacetime; the biased perspective of the press and television; the politics of expectation and the exploitation of subsequent disappointment; the litigation explosion; restrictions on freedom that are regarded er-

roneously as necessary or even desirable in a modern, complex, urban technological society; the rise of self-selected self-righteous groups (contemporary counterparts of the Ku Klux Klan) responsible to no one and successfully influencing public policy sometimes through intimidation, obstruction, suppression, assault, arson, bombing, maiming, and killing.

When the role of the Government was restricted mostly to setting the rules of the game—that is, to setting conditions of social, political, and economic life—individual citizens gave their attention to improving their lives within those rules and legislators gave their attention to improving and enforcing the rules governing the relations among individuals.

But as Government began increasingly to control activities with a view to determining outcomes, groups with common interests began to turn their attention to influencing Government to use its unlimited powers of coercion for their special advantage. For, as Walter Lippmann pointed out a third of a century ago and others long before him, "The attempt to regulate deliberately the transactions of a people multiplies the number of separate, self-conscious appetites and resistances." It leads people to channel their energies into seeking political power by any means. This is, again in Lippmann's words, "the sickness of an overgoverned society." That sickness is the cause of the Watergate symptom.

PECUNIARY MOTIVES

Journalists have commented with astonishment on the absence of pecuniary motives in the Watergate incidents. Their astonishment reflects the extreme lopsidedness of those who report and comment on public affairs. The same lack of pecuniary motives in Ralph Nader has been noted without surprise (though General Motors' skepticism on this point resulted in one of Nader's greatest pecuniary triumphs). The same journalists are not surprised by an apparent absence of strong pecuniary motives in the Berrigans. What motivates all of these people is power. And "the object of power," as Orwell has said, "is power." "Power is not a means, it is an end." It becomes an overriding end when government dwarfs and overwhelms all other sources of power combined, being the only power not subject to a greater power.

To cure the sickness of our overgoverned society will require a renewed recognition that ends do not justify means, and that it may be worse to obtain a desirable end promptly by means of coercive government power than to attain the end more slowly through noncoercive, nongovernmental means. Unlimited government is unlimited evil.

Some of the younger generation are beginning to chafe under the inefficiency, incompetence, and oppressiveness of pervasive government. So far, however, how to cure the sickness, nor in fact any signs even of diagnosing correctly the source of their frustrations, much less of prescribing a cure. On the contrary, for every evil (and evil has come to mean merely lack of perfection, real or imagined, with no perspective on conditions at other places or other times) for every evil they suggest only new laws and new bureaucracies—more of the overgoverning that has sickened society. For the obvious failures of existing bureaucracies the only remedy commonly suggested is a superbureaucracy.

A LONG, SLOW ROAD

Recovery must commence, as did the sickness, among our leaders of thought and opinion. That requires a solid foundation of constructive, scholarly criticism and a body of imaginative, analytical knowledge of society: not knowledge of specific social problems—that must come later—but knowledge

of basic facts and principles of economics, political science, sociology, history, and ethics. If the research universities and institutes develop the basic knowledge, if the undergraduate colleges and high schools disseminate it, then eventually the columnists, editorial writers, commentators, authors, and ministers who serve as intellectual middlemen will purvey it to the public, and finally politicians will respond to the opinions of the electorate. It will be at best a long, slow road, not an uninterrupted one not a clearly marked one. Recovery will not come in my lifetime but I hope that it will come in yours.

Until the Watergate affair shackled him at least temporarily, President Nixon appeared well launched on a movement of heroic proportions to reverse the trend towards over-government. Special privileges for small groups at the expense of the public have become nearly universal. To attack these one or a few at a time has become hopeless. Each small group has so much at stake that it protects its privileges with its maximum political strength. To each individual in the public at large, the cost of any one special privilege is so trivial that no appreciable counter-force is generated. The President therefore attacked special privilege on a breath-takingly broad front.

There is, in fact, no doubt in my mind that the persistence and ferocity with which the Watergate affair has been pursued is related to the President's domestic reforms. Despite the self-congratulation of the newspapers that the exposure of Watergate is a triumph of a free and unbiased press, it is at most a triumph of a free and biased press. The Washington Post, the prime mover in exposing Watergate, has been unsurpassed in its vitriolic hatred of Richard Nixon ever since he attained prominence 25 years ago. Furthermore, quite apart from personal animus, the Post is one of the most ardent advocates of bigger, more pervasive, and more centralized government (the views which sell best in its market), and no paper in the country is more opposed to the President's efforts to reduce government.

Had the Post made comparable efforts in the Chappaquiddick affair, perhaps we would know as much about that as we know about Watergate. The Chappaquiddick affair, after all, was simpler and less effectively hidden. I do not doubt that if the Post had had the same animus toward Senator Kennedy that it has toward President Nixon, or even if it had been neutral instead of friendly toward the senator, and that if it had had the same opposition to the senator's policies that it has to the President's, or even if it had been neutral instead of friendly toward those policies, we would have known long ago more about Chappaquiddick than we now know about Watergate. The difference mocks the self-serving claims being made by and for the press. It has to be conceded for the Post, however, that exposing Chappaquiddick probably would not have been looked on by the Pulitzer Prize judges with the same admiration as exposing Watergate.

Was the press, in fact, primarily responsible for the exposure, as the press claims? I think not. That credit must go to Judge Sirica. But what of the means that he used to attain this worthwhile end? After the defendants had been convicted or pleaded guilty, he threatened them with inordinately long prison sentences if they did not provide evidence extending beyond the indictments that had been disposed of in his court. This differs only in degree from the medieval practice of exacting information by threatening torture. By this means a useful end was served. But does the end justify the means?

Even beyond this, the perpetrators of Watergate appear to be men of good character by their own lights, who put conscience and patriotism above civil law. In that regard they are exactly like Daniel Ellsberg. Yet the press, the ministers, and the politicians who

condemn the Watergate convicts praise Ellsberg, the Berrigans, and others who have used comparable means for different ends.

Even spying and eavesdropping, which are viewed with such horror in relation to Watergate, seem to be acceptable when used for other ends. When Jack Anderson, who first attained notoriety about 15 years ago by being caught red-handed "bugging" a room in the Carleton Hotel in Washington, recently published transcripts of grand jury sessions, the Government did not indict him but instead negotiated a treaty with him by which he would, at his discretion, use paraphrases instead of direct quotations. In the Coplon espionage case, more than 20 years ago, the Government listened through hidden microphones to conversations between the defendant and her lawyer; and while this ultimately resulted in the defendant's release, no one even suggested seeking to punish those responsible. Is it less reprehensible to spy on lawyer-client relations than on psychiatrist-patient relations, or merely less reprehensible to spy on those of whom we disapprove than on our darlings?

This is why I said earlier that the reaction by journalists and politicians to the Watergate break-in has been morally even more corrupt than the Watergate activities themselves.

Forty years ago, willingness to overlook means if the ends were acceptable played a significant role in the rise of Hitler. He claimed that the Treaty of Versailles, which settled the First World War, was unjust and there was widespread acquiescence in this view in France, England, and the United States. When Hitler took the law into his own hands and invaded the Rhineland, the Western countries were paralyzed by the idea that since there might be some merit in his claims, his means should not be resisted.

GREAT CAMPUS CRAZE

Similarly, during the Great Campus Craze of the Sixties many colleges and universities tolerated outrageous behavior, including violence and suppression of speech, on grounds that amounted to little more than that perhaps something on the campus (or even just in the outside world) was less than perfect, therefore any behavior should be tolerated.

While I started by recognizing that it is untenable to maintain that the end never justifies the means, I am concluding by arguing that we have departed far, far too distantly from what is sound in that precept. We have resorted so frequently to coercion—which is another way of saying that we have turned too often to Government power—when we thought it could obtain a desirable end quickly that coercion has become a way of life. In that way of life, individuals inevitably diminish their efforts to make or do what others will value and voluntarily reward them for, and increase their efforts to gain power over the machinery of coercion—that is, the Government. When attention is focused on gaining power, surreptitious and ruthless activities, of which Watergate is merely one of many, inevitably proliferate.

Another quotation from Walter Lippmann will serve to summarize my remarks: "... the collectivists and authoritarians," Lippmann wrote, "... may have taught a heresy and doomed this generation to reaction. So men may have to pass through a terrible ordeal before they find again the central truths they have forgotten. But they will find them again, as they have so often found them again in other ages of reaction, if only the ideas that have misled them are challenged and resisted."

Let us hope and pray that the ultimate effect of Watergate will be to lead people to challenge and resist the ideas that have misled them, and thus to commence to cure "the sickness of an overgoverned society."

EXTENSIONS OF REMARKS

I WANT YOUR VIEWS

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. MIZELL. Mr. Speaker, during the recent congressional recess, I mailed to my constituents in the Fifth District of North Carolina a questionnaire dealing with many of the most important issues facing the Nation today.

Upon completion of a statistical analysis of this survey, I will report to my colleagues on the current opinions of my constituents. The results should prove most informative and interesting to my colleagues.

I am inserting the text of my 1973 poll in the RECORD for my colleagues' attention and consideration:

I WANT YOUR VIEWS

DEAR FRIEND: We as a nation and as individual citizens face a number of important issues today. As your Representative in Congress, it is my responsibility to know your views on these issues, and to act and vote in your best interest.

To assist me in this effort, I am asking you to complete this questionnaire, which deals with many of the most timely and crucial matters of national concern.

The percentage results of this district-wide poll will be made public when all responses have been tabulated, but your personal opinions will be kept in strict confidence. I appreciate your cooperation.

Sincerely,

WILMER D. MIZELL.

[Boxes provided for yes or no replies]

1. Do you favor granting amnesty to those who evaded the draft to avoid service in the Vietnam War?
2. Do you approve in general of President Nixon's efforts to hold down the level of federal spending?
3. Do you favor reinstating the death penalty for certain specified crimes?
4. Would you favor making federal Election Day a national holiday?
5. Do you favor the legalization of marijuana?
6. Are you satisfied with President Nixon's overall performance?
7. Do you favor registration and licensing of firearms?
8. Should Congress give the President the power to raise or lower tariffs as a bargaining tool in trade negotiations with other countries?
9. Do you favor allowing abortion on demand through the third month of pregnancy, as provided in the recent Supreme Court decision?
10. Should the United States provide economic assistance for the rebuilding of North Vietnam?
11. Do you approve of a tax credit for parents whose children attend private or parochial schools?
12. What do you consider the most important issues facing the nation today?

If you would like to expand on the views presented to you in this questionnaire, or if you have a matter of personal concern that involves the federal government, I invite you to contact me at either my Washington or Winston-Salem office. The addresses and telephone numbers are:

Congressman Wilmer D. Mizell, 225 Cannon House Office Building, Washington, D.C. 20515, Telephone: 202/225-2071, or 2217 Wachovia Bank Building, Winston-Salem, North Carolina 27102, Telephone: 919/723-9211, extension 348.

ADDRESS BY HON. STANLEY NEHMER

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. DORN. Mr. Speaker, on May 18 the former Deputy Assistant Secretary of Commerce for Resources, Hon. Stanley Nehmer, delivered a timely speech before the South Carolina Textile Manufacturers Association. It deals with relations between business and Government.

Mr. Nehmer has retired from Government services and is now director of economic consulting services for Wolf & Co., a national accounting firm. We also know he will bring to his new position the same skill and dedication that he brought to the Federal service.

I commend his remarks to the attention of my colleagues:

I. BETTER BUSINESS-GOVERNMENT RELATIONS IN 1973

(By Stanley Nehmer)

It is a privilege to participate in the annual meeting of the South Carolina Textile Manufacturers Association. The discussion this morning on business response to government and the growing urgency for closer cooperation takes on more importance in 1973 than perhaps ever before when one considers the myriad of problems confronting industry today. What happens in Washington, what the Federal Government does or does not do, can deeply affect a major industry such as textiles with plants in 47 out of the 50 states and a labor force, with the related apparel industry, of 2.4 million workers, one out of every eight people employed in manufacturing in the country. Indeed, the impact of Washington on every industry and on all facets of the economy is overriding.

Whether it is tax policy or trade policy or consumer policy or environmental policy or labor policy, to mention just a few of the areas in which the Federal Government's role is gigantic, when Washington sneezes, some industries can catch pneumonia.

I am not suggesting that the paramount role of the Federal Government in our economy is good or bad. That judgment has for some time been irrelevant. Whether we like it or not, the fact is that the role of the Federal Government in molding and shaping and controlling the economy has been growing since the enactment of the Interstate Commerce Act of 1887, under both Democratic and Republican administrations. The question before us is rather how best can industry work cooperatively and effectively with the Federal Government; how can industry meet its responsibilities to shareholders, employees, and customers, and, at the same time, support the public interest?

My comments on this question will be through the eyes of a former Federal Government official who has dealt with many industries over a long period.

II

Many years ago an industry executive, who shall remain nameless, said to me during a discussion on an issue of importance to that gentleman's industry, "We don't want anything we're not entitled to."

I made no meaningful response because the concept frankly bewildered me. Over the years, as I have worked with various industries, I have recalled that statement, and a long time ago concluded that the approach of that executive was the wrong way for any industry to succeed in Washington.

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In terms of getting something accomplished with the Federal agencies, there are no inalienable rights that accrue to an industry other than those which belong to all citizens. When consumerists are clamoring for greater consumer protection, when environmentalists are beseeching the Government for tighter restrictions on industry, when free traders have their sights set on all import restraints, including those on textiles and apparel, it is difficult at best for any industry to get that to which it considers it is entitled. The approach is wrong. It is self-defeating. No industry can assume that there is any automaticity to achieving its objectives because government officials, even if they are sympathetic, must always weigh the pros and cons in the light of conflicting objectives of other interests. And if the officials should be unsympathetic to begin with, the hurdles are infinitely greater for an industry attempting to achieve its objectives.

Let me cite one example of an actual case. It involves the nonrubber footwear industry. For several years now that industry has been endeavoring to secure relief from growing disruptive imports. You will recall that the trade legislation of 1970, which passed the House but died in the Senate, provided for import relief for both textiles and shoes, which industries had worked cooperatively in support of that legislation. In July 1970, while that legislation was being considered in Congress, President Nixon requested the Tariff Commission to launch an investigation under the so-called "escape clause" of the Trade Expansion Act of 1962. Under this legislation, import relief can be provided in the form of higher tariffs or other import restrictions such as quotas, if the Tariff Commission finds that an industry is suffering serious injury, or threat of serious injury, as a result in major part of increased imports, and that the increased imports were caused in major part by trade agreement concessions previously made by the U.S.

The Tariff Commission submitted a split decision to the President on January 15, 1971. Since that date no action has been taken by the President in the case, affirmatively or negatively. Under split Tariff Commission decisions, the President can go either way, although there is no time limit for the President to act in such cases under existing legislation.

Meanwhile, what is happening to the nonrubber footwear industry? The import penetration of the U.S. market reached 36% in 1972; it was 30% in 1970 when the Tariff Commission made its investigation. Domestic production fell in 1972 to 527 million pairs, the lowest level since 1954. Over the last five years plant closings in this industry have caused a loss of capacity sufficient to produce 100 million pairs of shoes. Direct employment has declined from 233,000 to 200,000 workers.

Thus, despite the fact that existing legislation would permit relief for the nonrubber footwear industry, none has been forthcoming to date. The government officials who would need to make the necessary recommendation to the President that he provide such relief have not seen fit to do so.

III

How can industry work cooperatively and effectively with the Federal Government? How best can industry accomplish its objectives?

First, I would suggest that consistency with ongoing national policy and realism as to what can be accomplished should be basic in any industry's thinking. If the President has developed a policy for the country heading in one direction, unless the Congress is hostile to that policy, any way-out reversal of that policy is not going to prevail. Reasonable modification is always a possibility, but the case must be a good one.

Second, as with the good Boy Scout, an industry always needs to be prepared, and to be prepared very well. Develop the facts and emphasize the implications for the economy, particularly for jobs, because the workers and their families are the voters who elect or defeat candidates for public office. I might say in this regard that, in my experience, unfortunately it was the unusual industry that was fully prepared to present the facts effectively to officials in Washington. In contrast, my experience with representatives of organized labor was that they generally came well prepared with extensive arguments to support their position.

Third, the chief executive officers and senior executives of an industry must be fully committed to the industry objectives and be willing to take the time from their busy schedules to "make the rounds" in Washington. Trade association executives, particularly those in your industry, are very effective on the Washington scene, but so very much more effective are the leading executives of an industry speaking directly of the problems their companies face and showing that they care very much what happens on an issue. In this regard, the textile industry has no peer, because your executives, under the able guidance of the American Textile Manufacturers Institute, have consistently been involved in issues affecting your industry in Washington.

Fourth, I would not expect any industry to be particularly effective in Washington if its presence there is sporadic, only when there are problems affecting that industry from time to time. It takes time to establish rapport and credibility at all levels of government. It requires a foundation that rests on 365 days a year, year-in and year-out, participation on the Washington scene.

Fifth, related to the problem of sporadic presence in Washington, is the trap that many industries fall into of "crisis management," that is, of waiting for crises to develop—a piece of objectionable legislation that is well on the road to passage, or a proposed new regulation or standard that cannot be met in the directed time frame—before making their views known in Washington. Wishful thinking that the issue will go away may impel some industries to hold off letting officials in the Executive Branch or in the Congress know of their concerns at an early point. The odds are, particularly today, that the issues will not disappear, they may only get worse. Early preparations and early representations on an issue let Washington know that there may be trouble ahead. Later confrontations can be avoided.

Sixth, I think there is a tendency on the part of some companies and some industries to take the position that the less they have to do with Washington, the happier they will be. Unfortunately, this ostrich-like approach gets you nothing but sand in your eyes. The Federal Government is big and it is powerful, and recent efforts to trim its size will not make much change, however desirable that may be. Most responsible officials in Washington, elected or appointed, are concerned with what you think because they are striving to develop the best policies and programs for our nation. They will listen to you and they will react. Don't be afraid of letting the appropriate officials know what you think, whether you are a small company or a large company, a small industry or a large industry. Indeed, the unfortunate and uncalled for tainting of big business, often makes the executive of the smaller company a more effective and credible spokesman than if he came from one of the companies on *Fortune* magazine's list of the 500 largest corporations.

Finally, I have a potpourri of additional suggestions to make. The most effective industries in Washington are those which play it straight and do not overstate their case;

which are as bipartisan politically as possible; which let government officials know when good has been done; which realize that you can't win them all and set their sights on winning the important ones; and which will work in cooperation with the Congress and the Executive Branch to develop meaningful and effective laws and regulations.

IV

Having outlined for you some of the paths as well as the pitfalls, I would be the last one to suggest that these suggestions represent a sure-fire, infallible formula for instant success on the Washington scene. The strength of the position of other interests, or an agency or group of officials unsympathetic to you, may easily defeat you in your efforts. But I sincerely believe, based on my experience, that chances for success are far better with the approach I have suggested.

A real partnership between government and industry is not only possible, but also essential if our country is to continue to grow and prosper. Working together in a cooperative effort is consistent with this objective.

NAVY MAKES A MISTAKE

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HOSMER. Mr. Speaker, the Navy Department has recently announced its intention to close down a number of naval bases around the country. The Navy's action in transferring the three nuclear powered surface ships homeported in Long Beach—the *Long Beach*, the *Truxtun*, and the *Bainbridge*—to San Diego would have a serious effect on our national security.

The following editorial appeared in the July 1, 1973, Long Beach Independent Press Telegram; it points out that moving the Long Beach fleet to San Diego is not sound economic or national security policy and calls upon the Congress to right this obvious mistake:

NAVY MAKES A MISTAKE

It is pretty hard to quarrel with the Navy's stated desire to save money. And it is logical to assume that some Navy activities can be reduced following the ending of the Vietnam war.

So at first blush last April it appeared the Navy might have made an "economy" case for closing the Long Beach Naval Station and closing or reducing other services here.

The Navy made no attempt to justify the closings and the transfer of men and ships away from here on the basis of improving national defense—for a good reason. The moves harm, not help, the nation's defense capabilities.

Oddly enough, it turns out that there isn't much, if any, economy in the transfers, either.

These conclusions became clear in Washington last week as the result of Senate Armed Forces Committee hearings and through replies to questions posed by a delegation of city officials headed by Mayor Edwin W. Wade and City Manager John Mansell.

California's two senators, Alan Cranston and John Tunney, as well as Representatives Craig Hosmer and Glenn Anderson (both of whom represent Long Beach), made the points about harm to the national defense and the lack of economy in strong statements and questions to Navy brass.

Items to consider:

Some Navy economies would have been

made in the normal course of events through retirement of the naval hospital ship *Repose* and through scrapping or retirement of 16 older vessels homeported at Long Beach. Those savings have nothing to do with sending 31 ships and more than 11,000 men to San Diego. Yet the Navy counted those retirements as savings involved in moving the ships and men.

The Navy did not take into account all the new construction that will be needed in San Diego to absorb the ships and men. This construction will involve piers, housing, an enlisted men's club, dredging of deeper channels to handle the larger ships stationed here, etc.

The Navy did not take into account the supplemental housing allowances for Navy families moved from here who cannot be placed in Navy housing in San Diego.

The Navy did not take into account the cost to government of providing school facilities for some 5,000 children in San Diego when more-than-adequate facilities are available in Long Beach.

Senator Tunney estimated additional costs to move the facilities from Long Beach to San Diego would be about \$100 million. The Navy estimated \$16.4 million.

The Navy did not take into account the cost of leaving facilities idle or underused here while building and operating new ones in San Diego.

Navy officials at the Senate hearing promised the California delegation they would try to provide some cost justification for the Navy's actions.

In our view the most serious question posed about the Navy decision was the issue of national defense.

Both Hosmer and Anderson hit hard on this point. After both noted that putting all these ships at San Diego ignores the lessons of Pearl Harbor, Hosmer added this:

"At San Diego these ships would lie jam-packed, four and one-half miles inside the bay behind the bridge which cannot easily be navigated at higher tides and which would trap and immobilize them if it is dropped by earthquake, sabotage or enemy attack."

Congressman Anderson summed it up:

"... moving the Long Beach fleet to San Diego is not in the interest of economy or national security."

We agree. Further, we hope that the Navy and/or the administration will take another look in light of new facts and new assessments. We hope the proposed plans will be changed.

Failing that, it is the duty of the Congress to right what is an obvious mistake.

Our city officials, our senators and representatives have worked hard to bring new information to light on the proposed moves. It should be no disgrace for new Navy decisions to be made in view of new information.

We believe the United States will be best served by leaving a large active fleet in both San Diego and Long Beach.

We, too, remember Pearl Harbor.

FREE WORKERS DISPLAY SOUND JUDGMENT IN SELECTING ILO CHAIRMAN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ASHBROOK. Mr. Speaker, this June I again had the opportunity to attend the annual convention of the International Labor Organization in Geneva, Switzerland. I was deeply im-

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pressed with the sound judgment shown by free worker members in selecting a chairman for the ILO Executive Council.

This year's election was of great importance. For the first time, a delegate from the Soviet Union, Ivan Gorochkine, was nominated. Gorochkine, a Soviet labor ministry official, was expected to be unopposed.

Free workers, however, joined with employer members and some government delegates to block the Soviet bid for the chairmanship. Free workers rejected Gorochkine's candidacy, charging that the election of a Communist government official would undermine the independent role guaranteed trade union and employer representatives of ILO member states by the United Nations agency's constitution. Instead, on a secret ballot, they elected Arturo Munoz Ledo of Mexico by a vote of 26 to 20, with 1 abstention.

I commend the free workers for asserting their independence. Their refusal to buckle under to the Soviet bid for the chairmanship certainly bodes well for the future success of this organization. I only wish that our Government's leaders had the same clear understanding of communism and the U.S.S.R.

IN MEMORIAM: TO THE HONORABLE MARTIN ARANOW, OUTSTANDING COMMUNITY LEADER AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ROE. Mr. Speaker, as the residents of our Eighth Congressional District and the State of New Jersey deeply mourn the loss of one of our most dynamic and distinguished citizens in the crusade for individual rights and the dignity of man, particularly in the sphere of people's essential needs in housing, I ask you and our colleagues here in the Congress to join with me in memoriam to a good friend and a great American, the Honorable Martin Aranow of Fort Lee, N.J., who went to his eternal rest on June 13, 1973, after a long seige of physical suffering and a short span but full lifetime of good deeds as the champion of the tenants throughout our community, State, and Nation. I seek national recognition of his outstanding accomplishments and ask you to join with me in expressing our most sincere condolences to his wife, Sylvia; two sons, Jonathan and Andrew; his mother, Rose Aranow of Brooklyn; his father, Joseph Aranow of Manhattan; and his sister, Mrs. David Harris of Long Island.

Marty Aranow was born in Brooklyn, N.Y., and moved to Fort Lee 11 years ago with his bride Sylvia, a psychiatric social worker. They met at Brandeis University, in the mid-1950's, where he achieved stardom as a robust 6-foot-4-inch member of their basketball team while Sylvia, as a cheerleader on the sidelines, urged him on to many victories. As

a driving rebounder he led Brandeis to an upset victory over New York University in Madison Square Garden and seriously considered a professional basketball career. He played for the New York Knicks' farm club in Baltimore until he changed his plans for other career pursuits. He studied psychology at the New School for Social Research and worked as a salesman for the Olivetti Corp. He became a partner in two office-equipment companies in Norwalk, Conn.

Only 4 years ago, to correct a great injustice Marty founded and organized the New Jersey Tenants Organization which has steadily increased in stature under his presidency to approximately 500,000 members, ranking among the leading citizens-tenants groups in our Nation. During the past 3 months he had witnessed the fruition of his concentrated personal endeavors on behalf of the tenants and even as he battled a rare strain of cancer during the last 10 months of his life, he was winning some of his greatest public victories. His stamina coupled with the quality of his leadership and the richness of his wisdom helped him to accomplish in a few brief years what many people may spend a lifetime to achieve—but then he did not have much time on his side; he died at the young age of 36 years.

He was the champion and the leading spokesman and organizer for the rent leveling concept in New Jersey. Thirteen communities passed rent leveling ordinances in New Jersey including his hometown of Fort Lee. The controversy that developed was finally resolved by the State Supreme Court which upheld the right of local communities to pass rent control laws, a ruling which was based on the original Fort Lee rent leveling law.

The New Jersey State Legislature subsequently passed enabling legislation to permit the adoption of rent leveling ordinances of local communities and only last week when the City Council of Clifton in my Eighth Congressional District passed its rent leveling ordinance, the governing body's action was mentioned by some of the participants present at the council meeting as "a memorial to Marty Aranow of Fort Lee, president of the New Jersey Tenants Association."

Mr. Speaker, we do indeed mourn the loss of Marty Aranow, an outstanding community leader, whose standards of excellence, compassion, goodwill, and untiring efforts on behalf of his fellowman will long be remembered by all of us. The editorial of one of New Jersey's most prestigious newspapers has adroitly and eloquently eulogized the greatness of Marty Aranow that stirred the hearts, imagination, and aspirations of all of us. In testimony to this young statesman whose communion with his fellowman was sometimes prefaced with his words:

Unless you organize, you have had it. If you don't help yourself, who is there to help you?

With your permission, Mr. Speaker, I place the aforementioned editorial at this point in our historic journal of Congress, as follows:

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July 12, 1973

MARTIN ARANOW

He did not hold high office nor was there any indication that he aspired to a career in politics, but even without these influential forums as a power base Martin Aranow represented a vigorous force in the lives of millions of Jersey residents.

Social commitment was a way of life for this young business executive, an awareness that had a populist-oriented genesis in the strong tenant movement he founded and nurtured to a vigorous maturity almost single-handedly.

Affronted by the "exorbitant, unjustified rent increase" on his high-rise apartment, Mr. Aranow became an articulate spokesman for other harried tenants in the state. With his wife, he drafted a "Tenant's Bill of Rights" and a "Senior's Bill of Rights," a careful documentation of the concerns and remedies for these neglected groups.

Because of his missionary zeal, New Jersey was in the vanguard of states on tenant protection. His reasoned thinking on the highly volatile issue of rising rentals was endorsed by Gov. Cahill and largely incorporated in the measure enacted by the Legislature that became a pioneering prototype of tenant reform for other states.

Mr. Aranow's life was cut shockingly short by a rare blood disease. He was only 36 when he died, but it is apparent that he used his years well, a fulfillment that can be measured in rare human terms—helping others who could not help themselves.

I ask my colleagues here in the Congress to join with me in silent prayer in memory of Marty and all of his good works. May his family soon find abiding comfort in the faith that God has given them and in the knowledge that the Honorable Martin Aranow is now under His eternal care. May he rest in peace.

THE OTHER GERMAN VIEWPOINT
ON GERMANY'S FOREIGN POLICY

HON. JOHN M. ASHBROOK

OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. ASHBROOK. Mr. Speaker, two translations have come to my attention which I wish to share with Members of this body. The first is excerpts from a translation from a German language article entitled "The Basic Treaty Between the Federal Republic of Germany and the GDR—Germany at a Turn Point." This article is by Dr. Rupert Dirnecker. Dr. Dirnecker is an astute German observer of foreign relations and is also a foreign relations expert for the CDU-CSU party of Germany. His interesting observations are not often heard in the United States. From the news media we get a one-sided view of what the German people think of recent moves by the German Government toward the Soviet Union and East Germany. I trust that my colleagues will find this translation as enlightening as I have.

The second item that I wish to insert in the Record is also a translation. This translation is of remarks by Dr. Franz-Josef Strauss who is chairman of the

Christian Social Union Party of Bavaria. The CSU is part of the CDU-CSU Party in the Federal Republic of Germany. In these excerpts, Dr. Strauss discusses the necessity of continuing close relations between the Federal Republic of Germany and the United States. He urges his government to do nothing which would weaken those relations. Below are the two translations:

[Translation from the German]

THE BASIC TREATY BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE GDR—GERMANY AT A TURNPOINT—EXCERPTS

(By Rupert Dirnecker, Feb. 8, 1973)

The "Treaty on the Basis of Relations between the Federal Republic of Germany and the German Democratic Republic" initiated on November 8, 1972 and signed December 21, 1972—which we call Basic Treaty and which the GDR calls "Treaty on the Basis of Relations"—represents the conclusion of the first phase of the so-called new German eastern policy initiated in 1969.

The Federal Government claims the treaty as evidence of the alleged rightness and inner logic of its eastern and German policy, i.e. to have negotiated an improved Berlin agreement (Four Power Accord on Berlin) and a new foundation for the inner-German modus vivendi from the East against advance favors within the framework of its eastern treaties.

The eastern heads of government view this treaty as a triumphant success of their communist German policy which they had consistently pursued since the end of the war, and as a confirmation of the territorial and political status quo a la Moscow as well as—in the sense of their dynamic status quo conception—the launching pad for new political offensives in the direction of a combined communist Germany.

In the eyes of *world public*, not only in the East but also in large parts of the non-communist world, this is a treaty by which the Germans themselves put a seal on the division of Germany.

The CDU/CSU rejects the treaty, because it does not meet the fundamental requirements which it demands of agreements with the other part of Germany—agreements that are also desired by the CDU/CSU. In view of the fact that the division of Germany, enforced by the Soviet bloc, cannot be overcome in the near future, the CDU/CSU holds that the objectives should be—

To alleviate the consequences of the division for the Germans on both sides

To strengthen coherence of our people and the will of the nation to unite, as well as

To maintain the political and legal foundations of future unity in freedom.

I would like to lay down the reasons for which I personally reject the treaty and also to discuss the arguments put forward in favor of it.

1. THE TREATY IS MARKED BY AMBIGUITY AND INEQUITY

1.1. If the eastern policy of Brandt and Bahr is marked by vague terms, neutralized conceptions of value and intended blurrings, such characteristics apply especially to this treaty. It certainly does not rank under those treaties which an Italian proverb characterizes as "patti chiari—amici cari"—

The treaty consists of an abundance of unobservable individual parts:

The treaty proper, consisting of 10 articles; A supplementary protocol on individual articles of the treaty;

Protocol notes and unilateral declarations on protocol;

Several exchanges of letters (on postal and communication services, on family reunion,

alleviations of travel, improvements of non-commercial traffic of goods; on the opening of additional border crossing points; on the application of UN membership; on the rights and responsibilities of the Four Powers; on working permits for journalists);

Explanations on these letters and pertinent declarations on protocol;

Declarations of both sides at the signing ceremony (on political consultation; on the extension of agreements and arrangements to Berlin (West));

A unilateral "letter on German unity".

The substance of these agreements is ambiguous and contradictory on important issues. Publications on the treaty and its enclosures in Bonn differ from those in East Berlin. Items of which the Government boasts itself here are not even published in East Berlin.

It is significant of this "complicity" of the two negotiators, Bahr and Kohl, that State Secretary Kohl may declare without being reprimanded by Mr. Bahr that he knows of no "letter on German unity", even though it was delivered to the Foreign Ministry of East Berlin the day before.

1.2. The treaty was worked out without the necessary tenacity and care and under pressure, in order to be employed as a campaign weapon.

That resulted—as we shall also note with regard to Berlin—in striking deficiencies of the treaty which could have been avoided if negotiations had been harder and tougher.

2. INEQUITY

2.1. In negotiating this treaty the basic rule of negotiating, i.e. observing the "do ut des", was grossly neglected. The result is a treaty in which the proportion between give and take is inadequate.

4. SEALING OF THE DIVISION OF GERMANY

4.1. The Federal Government has agreed to a treaty which establishes the division of Germany into two "independent", "sovereign", "equal" and "separate" states. It has committed itself further to respect the "territorial integrity", "inviolability of the borders of the GDR", its full sovereignty within and without preamble (articles 2, 3, 4, 6); to exchange permanent representatives (article 8); to at least not hinder GDR application for membership in the U.N. (letters and declaration on protocol).

4.2 In the eyes of *world public* the treaty is assessed as a treaty on division, in which the Germans themselves seal the division of Germany, instead of suffering it as a dictate by the victor or as an unavoidable result of an international historical process.

The Federal Government paves the way by this treaty for international recognition of the GDR as an independent and sovereign subject of international law. It has also accepted without protest that world public views this process as "liquidation of the Bismarck Reich" (Times) or as "the sealing of the two-nation state" (Neue Zürcher Zeitung). In the Basic Treaty the Federal Republic of Germany pledges to do its part in providing the basis for international consolidation of the sovereignty and subjectivity of the GDR to international law as well as to accept without protest the consequences of this wave of international recognition.

4.3. It is true in its *bilateral* relationship with the GDR the Federal Government avoids express international recognition of the GDR in the Basic Treaty. However, it grants the GDR all attributes of a sovereign subject of international law and commits itself to act accordingly. This process has to be assessed as a *tacit recognition under international law* which must render all attempts by the Federal Government to constitute a "special

inner-German relationship" according to which the "GDR is not a foreign state for the FRG" ineffective.

Any pertinent reservations have neither been included in the treaty proper nor have they been pronounced at its conclusion. Moreover, adverse formal provisions of the treaty have increased doubts that the "GDR constitutes a foreign state for the Federal Republic" (articles 2, 4, 6 GV and paragraph II of the explanations on the treaty by the Federal Government). Also, postal and communications traffic between the two parties to the treaty becomes international traffic on the basis of the statute of the World Postal Union (WPU) and the Union of International Telegraph (UIT). That agreement is contained in the supplementary protocol on article 7 of the treaty (exchange of letters on postal and communications services and in the supplementary protocol (paragraph II.5)). Only trade remains "national trade" according to the supplementary protocol (para II.1).

The other elements which the Federal Government had declared to be fundamental for a "special inner-German relationship" in its declarations since 1969, in particular in its 20 points of Kassel, are either not mentioned at all in the treaty or only in an indirect connection.

The rights and responsibilities of the Four Powers for Germany as a whole and for Berlin, this essential brace of international law which recognizes Germany's legal status, are mentioned in the treaty only indirectly (article 9) and expressly only in an exchange of letters on article 9. However, in these letters as well as in the declarations of the Four Powers made parallel to the negotiations on the treaty on November 9, 1972 in connection with UN membership of both parties as envisaged in the treaty, the object of these rights and responsibilities, i.e. "Germany as a whole and Berlin" are no longer mentioned (discord between West and East). This is in contrast to the exchange of notes on this issue between the Federal Government and the Three Western Powers prior to the signing of the Moscow Treaty.

The peace treaty clause is also left out.

The treaty also lacks a *pledge of both parties to adhere to the unity of the nation and to a future common state*.

On the contrary:

The preamble of the treaty only mentions the "national question" as an issue on which both parties differ.

This shortcoming cannot be remedied by the so-called "letter on German unity", which had been delivered on the day of the signing, whose knowledge was, however, denied by State Secretary Kohl—with no reprimand by State Secretary Bahr. It constitutes nothing more than a unilateral statement by the Federal Government binding the GDR in no way (compare to that the policy pursued by the communists of North Korea who agreed to a joint north-south Korean accord to restore the "climate of national harmony of unity" for an eventual reunification). The other elements, such as the exchange of "permanent representatives" instead of ambassadors (article 8) as well as the special ratification procedure (article 10), are but of a cosmetic nature.

It was thus not achieved to constitute a "special inner-German relationship" as a tertium between inner-German relations under state law and foreign relations under international law, nor to establish a legal and political linkage under the formula of "two states in Germany"; instead the Federal Government is already receding to the formula of "two German states".

EXTENSIONS OF REMARKS

5. SANCTIONING OF A REGIME OF INJUSTICE

5.1. Moreover, the Federal Government sanctioned the unjust regime in the other part of Germany by withholding any reservation in this respect. The German Government which was established on the basis of free elections and which is bound by the preamble of the basic law to speak on behalf of all Germans, which is furthermore obligated by article 1 of the basic law to guarantee all Germans the basic and human rights, has by its signature under the treaty granted the GDR status of a normal member of the international community. For more than 20 years this quality had been denied the GDR regime on the ground that it withheld from the Germans who were delivered to its power, the right of self-determination and the fundamental human rights. The non-communist countries, notably our allies, adopted this view of ours almost without exception and upheld this position until it was yielded by the Federal Government.

7. WEAKENING OF THE POSITION OF BERLIN

The Basic Treaty is particularly affected by deficiencies in regard to the status and the legal as well as factual position of West Berlin.

7.1. The interests of Berlin ("interests of Berlin-West") are treated only in oral declarations of both sides on the occasion of the signing. They were simply written down and were thus subjected to the lowest level of international legal obligation.

In essence these declarations stating that Berlin *may* be included in future agreements envisaged in the supplementary protocol on article 7, do not preclude new discords on this issue, but they require new negotiations for every individual contingency. That leaves a margin for pressure. The declarations are thus without practical value as they do not accord the Federal Republic any legal claims.

This renunciation of a general Berlin clause is all the more regrettable in that it is included in a treaty—contrary to our practice in international treaties—which is to settle the "bases for our relations" with a state that is the strictest pursuer of severing the land of Berlin from the Federal Republic and of making West Berlin an independent political entity.

7.2. In addition, paragraph 3 of the mutual declarations envisages direct arrangements between the GDR and the senate of Berlin. According to that, the extension of agreements between the Federal Republic and the GDR to West Berlin which are described as likely, could be undermined by all kinds of bilateral agreements with the senate.

7.3. The treaty proceeds from the assumption that East Berlin is part of the GDR. Even in the formula of the signature "done in Berlin" the GDR terminology is taken up.

However, association of West Berlin with the Federal Republic of Germany remains an open question. The treaty does not bind the GDR either to take into account West Berlin's special ties with the FRG which were reconfirmed in the Four Power Accord.

7.4. The agreement contained in paragraph 2 of the oral declaration envisioning representation of the interests of West Berlin by the permanent representation of the Federal Republic of Germany in the GDR, is a welcome achievement. However, the question of representation of West Berlin by the Federal Republic abroad remains open. Interferences by the GDR, notably in the communist countries and especially in regard to the pending clarification of this question in con-

nection with the United Nations, will still have to be reckoned with. Moreover, the statement that the permanent representation of the Federal Republic of Germany will look after the "interests of Berlin (West)" in the GDR does not commit the GDR to recognize Berlin's association with the Federal Government.

7.5. This lack of guaranteeing the rights of West Berlin is all the more precarious as a growing erosion of the position of West Berlin will have to be expected from a higher international valuation of East Berlin.

Allegations by the Government that these shortcomings are due to objections by the western powers are objectively false, as inquiries have shown.

On the contrary, it must be stated that the interests of Berlin were sacrificed by the negotiator, State Secretary Bahr, to the objective of influencing the outcome of the parliamentary elections by initiating the Basic Treaty at any cost.

8.3. Strengthening of communist dictatorship on German soil will in the long run lead to a state where beginnings of a freer movement of people in Germany will fall victim to communist demarcation policy. The wrong conceptional as well as procedural approach of the Bahr policy of "change through rapprochement" will become more and more visible. Only future will tell whether the German people will awake to wholesome sobriety in time to prevent the worst. That future will doubtlessly be marked by an increasing debate on political values in Germany and by the foreign-political affiliation of the Federal Republic.

With an increasing expansion of a neutralization of traditional values and a continuing trend towards a "people's front" as a consequence of the policy of adjustment to Soviet and communist demands and ideas, the necessity for liberty-minded forces in Germany to put up a tough opposition and to take a political offensive will grow, in order to be able to counter the emerging campaign towards a national-communist unity ("Red Prussia") with the ideal of a liberal democratic Germany.

9. INTERNATIONAL WEIGHT OF THE BASIC TREATY

The Basic Treaty as the zenith of Brandt's eastern policy to date points up world-political dimensions.

9.1. Moscow is considerably closer to the essential step of its western policy pattern, i.e. to break the Germans' will for self-determination within the framework of freedom in a free world and to discipline Germans in both East and West into a Moscow-friendly behavior.

The stabilization and legalization of Soviet possessions in Eastern Central Europe achieved by the Basic Treaty shifts the political balance in Europe in favor of Moscow.

With the aid of the internationally upgraded GDR and by utilizing the demoralization process evident in the Federal Republic, Moscow will attempt to advance its political influence to Western Europe. If, at the same time, the growing armament of the East which exceeds its defense requirements, as well as signs of fatigue in the western hemisphere are also taken into consideration, "Moscow's triumphant success" in the Basic Treaty receives added emphasis.

9.2. In view of these developments first signs of an awakening are noticeable also in western countries, where it was initially believed that the eastern and German policy which seemed convenient to both East and West and was considered as the so-called German contribution to an anticipated detente, could be applauded.

EXTENSIONS OF REMARKS

There are signs of a beginning awareness that shifts in the political balance in the heartland of Europe bear on all of Europe.

9.3. It will be the task of a German policy which is committed to freedom and to the community of free peoples to convince the friends in the West that upholding the division of Germany does not serve a comfortable peace, that, on the contrary, genuine detente in Europe can only be achieved if one of the most important causes of tension, i.e. the unnatural division of Germany, is eliminated.

Rejection of the Basic Treaty thus is not based on a narrow nationalism. On the contrary, I view it as a commitment derived from the responsibility which I feel for freedom and for the community of the free people.

[Translation from the German—Excerpts from Deutscher Bundestag—7th legislative period—26th session, Bonn, Wednesday, April 4, 1973]

REMARKS BY DR. FRANZ-JOSEF STRAUSS, CHAIRMAN OF THE "CHRISTIAN SOCIAL UNION"—PARTY OF BAVARIA

Allow me, ladies and gentlemen, to conclude my remarks with a few basic statements for your reassurance.

(Interjection by Dr. Schäfer, Tübingen).

My colleague, Mr. Schmidt, stated repeatedly that an early reform of the international monetary system was urgently required. He said, however, that this reform depends on a change of tendency regarding international confidence in the US dollar. That is an inadmissible simplification, Mr. Schmidt. It is certainly a correct statement. But a Minister of Finance must be expected to go a little more to the bottom of the problems. Why does the dollar lack credibility or confidence? It suffers from these drawbacks not lastly because the US trade balance changed from an active 6.5 billion dollars to a passive 6.5 billion dollars within a decade.

I would have to ask of you as holder of an office with extended responsibilities to openly explain the connection between the problems of a reform of the international monetary system, the trade-political arrangements and the consequences for defense policy.

(Applause from CDU/CSU).

Of course the interests of the industrial nations, the developing countries as well as those of Japan, the United States and Europe have to be harmonized in a spirit of constructive partnership. Of course you are right in saying that a political continental drift between the United States and countries of the European Community could have disastrous consequences for all in the long run. I want to thank you expressly for this statement. (applause from CDU/CSU) and I wish to add that we are fully behind it. But we would like to ask you to draw the consequences in the political practice of the government.

(Applause from CDU/CSU).

In all meetings with leading American personalities there is talk of an anti-American campaign in the Federal Republic as well as of a growing anti-German resentment in the United States of America.

(Interjection from SPD).

It is also a responsibility of a Parliament to address these things openly, because the reasons for the growing anti-German resentment in the United States are not eliminated by dutiful American praise for this government's politics. What are the reasons for this resentment?

(Interjection from SPD: Strauss!).

I do not want to name these American personalities here for reasons that should be self-understood. But in this connection your speech is quoted, Mr. Schmidt, which you

held in the United States and in which you as a "good friend" gave moralistic instructions to our American alliance partner in an obtrusive manner—instructions that were neither desired nor needed by the addressed and which were subsequently published in the Government bulletin.

There is further mention of aggressive speeches by an SPD mayor, namely Mr. Arndt of Frankfurt, who caused unsurveyable damage to the U.S. confidence in us by his sharp agitations against the Americans for which he surely had party-political reasons, too.

There is mention also of the joint anti-American demonstrations of young socialists and communists in this country.

(Applause from CDU/CSU).

I refer also to terms used in this forum, such as "American war crimes" and "war criminal Nixon".

(WEHNER. You probably wrote that already yesterday, Mr. Strauss!).

I refer to the young socialists and their tendency toward a neutralization of Europe. (WEHNER. You won't talk away that visit!) towards withdrawal of the American troops, and dissolution of the Atlantic Alliance. Those are the reasons tending to gradually destroy the basis of confidence over there like a subterranean poison.

(Applause from CDU/CSU—interjection by WEHNER).

Since you want me to, I shall talk about it, even though reaction has been minor so far, I mean about that which will appear in "Orbis" soon as the so-called Bahr plan and which could be read in part in the German press. You know, where there is smoke, there must also be fire. And where there is so much smoke as in the case of Bahr, there surely is also a fire underneath it. Those thoughts that have been published here were certainly not invented or fabricated by Professor Hahn.

(WEHNER. You fine gentlemen talk about someone who is absent because of illness).

That which was published here, was "made by Egon Bahr", (applause from CDU/CSU) that is "made in Germany".

Mr. Chancellor, it does not always suffice to talk through the "official denier", either Mr. von Wechmar or Mr. Grünwald. When the SPD has the wall memorial in Nürnberg torn down—which was erected once by the democratic parties in unison—because it does not fit into the scenery shaped by the basic treaty anymore, (shouts of disgust from CDU/CSU) and when pickets against this measure are removed by police force—pickets of the Junge Union party who has stood by what we once commonly pledged—if that is freedom in our country, if that is more democracy, we are indeed upon an enlightening course, if that carries on.

(Loud applause from CDU/CSU—interjection by Mr. Haase, Kassel).

It is not enough for one of your spokesmen to declare that the Government does not condone removal of that memorial. There is also an inner-party approach to make up for this outrageous incident and to correct it. We will not believe your denial until the SPD of Nürnberg agrees to reerect the memorial together with us on the same spot where it had been for ten years.

(Applause from CDU/CSU—interjection by Mr. Wehner).

JIM SMITH

HON. GARNER E. SHRIVER
OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1973

Mr. SHRIVER. Mr. Speaker, the State of Oklahoma and rural America lost a

July 12, 1973

great friend and leader with the tragic and untimely passing of Jim Smith. All of us who had the privilege to serve with Jim in the House of Representatives were deeply saddened when the news of his accident reached Washington.

As is often the case, Jim Smith was a dedicated servant of the people of his State before he was officially elected to public service. A successful farmer and rancher, Jim was also active in civic affairs. He served on the Grady County School Board, the board of regents of Oklahoma's 4-year colleges and other education and youth-oriented service organizations. In 1958, his service was recognized by the Jaycees in his hometown of Chickasha, who presented him with their Outstanding Young Farmer Award.

Jim was elected to Congress in 1966, where he served with distinction for 2 years. He made many friends here.

Following his House service, Jim was chosen in 1969 by President Nixon to head the Farmers Home Administration. Under his vigorous and understanding leadership, FHA became the keynote of the revitalization of many parts of rural America. I am personally aware of several instances in the Fourth Congressional District of Kansas, which I represent, in which Jim Smith expedited the approval of much needed rural water programs. He also was instrumental in programs to encourage young Americans to stay in our rural areas.

These rural improvements and the warm memories of all who were honored to serve with him will be lasting memorials to Jim Smith. Our deepest sympathy goes to Mrs. Smith and the family.

OCCUPATIONAL SAFETY AND
HEALTH ACT

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. SYMMS. Mr. Speaker, most of us here in Congress are becoming more aware of the monster which has been created in the form of the Occupational Safety and Health Act. It is important for all the Representatives who have received strong protests from their constituents about the arrogant dictatorial actions of the OSHA inspectors as well as the complaints about the inflexibility of the Assistant Secretary of Labor and others in the Labor Department to know that there is now a national effort called "No OSHA" led by Les Barbee, a Washington State farmer, to organize those opposed to this dictatorial law in each State and to give grassroots feeling to each Representative from every State.

Barbee, who runs a small orchard operation in Zillah, was in Denver when the Director of Standards for OSHA told his advisory committee that if farmers could not obey the regulations set by OSHA, they could get out of the business. This

impossible attitude has been typical of the OSHA Administration and it is this attitude which we so completely oppose. Mr. Barbee and I are being joined by tens of thousands of people across this land who are firmly and unconditionally committed to the repeal of OSHA. I urge consideration of my bill H.R. 7437 which would repeal OSHA.

Safety, yes—OSHA, no.

RES "IPSE LOQUITUR"

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HARRINGTON. Mr. Speaker, the Watergate investigation by the Senate Select Committee on Presidential Campaign Activities has apparently reached a logjam, resulting from the refusal of the White House to turn over certain documents to that committee and to allow former aides to copy or even take notes on documents on file in their former offices. Senator SAM ERVIN indicated today that he will discuss this matter with President Nixon, so that the committee might pursue its investigation fully. Before Mr. ERVIN meets with the President, I would like to insert in the RECORD some statements of interest on this subject.

President Nixon stated, on March 8, 1972, that—

The system of classification has failed to meet the standards of an open and democratic society, allowing too many papers to be classified for too long a time . . . the classification has frequently served to conceal bureaucratic mistakes or to prevent embarrassment to officials and administrations. (Emphasis supplied.)

The former Attorney General of the United States, who has also been a close confidant of President Nixon for many years, testified yesterday on this issue, in response to questioning by Senator ERVIN. Excerpts from that testimony, as reported by the New York Times, follow:

Q. Do you agree the concept that executive privilege . . . entitles the President to deny a court or a Congressional committee the testimony of his former or present aides about everything?

A. It depends entirely upon the area, Mr. Chairman. And, of course, if there are conversations or direct communications with the President and particularly with respect to certain subject matters, I think that he has that power.

Q. Well, let me state my concept of executive privilege and see if we agree or disagree. I think a President is entitled to have kept secret confidential communications had between him and an aide or had among aides which were had for the purpose of assisting the President to perform in a lawful manner one of his constitutional or legal duties.

A. Senator, I agree with that concept.

Q. Yes. And I think also that is the full scope and effect of executive privilege. Since . . . there is nothing in the Constitution requiring the President to run for re-election I don't think that executive privilege covers any political activity whatsoever.

EXTENSIONS OF REMARKS

They are not official and have no relation to his office. Do you take the position that the President is entitled to keep political secrets from the Congress or political activities under executive privilege?

A. Not under the outline that you have provided.

Q. I also take the position that executive privilege does not entitle a President to have kept secret information concerning criminal activities of his aides or anybody else because there is nothing in the Constitution that authorizes or makes it the official duty of a President to have anything to do with criminal activities.

A. I would agree.

Q. Yes. So, I cannot see, if the President has any—if any aide has any information about criminal activities or if any papers in the White House that constitutes reports from—to any White House official about criminal activities that they are privileged in any way whatsoever.

A. I would have to qualify that with respect to certain areas that might involve national security, and if we will leave that out I will agree with you.

Q. Well, national security is defined in the executive order as comprising only two fields: first, is national defense and the other is our relations with foreign countries. I don't think that there is anything else that falls in the field of national security, according to the definition in the executive order which was signed by President Nixon, and I think that is also clear that the acts of Congress make it very clear what national defense is.

A. I have made the exception and you have very properly, I think, defined it.

Mr. Speaker, the Executive order to which Senator ERVIN referred was issued along with the statement of President Nixon that I cited above: that secrecy has been used "to conceal bureaucratic mistakes or to prevent embarrassment to officials and administrations."

Mr. John Mitchell agreed with Senator ERVIN, that executive privilege does not cover information concerning criminal activities by anyone, except when national defense or foreign relations are concerned. With both Mr. Mitchell and Senator ERVIN in agreement on this point, and with Mr. Nixon on record as opposing secrecy to prevent embarrassment or conceal mistakes, I was quite surprised to read about a White House policy preventing former aides from even taking handwritten notes from White House documents for presentation to the committee.

For the information of my colleagues, the Washington Post article reporting this policy follows:

WHITE HOUSE BARS EX-AIDES FROM TAKING NOTES ON FILES

(By William Claiborne and Hebert H. Denton)

The White House said yesterday that former presidential aides involved in the Watergate investigation will not be permitted to make even handwritten notes of documents on file in their former offices.

Deputy press secretary Gerald L. Warren, in disclosing a decision he said White House lawyers had made on May 23, said former aides could "peruse" the documents, but could not copy them in any way.

The White House statement came as the staff of the Senate select Watergate committee prepared a challenge to President Nixon's position that he has constitutional author-

ity to withhold White House notes and documents that the committee said it needs for its investigation.

A memorandum prepared by lawyers for the committee suggests that Mr. Nixon's arguments in support of his position are a rehash of claims the President made on executive privilege. On May 22, Mr. Nixon backed off from his earlier stand on executive privilege and agreed to permit his aides to testify before the committee.

It was the following day, Warren revealed yesterday, that it was decided that the former presidential assistants could examine papers on file "to refresh their memories" but would be expressly prohibited from making photocopies or even taking written notes.

Warren said the ruling was based on "desire to maintain confidentiality of presidential papers, not only for this President, but all presidents."

While testifying before the committee two weeks ago, former presidential counsel John W. Dean III asked the senators for help in getting White House permission to photocopy papers on file in his old offices.

Dean said he had been allowed access to his files, but he complained that he had to laboriously copy by hand stacks of documents that had been requested by the committee. He said that on some occasions he had to use the top of a safe as his desk.

An administration source acknowledged yesterday that Dean had copied documents by hand, despite the May 23 ruling, but said such instances were "exceptions rather than the rule."

Warren, who revealed the ruling in answer to a question at a regular briefing, said the prohibition did not extend to personal papers. But another spokesman explained that the exemption is limited to such items as check books, personal bills and other papers brought to the White House from outside.

The Senate Watergate committee is scheduled to discuss the problem in an executive session before this morning's public hearing resumes.

A committee staff member had suggested earlier yesterday that the members would not hold a vote today on whether to subpoena the papers, but rather would seek a resolution of the problem that would not require a court ruling. Upon hearing of Warren's statement, another committee source said, "Well, they're going to force the issue to court, aren't they?"

In a letter last Saturday to Sen. Sam J. Ervin Jr. (D-N.C.), chairman of the committee, the President stated that under no circumstance would he testify before the panel or open presidential papers for committee inspection.

Mr. Nixon said nothing to change his May 22 promise that Dean and other former assistants may inspect their papers under supervision and make notes from them.

The White House had no explanation yesterday for the delay in disclosing the May 23 guidelines, or why they were implemented just one day after Mr. Nixon had issued a comprehensive statement about Watergate.

Among the papers sought by the committee are: daily news summaries prepared for the President upon which Mr. Nixon purportedly wrote notations to aides; notes purportedly taken by former White House chief of staff H. R. Haldeman during alleged discussions of Watergate with Dean; briefing papers for presidential news conferences, and all Watergate-related papers from the files of Haldeman, Dean and former White House domestic affairs adviser John D. Ehrlichman.

The committee staff, in its memorandum made available yesterday, noted that legal scholars disagree as to whether there is a

legal basis for executive privilege. Even if there is, the staff asserted, it would not apply to the request for the papers because the doctrine may not be used as a device to conceal information relating to the commission of a crime.

The committee staff memorandum said that by permitting his aides to testify, "Mr. Nixon has opened the door to evidence and it is now difficult for him to argue that presidential documents regarding Watergate may be withheld."

"There is, in short, no reason to draw a distinction between documentary and testimonial evidence, and waiver of rights as to the former should also result in waiver as to the latter," the staff statement argued.

While the committee has requested a wide range of papers, the staff memo noted that documents nevertheless could be selected and excised by the White House so that they included only matters within the scope of the committee's investigation.

That same theme, of more narrowly defining what the committee wants, was sounded by Sen. Ervin at yesterday's hearings during extended questioning of former Attorney General John N. Mitchell.

Ervin said he believed the executive privilege extended only to confidential communications between the President and his aides that are for the purpose of assisting the President in performing "in a lawful manner one of his constitutional or legal duties.

"Since there is nothing in the Constitution requiring the President to run for reelection, I don't think that executive privilege covers any political activities whatsoever.... I also take the position that executive privilege does not entitle a President to have kept secret information concerning criminal activities of his aides or anybody else because there is nothing in the Constitution that authorizes or makes it the official duty of a President to have anything to do with criminal activities," Ervin said.

The former Attorney General agreed.

Rufus L. Edmisten, deputy counsel to the Watergate committee, described the comments by Ervin and other committee members as "feelers" aimed at achieving some agreement between President Nixon and the committee.

Meanwhile, there were indications yesterday that Ehrlichman will be compelled to tell Senate investigators whether he informed Mr. Nixon of his suspicions that high officials of the President's re-election campaign were involved in the Watergate operation.

On May 4, Ehrlichman refused to discuss that during an interview with committee investigators. At that time, the White House position was that all conversations between Mr. Nixon and his aides were covered by executive privilege.

At yesterday's hearing, Mitchell said it was his understanding that Ehrlichman cannot invoke executive privilege on his own, that the prerogative is the President's alone.

And Warren, at the press briefing, said the question of Ehrlichman's future testimony "is firmly covered" in Mr. Nixon's statement of May 22. On that date, the President said that executive privilege "will not be invoked as to any testimony concerning possible criminal conduct or discussions of possible criminal conduct in the matters currently under investigation, including the Watergate affair and the alleged coverup."

Ehrlichman has not been interviewed by committee investigators since May 4, but Senate sources indicated he probably will be questioned privately again before making a public appearance before the committee. He has consistently denied any role in the planning and coverup of the June 17, 1972,

break-in of the Democratic National Committee headquarters at the Watergate office building.

THE ALASKAN PIPELINE—NOW

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. KEATING. Mr. Speaker, perhaps the three major factors threatening the quality of life in America today are the deteriorating condition of the environment, the dwindling supply of world energy resources, and the inflationary state of the economy. In the case of the Alaskan pipeline, the desires for environmental protection, energy consumption, and economic advantage conflict to some degree. We can only safeguard our environment completely by leaving it untouched and yet our pressing need for fossil fuel does not permit us to adopt such a policy of benign neglect. As long as the American economy runs on oil, the Alaskan reserves will have to be tapped. Thus, the question before Congress is not whether we should build the pipeline but rather where we should put it in order to minimize environmental hazards and maximize economic benefits. I believe that the trans-Alaskan pipeline will prove more satisfactory than its trans-Canadian alternative in both respects.

Environmentalists have raised four major objections to the construction of a trans-Alaskan pipeline.

First. If placed underground, it would warm the Arctic permafrost layer thereby altering the ecosystem.

Second. If placed above ground, it would disrupt animal migrations.

Third. Since it must cross seismically active terrain, there is a real threat of earthquake and thus of rupture.

Fourth. Since it requires a tanker leg, the possibility of spillage into the North Pacific arises.

These arguments are serious. However, they would not be answered by routing the pipeline through Canada. Indeed, the environmental hazards would very likely equal, if not exceed, those expected from the Alaskan pipeline.

Damage to the permafrost layer and to migration routes increases with the length of the pipeline. Thus, an Alaskan route which extends for 789 miles would not disturb regional ecology nearly as much as its Canadian alternative which would extend for at least 1,700 miles to Edmonton. Since existing Canadian pipelines are running at full capacity now, it may be impossible to connect the new line to them. In that case, a new 3,200 mile pipeline would have to be constructed. Clearly, we would not be solving the permafrost and migration problems by routing the pipeline through Canada. We would simply be exporting—and intensifying—their. Since environmental matters are truly global concerns, I strongly resist any measure which would protect areas within our own territory at the expense of much

larger areas in neighboring countries.

Even the earthquake and spillage problems would not be solved by building the Canadian pipeline. As Senator STEVENS has pointed out, the Canadian route is not seismically calm. A pipeline running from Alaska to Canada would have to traverse an area in which earthquakes of the sixth magnitude on the Richter scale are not improbable. Moreover, although a Canadian route would avert the danger of oil slicks in the Pacific, it would greatly increase the danger of river pollution. The Canadian pipeline would cross 77 rivers, 12 of which are over one-half mile wide. During flood stage, these rivers could sweep rocks and other debris downstream at high speeds, thus buffeting, weakening, and perhaps rupturing the pipeline. In the past, river crossings have proven to be a major source of pipeline accidents.

It is impossible to weigh the damage caused by an earthquake along the Alaskan as opposed to the Canadian route. It is equally impossible to weigh the threat to the Pacific Ocean from the Alaskan pipeline against the danger to North American rivers from the Canadian route. What tips the balance for me is the fact that we can impose high standards of workmanship upon internal construction projects. We can insist that specially engineered pipe be laid in seismically active areas and that specially constructed tankers operate in our own waters. We have not such jurisdiction in Canada. If the pipeline is built through Canada, we forfeit our authority to legislate safety measures to the Canadian Parliament.

Admittedly, the environmental factors involved in determining how petroleum should be transported from the North Slope to the rest of the Nation are complex and difficult to assess. The economic issues, however, are clear-cut. The unfavorable balance of payments, the present rate of inflation, and the ever-rising interest rates all argue for the route which would bring Alaskan oil into the marketplace as rapidly as possible.

Last year, the United States imported 1.7 billion barrels of oil resulting in a cash outflow of nearly \$6 billion. The North Slope is capable of producing 2 million barrels a day, thereby cutting our oil imports by one third and improving our balance of payments deficit by as much as \$2 billion per year. Such improvements are crucial to the stability of the dollar.

Moreover, given current rates of inflation, the Interior Department estimates that construction costs will rise by 4 percent per year. The Alaskan pipeline and tanker fleet combined would cost something on the order of \$5 billion if begun this year. The Canadian pipeline would prove at least as expensive. Thus, a 4-percent increase in construction costs amounts to nearly \$200 million for the first year of delay, more in years to come. With prime interest rates at 8 percent, I feel that it is unfair to ask the oil companies to absorb such massive cost increases unnecessarily. Clearly, we must

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permit the construction of a pipeline as soon as possible, and, at the present time, only an Alaskan route is feasible.

Just two obstacles delay its construction, the width restrictions in the Mineral Leasing Act of 1920 and a possible court test of the six volume environmental impact statement compiled in accordance with the National Environmental Policy Act. The obstacles to the Canadian route, on the other hand, are legion. The Governor of Alaska has devoted 35 pages to these obstacles in the report which he recently distributed to Congress.

I will simply note that the Canadian pipeline proposal is in the rawest state of development, both technically and financially. No organization has as yet been set up to perform even the most basic studies or to raise even minimal backing. Moreover, the Canadian pipeline would not only have to comply with U.S. laws—including the Mineral Leasing Act and the National Environmental Policy Act—but also with Canadian law. The problem is further complicated by the fact that the United States and Canada are both organized into national and regional governments so that State, Provincial, and local authorities will also have jurisdiction over the pipeline.

How long would it take to thread through this mass of redtape? Estimates range from 2 to 6 years. The experiences of Canadian Arctic Gas, Ltd., however, would indicate that these are very conservative estimates. In 1967, this company began studies of the feasibility of a trans-Canadian gas line from the Prudhoe Bay area of Alaska to Emerson, Manitoba. The company expects to be able to file applications with the Canadian and U.S. Governments later this year. In the words of Mr. William P. Wilder, chairman of the board:

By the earliest that we can expect approvals—possibly late 1974 or early 1975—Arctic Gas will have invested more than seven years and \$50 million. Delivery of materials and construction will take another three or four years.

I do not believe that we can afford such a delay. Arguments to the effect that the Midwest needs the oil more desperately than the west coast are unfounded. Since either region can consume the full capacity of the Alaskan pipeline, it seems to me that the shortest, quickest, and most controllable route is also the best route. The fact that an Alaskan pipeline would deliver its full capacity to the United States whereas 50 percent of the capacity of the Canadian pipeline would be reserved for Canadian oil destined for Canadian markets further reinforces this feeling.

Finally, I would like to note that the construction of an Alaskan pipeline system would confer substantial direct benefits on many American citizens. At the peak of construction, the Alaskan

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line would open up 26,000 jobs for U.S. construction workers. Building the tanker fleet would require 7,000 man-years of labor. And maintaining these ships would create 770 man-years of employment for the lifetime of the fleet. Moreover, the Alaskan Native Claims Settlement Act would confer nearly \$500 million on native regional and village corporations for local improvements if the pipeline is built. Indirect benefits would accrue to all Alaskans because the royalties from oil production would help balance the State budget. Since Alaska has already lost nearly \$1.5 billion in expected oil production revenues because of the delay in pipeline construction, these royalties are urgently needed. For the benefit of all these thousands of Americans, I believe that it is imperative that the Alaskan pipeline be built as soon as possible.

HEALTH PROGRAMS EXTENSION ACT

HON. WILLIAM H. HUDNUT III OF INDIANA IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1973

Mr. HUDNUT. Mr. Speaker, the Health Programs Extension Act of 1973 was passed nearly unanimously by this body on May 31, and subsequently signed into law by the President. Its purpose was to continue 12 major health programs scheduled to expire on June 30, 1973, in order that Congress might undertake the necessary evaluation of each program and determine which ones justified continuation and which ones deserved phasing out and termination. The total authorizations provided in the bill were about \$1 1/4 billion, and the programs authorized for continuation included the Hill-Burton program, community health centers, migrant health, allied health professions, regional medical programs, public health training, and others.

As a member of the committee that sponsored this legislation, the Health and Environment Subcommittee of the Interstate and Foreign Commerce Committee, I am now amazed and shocked and disappointed to discover that regulations and directives that have been promulgated by the Department of Health, Education, and Welfare are aimed at subverting the continued life of these programs. It seems as though the intent of the Congress is being willfully violated or ignored.

Let me give two examples.

First, Dr. Herbert B. Pahl, Acting Director for Regional Medical Programs Service, has sent a telegram dated July 5, 1973 to all RMP's, in which he says:

Under the fiscal year 1974 continuing resolution the Department has authorized Regional Medical Programs Service to negotiate with each RMP a level of support through 9/30/73 to assure its viability during the first quarter of fiscal year 1974. Such level, however, may not exceed average monthly expenditure for the period April 1st through June 30th, 1973. Regional Medical Programs Service has been authorized to utilize the balance of fiscal year 1973 funds (approximately \$6.9 million) with the stipulations that no expenditures be made therefrom until the Department announces the mission of the Regional Medical Programs Service for the remainder of fiscal year 1974 and that proposed RMP activities meet review criteria to be established. The Grants Management Branch will contact you regarding your funding needs through 9/30/73 as indicated above.

According to one interpretation, the Department of HEW plans to continue ignoring extension legislation and appropriations by maintaining things in limbo.

Second, in the May 21, 1973, Federal Register, regulations were published which would implement a new funding policy for health services delivery projects supported by the Health Services and Mental Health Administration. These regulations would make a condition of support for specified health services delivery projects the requirement "that such health services delivery projects must be or become basically self-sustaining community-based operations with diminishing need for direct or indirect HSMHA support." Many of us on the subcommittee believe that the apparent intent of the regulations is praiseworthy, but at the same time we are concerned about the implications of this regulation; namely, that it would have a severely negative impact on most of the programs affected and would result in termination of a substantial number of these programs; and reservations also about the legitimacy of the regulations themselves in that it has never been stated by Congress that its intent is for each of these programs to become self-sustaining.

These examples illustrate the classic confrontation that is taking place in American history at this time between the legislative and executive branches of Government. While there are good reasons advanced on both sides of the argument, as a Member of this body and of the subcommittee, I feel that I must ask: What will the Congress do to see to it that its intent in enacting this extension legislation is neither violated nor ignored? What power do we have to enforce our legislation when it is disregarded by the executive? How can the will of the people effectively express itself when bureaucrats stymie authorized programs? What are we going to do about the increasing power of the bureaucracy in the Federal Government apparently to do as it pleases irrespective of what the law says and requires?

It is easier to ask these questions than come up with answers, but I do sincerely hope that the wise and experienced heads

in this Congress can solve this problem because it is very critical in terms of the ultimate equilibrium that the Founding

Fathers intended to be established between the different branches of Government.