

I am sure my colleagues join me in the feeling that Jim Smith's stay in Federal service was all too short, and that his tenure has been an invaluable asset to everyone. I wish him well in his future pursuits, and only hope that we may share his counsel in the future.

ANNIVERSARY OF UKRAINIAN INDEPENDENCE

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. RIEGLE. Mr. Speaker, today marks the 55th anniversary of the proclamation of the Independence of Ukraine, and the 54th anniversary of the Act of Union, whereby all Ukrainian ethnographic lands were united into one independent and sovereign state of the Ukrainian Nation. Both the Independence of Ukraine and the Act of Union were proclaimed in Kiev, capital of Ukraine, on January 22, 1918, and January 22, 1919, respectively. I would like to pay tribute, today, to the Ukrainian people and their undaunted struggle for human rights and freedom, which are the basic tenets of our modern and civilized society.

CURTIS STAPP—SAFE DRIVER OF THE YEAR AWARD

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. STARK. Mr. Speaker, I am very pleased today to pay tribute to Mr. Curtis "Dick" Stapp of San Leandro, Calif. Mr. Stapp is a recipient of the National Safe Truck Driver of the Year Award from the American Trucking Association.

It was my pleasure as Dick's Congressman to host a breakfast for him, his lovely wife and daughter on January 4. My colleagues Mr. CLAUSEN, Mr. ANDERSON, and Mr. EDWARDS came and enjoyed the pleasure of meeting Mr. Stapp.

Dick's remarkable driving record of 4 million safe miles demonstrates courtesy and a respect for human life. If only these qualities were shared by all in all areas of every day living. His example is a worthy one and we owe him a hearty thanks and extend our best wishes for another 4 million safe miles.

APOLLO 17

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Congress honors itself by honoring the Apollo 17 astronauts—Capt. Eugene A. Cernan, Capt. Ronald E. Evans, and Dr. Harrison H. Schmitt. These three outstanding Americans have flown the last of the Apollo lunar missions and provided our Nation with the wealth of new knowledge from their efforts which will take the next decade to decipher. There has been an exceptional contribution in a long line of striking achievements by the Apollo astronauts. On this Apollo mission our first geologist astronaut visited the lunar surface. Apollo 17 astronauts logged the longest stay time of any mission. They also spent the longest single time on the lunar surface in doing exploratory work at the same time covering the longest distance ever traversed on the lunar surface. In addition to this, astronauts Cernan, Evans, and Schmitt also compiled the longest Apollo mission of over 300 hours returning the most samples to earth of any mission.

Because of the rapid advance of space technology and the associated communications, practically every American and a large portion of the world have been able to journey with our astronauts in the Apollo program. The Apollo 17 crew, along with their colleagues from previous flights, have distinguished themselves in the harsh glare and minute-to-minute review of comprehensive coverage of the Apollo missions.

Astronauts Cernan, Evans, and Schmitt ought to be congratulated not only for their Apollo contributions but for their outstanding conduct and ex-

ample in their dedication to their arduous task of lunar exploration.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

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

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

How long?

A SALUTE TO JAMES V. SMITH

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. HUNGATE. Mr. Speaker, I would like to thank my distinguished colleagues from Texas (Mr. POAGE) and California (Mr. TEAGUE) for requesting this special order to salute the departing Administrator of the Farmers Home Administration, James V. Smith.

I had the privilege to serve with Jim Smith when he was elected to the 90th Congress and to work with him during the past 4 years while he served as FHA Administrator.

As a representative of a largely rural congressional district in Missouri I am personally familiar with the support and cooperation Jim Smith has given our Nation's farm community during his tenure as head of the Farmers Home Administration. His outstanding service will be sorely missed.

I join Jim Smith's many friends and colleagues in saying thank you for a job well done and in expressing best wishes for a prosperous future as he returns to his native Oklahoma.

HOUSE OF REPRESENTATIVES—Tuesday, January 23, 1973

The House met at 12 o'clock noon. The Very Reverend Andrew Dworakivsky, Dormition of the Holy Virgin Ukrainian Orthodox Church, Northampton, Pa., offered the following prayer:

Almighty God, we thank Thee for all the graces with which You have endowed all nations. We ask Your mercy for Ukrainians deprived of their liberty and freedom in their native land for the past 55 years.

Today, with unrelenting hope and humble respect, we stand before you, honorable members of the American Government, and beseech Almighty God

to terminate the servitude of the Ukrainian Nation and grant to her brotherhood, love, and peace.

Bless all responsible leaders, O Lord. Especially, Father, we ask Thee to bless our President, the members of his Cabinet, the Senate, and this deliberative body. Give them courage and strength to stand firm for human rights, especially the captives in Ukraine.

Let it come to pass, O Lord, that this country and independent Ukraine will always be free and friendly nations that will glorify Thee for ever and ever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries.

APPOINTMENT AS MEMBERS OF BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of title 20 United States Code sections 42 and 43, the Chair appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House: Mr. MAHON, of Texas; Mr. ROONEY of New York; and Mr. MINSHALL of Ohio.

ORDER OF BUSINESS

Mr. HAYS. Mr. Speaker, I am going to make a point of order that a quorum is not present. It is my understanding we will use the new voting system. I just want to say to the Members that their cards will work if they put in either end or either side out. Any way the Members can get it into the slot, it will work, either end or either side; it does not matter.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Ohio yield?

Mr. HAYS. If I may, I yield.

Mr. GERALD R. FORD. Mr. Speaker, I would ask if the gentleman would withhold temporarily his point of order. I have a resolution that has been cleared with the Speaker, if I might be recognized, before the matter of the point of order.

Mr. HAYS. Mr. Speaker, I will withhold at the Speaker's pleasure.

INTERNATIONAL CLERGY WEEK IN THE UNITED STATES

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 163) designating the week commencing January 28, 1973, as "International Clergy Week in the United States," and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 163

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week commencing January 28, 1973, is designated as "International Clergy Week in the United States". The President is authorized and directed to issue a proclamation inviting the people of the United States to observe this week with appropriate ceremonies and activities.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 5]

Andrews, N.C.	Gray	Pritchard
Armstrong	Grover	Quie
Ashbrook	Gude	Rallsback
Aspin	Harsha	Rangel
Badillo	Harvey	Rees
Bell	Hastings	Regula
Biaggi	Hawkins	Reid
Blatnik	Hébert	Rhodes
Bowen	Hogan	Roncallo, N.Y.
Brasco	Holifield	Rooney, N.Y.
Bray	Holtzman	Rosenthal
Breaux	Johnson, Colo.	Rostenkowski
Breckinridge	Jones, Ala.	Roybal
Camp	Jordan	Ryan
Carney, Ohio	Karsh	Seiberling
Chisholm	Kastenmeier	Shipley
Clancy	Kluczynski	Snyder
Clark	Koch	St Germain
Clay	Kuykendall	Staggers
Corman	Kyros	Stark
Coughlin	Macdonald	Steele
Daniel, W. C.	Madigan	Steelman
(Dan)	Mailliard	Stokes
Dellums	McDade	Symms
Diggs	McEwen	Teague, Tex.
Dingell	McSpadden	Vander Jagt
Dulski	Meeds	Waldie
Edwards,	Metcalfe	Wampler
Calif.	Mitchell, Md.	Ware
Fish	Mosher	Wiggins
Fraser	Nix	Wolff
Frelinghuysen	Parris	Wylder
Frey	Passman	Young, Ga.
Fulton	Price, Tex.	Young, Ill.

The SPEAKER. On this rollcall 331 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RESIGNATION FROM COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER laid before the House the following resignation from the Committee on House Administration:

WASHINGTON, D.C.,
January 18, 1973.

HON. CARL ALBERT,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Please accept my resignation as a member of the House Administration Committee, effectively immediately. Thank you for your attention to this request.

Sincerely yours,

VICTOR V. VEYSEY,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

CORRECTION OF COSPONSORSHIP OF PROPOSED LEGISLATION TO ABOLISH COMMITTEE ON INTERNAL SECURITY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, we all make mistakes once in a while, and this is what happened over the weekend when the gentleman from California (Mr. WALDIE) sent around a "dear colleague" letter listing me as one of the cosponsors of his proposed resolution to abolish the Committee on Internal Security.

In view of my strong support of this committee over the years I am sure most

Members will already have recognized that this was an error in which my name was confused with that of the other gentleman from Michigan, my friend, BILL FORD. Mr. WALDIE has graciously sent out a correction to all recipients of his January 19 letter but I want to state for the record that I am opposed to his resolution and continue to support the important work of the Committee on Internal Security. Nevertheless, I thank the gentleman from California for promptly correcting his inadvertent mistake.

THE ABORTION DECISIONS

(Ms. ABZUG asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Ms. ABZUG. Mr. Speaker, millions of American women feel more secure and more free today as the result of yesterday's Supreme Court ruling in the cases of Roe against Wade and Doe against Bolton. In deciding these two cases—the former arising in Texas and the latter in Georgia—the Court has taken a historic and giant step toward the recognition of the rights of women to control their own bodies and to have abortions by choice under their constitutional right of privacy. The decisions, which will affect statutes in 46 States, establish this constitutional right for the first time.

ROE AGAINST WADE

In this case, the Court held that State criminal abortion laws that except only a life-saving procedure without regard to the stage of the pregnancy violate the right of privacy as made applicable to the States through the due process clause of the 14th amendment. This right of privacy, however, is not absolute, and the State's interest in protecting the health of the mother and the potentiality of life in the fetus grows over the period of the pregnancy.

During the first trimester—about 13 weeks—the State's interest in the subject is too small to permit it to interfere, and the judgment during this period is solely a medical one resting with the woman and her physician. Between 13 weeks and the time of "viability" of the fetus—24 to 28 weeks—the State may regulate abortions, but only in ways reasonably related to the health of the mother—that is, protection of the fetus is not a permissible reason. Once viability occurs, the State may regulate or prescribe abortion altogether, except where necessary to preserve the life or health of the mother.

Finally, said the decision, written by Justice Blackmun, the State may limit the performance of abortions to physicians.

ROE AGAINST BOLTON

In this companion case to Roe, the Court dealt primarily with attendant issues. It held that abortions may not be limited to hospitals and that a requirement of approval of an abortion by a hospital abortion committee or by any physicians other than the patient's is "unduly restrictive" of the patient's rights. It also held that any durational residence requirements within a State

constitutes a violation of the privileges and immunities clause of the 14th amendment and is therefore unconstitutional. Finally, the Court held that the Georgia statute's requirement that the physician's decision that an abortion is necessary be based upon his "best clinical judgment" is not unconstitutionally vague so long as it permits him to exercise that judgment "in the light of all factors—physical, emotional, psychological, familial, and the woman's age—relevant to the well-being of the patient."

ANALYSIS

My position on abortion—expressed in H.R. 254, the Abortion Rights Act—is that it is in all instances a medical matter between the patient and her physician, regardless of the stage of the pregnancy, and that a woman's right to abortion is a part of the right of privacy protected by the Constitution.

The Court has recognized the existence of that constitutional right and made it applicable to the States through the due process clause of the 14th amendment. The Court has also stated, however, that the State has some countervailing interest which may be applied to qualify the constitutional right.

H.R. 254, the Abortion Rights Act, is grounded upon the power of Congress to enforce the guarantees of the 14th amendment. The cases interpreting the 14th amendment hold that if a right is included in that amendment's various prohibitions against the States, Congress has broad power to effectuate that right as it sees fit. That congressional power may even extend to striking down State statutes that are not facially violative of the Constitution, so long as Congress action is designed to enforce the constitutional right involved, is "plainly adapted" to that end, and does not by its terms violate any other provision of the Constitution.

I include the text of H.R. 254 in the Record at this point:

H.R. 254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress finds and declares that—

(1) the constitutional right of privacy, embodied in the first, third, fourth, fifth, and ninth amendments to the Constitution of the United States, and applicable to the States through the due process clause of the fourteenth amendment thereto, includes the right of any female to terminate a pregnancy that she does not wish to continue;

(2) this right is a fundamental and inherent right, and is likewise not subject to infringement by the United States or by the several States by virtue of the due process clause of the fifth amendment to the Constitution of the United States and the due process and equal protection clauses of the fourteenth amendment thereto;

(3) there is no countervailing Federal, State, or public interest of a compelling or other nature sufficient to justify the infringement of this right by the United States or any State.

(b) In order to secure the constitutional rights set forth in subsection (a) and this subsection, and in the exercise of its power to enforce the fifth and fourteenth amendments to the Constitution of the United States, the Congress declares that it is necessary to prohibit the United States and the several States from enacting any law, State

constitutional provision, regulation, policy, or other device which infringes upon the said right in any way, or which deprives any female of access to adequate medical assistance in the exercise of such right.

Sec. 2. Neither the United States nor any State shall enact or enforce any law, State constitutional provision, regulation, policy, or other device which infringes the right of any female to terminate a pregnancy that she does not wish to continue, or which deprives any female of access to adequate medical assistance in the exercise of such right.

Sec. 3. Notwithstanding the amount in controversy, and notwithstanding the provisions of section 2833 of title 28, United States Code, or any successor provision thereto, the district courts of the United States shall have jurisdiction over actions brought to enforce the provisions of this Act, including but not limited to jurisdiction to grant injunctive relief to enforce the provisions of this Act.

Sec. 4. As used in this Act, the term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

Sec. 5. If any provision of this Act or the application of any provision thereof to any person or circumstance is judicially determined to be invalid, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such determination.

Sec. 6. This Act may be cited as the "Abortion Rights Act of 1973".

Section 5 of the 14th amendment provides that—

[t]he Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The nature of Congress power, under section 5, to enforce the guarantees set forth in section, was discussed at length in *Katzenbach v. Morgan*, 384 U.S. 641 (1966). In enacting the Voting Rights Act of 1965, Congress included a provision that no person who has successfully completed the sixth grade in a public or accredited private school in the United States, including Puerto Rico in which the predominant classroom language was other than English, shall be prevented from voting in any election because of his ability to read or write English. The provision was accompanied by a congressional finding that it was necessary to secure the 14th amendment rights of the persons affected. In 1959, in *Lassiter v. Northampton County Board of Elections*, 360 U.S. 45 (1959), the Supreme Court had ruled that there was a State interest in literacy tests and that, if fairly administered, they did not violate the Constitution.

The appellees in *Morgan* argued that although Congress had the power to enforce the 14th amendment, it could only prohibit State activities which were violative of that amendment, and further, that the courts had the responsibility to make the ultimate determination of whether the prohibited activity was unconstitutional. They argued that since the New York literacy test in question had not been shown to have been unfairly applied, it was constitutionally permitted under the *Lassiter* decision and not subject to prohibition by Congress.

The Court, by a 7-to-2 margin, rejected this argument. It held that section 5 of the 14th amendment was de-

signed to give Congress "the same broad powers" with respect to carrying out the substantive provisions of the amendment as the necessary and proper clause of the original Constitution, article I, section 8, gave it with respect to carrying out the substantive powers granted in that document:

§ 5 is a positive grant of legislative power authorizing Congress to exercise its discretion in determining whether and what legislation is needed to secure the guarantees of the Fourteenth Amendment. 384 U.S., at 651.

The test of the constitutionality of a congressional enactment under section 5, was identical to the standard with respect to the necessary and proper clause which was set forth in *McCulloch v. Maryland*, 4 Wheat. (17 U.S.) 316 (1819): the law must be designed to enforce a provisions of the Constitution; it must be plainly adapted to that end; and it must not by its terms violate any other provision of the Constitution.

The Court found that the challenged statute satisfied this three-pronged test. It was meant to enforce the equal protection clause of the 14th amendment on behalf of persons who had migrated to New York City from Puerto Rico and who had been denied the right to vote because they could not read or write English. It was "plainly adapted" to enforce this clause because the Congress could and did find that giving these people the vote would enhance their political power and help in assuring that they would not be discriminated against as Puerto Ricans:

It was well within congressional authority to say that this need of the Puerto Rican minority for the vote warranted federal intrusion upon any state interests served by the English literacy requirement. It was for Congress, as the branch that made this judgment, to assess and weigh the various conflicting considerations—the risk or pervasiveness of the discrimination in governmental services, the effectiveness of eliminating the state restriction on the right to vote as a means of dealing with the evil, the adequacy or availability of alternative remedies, and the nature and significance of the state interests that would be affected by the nullification of the English literacy requirement as applied to residents who have successfully completed the sixth grade in a Puerto Rican school. It is not for us to review the congressional resolution of these factors. It is enough that we be able to perceive a basis upon which the Congress might resolve the conflict as it did. 384 U.S., at 653 (ital added).

The Court also found that the law in question did not violate any other provision of the Constitution.

In other words, Congress has the power to find that a given State statute or activity violates the 14th amendment, and to enact legislation which, in its judgment, will ameliorate that violation, so long as that remedial legislation does not itself violate the Constitution.

The issue of congressional powers under the 14th amendment came before the Court, once again in a voting rights context, in *Oregon v. Mitchell*, 400 U.S. 112 (1970). The Voting Rights Act Amendments of 1970 enfranchised citizens 18 years of age and older in Federal, State, and local elections. The amendments also prohibited the use of literacy tests in State and Federal elections and

set up limited residence requirements for presidential and vice-presidential elections, but these titles of the act, and the Court's treatment of their constitutionality, are not relevant to our discussion of congressional power.

In ruling on the title of the act which lowered the voting age to 18 in State and local, as well as Federal elections, four Justices found it to be entirely unconstitutional and four found it to be entirely constitutional. Justice Black believed that it was constitutional as to Federal elections, but not as to State and local contests, and his swing vote determined the outcome. In rejecting the argument that the decision in *Morgan* permitted the Congress to find that an age minimum of 21 years violated the equal protection clause and to prohibit the States from enforcing such a minimum, Black stated that the primary purpose of the equal protection clause was to prevent discrimination because of race, and that Congress could not invade an area reserved to the States by the Constitution unless it found that racial discrimination was involved. It is important to note that although Black's opinion in *Oregon* against Mitchell announced the judgments of the Court, it was his alone, and no other Justice joined him in it.

The other four Justices who voted that Congress could not lower the voting age to 18 for State and local elections did so for a variety of reasons. Justice Harlan presented a lengthy historical discourse which he said indicated that the equal protection clause was not intended to apply to State-imposed limitations on voting rights, even where those limitations were imposed in a racially discriminatory fashion. Justice Stewart, writing for himself, Chief Justice Burger, and Justice Blackmun, based his determination on the ground that while Congress has broad power to determine what action is appropriate to enforce the guarantees of the 14th amendment, it lacks the power to determine the substantive content of those guarantees and to decide what State interests are "compelling." Thus, only three, and possibly four, of the members of the Court which decided *Oregon* against Mitchell raised any questions as to the continuing vitality of *Katzenbach*.

Thus, Congress has the power to enact this legislation, which would strike down all State criminal abortion laws, if it can reasonably find that those laws, either on their face or as applied, violate the constitutional rights of individuals subject to them.

Now that the Supreme Court has clearly stated that the due process clause of the 14th amendment includes a right to abortion, we in Congress have full authority to act to secure that right.

In addition to due process, State abortion statutes also violate the equal protection clause, for they clearly discriminate against the poor. Justice Clark's article, for example, refers to "the double standard which permits those with social status and financial ability to obtain abortions, while those in the lower social and economic classes are denied this opportunity." Justice White's concurring opinion in *Griswold* noted that the effect

of the anticontraceptive statutes was to deny disadvantaged individuals, "those without either adequate knowledge or resources" to obtain counseling and assistance in birth control. Women in the upper-middle and upper classes have the wherewithal to either get a friendly physician to perform an abortion when one is needed or to travel to a jurisdiction where abortion is legal. Low income women do not have this opportunity, and it is the action of the State, in enacting and enforcing its abortion laws, which denies it to them: See, *Griffin v. Illinois*, 351 U.S. 12 (1956); *Harper v. Virginia State Board of Elections*, 383 U.S. 663 (1966); *Williams v. Illinois*, 399 U.S. 235 (1970); *Morris v. Schoenfeld*, 399 U.S. 508 (1970).

In conclusion then, abortion should at all times be a medical matter to be decided solely by the patient and her physician. We in Congress have the authority and the responsibility to fully protect the constitutional rights of American women in this regard, and we should act to do this by enacting H.R. 254 at the earliest possible time.

I include the syllabi of the two cases to be printed in the RECORD at the conclusion of my remarks:

[Supreme Court of the United States, No. 70-18. Argued December 13, 1971—Reargued October 11, 1972—Decided January 22, 1973]

ROE ET AL. VERSUS WADE, DISTRICT ATTORNEY OF DALLAS COUNTY
APPEAL FROM THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS

A pregnant single woman (Roe) brought a class action challenging the constitutionality of the Texas criminal abortion laws, which proscribe procuring or attempting an abortion except on medical advice for the purpose of saving the mother's life. A licensed physician (Hallford), who had two state abortion prosecutions pending against him, was permitted to intervene. A childless married couple (the Does), the wife not being pregnant, separately attacked the laws, basing alleged injury on the future possibilities of contraceptive failure, pregnancy, unpreparedness for parenthood, and impairment of the wife's health. A three-judge District Court, which consolidated the actions, held that Roe and Hallford, and members of their classes, had standing to sue and presented justiciable controversies. Ruling that declaratory, though not injunctive, relief was warranted, the court declared the abortion statutes void as vague and overbroadly infringing those plaintiffs' Ninth and Fourteenth Amendment rights. The court ruled the Does' complaint not justiciable. Appellants directly appealed to this Court on the injunctive rulings, and appellee cross-appealed from the District Court's grant of declaratory relief to Roe and Hallford. Held:

1. While 28 U. S. C. § 1253 authorizes no direct appeal to this Court from the grant or denial of declaratory relief alone, review is not foreclosed when the case is properly before the Court on appeal from specific denial of injunctive relief and the arguments as to both injunctive and declaratory relief are necessarily identical.

2. Roe has standing to sue; the Does and Hallford do not.

(a) Contrary to appellee's contention, the natural termination of Roe's pregnancy did not moot her suit. Litigation involving pregnancy, which is "capable of repetition, yet evading review," is an exception to the usual federal rule that an actual contro-

versy must exist at review stages and not simply when the action is initiated.

(b) The District Court correctly refused injunctive, but erred in granting declaratory, relief to Hallford, who alleged no federally protected right not assertable as a defense against the good-faith state prosecutions pending against him. *Samuels v. Mackell*, 401 U.S. 66.

(c) The Does' complaint, based as it is on contingencies, any one or more of which may not occur, is too speculative to present an actual case or controversy.

3. State criminal abortion laws, like those involved here, that except from criminality only a life-saving procedure on the mother's behalf without regard to the stage of her pregnancy and other interests involved violate the Due Process Clause of the Fourteenth Amendment, which protects against state action the right to privacy, including a woman's qualified right to terminate her pregnancy. Though the State cannot override that right, it has legitimate interests in protecting both the pregnant woman's health and the potentiality of human life, each of which interests grows and reaches a "compelling" point at various stages of the woman's approach to term.

(a) For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician.

(b) For the stage subsequent to approximately the end of the first trimester, the State, in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure in ways that are reasonably related to maternal health.

(c) For the stage subsequent to viability the State, in promoting its interest in the potentiality of human life, may, if it chooses, regulate, and even proscribe, abortion except where necessary, in appropriate medical judgment, for the preservation of the life or health of the mother.

4. The State may define the term "physician" to mean only a physician currently licensed by the State, and may proscribe any abortion by a person who is not a physician as so defined.

5. It is unnecessary to decide the injunctive relief issue since the Texas authorities will doubtless fully recognize the Court's ruling that the Texas criminal abortion statutes are unconstitutional.

314 F. Supp. 1217, affirmed in part and reversed in part.

BLACKMAN, J., delivered the opinion of the Court, in which BURGER, C. J., and DOUGLAS, BRENNAN, STEWART, MARSHALL, and POWELL, JJ., joined. BURGER, C. J., and DOUGLAS and STEWART, JJ., filed concurring opinions. WHITE, J., filed a dissenting opinion, in which REHNQUIST, J., joined. REHNQUIST, J., filed a dissenting opinion.

DOE ET AL. VERSUS BOLTON, ATTORNEY GENERAL OF GEORGIA, ET AL.

APPEAL FROM THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA

[Supreme Court of the United States, No. 70-40. Argued December 13, 1971—Reargued October 11, 1972—Decided January 22, 1973]

Georgia law proscribes an abortion except as performed by a duly licensed Georgia physician when necessary in "his best clinical judgment" because continued pregnancy would endanger a pregnant woman's life or injure her health; the fetus would likely be born with serious defects; or the pregnancy resulted from rape. § 26-1202(a) of Ga. Criminal Code. In addition to a requirement that the patient be a Georgia resident and certain other requirements, the statutory scheme poses three procedural conditions in § 26-1202(b): (1) that the abortion be

performed in a hospital accredited by the Joint Committee on Accreditation of Hospitals (JCAH); (2) that the procedure be approved by the hospital staff abortion committee; and (3) that the performing physician's judgment be confirmed by independent examinations of the patient by two other licensed physicians.

Appellant Doe, an indigent married Georgia citizen, who was denied an abortion after eight weeks of pregnancy for failure to meet any of the § 26-1202(a) conditions, sought declaratory and injunctive relief, contending that the Georgia laws were unconstitutional. Others joining in the complaint included Georgia-licensed physicians (who claimed that the Georgia statutes "chilled and deterred" their practices), registered nurses, clergymen, and social workers. Though holding that all the plaintiffs had standing, the District Court ruled that only Doe presented a justiciable controversy. In Doe's case the court gave declaratory, but not injunctive, relief, invalidating as an infringement of privacy and personal liberty the limitation to the three situations specified in § 26-1202(a) and certain other provisions but holding that the State's interest in health protection and the existence of a "potential of independent human existence" justified regulation through § 26-1202(b) of the "manner of performance as well as the quality of the final decision to abort." The appellants, claiming entitlement to broader relief, directly appealed to this Court. *Held*:

1. Doe's case presents a live, justiciable controversy and she has standing to sue, *Roe v. Wade*, ante, p. —, as do the physician-appellants (who, unlike the physician in *Wade*, were not charged with abortion violations), and it is therefore unnecessary to resolve the issue of the other appellants' standing.

2. A woman's constitutional right to an abortion is not absolute. *Roe v. Wade*, supra.

3. The requirement that a physician's decision to perform an abortion must rest upon "his best clinical judgment" of its necessity is not unconstitutionally vague, since that judgment may be made in the light of all the attendant circumstances. *United States v. Vuitich*, 402 U.S. 62, 71-72.

4. The three procedural conditions in § 26-1202(b) violate the Fourteenth Amendment.

(a) The JCAH accreditation requirement is invalid, since the State has not shown that only hospitals (let alone those with JCAH accreditation) meet its interest in fully protecting the patient; and a hospital requirement failing to exclude the first trimester of pregnancy would be invalid on that ground alone, see *Roe v. Wade*, supra.

(b) The interposition of a hospital committee on abortion, a procedure not applicable as a matter of state criminal law to other surgical situations, is unduly restrictive of the patient's rights, which are already safeguarded by her personal physician.

(c) Required acquiescence by two co-practitioners also has no rational connection with a patient's needs and unduly infringes on her physician's right to practice.

5. The Georgia residence requirement violates, the Privileges and Immunities Clause by denying protection to persons who enter Georgia for medical services there.

6. Appellants' equal protection argument centering on the three procedural conditions in § 26-1202(b), invalidated on other grounds, is without merit.

7. No ruling is made on the question of injunctive relief. Cf. *Roe v. Wade*, supra.

319 F. Supp. 1048, modified and affirmed. BLACKMUN, J., delivered the opinion of the Court, in which BURGER, C. J., and DOUGLAS, BRENNAN, STEWART, MARSHALL, and POWELL, JJ., joined. BURGER, C. J., and DOUGLAS and STEWART, JJ., filed concurring opinions. WHITE, J., filed a dissenting opinion, in which

REHNQUIST, J., joined. REHNQUIST, J., filed a dissenting opinion.

FOCUS

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BARRETT. Mr. Speaker, Rose De Wolf writes a column entitled "Focus" for the Evening Bulletin, one of Philadelphia's daily newspapers. The column is intended to provide "a closer look at the people, the ideas, the views and opinions making today's news." On Friday, January 19, 1973, her column Rose De Wolf—Off Center was entitled "Romney's Philosophy at Fault."

I believe this column merits the attention of my colleagues so I include the article at this point in the Record:

ROMNEY'S PHILOSOPHY AT FAULT

George Romney, the secretary of the U.S. Department of Housing and Urban Development, prepared a 17-page speech for delivery to the Greater Philadelphia Chamber of Commerce's Conference on "Businessmen and Politics" here—and then didn't deliver it.

When Romney got up to talk, he launched first into an off-the-cuff recital of how he'd gotten into politics back in Detroit. Then he tried to read a few pages from the middle of the speech. Then he gave that up to simply urge the businessmen to get involved in civic problems.

And finally, he told his audience that if they wanted to know what he really was thinking, they should try to get a copy of his prepared speech!

It was not the greatest podium performance I have ever seen.

Well, I took George's advice and got a copy of that undelivered speech. And now I'm sorry that the Chamber people didn't get to hear it Wednesday.

I think they might now better understand why George Romney, the one-time whiz of American Motors, the former famous governor of Michigan, turned out to be a dud at HUD. (Well, almost.)

Romney's HUD experience, you'll recall, was marred by scandal. His programs to rehabilitate housing in large cities (including Philadelphia) were spectacular failures.

Romney conceded that unscrupulous operators with shady get-rich-quick schemes bilked the poor with the government's help. Romney accused real estate salesmen, builders, contractors, and even some HUD employees of "lining their own pockets," leaving the cities even worse off than before.

Romney was disillusioned by his experience at HUD and that's understandable . . . but his undelivered speech was not about changing the way the government deals with housing but about changing the way the government deals with everything.

Romney wants the country to give up on government involvement and switch to a "free-market economy." Competition and unfettered pursuit of profit is the answer, he says. If companies are allowed to compete freely, the consumer will benefit, because prices will just naturally come down, things will just naturally get better. Workers will be paid on the basis of productivity, not on seniority or because of an across-the-board agreement.

And Romney says he is forming a "Concerned Citizens Movement" to bring this great economic truth to the people.

Well, I read that speech and I started to wonder about George Romney. I had to wonder if George's philosophy had not contributed to George's failure. Can a man who does not believe in government subsidies, govern-

ment involvement and government regulation successfully run a program that is all government subsidies, involvement and regulation?

George Romney wants things to be simpler. Who doesn't? But they are not. If you just leave it up to the construction industry to compete to build houses, they will build houses for middle-class and rich people who can afford to buy them. There is nothing wrong with that but it doesn't help the poor. It would be simpler if there were no poor . . . but they're here.

George Romney wants free enterprise. Great. But how do the rules of free enterprise apply to a situation like the Penn Central bankruptcy? Do you just let the trains stop running, let all the people who work for that company go looking for jobs? Is there not an issue of social policy in whether you want to have people riding non-pollution trains or polluting autos?

George Romney wants the country to get back to basics.

George Romney is a wishful thinker. He has found he can't deal with the world as it is . . . his solution is not to find a way to deal with it . . . but to insist that the world change. Good luck.

It was quite a speech that George Romney didn't give. It was quite a job that George Romney was not able to do. And I'll bet that will be quite a "Concerned Citizens Movement" that George Romney will not be able to lead to success.

TRIBUTE TO THE HONORABLE LYNDON BAINES JOHNSON

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, indeed today is a day of sorrow and grief, not only to those of us who were Members during the time of this great President and great giant of a man, Lyndon B. Johnson, but, I think, to every Texan and every American who has had a chance to understand recent American history.

It was not too long ago that I had the great good fortune to visit briefly with President Johnson. It was with expectation and hope that we were wishing that the Lord in His wisdom would have permitted him to remain in this earthly existence a bit longer.

Mr. Speaker, as he lived he died, and I believe that history will surely record his greatness. But there is one aspect that perhaps history never can quite record.

There was a human, plain, down-to-earth Lyndon Johnson that some of us had the brilliant opportunity to know.

The last time I spoke with him he mentioned the fact that the main and principal reason why he had not sought office again was simply because he had been told on good medical authority that, if he did and if he had the approval of the American people, the chances were against his surviving another 4 years. I think events proved that.

Mr. PATMAN. Will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman.

Mr. PATMAN. May I suggest to the gentleman that the Speaker has arranged to have a special order set later on this week or next week for this occasion and we did not expect to have any speeches

on this subject today. If you yield to one, you will have to yield to all.

I have a resolution to be introduced later and also a program for the final rites.

Mr. GONZALEZ. I thank the distinguished chairman.

It is my expectation to join with the others when the official time for that purpose arises, but I think here I should take the privilege of this 1 minute to say this:

The greatest shrine to the memory of Lyndon Johnson is that which enshrines him in the hearts of every one of us, particularly those who have been designated members of the minorities of the United States, who will forever remember with gratitude his constant remembrance and the fact that when in higher office he never forgot them.

NATIONAL WATER COMMISSION REPORT—A NATIONAL DISASTER

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, the National Water Commission, created by Congress in 1968 to review national water resource problems, has issued its long-awaited report.

Unfortunately, I am afraid that our long wait has been in vain. While the draft of the report contains some valuable recommendations, its positive aspects are almost completely negated by its incredibly short-sided views on the future of Federal water projects.

The Commission draft recommended:

An end to new irrigation and reclamation projects until at least the year 2000.

Deauthorization of an estimated \$15 billion in water resources projects authorized 10 or more years ago;

The discouragement of flood plains;

Free-market cost based pricing policies to reduce water consumption; and

The increase of irrigation, municipal water and sewer rates to encourage frugal water use.

Considered together, these recommendations amount to a dangerously misguided attack on water resource development programs that have probably done more to develop this country than any other single form of Government project.

This is not to say that water projects are without problems. Water projects, like almost any Government program, are not completely free of management and evaluative deficiencies.

There is very often too great a reliance on structural alternatives to problems posed by either the lack or excess of water. It used to be that we would dam or rechannel rivers and streams almost without considering other less capital intensive alternatives. Build a dam and a ditch and our problems would be over—we thought. Today we know better, and our newer water projects reflect that knowledge. Most projects today are not simply dams and ditches, they are complex systems that integrate both natural biological and structural solutions to water resource problems.

Another valid criticism often levied in

the past is the argument that the cost-benefit analysis that is used to evaluate water projects is too gross an indicator to properly designate the worth of a particular project. I have no doubt that we have far to go in this field. That does not mean, however, that we should give up completely. The fault of current evaluative methods that attempt to quantify the social value of a government projects should not be levied at the project itself, but at the method. I am convinced that we are making significant progress in this area.

These criticisms are valid and should be made. Only by raising these objections can we make the necessary improvements in the design and structure of water development programs.

This is not, however, what the National Water Commission report has done. Their recommendations do not seek to improve our water resource evaluative capabilities, they seek to blindly terminate any and all projects, whether those projects are worthwhile or not. This kind of criticism is severely narrowminded and serves little critical function.

Let us consider some of the Commission's recommendations. They recommend frugal water use. Who can disagree with that? Water is a scarce natural resource in this country, as such it should not be wasted. I fail to see, however, how the termination of reclamation projects will achieve that objective.

My own State of California has one of the most sophisticated water storage and delivery systems in the country. Prior to the development of this system all of the natural runoff from the Sierra Nevada washed right out into the Pacific Ocean, usually inflicting untold flood damages in its wake. Today much of this water is harnessed. As a result of this wise water policy, California can now boast the production of 40 percent of the Nation's fruit and nut production as well as a population of 20 million people.

The Commission recommended an end to new irrigation and reclamation projects until at least the year 2000. This has got to be the most inequitable and shortsighted statement in the report. There are a large number of long-range water resource projects that are only half built. To stop these programs now would not only be a gross waste of the money that has been invested up to now, it would unfairly penalize those local areas that have matched Federal funds with a good deal of their own money with the understanding that the project would not be curtailed in midstream.

The major recommendations of the report, however, are oriented toward extending a greater share of the cost of the project to the immediate user: that is, the farmers and the municipal water districts. This kind of reorientation of priorities we do not need. The report stresses cost sharing, a system in which direct beneficiaries of water projects repay all project costs with interest. This theme reflects the Commission's opinion that water resources should be financed through conventional marketing and pricing techniques without Government subsidies.

This recommendation is full of incorrect assumptions. The blanket demand

for reimbursement by so-called identifiable beneficiaries grossly misconceives the nature of the Federal Government's function. The Federal Government, unlike the private sector, is the only entity which has both the responsibility and the ability to construct needed water resource projects on which the benefits to the Nation are delayed beyond the time which could induce the investment of private capital. Water projects, of course, are not the only Government program that seeks the creation of social benefits in the absence of sufficient private interest. We have education, housing, welfare, mass transit, pollution, and many other federally financed programs, because it is clear that the market system is not capable of investing sufficient capital in these efforts to the extent demanded by a nation intensely concerned about the quality of life.

Water projects are really no different than other socially oriented Government programs. As a result of water resource developments in the West we have increased the productivity of agricultural land geometrically, guarded against flood losses, conserved previously wasted runoff, and slowed the disastrous process of erosion. I reject the contention of the Commission that such benefits only affect a small segment of the population. These are nationwide problems that are of interest to everyone.

It is interesting that the Commission singled out water resource projects as wasteful Government subsidies. Water development is the only Federal program requiring a rigid economic analysis and review even though benefits are as readily obvious as the other Federal programs not requiring this review. Water programs only qualify for Federal money after they have justified their construction through an intricate cost-benefit evaluation. I do not oppose this evaluative method. This method serves the important function of objectively differentiating between the more and the less socially useful projects. It may be, in fact, that other Federal programs should be subject to a similar review. Certainly, we need to at least look into this possibility.

Water development is also one of the few programs that not only pays for itself soon after completion, it generally succeeds in making that payment several times over. As irrigation is developed within a new area, Federal excise and income tax collections increase markedly. These collections eventually equal the cost of construction of the Federal reclamation project and thereafter periodically repeat this accrual.

The National Water Commission draft report has apparently neglected to consider the obvious long-term financial returns from water resource development. The report's absolute insistence on cost sharing obscures the original philosophy behind cost-sharing techniques. Cost sharing is employed to encourage both the efficient use of resources and the proper incidence of project costs. The amount that the direct beneficiaries pay for a project's output influences efficiency, since the assessment of charge will affect the rate at which project-

services are used. The absence of charges may induce waste, but excessive charges, as proposed by the Commission, may result in a failure to meet project potentials.

The National Water Commission has advocated the efficient use of our water. I cannot help but agree with them. Their recommendations, if implemented, will never achieve the stated objective, however. The western portion of the United States is basically an arid region. California, for example, is subjected to 6 months of wet and 6 months of dry weather almost like clockwork. The mountain water that originates in the yearly snowfall must be stringently managed if it is to last through the extended dry season. Moreover, most of the rainfall in California falls in the northern portion of the State, requiring an extensive transfer system to get the water to the large populations in the south. This system is nearly completed, but the Water Commission's recommendations would put a halt to the finishing touches of this remarkable engineering achievement.

Rural America has suffered long enough from the neglect of an ever-growing urban society. The extermination of vital water projects would not only accelerate this decay, it would eventually effectuate the stagnation of the urban economy as well.

I urge the Water Commission to consider these objections in their final draft. The future of the West and the country could be at stake.

EEC DANGEROUS TRADE BARRIERS TO OUR DOMESTIC CANNING INDUSTRY

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, the California canning industry, largely responsible for the excellent and reasonably priced canned fruits and vegetables that are available throughout the United States, and also a healthy exporter of these goods to European nations, faces several bothersome tariff and nontariff barriers to an increase in their level of export activity.

This industry annually produces some 200 million cases of canned fruits and vegetables. This amount represents approximately 40 percent of the total U.S. production. Much of this production, some \$184 million worth, makes its way from California fields to European ports. This level of export activity has of late, however, been threatened by devastating transportation strikes, import quota restrictions, and Common Market regulations establishing standardized containers.

The west coast longshoreman strike succeeded in wiping-out a large portion of the canning industry's European export. The industry's figures aptly demonstrate this fact: 1,448,000 cases of peaches were exported to Europe between June

and November 1970; 699,000 cases were shipped to Europe during the same period of 1971. This, however, was not the only source of economic loss as a result of the strike. The stockpiling of supplies, abnormal methods of transportation, extended selling terms and increased costs of carrying additional inventories also contributed to a loss in revenue.

While the dock strike reduced canned exports at home, import quota restrictions limited them from abroad. Currently, Japan, France and other Common Market countries impose various quota restrictions. Recently the Common Market nations have aggravated this situation with their move to institute regulations pertaining to standardized containers. This move, which seems harmless enough, may have the effect of excluding many popular American can sizes. Regulations of this sort would require a massive conversion of can-making machinery and would tend to put American canned goods at a distinct competitive disadvantage.

At this point in the RECORD I would like to insert the statement of the Canners League of California to the State Senate Committee on Agriculture and Water Resources on the problems facing California's agricultural export market:

STATEMENT OF THE CANNERS LEAGUE OF CALIFORNIA TO THE SENATE COMMITTEE ON AGRICULTURE AND WATER RESOURCES ON CALIFORNIA AGRICULTURAL EXPORT MARKET SITUATION

This Statement is submitted on behalf of the Canners League of California, whose thirty-one members account for approximately 85% of the States' production of canned fruits and vegetables. The California Canning Industry annually produces approximately 200,000,000 cases of canned fruits and vegetables and this amount represents approximately 40% of the total U.S. production.

The League is pleased to have the opportunity to present its views to the Committee at this Hearing and we want to especially thank the Chairman for focusing attention on problems associated with the export of California Agricultural commodities.

Before commenting on the specific questions raised by the Committee, it might be of interest to point out that based on 1971 data, California ranked third among all the states in Agricultural exports. For the fiscal year 1971, farm exports for California totaled \$555 million; Illinois was first with \$655 million, and Iowa second with \$592 million. About one-third of California's farm exports were fruits and preparations with shipments amounting to \$184 million. California export sales of canned fruits have averaged about \$40,594,000 per calendar year during the past five years.

Our remarks will generally follow the suggested format as outlined in the Notice of Hearing.

(1) We understand that other Industry groups submitting information to the Committee will be commenting in detail on statistics concerning California's export of canned fruits with emphasis on Cling Peaches and Fruit Cocktail, the principal export canned food items. Therefore, to avoid duplication, we will not burden the Committee with further statistical data. The League annually compiles extensive reports on California packs and stocks of canned fruits and vegetables and U.S. import and export figures of canned fruits and vegetables.

We would be pleased to submit this data to supplement our comments if the Committee feels it would be useful.

So far as foreign export involvement goes, we would like to point out that in the years immediately following World War II, California canners became increasingly interested in expanding exports of canned foods to Europe. In the pre-war years, the Industry had enjoyed considerable success in selling canned foods in Europe, but at the end of the war it found that entry to European markets was blocked by non-tariff barriers (NTB's) of one kind or another arising out of post-war conditions. In 1955, the Canners League sent a man to Europe to see what could be done to eliminate trade barriers and promote sales of California canned fruit. Through the combined efforts of this man and the U.S. Government, some success in liberalizing restrictions working against the California Canned Food Industry was achieved. In the interest of time, we will not comment further on this activity except to note that this gentleman eventually was transferred to the National Canners Association in Washington, D.C. and continued these efforts until 1970 when the program was terminated.

(2) Although the League is not presently involved in any export programs as such, its members are benefiting from the excellent programs being carried out under the auspices of the Cling Peach Advisory Board. We understand the representative from C.P.A.B. is here and will comment in some detail on the Boards' activities. For the record, we would like to note that the assistance given to California canners through the use of PL 480 for advertising and promotion to build export sales is of significant value.

Further to the question of export programs, it should be pointed out that two of our members, California Canners & Growers and Tri/Valley Growers have joined forces to form the Cal Valley Exports. This organization has been set up to facilitate and increase sales of these firms' products to Europe and other foreign destinations.

(3) One of the principal concerns of our members who seek to develop and maintain export markets is the devastating effect of transportation strikes. Members of the Committee will undoubtedly hear from others who suffered economic losses as a result of last year's extended West Coast Longshoremen dispute. As for our Industry, in November of 1971, the League developed some information on the impact of the strike and sent it to the then Director of Agriculture, Jerry Fielder. The figures illustrated the crippling effects the strike had on our Industry. We pointed out that export figures to Europe of peaches for the period of June-November 1970, was 1,448,000 cases. For the same period in 1971, peach exports to that market dropped to 699,000 cases. Fruit Cocktail shipments to Europe in 1970 June-November was 577,000 cases; in 1971, 366,000 cases. The total economic losses suffered by our Industry from the dock strike are difficult to estimate, but stock piling of supplies, abnormal methods of transportation, extended selling terms and increasing costs of carrying additional inventories all contributed significantly to canner costs. The lack of California canned products in hard-won overseas markets forced canners to discontinue merchandising programs. Some markets may have been permanently lost. The loss of sales in foreign markets also had an adverse effect on domestic marketing conditions which are also difficult to assess but there is no doubt the strike increased economic hardships for both producers and processors. One of the many "minor" problems this strike caused was to bring about a near crisis in the States' processing of

Fruit Cocktail because of a shortage of canned pineapple. Pineapple is shipped into the State from Hawaii and is a key ingredient of this popular canned fruit item. Obviously, our industry would welcome some way of making sure that it would be spared a repeat of the disruptive effects that result from such a controversy.

Perhaps the most serious obstacles to canned food exports are non-tariff barriers, which in some instances amount to absolute barriers. Chief among these as far as our industry is concerned, are import quota restrictions placed on certain food items. Currently, Japan, France and other common market countries impose various quota restrictions on some canned food items. These import quotas have acted to exclude a number of products produced in California. Unless our Government maintains a posture of vigorous opposition to such practices, little hope can be seen for improved canned food sales to these countries.

Still another NTB of concern to our industry is the recent move by European Community (E.C.) members to promulgate regulations for establishing so-called standardized containers. Most of these containers would be required to meet certain metric measurements for diameter and height. Many of our popular can sizes may either be excluded outright or put at a distinct sales disadvantage. This is because that along with the standardized container requirement there would be a corollary requirement in the E.C. for dual pricing of goods not standardized. This may need some explanation. As we understand it, the proposed regulations would require that all food containers not standardized be priced both on a unit price method and a price per container. This of course would not be popular with the European buyers because of the added work involved. Canners resist changing can sizes because of the enormous cost of converting can making machinery, fiber boxes, etc., to new dimensions. We are hopeful the U.S. Government will communicate our industry's concern about this situation and press for a satisfactory resolution of the problem.

One of the more onerous protective devices developed by the E.C. is the Variable Sugar Levy. Historically, several European countries have reserved the right to maintain levies on sugar added to canned fruits. In 1968, the E.C. initiated a permanent system of import levies and export subsidies on the sugar added content in processed fruits and vegetables. Under the Kennedy round of tariff negotiations, the U.S. made an effort to end the proposal for an added Sugar Levy, but such efforts were unsuccessful and we have been burdened with it in one form or another ever since. We hesitate at this point to go into a concise explanation of how the Levy works in view of the fact that in 1970 the National Canners Association presented a thirty-eight page document to the Trade Information Committee explaining it and how it affects our industry. We believe that the U.S. should more vigorously pursue the goal of a fixed duty covering the sugar added in canned foods.

(4) Regarding governmental assistance from the local standpoint, it should be noted (and we expect others will comment on this subject) and through the good efforts of the California Department of Agriculture, impetus was given to the formation of a California cooperative corporation under the Webb-Pomeroy Export Trade Act. This new corporation will seek to find some way around the high freight rates which have discriminated against canned goods shipments to Europe. By virtue of the existence of this organization called Pacific Agricultural Cooperative for Export, Inc., (P.A.C.E.) the Pacific Coast European Conference re-

cently announced substantial rate reductions for canned food items destined for Europe.

As far as Federal assistance goes, we would like to note that through a cooperative effort of the U.S.D.A., California Canners and the Canned Fruits Boards of Australia and South Africa, a program has been established to exchange export sales information on canned peaches. It is hoped that under this arrangement, marketing decisions in Europe on peaches can be made in a more informed way.

(5) and (6) Our suggestions for improving foreign export trade policies, programs, and procedures, and what role the State should play in the California export picture can be summed up rather concisely. The problems of the California exporters should be forcefully presented to those in Washington, D.C. who are responsible for formulating and implementing International Trade Policy. We also feel that the Executive Branch of the State Government should become more involved in the States' export trade problems.

Mr. Chairman and members, we appreciate the time allotted to us to present our views and welcome any questions you may have.

KOREAN-PHILIPPINES ACTIONS

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, recently we have witnessed events in both the Republic of Korea and the Republic of the Philippines that, by their contrast with the democratic traditions familiar to us, have caused a great deal of comment in this country. In both instances, recent impositions of martial law have been instituted to counter, in the opinions of the elected leaders of these respective countries, threats to their continued stability and attainment of national objectives. Much of the comment that ensued revolved around the fact that these events are foreign to our own experience and, it has been suggested, threaten the democratic framework of the countries in question.

Such comment is not unexpected; the United States has committed a great deal of money and effort to these nations in hopes that, with our help, they would find their way each to a democratic government responsive to the needs and wishes of their citizens. By and large, these efforts have succeeded on such a scale as to make us proud to be allied with the Korean and Filipino peoples. The question that has been raised recently is, are all the gains of the years and efforts on both sides of the Pacific now to be lost?

In the case of the Republic of the Philippines, President Ferdinand Marcos declared martial law in order to enable himself to deal more effectively with the threat posed by the "New Peoples Army" to the stability of his government. While critics have charged that this threat perhaps has been overstated, it must be pointed out that Mr. Marcos, as duly elected President, did not exceed the authority granted him in the Philippine Constitution, and that his assessment of the threat to his country was shared

by the Supreme Court of the Philippines. Critics have been quick to point out that this is not the way we would do it in the United States; and they, of course, are absolutely correct. But does that make it ipso facto an improper solution for the Philippines?

President Marcos states, and almost everyone agrees, that there are other problems, severe ones, facing the Philippines besides the Communist movement. Venality in civil service, inefficiency in government, excessive politicking, and perhaps most important, land reform, all must be dealt with by the government. These are internal Filipino problems that require Filipino solutions. President Marcos, realizing this, has taken steps to deal with them.

There are those who say that President Marcos declared martial law in order to manipulate himself into another term as leader of his country, which is currently forbidden in the Constitution of the Philippines. It should be pointed out, however, that a constitutional convention which has been working over a new Constitution since June 1971 had already decided on the change to a parliamentary government before the imposition of martial law on September 21, 1972. While granting that martial law has its faults, and there have been charges of abuses in this instance, we must recognize this state of affairs primarily as a Filipino attempt to solve Filipino problems, and we can certainly do no less than to wish them well and an early restoration of full democratic government.

A like situation exists in Korea, where President Chung Hee Park has imposed martial law, which law already is being relaxed, due in part to the support his government received in the November 21 referendum on the new Korean Constitution.

Again, President Park has cited problems unique to Korea that call for this action. As in the case of President Marcos, President Park has been accused of having as his sole motivation his own continuance in office. Certainly, that is one effect of the new Constitution; President Park, however, states that the delicacy of events which could result in the eventual reunification of Korea required his actions. This objective is to be lauded from all points of view, none deny that a unified Korea would be a tremendous asset to the stability of East Asia. The imposition of martial law has in no way been allowed to interfere with the current work toward unification. The evidence of the vigor with which this is being pursued can easily be seen here in Washington in the efforts of Ambassador Dong-Jo Kim to keep U.S. officials abreast of developments.

These developments continue to be optimistic, in that the dialog between North and South Korea continues from the level of the Red Cross negotiations to visitations to the highest levels of both governments. Reunification of Korea will not happen overnight; a long process, sometimes entirely dependent on agree-

ment on some of the most minute, mundane topics for progress, will be required before this objective is finally reached. President Park has shown a willingness to apply Korean solutions to Korean problems, and as in the case of President Marcos, Americans can do no less than wish him well.

Perhaps these incidents point out a lesson for the United States in foreign policy. Perhaps it is not necessary to have "democracy in our own image" all around us to be assured that the peoples of the world are receiving the benefits of liberty. American democracy is unique to America; it fits this time and this place as no other system could. But Korea is another place, and the Philippines yet another, and in those places the people must be free to determine their own destinies.

NEW AND OLD WEAPON SYSTEMS ARE MUTUALLY EXCLUSIVE

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, as a member of the Armed Services Committee, I have consistently sought to trim the fat off of this Nation's defense budget. I have done so in the pursuit of a strong national defense, and in the interest of the American taxpayer.

Programs such as the Washington, D.C., ABM system, and the CVAN-70 nuclear carrier add little to our national defense, but a great deal to our national debt. In fact, in some cases these programs only tend to further weaken our national defense, since they tend to goad the Russians into a similar deployment, and thus exacerbate the arms race.

One of the primary minus factors of mammoth programs like Safeguard ABM is that their excessive cost tends to delete some valuable, but less glamorous conventional weapon systems.

We do need to update many of our conventional systems, and we can do so at a low economic and political cost. These weapons are not, for the most part, destabilizing; that is, they do not threaten the Russian nuclear deterrent, and do not stimulate an expensive escalation of strategic arms.

One weapon that has a relatively low cost, and a high potential is the hydrofoil now being developed by Boeing for the United States, Italy, and West Germany. This program is slated to produce two missile-carrying prototypes. These prototypes, allocated \$35 million for design and construction, are scheduled for completion in 1974.

Besides speed, hydrofoils have the advantage of riding high out of the water on submerged foils. In this respect they are like submarines, in that they are relatively unaffected by surface conditions. In fact, some advocates claim that they would be excellent for submarine surveillance.

Another advantage of hydrofoils is their maneuverability. Unlike most ships,

hydrofoils tend to bank like an aircraft rather than roll when turning.

At this point in the RECORD I would like to insert the November 10 Christian Science Monitor article on hydrofoils, entitled, "Riding High Over Conventional Naval Strategy":

RIDING HIGH OVER CONVENTIONAL NAVAL STRATEGY

(By David F. Salisbury)

BOSTON.—When President Nixon and Communist Party Leader Leonid I. Brezhnev met in Moscow this year, they exchanged gifts. Mr. Nixon gave a Cadillac; in return Mr. Brezhnev presented the President with . . . a model of a sleek Volga class hydrofoil. Later, the Russians delivered the real thing to the United States, complete with fur-lined seats and Georgian-silver appointments.

The hydrofoil is not just the result of 30 years of Russian hydrofoil development—it is a symbol of the growing worldwide interest, both military and commercial, in the strange-looking, high-riding craft.

Many observers detect a revolution in naval thought, catalyzed by the development of hydrofoils and other "non-displacement" ships. Just as the American aviator Billy Mitchell dramatically demonstrated the worth of air power by bombing the obsolete battleship Alabama in 1921, so the capabilities of a new generation of missile-carrying hydrofoils are causing a number of navies to rethink the organization and effectiveness of their conventional surface fleets.

Advocates claim that military hydrofoils will have a far-reaching effect on naval strategy and tactics—that they may even make obsolete the carrier task force, the primary unit of the U.S. Navy.

AMBITIOUS NATO PROGRAM

The United States, with Italy and West Germany is now embarked on an ambitious NATO program to design and construct prototype hydrofoils. Comdr. Karl M. Duff of the Naval Ship Systems Command, former skipper of the hydrofoil Highpoint, calls it "probably the most significant of all advanced ship programs yet undertaken by the U.S. Navy."

The Soviet Union also has a well-established interest in the military potential of hydrofoils. For a number of years it has maintained hydrofoil patrols on the Black, Caspian, and Baltic Seas. Currently the Russians are testing a new-generation hydrofoil, Typhoon, probably equivalent to the U.S. missile hydrofoil in sophistication. What advocates see as the military potential of the hydrofoil and the increasing vulnerability of conventional warships is indicated in two hypothetical scenes sketched by sources both in and out of government.

SCENE NO. 1

A light cruiser is routinely patrolling a Southeast Asian shore. Her speed is about 15 knots (a knot is 1.16 m.p.h.). It is nearly dusk and a number of fishing boats dot the area. Radar and sonar operators are on the alert, looking for anything unusual.

Suddenly the radar operator picks up a high-speed echo moving too fast to be an airplane. Furthermore, one of the blips he took to be a sampan on the outer limits of the cruiser's radar (about 25 miles) starts moving away at more than 40 knots. Battle stations sound. But even before the siren stops blaring, the retreating "sampan" has disappeared from radar range and the high-speed object (the "sampan's" missile) has hit the cruiser.

The attacker, a missile-carrying hydrofoil, had lain in wait until the cruiser was just in

range, firing its missile, and run. Because of the hydrofoil's small size, its radar and sonar reflections, while at rest, were indistinguishable from those of the fishing boats. With four surface-to-surface missiles, it had the firepower to destroy the cruiser.

A carrier task force is at sea. A storm is brewing, and the seas are running. The ships have been forced to bell down to 5 knots.

A sonar operator detects the faint ping of an unidentified submarine that quickly fades away.

SCENE NO. 2

Two hydrofoils, rigged this time with anti-submarine gear, not missiles, are sent in pursuit at 40 knots through 10-foot waves; when they reach the approximate site, one of the hydrofoils stops, lowers its sonar gear, and picks up contact. The second hydrofoil, with directions from its partner, continues to close.

As the second hydrofoil gains position above the unidentified submarine it begins to move out of the range of the first sitting hydrofoil's sonar. So the "bird-dogging" hydrofoil stops, lowers its sonar equipment, and exchanges roles with its partner. They keep up this game of "leapfrog" until the sub is either sunk or chased off.

MOST UNSUITED FOR OCEAN

Most commercial hydrofoils run with their foils only partially out of the water. They are relatively stable and inexpensive but are unsuited for the open ocean.

Navy hydrofoils are more sophisticated. Their foil system rides completely below the surface of the water, while hoisting the hull well above the often rough surface. The disadvantage of this is that a complex control system is necessary to keep the ships upright.

The missile-carrying hydrofoil project, scheduled for completion in 1974, has been contracted to the Boeing Company. If the prototype lives up to design requirements the NATO powers are expected to order as many as 25 craft. Boeing management considers the financial potential to be equivalent to that of the B-52 program.

Approximately \$35 million has been appropriated for design and construction of the prototypes of the missile hydrofoil.

Following the completion of the first two prototypes there will be an extensive period of testing and evaluation.

If the hydrofoil meets design specifications it will go into production and as many as 25 may be ordered by the U.S. and NATO countries.

Official Pentagon sources are unwilling to comment on the future of the hydrofoil past this stage; however, there are indications that the missile-carrying hydrofoils will be deployed in the Mediterranean and Baltic Seas as a counter to Soviet hydrofoils and Russian-built missile-carrying patrol boats now in these areas.

PAIR WORKED WITH FLEET

Navy Research and Development is requesting appropriations to design and build two newer types of hydrofoils. One would be capable of speeds up to 60 to 80 knots. The other would be larger, perhaps the forerunner of a high-speed minicarrier.

It was the performance of the Tucumcari, a hydrofoil gunboat, that secured Boeing this contract.

Both Tucumcari and a Grumman-built hydrofoil, Flagstaff, completed a tour of duty in Southeast Asia during the last six months of 1970, attached to the Pacific Fleet. They participated successfully in fleet maneuvers.

Tucumcari then toured the NATO countries in a successful effort to enlist their support in the missile hydrofoil system. On the tour,

lasting six months, Tucumcari took NATO admirals and dignitaries on demonstration "flights" and was thoroughly tested by the various countries' naval research divisions.

She passed all the tests with flying colors. Roy MacLeavy, editor of *Jane's Surface Skimmers: Hovercraft and Hydrofoil*, stated, "The vessel which has contributed most to winning over NATO navies [to hydrofoils] is undoubtedly the Boeing Tucumcari."

The latest hydrofoils, riding high out of the water on submerged foils, are like submarines in one respect: They are relatively unaffected by surface conditions. As such, advocates say, they are ideal for submarine surveillance.

Maneuverability is another advantage claimed for hydrofoils. Most ships tend to roll when turning. But the foil system, with flaps and computerized controls, gives the hydrofoils the ability to "bank" like an aircraft in fast turns.

DRAWBACKS ALSO FOUND

But detractors say the hydrofoils have drawbacks, too:

Many U.S. Navy people consider them to be simply "interesting toys." These critics say their unusual capabilities and problems make them difficult to integrate into conventional fleets.

While the hydrofoil's small size provides cost and tactical advantages, it also means that with necessarily small crews, each crewman must know the basics of running the ship in an emergency.

Moreover, the operating range is limited by high fuel consumption and low fuel-tank capacity. (The Navy plans to minimize this by operating hydrofoils in groups of four or more, each with a support ship carrying spare parts and fuel.)

The complicated electronics systems of the hydrofoil are beyond the understanding of anyone but electronics experts. "How," critics ask, "are they to be fixed at sea?"

(Easily replaceable electronic modules are offered as a partial answer. Also it turns out that hydrofoils equipped with water-jet propulsion require less maintenance than conventional ships because of their vibration-free ride.)

As with all revolutions, the roots of this one stretch far back into the past. Through the past 15 years, the United States alone has spent about \$85 million researching and developing hydrofoils. The effort in Russia dates back twice as far and is of even greater magnitude.

But the idea of the hydrofoil—a revolution in its own right that frees a ship's hull from the surface—has much earlier beginnings.

MODEL TESTED IN 1891

In 1891, the Italian inventor, Enrico Forlani, stood on the shore of Lake Maggnot and watched his model "hydrovane boat" rise up on slender legs and speed across the surface of the water.

Twenty-eight years later, Alexander Graham Bell, working with Casey Baldwin, designed and built the HD-4, the first operative hydrofoil boat. In the summer of 1919, on the water of Baddock Bay in Nova Scotia, the HD-4 set a world water speed record of 61 knots.

The names of some of the companies at the forefront of hydrofoil development are Boeing, Grumman, Lockheed in the United States; de Havilland in Canada; Aerospatiale in France; Mitsubishi in Japan—all aerospace companies and all applying modern technology to the problem of "underwater flight."

The problems of underwater flight are exceptionally complex. For example the hydrofoil computer simulator at Boeing uses

so much of the firm's computer capacity (one of the largest in the country) that it can only be run in the middle of the night when there are no other demands on the computer system.

In 1967, the Egyptians, operating a Russian-built KOMAR, a conventional patrol boat with a top speed of about 40 knots, destroyed the Israeli flagship *Elath* with a Styx surface-to-surface missile. This incident caused the U.S. Navy to ask NATO to counter this type of threat. The missile hydrofoil program was the outcome.

PUNCTURE OF THE "MICHELIN"

(Mr. GAYDOS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GAYDOS. Mr. Speaker, as a Congressman deeply disturbed by the rising tide of foreign-made products in the U.S. market, I commend the action taken by the Treasury Department against Michelin Tire Ltd., of Canada.

According to Assistant Treasury Secretary Eugene Rossides, as reported by the Associated Press, the Treasury Department has upped the tariffs from 4 to 10.6 percent on the 1973 factory prices of Michelin's X-radial steel-belted tires turned out in the Canadian Province of Nova Scotia.

The Department did so, according to the AP, on word that the Canadian tire producer had received large government subsidies to the competitive disadvantage of our companies in our market. Specifically, the Michelin plant was given government grants totaling \$23 million, the AP said, plus a \$50 million low-interest loan. Meanwhile, its local property tax assessment was lowered.

The plant, the AP said, was built in 1971 for the main purpose of penetrating the U.S. market with its radials. Obviously, it had expected to grab an unfair share of the U.S. radial business through the subsidy route and I am gratified that the Treasury Department acted quickly to upset its plans.

Secretary Rossides was quoted as saying that the tariff boost on Michelin was the first action of its kind taken by the Department and that it was intended as a signal to other countries. It appears to me that such a signal has been overly long in coming.

In recent years we have seen the trade balance turned more and more against us and many of our industries—notably steel—severely hurt by increasing foreign imports. In too many cases the trade story has been one of foreign countries subsidizing their exports while maintaining devious barriers against our products. This has to be stopped and the Treasury Department's puncture of the Michelin scheme is a move in the right direction.

LEGISLATIVE REVIEW

(Mr. BROOKS asked and was given permission to extend his remarks at this

point in the RECORD, and to include extraneous matter.)

Mr. BROOKS. Mr. Speaker, one of the objectives of the Legislative Reorganization Act of 1970 was to stimulate increased activity on the part of standing committees of the House and Senate in reviewing the administration of existing laws.

Section 118 of that act (Public Law 91-510) provides:

SEC. 118. (a) (1) Section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d) is amended to read as follows:

"LEGISLATIVE REVIEW BY SENATE STANDING COMMITTEES"

"SEC. 136. (a) In order to assist the Senate in—

"(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

"(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,

each standing committee of the Senate shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee. . . ."

Section 118(b) and rule XI 28(a) of the Rules of the House of Representatives contain identical language with respect to House Committees.

One of the functions of the Joint Committee on Congressional Operations, of which I had the honor to be chairman in the 92d Congress, is to study the operation of the Legislative Reorganization Act of 1970.

In connection with this study, together with Senator LEE METCALF, vice chairman of the committee, I sent a letter dated September 22, 1972, to the chairman of each of the standing committees of the House and Senate as follows:

DEAR MR. CHAIRMAN: As you know, Section 118 of the Legislative Reorganization Act of 1970 (P.L. 91-510), as amended by P.L. 92-136, requires standing Committees of the House and the Senate after January 1, 1973 to make reports to their respective Houses on their activities in reviewing and studying the "application, administration and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of that Committee."

Section 118a requires Senate Committees to file such reports not later than March 31st of each odd-numbered year and Section 118b requires House Committees to file such reports "not later than January 2nd of each odd-numbered year."

As these will be the initial reports under these sections of the Reorganization Act, we felt that the attached information containing the legislative background might be of help to you in preparing these reports.

The background information referred to in the letter was inserted in the CONGRESSIONAL RECORD, volume 118, part 24, page 32353, by Senator Mansfield.

We have made a tabulation of the legislative review reports filed by committees of the House of Representatives, which is as follows:

HOUSE OF REPRESENTATIVES, 92D CONGRESS

LEGISLATIVE REVIEW ACTIVITIES REPORTS OF STANDING COMMITTEES

Pursuant to rule XI 28(b) or sec. 136 (Public Law 79-601) as amended by sec. 118 (Public Law 91-510)

Committee	Date	Report	Authority	Content (coverage)	Pages
Agriculture	Dec. 29, 1972	(1)		Legislation	42
	Jan. 2, 1973	(1)	Sec. 118	Legislation and review	4
Armed Services	Dec. 29, 1972	92-1627	Sec. 118(b), H. Rule XI 28(b)	do	91
Banking and Currency	Dec. 14, 1972	29-1623	Sec. 118	do	63
District of Columbia	Oct. 18, 1972	(1)		Legislation	99
Education and Labor	Jan. 2, 1973	92-1630		Legislative review	34
Foreign Affairs	do	92-1628	Sec. 118, H. Rule XI	do	29
Government Operations	do	92-1633	Sec. 118(b), H. Rule XI, 28(a)-(b)	Legislation and review	299
Interior and Insular Affairs	Dec. 21, 1972	92-1625	H. Rule XI 28	do	40
Internal Security	Jan. 3, 1973	92-1637	Sec. 118	Legislative review	213
	Jan. 2, 1973	(1)	do	do	2
Interstate and Foreign Commerce	do	92-1634	Sec. 136, H. Res. 170	Legislation and review	151
Judiciary	do	92-1636	Sec. 118	do	38
Merchant Marine and Fisheries	do	92-1629	do	do	73
Post Office and Civil Service	Nov. 28, 1972	92-1621	Sec. 136	do	84
Public Works	Dec. 20, 1972	92-1624	do	do	94
Science and Astronautics	Dec. 1, 1972	(1)	H. Rule XI 28	do	24
Veterans' Affairs	Jan. 3, 1973	92-1635	Sec. 118	Legislative review	664
Ways and Means	Jan. 2, 1973	92-1631	Sec. 136	do	7

OTHER COMMITTEE REPORTS INVOLVING LEGISLATIVE REVIEW

Interstate and Foreign Commerce	Jan. 2, 1973	92-1632	H. Res. 170	FCC monitoring of employees' telephones	77
Post Office and Civil Service	Dec. 5, 1972	92-1622		Examples of improved manpower management in the Federal Government	52
Select Committee on Small Business	Dec. 21, 1972	92-1626	H. Res. 5, H. Res. 19	Studies and investigations	301

1 Committee print.

2 Letter.

Senate committees are not required to file legislative review reports until March 31, 1973. After all the reports have been filed, the Joint Committee on Congressional Operations will make a study of this innovation in legislative procedure and appraise its effectiveness in improving congressional surveillance of the administration of the laws.

INDEPENDENCE OF THE UKRAINE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it is my privilege to call to the attention of my colleagues and lovers of freedom everywhere the 55th anniversary yesterday of the proclamation of the independence of the Ukraine, and the 54th anniversary of the Act of Union of the Ukrainian people. This historic date in mankind's search for freedom reminds us that there are many battles going on in the struggle for liberty and national independence.

At this time, Mr. Speaker, I would like to include in the RECORD a statement which was sent to me by Mr. Nicholas Rakush, chairman of the Miami Branch of the Ukrainian Congress Committee of America:

THE 55TH ANNIVERSARY OF THE INDEPENDENCE OF UKRAINE

January 22, 1973 will mark the 55th Anniversary of the proclamation of the Independence of Ukraine, and the 54th Anniversary of the Act of Union, whereby all Ukrainian ethnographic lands were united into one independent and sovereign state of the Ukrainian nation. Both the Independence of the Ukraine and the Act of Union were proclaimed in Kiev, capital of Ukraine, on January 22, 1918 and January 22, 1919, respectively.

Regrettably, the young Ukrainian democratic republic was immediately attacked by Communist Russia, despite the fact that the new Soviet Russian government had officially recognized Ukraine as an independent and sovereign state. The same recognition

to Ukraine was granted by the Central Powers and a number of states of the Entente, including France and Great Britain. By 1920, Ukraine, alone and unaided, succumbed to the vastly superior forces of Communist Russia, which destroyed the Ukrainian National Republic, created a Communist puppet government in Ukraine known as the "Ukrainian Soviet Socialist Republic," and incorporated it forcibly into the "Union of Soviet Socialist Republics" (USSR).

Today, the Kremlin is preparing whole-year celebrations throughout the Soviet Russian empire to commemorate the 50th anniversary of the "founding" of the Soviet Union, which was established on December 30, 1922.

In this connection, the Central Committee of the Communist Party of the Soviet Union (CPSU) and all its subservient branches in the so-called "union republics" are conducting a mammoth propaganda campaign for the purpose of creating another Soviet myth, namely, that the USSR is a model multinational state, in which all component member-republics are truly "sovereign", in which the nationality problem has been solved" satisfactorily and in which relations between the various nations are based on the "principles of true equality and friendship".

But, the reality is something different, as we can see in the case of Ukraine and the 47-million Ukrainian nation.

The entire history of Soviet-dominated Ukraine is a ghastly record in inhumanity, outright persecution and genocide, Russification and violations of human rights on a scale not known in mankind's history. Under Stalin, Ukraine was marked for physical destruction and denationalization; under Khrushchev and Brezhnev-Kosygin the outright terror was replaced by the subtle process of destroying the Ukrainian national consciousness and identity through Russification, persecution of "Ukrainian bourgeois nationalism," and the propagation of "fusion" of all non-Russian nations in a spurious "all-Soviet people," which essentially would be the Russian people.

In summing up the Soviet Russian rule in Ukraine, the following results exemplify the enslavement of Ukraine:

During the 50-year rule of Moscow over Ukraine, literally millions of Ukrainians have been annihilated by the man-made

famines, deportations and outright executions;

Both the Ukrainian Autocephalic Orthodox Church and the Ukrainian Catholic Church were ruthlessly destroyed and their faithful members were incorporated into the Kremlin-controlled Russian Orthodox Church.

All aspects of Ukrainian life are rigidly controlled and directed by Moscow: the Academy of Sciences, all scientific and research institutions, universities, technical publications, the press, party and government apparatuses, youth, women's organizations, trade unions and so forth;

Arrests, trials and convictions of hundreds of young Ukrainian intellectuals, among them are noted writers and thinkers such as V. Chornovil, I. Dzyba, I. Svitlychny, E. Sverstiuk, V. Moroz, L. Plishch, and many others. Yuriy Shukhevych, son of the General Roman Shukhevych, commander-in-chief of the UPA (Ukrainian Insurgent Army), has been in and out of Soviet Concentration camps since the age of 15; in September, 1972, he was again sentenced to ten years at hard labor for refusing to denounce his assassinated father and the ideal for which he was killed: a free Ukraine.

Therefore, Sir, we kindly request you to make appropriate statement in support of the Ukrainian people; or proclaim January 22, 1973 as Ukrainian Independence Day to be observed by all citizens in our City in paying tribute to the Ukrainian people and their undaunted struggle for human rights and freedom, which are the basic precepts of our modern and civilized society.

SOVIET EXIT TAX FLAUNTS WORLD OPINION

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am shocked and dismayed by the decision of the Supreme Soviet to adopt its intolerable tax of emigration. Despite cries of protest, led by this body, from nations throughout the world, the Soviet Union is intent on enforcing a policy that virtually prohibits emigration of the educated.

Soviet Jews are the principal victims of this deplorable policy, simply because they seek to participate in the gathering-in of the Jewish people in the State of Israel.

Soviet leaders, in confirming this obnoxious policy, may hope to pacify critics by imposing a graduated scale of payment. The tax has been reduced in proportion to the number of years of employment, and under the new statute, there is no fee for disabled veterans or pensioners. But no one should be deceived. Even these modified exit fees are far from the grasp of Soviet residents, since the average education tax is still \$10,000 and for those with advanced degrees is even more prohibitive.

This noxious tax amounts to ransom, to blackmail, to slavery of Soviet Jews who wish to escape the hostile environment of Soviet society. The concessions made by Moscow do not lessen the atrocity against basic human rights which this tax represents. And those who value the basic human freedom of being able to travel freely cannot accept or condone this or any form of insurmountable barrier to the exercise of this freedom.

This exit tax creates for me another kind of insuperable barrier. It bars, as far as I am concerned, any consideration of the extension of "most favorable nation" trade status to the Soviet Union.

The interest in normalized trade relations cannot be so strong as to make us ignore the total disregard of human rights and values embodied in this exit tax. If Soviet leaders, knowing the depth of feeling against this tax in the United States, nevertheless insist upon it, then there is very little substance to the apparent "thaw" in U.S.-Soviet relations.

I urge my colleagues to join me in asserting strongly and decisively that there can be no relaxation of trade restrictions as long as Soviet Jews are subjected to the indignity of being bought and sold.

I will join enthusiastically with the effort to enact legislation which makes it clear that this is the sense of the Congress and of the American people.

CUBAN DECLARATION OF FREEDOM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, today is the anniversary of the promulgation of the "Cuban Declaration of Freedom" by more than 1,500 Cuban exiles from Castro's Communist tyranny, meeting on January 23, 1966, in Key West, Fla.

On this occasion I wish to reemphasize by reintroducing my resolutions of the previous Congress, which I think reflect the thinking of the overwhelming majority of the American people with regard to acceptance of a hostile, antidemocratic regime in the western hemisphere.

I believe the American people are troubled, as I am, about the continuation of the beautiful island of Cuba under the ruthless oppression of the Communist regime of Fidel Castro. I believe they

strongly oppose any move to "normalize" relations with this outlaw regime.

I propose, therefore, a concurrent resolution declaring:

That it is the sense of the Congress that the President should not extend diplomatic recognition to the government of Cuba as long as Cuba is governed by the Castro regime.

It is my sincere belief that no progress toward freedom for the Cuban people is possible as long as this arrogant man is in control of Cuba. I think this is the way the people of this country feel about the question of diplomatic recognition and I believe Congress should reflect this sentiment in simple unequivocal terms.

It is my belief also that the American people want to uphold the ideal of freedom for the Cuban people and to show their continued support of the aspirations of Cuban exiles to restore democracy in Cuba.

I am, therefore, reintroducing my joint resolution commending the Cuban Declaration of Freedom and declaring that it is the objective of the United States to encourage the restoration of these freedoms in Cuba.

The text of my resolution, embodying this Declaration of Freedom, is as follows:

H. CON. RES. 94

Joint resolution commending the Cuban "Declaration of Freedom"

Whereas on January 23, 1966, a "Declaration of Freedom" was adopted by one thousand five hundred Cubans in exile meeting in Key West, Florida; and

Whereas this declaration was written at the San Carlos Club from which the great Cuban patriot, Jose Marti in 1898, turned the course of history by proclaiming the ideological basis of a free Cuba; and

Whereas Cuba once again has fallen victim to a totalitarian regime as embodied by Castro communism; and

Whereas the "Declaration of Freedom" reads as follows:

"In the city of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the martyr island, do say:

"That on January 1, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the nineteenth century, was resumed.

"That those responsible for this high treason to our fatherland and to our people are just a score of traitors who, usurping the government of the country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our freedom and our dignity, also betraying the American hemisphere.

"That as a consequence of this high treason, those who are usurping the power in Cuba (as they were never elected by the people), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being of the most elementary human rights.

"That in their hunger for power, these traitors, following the pattern of totalitarian regimes are trying, within Cuba, to separate the family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

"That the rule of the law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who

are acting under orders from their masters, the Sino-Soviet imperialists.

"In view of the foregoing, we declare:

"First. That the actual Cuban regime is guilty of high treason to our fatherland and to the ideals of the freedom revolution which was started on October 10, 1898.

"Second. That this score of traitors who have committed treason against our fatherland, in case they survive the downfall of their regime, will have to respond, even with their lives before the ordinary courts of justice of Cuba.

"Third. That as the noble Cuban people will not ever surrender, because that nation was not born to be slave, we, the Cuban people, hereby make the present declaration of freedom.

"We hereby swear before God Almighty to fight constantly, until death comes to us, to free Cuba from communism.

"The fundamentals of this resolution for freedom are:

"First. God Almighty, above all things, in whom we believe as the essence of life.

"Second. The fatherland, with all of its laws, traditions, customs, and history as a spiritual value, only surpassed by the concept of God.

"Third. The family, as the cornerstone of the human society.

"Fourth. Human rights, for each and every citizen, regardless of race or creed.

"Fifth. The law, as the foundation for the proper development of the human society.

"Sixth. Democratic government, with its three independent branches: Legislative, executive, and judicial.

"Seventh. Representative democracy, through the exercise of universal suffrage, periodically, free, and secretive, as the expression of popular sovereignty.

"Eighth. Freedom of worship, freedom of teaching, freedom of the press and free enterprise.

"Ninth. Private property and ownership, as the basic expression of liberty.

"Tenth. The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping in mind the legitimate interests of both labor and capital.

"Eleventh. The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of communism and any other form of totalitarianism manifestation.

"Signed and sealed in Key West, Fla., on the 23d day of January, 1966."

Now, therefore, be it Resolved by the House of Representatives (the Senate concurring), That it is the sense of the House of Representatives that this inspiring declaration should be patriotically considered by all Cubans in exile and by all who wish to end the tyranny of Castroism and communism in Cuba and that the "Declaration of Freedom" should serve to unite those pledged to restoring Cuban liberty and independence, and that it should be the objective of the United States to commend and encourage recognition and respect for the declaration.

THE IMPORTANT SERVICES OF BARRY J. SHILLITO

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, within the next few weeks, one of this Nation's most dedicated and able public servants is leaving government. He has served in positions of key importance and he leaves a monument of good works which will have lasting effect.

The Honorable Barry J. Shillito, Assistant Secretary of Defense for Installations and Logistics, has administered one of the most critical offices in the Department of Defense. Prior to that assignment he served in other highly important positions of trust.

Those of us who have come to know and admire him have learned that he can always be counted on to place the needs of his country above all else, including personal sacrifice. Barry Shillito has been highly instrumental in helping to insure a better, more effective defense posture and, at the same time, he has had a key part in improving the efficiency of the services by working for better facilities for living, working, and training.

One source of particular pride to him should be the leadership he has shown in providing better housing and community support facilities for the men and women in the armed services. He realized long ago that achieving the goal of proud and effective military forces and happy military families depends in good measure on comfortable and modern living quarters and support services second to none. Congress has understood the importance of these objectives and the success of our joint efforts is evident at almost every military installation at home and abroad.

As chairman of the Appropriations Subcommittee for Military Construction, it has been my honor to work closely with Secretary Shillito as he sought to carry forward plans for better facilities for the military. Improvements in housing has been a major accomplishment, but there has also been marked success in meeting the need for modern facilities in support of our weapons system.

When Barry Shillito leaves the Pentagon he will leave behind a creditable record of service. He has placed his personal mark on the Defense Establishment of the United States, and it is one of which he and the Nation can be proud.

THE HONORABLE HALE BOGGS

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, now it is official that the House of Representatives and the Nation have lost a true friend, an experienced and able legislator, and an outstanding parliamentarian. The tragic airplane accident which occurred in Alaska on Monday, October 16, claimed the life of our distinguished majority leader, the Honorable Hale Boggs. This unfortunate event saddened the entire Congress.

Mr. Boggs, who represented the New Orleans area in Congress for 28 years, was first elected to Congress in 1940 at the age of 26. He was one of the youngest men ever to serve in this body. He and I came here together and we quickly formed a close and warm friendship. I watched and admired his progress through all the intervening years. He served in the Navy during World War II;

then came back to Congress in 1947 and was reelected for 13 consecutive terms.

He became democratic whip in 1962 and majority leader in 1971. Although a member from the Deep South, with its conservative leanings, he was able to build a successful House career by supporting the legislative goals of the national Democratic Party. He did this while retaining the confidence of his constituents who consistently supported him each 2 years, a very considerable achievement. His moderate stand on free trade and on most social-welfare legislation and his backing for labor legislation won him acceptance and support among democratic leaders nationwide.

He became a member of the important Ways and Means Committee in 1949 and at the time he left the committee to become majority leader he was next in line to its distinguished chairman, WILBUR MILLS. He helped formulate numerous free-trade agreements, cosponsored the 1962 Trade Expansion Act, and served as chairman of the Joint House-Senate Subcommittee on Foreign Economic Policy. His internationalism applied to politics as well as economics. He advocated the concept of a United States of Europe and served on the U.S. delegation to the Inter-Parliamentary Union.

Hale's rise to House leadership began in 1954, when the late Speaker Sam Rayburn appointed him deputy Democratic whip. He was an especial protege of that great House Speaker. He became whip in 1962, and was elected majority leader in 1971. He handled the demanding responsibilities of the majority leader's post with the same intelligence, insight, and love of country with which he had fulfilled his obligations to his own constituents.

Hale Boggs was a loyal party man but he believed in the two-party system and contributed to its strength. Seldom does one find a man of this stature so wholeheartedly dedicated and respectful to the needs of the people. Hale Boggs' record in Congress earned for him the genuine admiration and respect of his colleagues. I shall always cherish the memory of his friendship. My sympathy and my prayers are with his beloved wife Lindy, his son and daughters, and with all of his family during this difficult time.

THE GOLDEN SPURS

(Mr. KAZEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KAZEN. Mr. Speaker, when the many splendid units of the inaugural parade marched down our historic Pennsylvania Avenue last Saturday, I took special pride in 94 girls from J. W. Nixon High School in Laredo, Tex. This organization, known as the Golden Spurs, is not new to national attention, but participation in the inaugural parade was a high point for these girls and for the parade watchers.

When President Nixon visited Laredo prior to the election, he saw the Golden Spurs in action. He invited them to participate in the parade, and the girls

launched a community effort to raise money for the trip. With diligence and ingenuity, they gathered funds by street collections, barbecues, a dance, and cake sales. They sold chances on a television set donated to their effort, and they used such ingenious methods as sponsorship of a basketball game between the Laredo police and Webb County Sheriff's Department and even salvage of old aluminum cans.

I found these young ladies charming ambassadors from Laredo and the State of Texas, thrilled to enjoy the rare distinction of participating in an event as historic as the inauguration of a President of the United States.

Their school and sponsors had planned well for them. Mrs. Estela Kramer, the group director from the J. W. Nixon High School faculty, had brought the school nurse, Mrs. Berta Garza, Victor Solis, who is chief deputy sheriff of Webb County and president of the city parent-teacher council, Coach Robert Chivirra, and two representative mothers, Mrs. Luz G. Martinez and Mrs. Viola Martinez.

In these times when attention is often focused on rebellious youth, turning to narcotics or otherwise demonstrating dissent, I was proud of the Golden Spurs as truly representative of the great majority of our youth, not only in Laredo and Texas but in the United States.

Mr. Speaker, these young ladies honored themselves, their families, their school, and their city. It gives me a great deal of pleasure to call the roll of these charming Golden Spurs:

Evelyn Alvey, Rosie Azios, Laura Berry, Paula Berry, Sharon Bernstein, Patricia Brady, Alma Buitron, Gloria Cadena, Sally Cadena, San Juanita Cantu, Carol Carrejo, Louise Cary, Nellie Castillo, Gracie Castro, Sandra Cavazos, Elizabeth Deliganis, Diane Flournoy, Sally Foster, Herlinda Fraustre, Lorraine Gallego, Diana Galvan, Ana Maria Gonzalez, Cynthia Gonzalez;

Doris Gonzalez, Gaby Gonzalez, Maria Teresa Gonzalez, Kathy Graves, Adriana Guerra, Gracie Guerra, Grizelda Guerra, Cynthia Gutierrez, Maria Ofelia Gutierrez, Priscilla Gutierrez, Veronica Gutierrez, Delia Guzman, Elaine Hastings, Pamela Henry, Yvonne Herrera, Dana Hightnight, Linda Jacobs, Priscilla Keene, Yvonne LaVaude, Mary Ann Lloyd, Janie Logsdon, Ana Laura Lopez;

Lulu Lopez, Armandina Martinez, Elsie Martinez, Sylvia Martinez, Belinda Mata, Debbie Melendez, Edna Mendez, Rosie Mendiola, Elsa Meza, Lydia Meza, Laura Mireles, Caroline Montes, Leticia Molina, Rosie Moreno, Twinkle Morgan, Petra Muhlenbruch, Araceli Novoa, Diamantina Orezco, Adela Ramos, Diana Rangel, Hertenencia Regalado, Sharon Reilly, Ana Rodriguez, Rosie E. Rodriguez;

Olga Roman, Irma Salinas, Norma G. Salinas, Cynthia Sanchez, Gwen Sanders, Sonia Sandoval, Cynthia Santos, Laura Santos, Suzanne Starr, Liz Terres, Marcela G. Valdez, Sylvia Valdez, Cynthia Valls, Maureen Valls, Patsy Valle, Sylvia Vasquez, Alma Vela, Normalinda Vela, Cynthia Zuniga, Gloria Zuniga, Edna Garcia, Shelley Goodman, Lee Keene, Sara Alicia Martinez, and Pamela Rodriguez.

ANNIVERSARY OF CUBAN EXILES' DECLARATION OF FREEDOM

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, Tuesday, January 23, 1973, marks the seventh anniversary of the signing of the Declaration of Freedom by the Cuban exiles in the United States.

On that day in 1966, in Key West, Fla., 1,500 proud Cubans who had been forced to flee their country and the oppression of the Communist, Castro-dominated government, declared their commitment to fight constantly "to free Cuba from communism."

In the declaration, these brave Cubans reaffirmed the fundamental principles of freedom. I call their commitment to the attention of our colleagues, and urge their careful consideration of this expression of faith in the democratic principles which have meant so much to our Nation.

DECLARATION OF FREEDOM

In the City of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the Martyr Island, do say:

That on January 1st, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the 19th century, was resumed.

That those responsible for this high treason to our Fatherland and to our People are just a score of traitors who, usurping the Government of the Country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our Freedom and our Dignity, also betraying the American Hemisphere.

That as a consequence of this high treason, those who are usurping the Power in Cuba (as they were never elected by the People), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being or the most elementary human rights.

That in their hunger for Power, these traitors, following the pattern of totalitarian regimes, are trying, within Cuba, to separate the Family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

That the rule of the Law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who are acting under orders from their masters, the Sino-Soviet imperialists.

In view of the foregoing, we declare.

First: That the actual Cuban regime is guilty of high treason to our Fatherland and to the ideals of the Freedom Revolution which was started on October 10th, 1898.

Second: That this score of traitors who have committed treason against our Fatherland, in case they survive the downfall of their regime, will have to respond, even with their lives before the Ordinary Courts of Justice of Cuba.

Third: That as the Noble Cuban People will not ever surrender, because that Nation was not born to be slave, we, the Cuban People, hereby make the present declaration of freedom.

We hereby swear before God Almighty to fight constantly, until death comes to us, to free Cuba from communism.

The fundamentals of this Revolution for Freedom are:

First: God Almighty, above all things, in Whom we believe as the essence of Life.

Second: The Fatherland, with all of its Laws, traditions, customs and history as a spiritual value, only surpassed by the concept of God.

Third: The Family, as the cornerstone of the Human Society.

Fourth: Human Rights, for each and every citizen, regardless of race or creed.

Fifth: The Law, as the foundation for the proper development of the Human Society.

Sixth: Democratic Government, with its three independent branches: Legislative, Executive and Judicial.

Seventh: Representative Democracy, through the exercise of Universal Suffrage, Periodically, Free and Secretive, as the expression of Popular Sovereignty.

Eighth: Freedom of Worship, Freedom of Teaching, Freedom of the Press and Free Enterprise.

Ninth: Private Property and Ownership, as the basic expression of Liberty.

Tenth: The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping in mind the legitimate interests of both Labor and Capital.

Eleventh: The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of Communism and any other form of totalitarian manifestation.

Signed and sealed in Key West, Florida, on the 23rd day of January, 1966.

VETERANS' PENSION BENEFITS

Mr. HILLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HILLIS. Mr. Speaker, today I would like to reintroduce, along with 49 cosponsors, legislation to restore veterans' pension benefits to anyone who lost them due to the recent social security increase.

Most of us have received numerous letters from constituents who have just discovered that because their overall income rose last year when social security benefits increased, this year their veterans' pensions will drop considerably.

Many of these veterans and their families had already made plans to take advantage of that extra income, and now they have discovered they are not going to get the 20-percent hike they expected. Instead, part of that increase is, in effect, going to be taken back by another hand of the Government.

The bill I am reintroducing will raise by \$600 the limit on income which a veteran can earn without losing his pension. It will also increase the benefit formula for computing veterans' pensions. The pension base for a veteran with no dependents will be increased from \$130 to \$148 monthly; for a veteran with one or more dependents from \$140 to \$158 monthly; for a widow with no child from \$87 to \$93 monthly; and for a widow with one or more dependents from \$104 to \$110 monthly.

Cosponsoring this legislation with me are the following Members: Mr. McDade, Mr. Johnson of California, Mr. Thone, Mr. Young of Florida, Mr. Edwards of California, Mr. Kemp, Mr. Jones of North Carolina, Mr. Waldie, Mr. Shipley, Mr. Green of Pennsylvania, Mr. Sikes, Mr. Ullman, Mr. Harvey, Mr. Quie, Mr.

Mollohan, Mr. Clark, Mr. Erlenborn, Mr. Eshleman, Mr. Zion, Mr. Blackburn, Mr. Latta, Mr. Powell, Mr. Podell, and Mr. Won Pat.

Also: Mr. Matsunaga, Mr. Mayne, Mr. Murphy of New York, Mr. Fascell, Mr. Zwach, Mr. Williams of Pennsylvania, Mr. Guyer, Mr. Johnson of Pennsylvania, Mr. Hudnut, Mr. Myers, Mr. Hansen of Idaho, Mr. Baker, Mr. Hastings, Mrs. Chisholm, Mr. Sisk, Mr. Flood, Mr. Whitehurst, Mr. Veysey, Mrs. Burke of California, Mr. Rinaldo, Mr. Downing, Mr. Cleveland, Mr. Yatron, Mr. Railsback, and Mr. Coughlin.

NIXON'S END-THE-WAR PLAN

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, much has been made over the President's plan to end the war in Vietnam. Some of his sharpest critics have called it a hoax while others have said that no such plan ever existed.

The January 20 edition of the Christian Science Monitor carried an editorial by Godfrey Sperling, Jr., entitled "What Happened to Nixon's End-the-War Plan?" With the thought that many of my colleagues would be interested in this in-depth analysis which I believe places the President's plan to end the war in proper perspective, I am herewith placing Mr. Sperling's editorial in the RECORD:

WHAT HAPPENED TO NIXON'S END-THE-WAR PLAN?

(By Godfrey Sperling, Jr.)

WASHINGTON.—Richard Nixon's pre-presidential plan to end the Vietnam war—abandoned in large part during the early months of his administration—is heavily involved now in the move toward peace.

In the spring of the 1968 presidential campaign, Mr. Nixon felt certain he could bring the Soviet Union "to the side of peace instead of war" by using "diplomatic, economic, and political leverage" on Moscow. He was convinced that by offering the Russians goods they badly needed he could get them to cut off their supply of arms to North Vietnam.

But, above all, Mr. Nixon hoped to warm up relations with Moscow to the place where he could apply pressures on Hanoi without fear of reprisals from the Soviets. By moving toward detente with Moscow, thus isolating Hanoi, he hoped to create a climate conducive to peace.

But by early 1969, in his first major address on the Vietnam war, the President said, very specifically, that Kissinger, Lodge, and he, personally, had met on a number of occasions with representatives of the Soviet Government "to enlist their assistance in getting meaningful negotiations started." He said these meetings had been in vain.

Thus, it was at this point that the President announced that he was turning to Vietnamization, the measured buildup of Saigon forces together with a measured U.S. withdrawal, as his approach to ending the war. Here the President was moving to a Kissinger blueprint, one that this newly appointed foreign policy adviser had put together when he was acting as an aide to Nelson Rockefeller nearly a year before. Governor Rockefeller had embraced Vietnamization as his own plan for bringing the war

to a conclusion as early as May of 1968 when he was then a candidate for president.

As a candidate Mr. Nixon thought he could bring Moscow "on the side of peace" in a hurry, relatively speaking, once he became president. Thus, he did have—as he implied—a plan for bringing about an early resolution to the conflict—despite charges from Democrats that he never had such a plan.

But in this last year Mr. Nixon was able to go back to his original end-the-war plan, at least in part, when the door opened for summitry in Moscow.

What actually was said there between the parties about the Vietnam war we, of course, do not know. But we have seen the opening up of trade relations with the big U.S. grain deal with Moscow. And we have indication that this is only the beginning of trade.

What then was the quid pro quo from the Soviets as far as Vietnam was concerned? The very visit of the President to Moscow had to unsettle Hanoi—representing as it did a new warmth on the part of Soviet leaders toward the United States. Then there was the U.S. mining of Haiphong harbor, Moscow, as well as Peking, let this happen without escalating its participation in the war.

Thus, even though Moscow may not have cut down on arms supplies to Hanoi, as Mr. Nixon hoped, the new U.S.-Soviet detente, although only a relative thing, has certainly caused Hanoi leaders to contemplate their "aloneness" and to wonder how much they could count on Moscow in the future. In other words, the Nixon summitry plus the opening of trade with the Soviets has undoubtedly done much to contribute to a climate in which the Hanoi leaders have concluded it is wise to search for peace.

The growing strength and efficiency of the Saigon forces under Vietnamization have certainly been heavily involved in exerting pressure on Hanoi to achieve a settlement, along with the mining of Haiphong and the massive U.S. bombing of the North.

But at a moment when it appears that the parties are finally moving toward peace, it seems most relevant to note that the old, original Nixon end-the-war plan is also at work in persuading Hanoi to come to a settlement. This better U.S.-Soviet relationship has, of course, been perceived by some observers as contributing to the climate for achieving peace. But no one has been mentioning that this was Mr. Nixon's original plan for ending the conflict.

LAWYERS GET FAT ON PENN CENTRAL CARCASS

(Mr. SKUBITZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SKUBITZ. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce, I have a special interest in matters involving interstate transportation. I am particularly concerned with this Nation's railroads.

It was with special attention that I read a most illuminating article in yesterday's—January 22—issue of the New York Times dealing with the legal problems of the bankruptcy proceedings of the Pennsylvania railroad. I commend it to my colleagues in this House, if they want to learn where the taxpayers' money, in the form of our loans to the Penn Central, are going. I ask, Mr. Speaker, that it be printed in the CONGRESSIONAL RECORD following my remarks.

Mr. Israel Shenker, the writer, is deserving of praise for his incisive han-

dling of what is otherwise a complicated issue. He makes clear that during bankruptcy no claimant gets anything, except of course the lawyers. Last year, he says, more than \$1,600,000 went to only three law firms, one Washington firm, one Philadelphia firm, and one New York firm. The year before, the legal bill was almost \$1 million. Upward of 100 lawyers are feeding on this railroad carcass—and will for years to come. Meanwhile, legitimate claims of creditors, taxes to State and local governments, bank debts, even personal injury claims to employees and passengers are all deferred while a company that is losing upward of half a million dollars a day pays out perhaps in excess of \$2 million a year in legal fees.

More than 20 years ago the Congress, through a Senate committee, investigated railroad bankruptcies under the leadership of Senator Burton K. Wheeler and the late then-Senator Harry Truman. That probe led to changes in 77B bankruptcy laws and procedures. I submit, Mr. Speaker, that the Penn Central situation deserves a searching survey by a modern-day Wheeler-Truman team, and some changes in Interstate Commerce Commission procedures.

PENNSY CASE IS LAWYER'S DREAM

(By Israel Shenker)

The Penn Central may not be the greatest railroad in the world, but it is a gray train for lawyers.

Their rewards stem in part from the financial complexity of the bankrupt railroad. They are due also to the activities of those who headed the company as it highballed toward bankruptcy. But in large and generous measure they are the result of the peculiarities of bankruptcy law and of the way that the law is implemented by lawyers, applied by the Interstate Commerce Commission, and interpreted by courts.

"This is the largest law case in history," noted Robert W. Blanchette, counsel to the trustees of the railroad, the largest in America and a vital link in the industrial Northeast. "I've never seen a case that had so many large, complex and unique problems."

"It's a real bonanza," said Prof. Vern Countryman of the Harvard Law School, one of the nation's foremost experts on bankruptcy.

"How often does a Penn Central come along?" commented a lawyer at the Securities and Exchange Commission. "This is a lawyer's dream. It's like peeling an onion. For each skin of the onion you need a new lawyer."

There have been court hearings with more than 100 lawyers present, many of them high-priced practitioners. "Almost every firm I knew was getting involved," said one law professor, "and there was such a clamor for legal services that some small creditors went to the West Coast to find an attorney who didn't have a potential conflict-of-interest situation."

Periodically three large and prestigious law firms acting as "special counsel" to the railroad trustees—Washington's Covington & Burling, Philadelphia's Blank, Rome, Klaus & Comisky, and New York's Paul, Weiss, Rifkin, Wharton & Garrison—turn in accounts of their labors and are rewarded for their efforts. In the first calendar year of the bankruptcy they were paid \$989,000. Last year they got about \$1.6-million.

Where does the money come from? From the legally insolvent railroad, which is still losing \$400,000 to \$1-million a day and which is barred by court order from paying its tens of thousands of bondholders, forbidden to settle more than 26,000 creditor claims (to-

taling \$3.348-billion) against it, excused from paying taxes on its property, and permitted to put off repayment of hundreds of millions of dollars in bank debt.

Nor have those who suffered bodily harm through the railroad's negligence before June 21, 1970, the day the Penn Central went into bankruptcy, been able to collect.

"These injured claimants do not have legal status against the railroad," suggested Walter J. Taggart, a professor of law at Villanova University, who is the court's special assistant for crucial question in the law is: "What do you have to do to keep the railroad running?"

A guiding principle of bankruptcy law—a necessity or a necessary evil, depending on one's viewpoint—is that in reorganizations the lawyers must be paid. Their task is to devise a scheme to make the debtor once again solvent, if that is possible, and to assure maximum equity to creditors and shareholders. Without the lawyers, according to theory, the bankrupt concern would be reduced to stagnation and the creditors to unseemly contest.

In routine bankruptcies, assets are liquidated and, if there is anything left over after administrative expenses, including lawyers, have been paid, creditors get a percentage of the sums due them. Shareholders seldom get anything. The companies disappear, the nation survives.

If the Penn Central were sold for scrap, it might bring in \$1.4-billion to 1.8 billion. Estimates of how much it would cost, less depreciation, to reproduce the railroad run as high as \$14-billion. But neither alternative is deemed realistic. The assumption is that for the sake of the nation this corporate life and these trains must go on running.

So, while legally indigent, the Penn Central transports passengers and freight, improves rolling stock and installations, and—abhorring the notion of nationalization—invites Congress to give it money.

Early this month the railroad's trustees argued that it would be possible to get the line in the black by 1976 if Congress provides prompt and massive aid. This would be a disguised form of revenue sharing, since the first bills to be paid off would be state and local taxes after the costs of administration, including lawyers' fees.

FOUR TRUSTEES NAMED

With the kind of inexorability that marks Nature's laws, the moves in the Penn Central case have followed the lines of Section 77 of the Federal Bankruptcy Act. When the railroad's top officers learned in mid-June, 1970, that their hopes of a government-guaranteed loan had gone glimmering, they abided by the statute and went to the local Federal court in the Eastern District of Pennsylvania.

District Judge John P. Fullam took responsibility for running the railroad. Since a judge is a busy man who can be assumed to have little experience at this species of transport, he selected four trustees—with maximum total compensation of \$300,000 a year—to take control on the court's behalf.

Judge Fullam chose Jervis Langdon Jr., a lawyer and railroad expert, to serve full-time, and three others to serve part-time: George P. Baker, the retired dean of Harvard's Graduate School of Business Administration, Richard C. Bond, the retired president of Philadelphia's John Wanamaker, and Willard Wirtz, an attorney who had been Secretary of Labor from 1962 to 1969. Mr. Wirtz recently resigned as trustee.

The trustees were to concentrate on reorganization, so a full-time railroad man was hired to run the railroad under them.

With the approval of Judge Fullam, the trustees picked as their counsel Mr. Blanchette, who had served as general counsel of the New York, New Haven and Hartford Railroad—itsself in Section 77 reorganization since 1961. It eventually became the largest shareholder in the company controlling the Penn

Central, which showed how little it knew about its investment. When the Penn Central went down, the New Haven reorganization plan foundered.

THE NUMBERS GROW . . .

Mr. Blanchette began recruiting a staff and now he heads a 12-man legal department working exclusively on reorganization matters, drawing on about 10 additional lawyers from the railroad's regular legal staff.

Since, as Mr. Blanchette maintained in a petition to the I.C.C., his staff was inexperienced and small and the work vast, complex and episodic, the trustees began engaging outside counsel as well: the firm of Covington & Burling to deal with the Penn Central's relations with the New Haven, a major creditor, as well as with the reorganization generally; Paul, Weiss to help dispose of the Penn Central's mid-Manhattan real estate and its interest in the profitable Pennsylvania Company, and Blank, Rome to assist with real estate and other matters.

The court and trustees felt that what the Penn Central needed was "law factories," and all three firms were big enough to qualify.

But lawyers rarely operate Central trustees had counsel to oppose the New Haven's claims for payment, the New Haven needed counsel to defend itself against the Penn Central.

Though Richard Joyce Smith, the New Haven trustee, is a lawyer, he followed the traditional pattern and surrounded himself with counsel and special counsel.

In 1961 James William Moore, a Sterling Professor at the Yale Law School, was taken on as counsel. Mr. Moore is editor-in-chief of "Colliers on Bankruptcy," the standard treatise on bankruptcy, and he is the editor of "Moore's Federal Practice," the standard treatise on Federal practice. For both good reasons he is known as Mr. Bankruptcy and Mr. Federal Practice.

In his most recent compensation petition to Judge Robert P. Anderson, of the Federal District Court for the District of Connecticut, who is "running" the New Haven, he requested yearly compensation of \$35,000. His petition noted that he was "sole counsel" for the trustee and that he had devoted 1,353 hours during the year ending June 30, 1972 to work for the New Haven. Figuring on the basis of eight-hour days, that makes 169 days.

. . . AND GROW AND . . .

Professor Moore's document said that "petitioner has arranged his teaching schedule . . . so as not to interfere with his responsibilities as Counsel for the Trustees."

But not even this conscientious arrangement satisfied the trustee's legal demands. And so Mr. Smith engaged Boston's Sullivan & Worcester to serve as special counsel, and the firm is now en route to its second million in New Haven fees.

On the same track are the lawyers for banks that put together the \$300-million credit that the Penn Central received before bankruptcy and to an extent—as made clear last August in a staff report of the S.E.C.—subsequently squandered. Their claims are being pressed by expensive legal counsel. A single one of these many law firms—Davis, Polk & Wardwell—has requested interim compensation of \$119,000 to be paid by the Penn Central.

Then there are more clusters of lawyers for bondholders, insurance companies (which claim \$600-million from the Penn Central), shareholders, unions, and Federal, state and local governments.

The New Haven's counsel, Professor Moore, noted: "Aside from the normal litigation which a railroad has—and the Penn Central is a big railroad, of course—you get an entirely separate layer that deals with reorganization. Poverty law, you might call it."

Vast legal assemblies, for example, partici-

pate in the dispute over the Pennsylvania, the subsidiary that controls non-rail assets worth more than \$200-million and perhaps as much as \$500-million. If these securities are given outright to the banks that hold them as security for the \$300-million loan, it must be at the expense of others.

The result: lawyers are defending, lawyers are opposing, experts are valuing, experts are devaluing.

This "Pennco" case by itself is so burdened with documentation that law firms joined to establish a "Central Discovery Library" of the documents. Lawyers—if they can discover the library within the precincts of the Transportation Building in central Philadelphia—can take heart there at the sight of the lucrative accumulation.

The mere process of getting a single brief into print can elevate a lawyer's bill to enviable heights. It is common for a document to labor through five drafts (and ten is not uncommon), which means that this literature undergoes more revision than just about any other kind of creative writing.

Noted a lawyer for the S.E.C.: "There's an enormous amount of duplication and make-work in bankruptcy cases. One lawyer writes a memo, numerous others review it, 40 firms study it, and everybody petitions for compensation."

How, in practice, does a law firm get paid? In the typical sequence, counsel petitions the court. Since the railroad trustees and their counsel are really the choices of the judge, he may be reluctant to question their request. In any event, the judge forwards the petition to the I.C.C. The commission's duty is to rule on whether this bill is compensable out of the debtor's estate, and whether it is reasonable.

Covington & Burling has been billing \$80 a partner hour, \$50 an associate's hour. Paul, Weiss has billed \$89 to \$112 for a partner's hour, \$43 to \$55 for an associate's hour.

Kenneth H. Tuggle, the Interstate Commerce Commissioner in charge of Division 3, which handles finance, said in an interview that when he gets a petition from Judge Fullam, "We assume it's correct. We don't check it. We assume it's been checked by the judge or by the clerk of the court." That assumption is incorrect, according to officers of the court.

Mr. Tuggle noted that the Penn Central case is enormously complex, and that counsel is highly sophisticated and commands higher fees in normal corporate practice. "Covington & Burling turns them away at \$125 an hour," he said.

John Vanderstar, one of the Covington & Burling lawyers dealing with the Penn Central case, said: "We have to turn away business because of potential conflict of interest, but that's the only basis. I've never heard of the \$125 fiction." He added: "The statement is, of course, ridiculous."

Commissioner Tuggle went on: "Whoever handled that New York real estate couldn't have been paid what it was worth to handle that."

Division 3 has, nonetheless, been applying an occasional discount to counsel's petitions. It authorized interim compensation to Covington & Burling, for a three-month period, of \$156,258.28 instead of the requested \$171,465. It cut interim compensation authorized for Blank, Rome for a three-month period from \$213,864.75 to \$194,861.25. In both cases, that meant a 9 per cent cut. Asked why the cuts represented a like percentage, Commissioner Tuggle replied: "I'd say it's coincidental."

Blank, Rome followed tradition by appealing the I.C.C. decision, arguing that the maximum authorized "bears no substantial relationship" to the skill and experience required, and informing the I.C.C. that it might be compelled to withdraw as special counsel.

"We never heard of a firm dropping out of a reorganization because they weren't

getting enough money," noted one S.E.C. lawyer. "Certain large New York firms whose allowance time we cut are the very same firms which complain bitterly if they're not allowed to participate in a case. It's common to spend \$10,000 worth of time pursuing a matter involving \$2,000 worth of case."

In the Blank, Rome compensation question, the I.C.C. had maintained that "many matters handled by petitioner were of a nature that should be handled by debtor's legal staff." Mr. Blanchette argued that "it would be an error to assume that joint effort is duplicated effort," and the I.C.C. finally agreed.

The law requires hearings before final compensation, and last year John P. Dodge, one of the I.C.C. administrative law judges, tried to arrive at reasonable figures for lawyers in a case related to the Penn Central—that of the bankrupt Boston & Providence.

"LIKE ANTISUB WARFARE"

He figured (dividing annual salary by 1,848 hours) that the hourly rate for experienced government lawyers was \$14.26, for "very senior attorneys" \$19.21, and for top lawyer, the Attorney General, \$32.47.

Since about 50 per cent of fees to lawyers in private practice goes for overhead, Mr. Dodge doubled these sums. Arguing that nobody in the case did work of the high level expected of the Attorney General, he recommended a maximum hourly rate for law-firm partners of \$39.

He criticized one lawyer for coming to Washington when "a phone call or two would have achieved stated purpose as well," and chided another for adding 15 per cent to his bill because the work was "so important." "I think in dirty English this means 'I expect the bill to be cut,'" Mr. Dodge noted.

"It's a little like antisub warfare," he said in an interview. "One day they find a new way to sink submarines. Then they find a new way to stop subs from being sunk."

But such reassessments find no sympathy with Mr. Tuggle, who as a commissioner is Mr. Dodge's superior at the I.C.C. Mr. Tuggle does not believe that government salaries should be used as a basis for comparison, and neither do the lawyers involved. They have been filing exceptions to Mr. Dodge's recommendations, calling his premises outrageous and his deductions unconscionable.

"That's the righteous indignation lawyers are born with," said Mr. Blanchette. "That's why they become lawyers and not priests."

Prof. Walter J. Blum of the University of Chicago Law School, an expert in corporate reorganization, noted: "Every once in a while the cutback is larger than the lawyer anticipated and then you get the cries of rage. A cynic might believe that what the lawyer is complaining about is himself—for not anticipating the extent of the cut and boosting his original bill accordingly."

Though it might be in the interests of creditors for their lawyers to protest the level of fees paid from the estate to opposition lawyers, counsel in this reorganization procedure have refrained from doing that.

Mr. Blanchette insisted: "A lawyer here knows what's fair, and he's going to charge what's fair."

Not once in the course of the Penn Central affair has Judge Fullam exercised his right to cut lawyers' compensation below the maximum authorized by the I.C.C.

In an inflationary period such as the present, some law firms might prefer compensation now to final settlement eventually—when the reorganization plan is approved. But other law firms, being paid with the regularity of wheels clacking, might want to prolong the case.

One S.E.C. official noted: "We have a young lawyer here who was bar mitzvahed when the T.M.T. Trailer Ferry case began in 1957—and it's not finished yet."

The Missouri Pacific reorganization took 23 years, but Judge Fullam says that he does not think this reorganization will be allowed to drag that long. He has encouraged groups of creditors with similar interests to choose counsel to represent the groups, and he has said that out-of-town law firms do not have to associate themselves with local counsel. A number of lawyers say they have not heard of this ruling.

The whole question of fees in bankruptcy cases has a history about as old as bankruptcy itself, and the Supreme Court has repeatedly inveighed against largesse. Chief Justice William Howard Taft warned against "vicarious generosity." Justice James C. McReynolds pointed out in 1922 that the allowance awarded one attorney was eight times the salary of a Supreme Court Justice. The United States Court of Appeals, Second Circuit, bewailed the prospect of "the debtor emerging from bankruptcy only to re-enter it after the lawyers are paid."

In 1937 the S.E.C. published a "Protective Committee Report" on its investigation of bankruptcies. The committee was headed by William O. Douglas, now a member of the Supreme Court.

The report expressed concern about "the shift of the reorganization bar from standards of professional service to those of pecuniary gain. In its avarice for reorganization fees the legal profession by and large has forsaken the traditions of officers of the court and has become highly entrepreneurial in nature."

SOME DIFFERING VIEWS

Professor Countryman is likeminded in 1973: "I feel very strongly that it's a mistake to allow this sort of procedure to be handled as though it were litigation between private parties, to look to lawyers representing large private interests for assistance in the reorganization and then to compensate them out of the estate for their services."

But Mr. Blanchette is not overawed by all these opinions.

"A lot of that language came out in the nineteen-thirties," he said. "It wasn't very hard in 1935 to tell a law firm it should charge less in bankruptcy cases. But I don't think there is a base in fact for cramping a public service operation on a law firm. A lot of these firms do a substantial amount of work for indigent clients and legal-aid work. Why should they charge the Penn Central less than they would charge a normal client?"

Mr. Blanchette argued that his staff's work is physically punishing and intellectually demanding. He compared the Penn Central case to "a medieval maze."

Aaron Levy, director of the Division of Corporate Regulation of the S.E.C., said in an interview: "Medieval mysticism is good preparation for this."

So, evidently, is classicism. "If there were seven cities which claimed Homer," noted Mr. Levy, "there are 17 lawyers who claim payment for the same work."

He is fond of telling lawyers seeking compensation in bankruptcy cases: "That's a good education, but the court isn't going to pay for your tuition."

PERSONAL STATEMENT

Mr. PRICE of Texas. Mr. Speaker, I missed the last quorum call because I had constituents from my district in my office. However, I would like the RECORD to show that I was present on the floor immediately after the quorum was announced.

CLASS ACTION SUIT AGAINST EPA

(Mr. BROWN of California asked and was given permission to address the House for 1 minute, to revise and extend

his remarks and include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, on Thursday, January 26, I will be filing a class action suit as a citizen of California in the U.S. district court in Los Angeles against the Administrator of the Environmental Protection Agency asking the court to order the Administrator to allot to California the State's full allotment under the Federal Water Pollution Control Act Amendment of 1972.

California, along with every other State in the Union has had its funds authorized by the Congress for water pollution control cut in half by a Presidential stroke of the pen—a loss for California of \$500 million over 2 years, and a similarly substantial loss for every State. You will recall that last year the President vetoed the Water Pollution Control Act Amendment of 1972, authorizing the spending of \$11 billion over 2 years and \$25 billion over 5 years for construction of facilities to clean up America's water. The Congress passed the act over the President's veto and now the President seeks to accomplish by Presidential order what he could not accomplish by his veto. I have been advised by legal counsel in the American Law Division of the Library of Congress that an excellent case can be made that the President and the EPA Administrator have no discretion to replace amounts allotted by the act to the States. The American Law Division has helped prepare the complaint which I will file Thursday.

The issue which the President has raised is deceptively simple: What does article II, section 3 of the Constitution mean when it provides that "the President shall take care that the laws be faithfully executed." To crystallize this issue I have introduced today, Tuesday, January 23, the following resolution:

Resolved, That each Member of the House is authorized to sue on behalf of the House in any appropriate court to obtain such relief as shall be necessary with respect to any program or project in such Member's district whose funding has been impounded by the President contrary to law.

By this resolution, the House would be asking the court for an interpretation of what the Constitution means when it says that the President must faithfully execute duly enacted laws. In addition, I have been advised by counsel that in such matters, a resolution of this kind would be impressive to a court. It would emphasize the seriousness of the impoundment issue, and recognize the role of a Congressman in asserting the rights of his or her constituents to impounded funds for specific programs in his or her particular district. Authorizing a chairman or any other single Member would not be as effective as this resolution because of the diversity of programs and number of cuts involved.

I have taken the course outlined above, after consultation with legal counsel, because I believe that going to court may be the quickest way to reverse the decision the President has made to unilaterally cut funds appropriated by Congress. I encourage Members of the House to take similar action.

To aid Members of the House and their legal counsel in the preparation of any action they would desire to bring, the following constitutes a complaint drafted on my behalf by the American Law Division of the Library of Congress:

COMPLAINT

1. This is an action for a declaratory judgment and mandamus to compel defendant to comply with the Federal Water Pollution Control Act Amendments of 1972, PL 92-500, 86 Stat. 816 (hereinafter "Act"), by allotting to the State of California the amount mandated by section 205(a) of the Act.

JURISDICTION AND VENUE

2. This action is brought pursuant to section 505(e) of the Act, 5 U.S.C. 701-706 and 28 U.S.C. 1361, 2201. This Court has jurisdiction of this action by virtue of 28 U.S.C. 1361, because this action arises under the laws of the United States, because there is diversity of citizenship between the parties and because the amount in controversy exceeds \$10,000, exclusive of interest and costs. This Court also has jurisdiction of this action by virtue of 28 U.S.C. 1361, because the action is in the nature of mandamus to compel an officer of an agency of the United States to perform a duty owed to the plaintiff. An actual and justiciable controversy exists between the parties regarding which plaintiff requires mandatory relief, as well as a declaration by the Court of his rights and of defendant's obligations and duties.

Venue is properly laid in this Court pursuant to 28 U.S.C. 1391(e).

THE PARTIES

3. At all times hereinafter mentioned, plaintiff, George E. Brown, Jr., was and is a citizen of the United States and a resident of San Bernardino County, State of California, and since January 3, 1973 a Member of the United States House of Representatives.

4. At all times hereinafter mentioned, defendant, William D. Ruckelshaus (hereinafter "Administrator"), was and is the Administrator of the United States Environmental Protection Agency. The Administrator is charged by section 101(d) of the Act with the responsibility of administering the Act. The Administrator performs his official acts (including the act complained of herein) in and is officially a resident of the District of Columbia. The Administrator is not a citizen of the State of California.

CLASS ACTION ALLEGATIONS

5. By virtue of Section 201(g) (1) of the Act the plaintiff and all other citizens of and residents within the State of California will be direct beneficiaries of federal grants for the construction of publicly-owned treatment works in that such grants for such construction will directly benefit and enhance the environment of the plaintiff's area of residence by virtue of a significant lowering of water pollution levels in waterways which the plaintiff uses for recreational and other purposes and in which plaintiff has aesthetic, ecological and related interests thereby making such waterways more usable for the purposes to which plaintiff puts them. The Administrator's refusal to allot to the States, pursuant to Section 205 of the Act, the full amount of the sums authorized to be appropriated by section 207 of the Act injures the plaintiff and all other citizens and residents of San Bernardino county and the State of California who use the waterways of San Bernardino county and the State of California for recreational and other purposes and in which plaintiff has aesthetic, ecological and related interests in the same manner. Specifically, the Administrator's failure to allot the sum required by the Act to be allotted to the State of California significantly limits the number and amounts of the federal grants to the plaintiff's area of residence, the county of San Bernardino and

to the State of California which can be obligated by the Administrator. Therefore, this action raises questions of law and fact common to the plaintiff and other citizens and residents of San Bernardino county and the State of California and the plaintiff's claims herein are typical of the claims of other such citizens and residents of San Bernardino county and the State of California and the plaintiff will fairly and adequately protect the interests of such other citizens and residents. This action is maintainable as a class action in accordance with Rule 23 (b) (1) (A), (b) (1) (B) and (b) (2).

STATUTORY PROVISIONS

6. The Act was passed on October 18, 1972, over the veto of the President.

7. Section 101(a) (4) of the Act states that "It is the national policy that Federal financial assistance be provided to construct publicly owned waste treatment works" for the treatment of wastes that are discharged into the nation's waters.

8. Title II of the Act (paragraphs 201-212)—entitled "Grants for Construction Treatment Works"—sets forth the procedure by which States and municipalities may secure federal financial assistance in the amount of 75 percent of the cost of municipal sewers and treatment works. As set forth with particularity hereinafter, this procedure provides for the allotment among the States, pursuant to a formula, of the \$11 billion available for grants to States and municipalities in the current and next succeeding fiscal years.

9. Section 201(g) of the Act authorizes the Administrator "to make grants to any State, municipality, or intermunicipal or interstate agency for the construction of publicly owned treatment works." By virtue of section 203(a) of the Act a grant which is made when the Administrator approves a plan for a construction project—is "a contractual obligation of the United States." The Act does not require the Administrator to approve all projects that are submitted to him. Rather, he has broad discretion to determine whether a proposed project satisfies the criteria set forth in section 204; for example, that the applicant can assure proper and efficient operation of the project and that the capacity of the project is such that it will meet the needs to be served.

10. Section 203(a) of the Act provides further that grants to a State, a municipality, or intermunicipal or interstate agency may be made only "from funds allotted to the State under section 205."

11. Section 205(a) mandates allotments. It Provides: Sums authorized to be appropriated pursuant to section 207 for each fiscal year beginning after June 30, 1972, shall be allotted by the Administrator not later than the January 1st immediately preceding the beginning of the fiscal year for which authorized except that the allotment for fiscal year 1973 shall be made not later than 30 days after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972. Such sums shall be allotted among the States by the Administrator in accordance with regulations promulgated by him, in the ratio that the estimated cost of constructing all needed publicly owned treatment works in each State bears to the estimated cost of construction of all needed publicly owned treatment works in all of the States. For fiscal years ending June 30, 1973, and June 30, 1974, such ratio shall be determined on the basis of table III of the House Public Works Committee Print No. 92-50. Allotments for fiscal years which begin after the fiscal year ending June 30, 1974, shall be made only in accordance with a revised cost estimate made and submitted to Congress in accordance with section 516(b) of this Act and only after such revised cost estimate shall have been approved by law specifically enacted hereafter.

12. Section 207 authorizes appropriations in the amount of \$5 billion, \$6 billion and \$7 billion for the fiscal years 1973, 1974, and 1975 respectively. It provides: There is authorized to be appropriated to carry out this title other than sections 208 and 209, for the fiscal year ending June 30, 1973, not to exceed \$5,000,000,000, for the fiscal year ending June 30, 1974, not to exceed \$6,000,000,000, and for the fiscal year ending June 30, 1975, not to exceed \$7,000,000,000.

13. By virtue of sections 205(a) and 207 the Administrator is required to allot among the States \$5 billion for the fiscal year 1973 and \$6 billion for the fiscal year 1974. No provision of the Act or of any other law affords the Administrator discretion to reduce these allotments, whether by direction of the President or otherwise.

UNLAWFUL ACTS

14. By letter dated November 22, 1972 (exhibit I) the President directed the Administrator to withhold a portion of the allotments mandated by the Act. That letter says in relevant part: I stated (in my veto message) that even if the Congress were to default its obligation to the taxpayers through enactment of this legislation, I would not default mine. Under these circumstances, I direct that you not allot among the States the maximum amounts provided by Section 207 of the Federal Water Pollution Control Act Amendments of 1972. No more than \$2 billion of the amount authorized for the fiscal year 1973, and no more than \$3 billion of the amount authorized for the fiscal year 1974 should be allotted.

15. By Regulation promulgated and effective on December 8, 1972, the Environmental Protection Agency stated that, "in accordance with the President's letter of November 22, 1972," it was allotting among the States for the fiscal years 1973 and 1974 "sums not to exceed \$2 billion and \$3 billion, respectively (37 Fed. Reg. 26282, 35.910-1(a) (1972), instead of the \$5 billion and \$6 billion required by the Act.

16. As a result of these reduced allotments, the amounts allotted to the State of California, available for grants to the State and municipalities of the State, were \$196 million and \$294.5 million for the fiscal years 1973 and 1974, respectively, instead of the \$490.8 million and \$589 million required by the Act. 37 Fed. Reg. 26282, 35.910.1(b) (1972).

INJURY

17. By directing the Administrator to allot among the States the sums authorized by section 201 of the Act, Congress intended that certain sums be immediately available in each State for obligation. Although the Administrator has discretion with regard to the obligation of sums after allotment, his discretion is not unlimited and is subject to review under applicable provisions of the Act and other laws. Thus, the Administrator's refusal to allot the sums authorized by section 207 directly injures plaintiffs because it permanently withdraws from availability in California and San Bernardino County large portions (60 per cent in fiscal 1973 and 50 per cent in fiscal 1974) of the obligatory authority conferred upon him by Congress. The State of California and San Bernardino County must necessarily reduce the number of treatment works projects for which they can apply to the Administrator for federal grant assistance.

18. Section 205(b) (1) of the Act provides that any sums allotted to a State pursuant to section 205(a) "shall continue available for obligation in such State for a period of one year after the close of the fiscal year for which such sums are authorized." Section 205(b) (1) further provides that at the end of such one year period, sums allotted to a State which remain unobligated shall be immediately reallocated among the States by the Administrator. Such reallocations are to

be in addition to any other allotments made to the States. Thus, section 205(b) (1) creates a mechanism to make allotted sums continually available, until obligated, to fund federal grants for treatment works. However, the Administrator's refusal to allot the full amount of the sums authorized by section 207 permanently removes such unallotted sums from the operation of the statutory mechanism for continual funding. Plaintiffs are injured by the Administrator's action because they are forever denied the availability of such unallotted sums for federal grants.

19. As a further result of the Administrator's illegal reduction of allotments, some treatment works that the Congress has determined are needed by the plaintiffs simply will not be constructed. The allotment amounts and distribution formula set forth in section 205(a) of the Act were based on a Congressional estimate of the current needs of all States and municipalities. Since any project that is the recipient of a grant under the Act must be 75 per cent funded by federal monies (section 202(a)), whatever federal money is available cannot be distributed among all needed projects; rather, it must be used to finance 75 per cent of each project as it is approved. Thus, many needed projects will simply go unbuilt because, in the absence of federal funds caused by the Administrator's illegal reduction there will be insufficient federal funds to provide the 75 per cent federal share.

20. To the extent that the Administrator's illegal reduction of allotments results in needed treatment works not being built, the waters in the affected areas will continue to deteriorate, and the plaintiff will remain deprived of the environmental and recreational benefits that Congress intended to secure for him by passage of the Act.

Wherefore, plaintiffs demand judgment herein:

(a) Adjudging and declaring that section 205(a) of the Act requires the Administrator to allot among the States \$5 billion and \$6 billion for the fiscal years 1973 and 1974, respectively; and

(b) Ordering the Administrator to revise the allotments he already has made, in purported compliance with section 205(a), for the fiscal years ending June 30, 1973 and June 30, 1974, and to make said allotments in the amount of \$5 billion for the fiscal year ending June 30, 1973 and \$6 billion for the fiscal year ending June 30, 1974; and

(c) Such other and further relief as this Court may deem just and proper.

FEDERAL INFORMATION PLANS AND SYSTEMS

(Mr. MOORHEAD of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, shortly after the Congress adjourned last fall, there came into my possession a copy of a 300-page plan entitled "Communications for Social Needs: Technological Opportunities"—developed for the President's Domestic Council and dated August 1971.

The plan was prepared by a number of Federal agencies and details the use of various telecommunications, satellite, and computer systems in a Federal information system network. The plan includes detailed information concerning the technical feasibility and cost of these information systems for such purposes as education, health care, law enforcement, electronic mail handling, a

disaster warning system, and other similar functions.

After studying the plan and verifying its authenticity, I released the full text of the document to the news media and addressed a letter to the President asking him to clarify the purposes of the study. It is obvious, Mr. Speaker, that the lack of safeguards to guarantee constitutional liberties to our citizens could turn such a Government owned and operated information system into a potential propaganda vehicle. None of us want a "Big Brother" spy system of the type described in George Orwell's novel "1984" here in America.

The White House spokesman, Dr. Edward E. David, Jr., Director of the Office of Science and Technology, issued a statement denying that the plan had been seriously considered and stated categorically that the proposal to install special FM radios in American homes for disaster warning purposes had been rejected. He did not indicate whether or not other parts of the plan had been implemented.

The following day, I released the results of other investigations conducted by the staff of the House Foreign Operations and Government Information Subcommittee, which I chair, that showed that two alternative plans for governmental disaster warning radio systems that could be used in private homes had already been tested on an experimental basis by two Federal agencies. For more than a year, the subcommittee had been conducting hearings and investigations into various aspects of Government information policies and practices and it is clear that the White House was, as usual, being less than candid with the Congress and the American public.

A subsequent article by Phil Hirsch in *Datamation Magazine* last month also confirmed that parts of the massive Federal telecommunications information system probably going to be proposed by the administration in the new Congress.

Late in December, Dr. David answered my October 31 letter to the President and acknowledged that the report "Communications for Social Needs: Technological Opportunities," issued on September 24, 1971, did indeed propose an expansion of previously authorized on-going activities, such as those dealing with communications for improved disaster warning, broadening educational service, and improving access to health care. He reiterated that the report itself was rejected because of the very same type of public policy questions that I had raised initially.

Mr. Speaker, yesterday the Pentagon's Office of Civil Defense announced that an experimental radio transmitter for disaster warning would commence new operations next month, linking some 400 experimental receivers to be located in police stations, civil defense installations, and other similar public agencies. These receivers can be activated automatically by the Government transmitter. I do not quarrel with the objectives of these experiments. All citizens should obviously have maximum advance warn-

ing of impending floods, hurricanes, tornadoes, earthquakes, and other disasters. What concerns me is the need for intensive congressional examination of these types of Federal information system networks well in advance of any specific authorization by Congress for their establishment and funding. Such information systems must contain adequate provisions to safeguard the individual citizen's constitutional rights, and to assure that they could never be used for propaganda purposes by an all-powerful Executive.

Our subcommittee is planning an extensive series of hearings in the near future into this aspect of Federal information systems, as part of the inquiry begun during the past Congress. Members will be kept fully informed of the schedule for these hearings. Meanwhile, Mr. Speaker, I include at this point in the Record the text of correspondence, statements, articles, and other details of this important subject.

The material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 31, 1972.

HON. RICHARD M. NIXON,
President of the United States, The White House, Washington, D.C.

DEAR MR. PRESIDENT: There has come into my possession a copy of studies entitled "Communications for Social Needs," prepared at the request of your Domestic Council, dated August 7, 1971, and labeled "Administratively Confidential." The contents of these documents, according to the preface, are the "combined response of the Working Group on Government and Commercial Services and the Working Group on Communications Capabilities" and the response of the "Working Group on Education/Cultural Needs."

I have studied these documents, prepared under the direction of Dr. Edward E. David, Jr., Director of your Office of Science and Technology, and am gravely concerned over the implications of "Big Brother" intrusion of the Federal Government into the daily lives of virtually every American.

Because of the vast importance of these proposals on the fabric of our entire socioeconomic system, I am formally requesting that you immediately forward to the Congress all additional studies in this series, revisions of working drafts, documents, wiring diagrams, technical or feasibility studies, draft implementation orders, and other papers related to these proposals so that Members of Congress and the American public may be fully informed as to the details of this massive and costly computer-electronic network.

I further request that you personally discuss and explain in detail to Congress and the American people the purpose, impact, and future plans you may have for making the programs described in these proposals operational. The American people deserve and are entitled to expect their President to share with them the details of a plan that would so vitally affect their lives and those of their children.

Sincerely,

WILLIAM S. MOORHEAD,
Member of Congress.

EXECUTIVE OFFICE OF THE
PRESIDENT,
OFFICE OF SCIENCE AND TECHNOLOGY,
Washington, D.C., December 29, 1972.
HON. WILLIAM S. MOORHEAD,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MOORHEAD: This is in further response to your letter of October

31st to the President with respect to a report entitled "Communications for Social Needs: Technological Opportunities," which was referred to me for reply. The complete final report, dated September 24, 1971, is enclosed.

The effort which led to this report was one of a number of separate studies initiated by the Federal agencies in the Fall of 1971 in response to a request to identify national problems whose possible solution might be advanced through technological opportunities in the civilian sector.

In some cases, the report proposed an expansion of previously authorized on-going activities, such as those dealing with communications for improved disaster warning,* broadening educational services, and improving access to health care. The proposals were confined to a set of experiments—not operating programs—designed to determine the social and political acceptance of the services being demonstrated.

The report clearly pointed out that the legal and ethical aspects of the uses to which the communications facilities may be put would require special consideration. Nonetheless, the report was rejected by the Office of Science and Technology since, among other reasons, it was felt that the proposed experiments did not adequately take into account questions of social acceptability and the essential need to protect the citizens' rights to privacy.

Since the report was rejected, has no status, and is not under consideration, no further action or steps have been or need to be taken with regard thereto. Furthermore, I know of no tests now under way or even contemplated which would in any way infringe on either the rights or privacy of the citizens of this country. Any such possibility is totally abhorrent to this Administration.

Sincerely,

EDWARD E. DAVID, Jr., Director.

[From the Washington Post, Nov. 1, 1972]
UNITED STATES REJECTS "BIG BROTHER" RADIO LINKUP

(By Stephen Green)

A governmental study group appointed by the White House science office has come up with a proposal to put special FM radio receivers in every American home to permit the government to communicate directly with citizens 24 hours a day.

This proposal—one of many contained in a 300-page report entitled "Communication for Social Needs"—was turned down, according to Dr. Edward E. David Jr., director of the White House Office of Science and Technology.

The White House released David's statement after existence of the study was disclosed by Rep. William S. Moorhead (D-Pa.), chairman of the House Government Information Subcommittee.

Moorhead called the proposal a "blueprint for the Big Brother Propaganda and spy system which George Orwell warned about in his novel, '1984.'"

Dated August, 1971 the document is stamped "Administratively Confidential" on every page. It states it was prepared at David's request for presidential assistant John D. Ehrlichman, chairman of the White House Domestic Council.

"The Domestic Council receives dozens of suggestions and ideas every month from in-

*For example, improved disaster warning techniques have been under study by the National Oceanic and Atmospheric Administration, the Department of Defense, and the Office of Emergency Preparedness for many years in the hope of avoiding the casualties associated with such disasters as occurred during "Agnes" and at Rapid City.

side and outside the government," David said. "Some are good and some are terrible."

"This particular proposal was rejected outright by the Office of Science and Technology over a year ago. It was never even submitted to the Domestic Council for review."

"Had the Congressman asked, we would gladly have informed him of the facts. But I guess he was more interested in a headline than the facts."

According to OST spokesman John Lannan, the science office requested representatives of federal agencies to prepare recommendations on how new technological developments could meet social needs of the country.

One of the answers the group came up with was the proposed government FM receivers, which could be turned on by the government even though citizens try to turn them off.

Under the proposal, manufacturers would be required to install the FM receivers in every boat, automobile, radio and television set. "The system," the document says, "must be operated 24 hours per day" to cover "100 per cent of the population" and even "wake those asleep" for disaster warnings.

In addition to the special FM radio system, the plan calls for an expanded Public Broadcasting System that would educate children to become good world citizens.

It also proposes a "wired city" and ultimately a "wired nation" system that would have information about police and court records, as well as individual health records, in a common computerized file system.

Information from the common file would flow back and forth between Washington and every area of the country. The "wired nation" also would receive, from Washington, cultural programs and popular entertainment on radio and television.

Implementation of the FM system could begin by 1975, the document states, with an initial cost of \$230 million and an additional cost of \$200 million a year for the receiver sets.

According to the proposal, the communications system could solve the problems of urban areas where there is "growing social unrest" and an "apparent social malaise."

One way this could be done, the document says, is to "provide the public with a better understanding of the functions of the criminal justice system" and transmit "confirmation or denial of rumors." Local governments would be assigned their own FM channels.

The document acknowledges that there may be "some concern about invasion of privacy."

"There may be opposition to requiring receivers built into all radios and televisions," it says.

The objective of the children's programs, the document says, is to "educate pre-school children for world citizenship."

"The federal role in moral ethical training may be controversial," the proposal says. It adds that there is "a need for General Parent Education" that government programs could provide.

Also proposed are:

Televising court proceedings and using taped testimony as evidence in trials.

An electronic mail handling system in which letters would be scanned electronically and their contents sent to the city of destination through a computer system.

Launching of three new communications satellites to handle messages sent over the new system.

White House press secretary Ronald Ziegler said yesterday he knew nothing about the report, adding: "I'm sure this administration will not propose or proceed with a program such as that."

[From the Washington Post, Nov. 3, 1972] UNITED STATES IS TESTING SYSTEM TO USE ALL RADIO, TV

(By Stephen Green)

The Defense Department has started testing a special communications system that would have the ability to turn on automatically every radio and television set in the country to receive messages from the government.

However, current Nixon administration policy will not permit the system to be used for that purpose, according to a spokesman for the Pentagon's Defense and Civil Preparedness Office, which is testing it.

Called the Decision Information Distribution System, it would be used initially to turn on radio sets in police and fire stations in "strategic locations" in emergencies, according to the spokesman.

Information about the system surfaced yesterday after Rep. William S. Moorhead (D-Pa.) charged that "plans to permit government access to private homes via electronic devices have already been tested."

Earlier this week Moorhead revealed that a government study group appointed by the White House science office proposed to put special FM radio receivers in every home to permit the government to communicate directly with citizens 24 hours a day.

That was one of many proposals in a 300-page document called "Communications for Social Needs" but was rejected, according to Dr. Edward E. David Jr., director of the White House Office of Science and Technology.

Moorhead said that the fact that the government has been testing a system that would give it access to private homes "raises serious questions about the truthfulness of Dr. David's statement." Moorhead added that he feared the possibility of "Big Brother" government.

Kenneth Miller, head of the Federal Communications Commission Emergency Communications Office, told The Washington Post that the Defense Department system would operate on long-wave frequencies below the standard AM radio band. "It could turn on radios and television sets automatically and already has been tested," he said.

The Defense Department plan, according to Miller, calls ultimately for construction of 10 systems around the country to send messages on the system.

A testing station now is being built in Edgewood, Md., said the Defense and Civil Preparedness spokesman.

"There is no secret about this," added the spokesman. He explained that the White House Office of Telecommunications has decided that the system would not be used to turn on radios and televisions in private homes.

Citizens, he said, might have the option of acquiring special receivers that could be activated by the system.

Plans for the system, he acknowledged, call for it to have the capability to automatically turn on radio and television sets in private homes.

According to Lannan, the Defense Department began developing the system in 1962 during the Kennedy administration.

Moorhead said he interpreted Dr. David's statement earlier this week to mean that the White House science office has rejected only the FM radio portion of the "Social Needs" plan.

However, John Lannan, public affairs director for the White House science office, said the entire plan had been rejected.

Despite the rejection of the "Social Needs" plan, "it exists and can be used," said Moor-

head, chairman of the House Government Information Subcommittee.

He said the Subcommittee will hold hearings in January "so that the American people may know the full details about this and other Big Brother plans that the Nixon administration may be hiding from the Congress and the public."

Moorhead also said he has written to David, inviting him to testify at the hearings.

David said he is willing to discuss the matter with Moorhead privately or publicly. "I know of no tests now underway or contemplated which would in anyway infringe on the right of privacy of the citizens of this country," David said.

[From Datamation magazine, December 1972]

PRIVACY—COMPUTER SYSTEMS AND THE ISSUE OF PRIVACY: HOW FAR AWAY IS 1984?

(By Phil Hirsch)

Dr. Ed David, the President's science advisor, last month assured Congressman Bill Moorhead of Pennsylvania that a report entitled "Communications for Social Needs" has been "rejected." The report proposed federal support for several new applications of communications and computer technology, including a system that would enable the feds to turn on every radio and tv set in the country, ostensibly to warn people of impending disaster. Moorhead called it "a Nixon Administration plan for a potential government-operated propaganda and spy system."

Soon afterward, Dr. David's press spokesman, John Lannon, admitted to this reporter that, although the report has been "completely rejected," the projects described in the report may still be under consideration. Further evidence of this came from Jack Robertson, of "Electronic News," who recently interviewed William Magruder, special assistant to the President, and reported, in the Nov. 6 issue, that Magruder expects the Administration to provide some money next year for experiments in CATV-wired cities and electronic mail handling. Both of these projects are described at considerable length in the allegedly rejected report.

Essentially, the electronic mail handling proposal involves optical scanning of letters and transmission of their contents by satellite from origin to destination post office. The "wired city" would utilize two-way CATV. Systems employing the same basic technology have already been tested successfully by the police to monitor remote locations through video cameras and specialized sensors. Although the "rejected" report doesn't talk about this application directly, it does explain that the wired city would be the precursor of a "wired nation"—formally known as a "National Public Service Telecommunications System," to be supported by satellite terrestrial communications channels. Several centralized data banks, consolidating files accessible to law enforcement, health, education, and other agencies—public and private—would be linked to this national system, which would output a number of services ranging from weather reports to canned "educational" programs prepared by the government for use on radio and tv.

The report on "Communications for Social Needs" insists that individual privacy wouldn't be threatened by these proposals. In discussing the electronic mail handling system, it says "all handling of letters will be mechanized so that the original letter cannot be read while being converted for transmission." Also, "all materials will be outputted in sealed letter form. Thus, the letter will never exist in a form which can be read during the time it is in the sanctity of the mail." It takes only rudimentary technical knowledge, how-

ever, to realize that such a system could easily be programmed to detect, and print addresses.

Meanwhile, a three-year privacy study, directed by Dr. Alan F. Westin, has been completed; it is billed as "the first nationwide, factual study of what the use of computers is actually doing to record-keeping processes in the United States, and what the growth of large-scale data banks . . . means for the privacy and due process." The gist of the report is the "central data bank developments are far from being as advanced as many public commentaries have assumed," and so popular fears about loss of privacy haven't been realized, yet. The report stresses that, because of the increased efficiency of record-keeping, and the growing intensity of public concern, the middle '70's is when lawmakers and the public "must . . . evolve a new structure of law and policy to apply principles of privacy and due process to large-scale record keeping."

NOTHING TO SAVE

But another study, scheduled to be published this month in book form, suggests there will be nothing left to save if we wait until the mid-'70s. This study was done by The Lawyers' Committee for Human Rights, a foundation-supported research group.

The committee charges that the Justice Dept., through its control of the National Criminal History System (NCHS), has acquired "greatly increased capability to monitor the activities of all citizens . . . and (arbitrarily) prevent or punish those activities . . ." System control was transferred from the states to the FBI despite objections from the Law Enforcement Assistance Administration (LEAA)—which supplied most of the money for NCHS—and despite an explicit warning from the President's Crime Commission that a centralized criminal records system would be subject to "executive manipulation," the committee said.

By 1975, NCHS will provide centralized, on-line access to criminal history files in all 50 states, the report added. "No federal, and few state laws" regulate this system; constitutional protections for individuals who have NCHS dossiers "are limited and narrowly defined," so both state and federal dossier banks continue to evolve primarily "by the force of their own momentum."

In many states, adds the lawyers' committee, criminal history files are being integrated with other kinds of sensitive information, so that comprehensive individual profiles can be extracted. The federal government is encouraging this development by funding projects like the Integrated Municipal Information System (IMIS), a HUD program aimed at producing a common, computerized information file that can be accessed by all the departments of a city government. Two IMIS systems are now operational—in Long Beach, Calif., and Wichita Falls, Texas. Three other cities are developing related applications. The feds will spend \$5.1 million on the project in FY'73, compared with \$3.5 million last year.

If a universal individual identifier (UID) is adopted by the United States, it will almost certainly become easier to integrate personal files now maintained independently by private and government organizations. Another even more chilling prospect is that bank loan officers, school registrars, personnel managers, and other grantors of social benefits will be able to make much greater use of aggregated statistics to weed out alleged "poor risks" ahead of time.

This process consists essentially of analyzing the existing poor risks—borrowers, for example, who don't pay on time—to find common demographic characteristics, such as age, income, place of residence, schooling, and/or family status. Future applicants who have the same characteristics are then rejected, or at least considered less qualified to receive the job, the school admission, or the loan.

USED NOW IN REVERSE

Direct mailers use this technique in reverse to find the areas where their sales prospects are greatest; they rely on Census data, often combining it with proprietary statistics. Many lenders use point systems, based on an applicant's age, income, and other demographic characteristics, to determine his ability to pay. The use of this technique is so widespread among insurance companies that Maryland has decided to establish a state-operated automobile insurance program. An estimated 75% of the drivers who will be covered haven't been able to get policies from private firms—not because of poor accident records, but because of employment or credit records that reflect on their "stability."

No one really knows how extensively such systems are being used today. But it is probable that many organizations don't use the technique because it's too difficult to get the needed data. A universal ID will reduce this problem by making it possible to describe any desired group of individuals and then automatically access the independently maintained data bases that may have records on them.

The social security number is a likely UID; its already being used for purposes never contemplated by the original Social Security Act—to identify students, welfare recipients, and owners of bank accounts, among others. Many companies are now using an employee's social security number to identify his payroll record. And, according to Charles Rowan, executive director of the National Association of State Information Systems (NASIS), some states are encouraging the use of social security numbers by their constituent agencies in the expectation that it will become an official UID. The American National Standards Institute (ANSI) recently drafted a "standard individual identifier (SII)," based on the social security code, and was ready to submit it to a final ballot of the membership until Senator Sam Ervin complained; final action has been delayed, but only until "public policy is resolved."

IT MAY BE TOO LATE

Rowan, the NASIS official, was one of the participants in a lengthy conference on automated personal data systems convened recently by HEW Secretary Elliot Richardson. Another participant—Prof. Arthur Miller of Harvard—said it may be too late to stop the trend toward use of the social security number as a universal identifier.

One purpose of the HEW conference was to analyze procedures that might be imposed on use of this code to protect individual privacy. Late last month, conference participants were at work on recommendations. They will probably complete a preliminary report by the end of next month, which then goes to Richardson for his review. He will pass it around among his department heads for their appraisal, after which the conferees will be asked to prepare a final set of recommendations.

Assuming these recommendations call for changes in present procedure, further time will be needed to implement them. In any case, only HEW's operations will be affected. Further review, discussion, and analysis will be necessary before other federal, state, and/or local government agencies adopt recommendations. This will be "a slow process," said David B. H. Martin, executive director of the conference and a special assistant to Richardson. He didn't see any humor in that remark.—Phil Hirsch.

[From the Evening Star and News,
Jan. 22, 1973]

HOME ALARM SYSTEM TESTS SET (By Brooks Jackson)

The Pentagon plans widescale tests next month on a radio warning system it wants to put in all homes eventually.

The radio receiver listens silently to a government frequency and comes to life only when the military activates it with a coded signal.

The aim is to save lives by broadcasting warnings of tornadoes, hurricanes, floods or nuclear attack.

Installation of the radio device would be voluntary.

Originally, civil defense officials hoped for a law requiring that the radio receivers be built into every new television set but White House broadcasting officials overruled—at least temporarily—the military, which runs civil defense operations. They feared the public might interpret mandatory installation of the receivers as part of a government propaganda and spy system like Big Brother's in George Orwell's novel "1984."

Civil defense officials, who conceived the warning system, have built a bombproof radio transmitter near Baltimore and plan to start test broadcasts to a 10-state area in early February.

About 400 high-priced receivers are being built, and will be distributed at first only to state and local government authorities who want them.

But technicians are close to perfecting a home receiver cheap enough—about \$10—for almost anyone to afford.

The civil defense officials call the system DIDS, for Decision Information Distribution Systems.

Planning began in 1964, small-scale field tests were conducted in 1968 and Congress appropriated \$2 million for the first transmitter and receivers in 1970. Cost overruns have raised the initial price to \$5.7 million.

If next month's tests are successful, and if Congress goes along, the Pentagon plans eventually to build a total of 10 transmitters that together would reach nearly every corner of the Nation except Alaska and Hawaii.

The automated transmitters could be operated by remote control from the North American Air Defense Command near Colorado Springs, Colo., or at either of two backup points.

For warning of a nuclear attack, a controller could turn on every home receiving device in the country. For warning of a flash flood or other natural disaster, he could turn on devices in a certain area, in some cases as small as one-third of a single county.

Specific instructions on how to cope with the disaster could be broadcast.

The Pentagon began thinking about improving its national warning system more than a decade ago, when missiles made the old, telephone-and-siren system obsolete.

That system, changed little today, would take an estimated 30 minutes to reach 75 percent of the population, even under the best of circumstances.

Officials estimate the DIDS system could warn 90 percent of the public in half a minute, if everyone had a receiver.

Before settling on the DIDS system the government rejected a number of other warning systems as too expensive, too unrealistic or technically impractical. Among these were proposals to ring all the nation's telephones with warnings or to send radio warnings over commercial broadcasting stations, whether bureau transmitters or satellites.

THE 55TH ANNIVERSARY OF UKRAINE'S INDEPENDENCE

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 1 hour.

(Mr. FLOOD asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. FLOOD. Mr. Speaker, this 55th anniversary of Ukraine's Independence

is observed at a most interesting and propitious time. For instance, in the U.S.S.R. today the 50th anniversary of the so-called voluntary founding of the Soviet Union is being celebrated. Captive Byelorussians, Ukrainians, Armenians, and other non-Russian nations are being told by Moscow that at the end of 1922 they voluntarily entered into a federation with Russia to form the Soviet Union. The paramount historical fact is that, like the three Baltic nations 20 years ago, these earlier victims of Soviet Russian imperio-colonialism were forcibly incorporated into this new imperial state.

By observing this 55th anniversary of Ukraine's independence we, as free knowledgeable men and women, expose the lie and fraud of Moscow's current propaganda concerning the foundation of the U.S.S.R. What is more, we provide a free voice of truth for the muted Ukrainians and other captive non-Russian nations in the U.S.S.R., who, in their totalitarianized conditions, cannot protest and dissent freely against Moscow's imperialist rule and falsehoods. Indeed, by establishing a Special Committee on the Captive Nations we, in this House, could perform another monumental congressional contribution to popular enlightenment on this and countless other issues fundamental to our enlightened relations with the captive peoples and their captors.

Moreover, Mr. Speaker, the propitiousness of this 55th independence observance is also highlighted by the significant remarks made just this past January 4 by Pope Paul regarding the suppression of Ukrainian Catholicism in the U.S.S.R. As the pontiff put it:

The Ukrainians and the Ruthenians both have such a great need and hope to find again their independence and their freedom.

Here, too, the important historical fact is that both the Ukrainian Catholic and Orthodox Churches were genocided under Stalin. They do not institutionally exist in the U.S.S.R. And here, too, we in this House can perform a tremendous cultural and humanitarian service by supporting the pending resolutions aimed at the resurrection of these churches in Ukraine.

The Ukraine is the largest Slavic country in Eastern Europe, its population numbering some 47 million. The Ukrainian people obtained freedom for only a fleeting moment in history. This came as a result of the Russian Revolution and the defeat of the autocratic forces of Austria which had been ruling the Ukrainians.

The opportunity for the assertion of freedom came on January 22, 1918, the day they proclaimed their independence. The democratic government instituted in the new Ukrainian National Republic did its utmost to cope with the new state's multiple problems, but it had neither the manpower nor the resources to cope with these effectively.

Before the Republic could master sufficient force to establish itself, the country was attacked by the Red Army in the fall of 1920 and overrun.

In late November of that year the Ukraine was made a part of the Soviet Union thus ending the brief 2-year pe-

riod of independent existence for the Ukrainian people.

No fewer than 74 nations have become independent since the end of World War II, with some 55 of them smaller in size than Ukraine, which is 232,000 square miles in area. Only five of the 74 new countries have more inhabitants than Ukraine.

You can see, therefore, that we are speaking of a nation both large in size as well as in population.

As an illuminating article explaining the present cultural repressions in Ukraine, I append to my remarks that authored by Dr. Lev E. Dobriansky of Georgetown University on "Russification in Politico-Economic Demography," which appeared in the autumn 1972 issue of the Ukrainian Quarterly.

The article follows:

RUSSIFICATION IN POLITICO-ECONOMIC DEMOGRAPHY

(By Lev E. Dobriansky)

Five or ten years ago, rarely could one have found scholarly and popular articles devoted to the factor of Russification in what may be properly designated as the politico-economic demography of the Soviet Union. When this writer testified before the Judiciary Committee in the House of Representatives in 1964, a sharp division in academia was represented on the issue, with the majority bias vastly in favor of omitting any consideration for this factor in demographic analyses of the USSR. In fact, a marked disdain was also shown for any so-called politico-economic pollution of pure demographic inquiry.

In contrast to more realistic current trends, by and large, demographic output by Western analysts in their investigations of the USSR displayed an almost exclusive interest in such matters as aggregate population, birth rates and natural increase, female/male ratio, density, urbanization, ostensible Marxian deviations and the like. Hardly any consideration of a critical sort was devoted to the Russian/non-Russian composition of the USSR's population and all of its significant aspects and ramifications. Indeed, from a strictly logical viewpoint, how can one assign any weight to the force of Russification without a basic appreciation of the non-Russian complex in the USSR? The few who did at the time and many years before were viewed as analysts with some political axe to grind. Now, with the nature of the 1970 USSR census revealed and the mounting stories of Moscow's Russification drives in the Baltic area, in Ukraine, among the Jews and elsewhere, the analytic situation is rapidly changing and a greater realism is being shown in the treatment of USSR demographic data.

As will be indicated in part below, the frequency with which popular media such as *The New York Times*, *The Wall Street Journal*, and *The Washington Post*, to mention only a few, carry articles, reports and editorials linking the demographic trends with the Russification factor, augurs well both for a much needed reorientation of outlook and methodology in the academic precincts of our society and for growing public understanding of the nature and character of the USSR. Since the cause-and-effect relationship between the trends and the factor is one of interplay, with the fundamental trends spurring on Russification and the latter seeking for chiefly political purposes to cast a different image of the former, it should be evident that for the rest of this decade and more the subject, as now portrayed, will grow into major proportions of meaning and significance.

A PROJECTIVE EXAMPLE

There are numerous examples that can be drawn on and produced here for perceptive politico-economic projections of demographic developments in the USSR. Unquestionably, there will be more in the years ahead. As an example of an example, suffice it to mention one of far-reaching scope on the part of an incisive analyst of East European affairs.¹ Professor Lukacs observes: "I do not deny that sooner or later China may reach the status of a World Power such as no Asian state ever reached since the Mongol empire. The Russians know this. But what worries them is less the potential Chinese strength than the consciousness of their own potential weakness." What basic weakness? The professor explains, "Very soon, within a few years, less than one-half of the inhabitants of the Soviet Union will be Russians. Some of the other peoples within the Soviet Union will sooner or later demand more and more independence from their masters in Moscow." In another context of demographic analysis, the essentials of which are given below, this crucial point was actually sounded twenty years ago in certain governmental circles.

Emphasizing several other equally important, related and familiar points, Lukacs continues: "Absolutely contrary to Marx in whose cramped calculations nationalism did not figure, the history of the twentieth century has been marked far less by the struggle of classes than by the struggles of nations. When the dissolution of the unified Russian empire appears imminent, our world will see dangers such as it may not have seen in a thousand years at least." That there will be dangers, no one conversant with the subject will deny, but the speculations beyond this point cannot but attain to a minor level of probability, considering all the forces and elements involved. Without going into such speculations, the important points in this observation are the demographic base and the politico-economic aspects of it. Were the factor of Russification included by the professor, the scheme for present analytical purposes would become complete. For through its Russification efforts, predicated on economic requirements and prime political motivation, Moscow hopes to circumvent the outcome that is being currently projected.

SOME POLITICO-ECONOMIC INGREDIENTS IN IMPERIAL DEMOGRAPHY

A brief look at the past provides us with basic perspectives on the present change in outlook and controversy. They certainly show that the political importance of USSR population statistics cannot be too strongly emphasized. In fact, one may even reach into the pre-Soviet period to witness the political utility of demographic output in the writings of Lenin. For other reasons and objectives, the founder of the RSFSR constantly hammered away on the minority position of the Russians in the Czarist Empire. "In czarist Russia," he reiterated, "the Russians constituted 48 percent of the total population, i.e., a minority, while the non-Russian nationalities constituted 52 percent." According to the 1897 census, there were about 55.6 million Russians in the total empire population of 125.6 million. It is not generally appreciated that a large measure of Bolshevik propaganda was directed at "the oppressed nationalities" in the Russian Empire.

From the time of the first Soviet census in 1920, as ordered by Lenin and even before the Soviet Union came into being, to the recent one of 1970, sharp criticisms have been made with respect to coverage, techniques, and padded results. In the period of the wars, both civil and international, the 1920 census

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failed to cover Turkestan, the Caucasus, parts of Ukraine and the Far East. Curiously, during the Lenin centennial the census was hailed as Lenin's first great accomplishment. The more successful 1926 census had the Russian percentage of the total population rising to 53 per cent, with 77.7 million out of 144.3 million in the new empire. The elimination of the Baltic, Polish and Finnish populations accounted for some of this.

As concerns the falsification of census results, the aborted 1937 one and that of 1939 are flagrant examples over which much controversy ensued. The former would have shown a marked population loss resulting from the man-made famine and Stalin's purges. Whereas in 1937 the aggregate population should have been well beyond 170 million, the 1939 census recorded this total for an increase of some 26 million over 1926, or at about an annual increase of about 1.3 percent. By all calculations, the 1939 population should have been above 180 million had the famine, purges and the like not taken place. Some estimates of the losses would place the actual 1939 aggregate at a lower level.²

In addition to the validity of aggregate totals, a serious question has constantly been raised as to the Russian/non-Russian total ratio. Sparse indications have appeared on the real, relative fertilities of the two groupings. In 1941, G. M. Chekalin let slip a greater non-Russian ratio, and toward the end of the decade a standard economic geography text in the USSR had this to say: "Particularly rapid is the natural increase of population among the formerly oppressed nationalities. The census of 1926 showed that already the rate of natural increase among the formerly backward nationalities surpassed considerably the average birth rate of the USSR as a whole." In the period Ukraine alone averaged 2.38 per cent.

One of the first comprehensive analyses of USSR population statistics appeared in the post-World War II period. The work emphasized, among other things, the change in the definition of nationality from the '26 to the '39 census, the latter making it simply a matter of choice. It emphasized also that some ethnic groups were not included in the census, while a number of Asiatic tribes were simply lumped as "Russian." One of the chief points was that by virtue of necessary political association and career opportunism, countless non-Russians have deemed it expedient to be counted as "Russians." Doubtless, in addition to these are the untold numbers who, for fear of recurrent persecution, choose to declare themselves "Russian" rather than to acknowledge their true nationality, as per birth and place.

Taking these and other factors into account, the Displaced Persons Commission in 1951 engaged our government demographers who extrapolated the '39 census, arriving at a total population of 202 million, with a 91,520,472 Russian and 110,567,405 non-Russian breakdown. Or, in other words a 54.7 per cent non-Russian part of the total population. The study showed also that except for the RSFSR and the Karelo-Finnish SSR, the Russians placed as a clear minority in each of the non-Russian republics. In the largest of them, the Ukrainian SSR, for example, it estimated a total population of 42,272,943, broken down into 3,889,111 Russians and 38,368,832 non-Russians, or 90.8 per cent of the total.

Significantly, the disclosure of the study's results drew a sharp, public blast from the MVD chief, Lavrenti Beria, who in behalf of the Kremlin denied the advanced Russian/non-Russian ratio. Thus, twenty years ago the subject became one of international controversy. In the years following, the controversy continued in many interested circles and publications. As one example, editorials

in *The Washington Post* dwelled on the subject in August-October 1954. Ten years later, to give another example, the Committee on the Judiciary in the U.S. House of Representatives treated the problem extensively and with incisive analysis.³

THE CONCEPT OF NON-RUSSIAN NATIONS IN THE USSR

It should be evident by now that the vital concept of the non-Russian nations in the USSR, which has broad politico-economic applications, is fundamentally grounded in the demographic base. The preceding background was necessary in order to show both the running controversy over USSR population statistics and the crucial importance of the Russian/non-Russian component in the data. It was provided in order to focus attention on this Russian/non-Russian complex. No doubt, the given demographic data from Moscow are significant from other angles of analysis. Trends in terms of internal migration, urbanization, density, female/male ratio, aging, and the marked decline in natural population increase are highly important for other uses and projections, but here, except for the last, they have minimal use. Even so-called Marxist ideology and its stress on the absence of a declining birth rate and excess population in a hypothetical socialist environment, interesting postulates in themselves, are of no relevance here.

Concentrating on this complex, it becomes almost self-evident that a number of immediate questions arise: What is really the All-Union majority? Of what significance is the individual Republic majority? Are there in reality the oft-quoted 176 to 205 "nationalities"? What meaning can be assigned to such official and popular usages such as "the Soviets," "national minorities," "the ethnic groups of the USSR," and "Soviet nationalities"? In view of current projections, what are the prospects for further Russification as a policy of population growth in the USSR? As one writer recently put it, "the European Russians, who have a slight majority in the 'nation's' total population are worried that unless they increase their numbers, many of the other nationalities of the Soviet Union will shake loose from Moscow control. In almost all of the fringe areas of the Soviet Union, the 'national' government has tried to impose 'Russification' by encouraging young European couples to emigrate." These and other questions deserve realistic answers if the political significance of Moscow's demographic figures is to be properly distilled.

Before examining some of the figures in both the '59 and '70 census, it should be observed that in the spring of 1970 open rumors circulated in the USSR as to the possibility of a minority status for the Russian population in the forthcoming census, as though to prepare the scene for this outcome. As will be seen, the '70 census showed otherwise. This, however, was not surprising to many critics of the USSR census process which still is undoubtedly hampered in many ways.

One such way is the continued political influence wielded through the Central Statistical Administration. Previous censuses have been affected in this manner. The political impact in image and reaction to an All-Union minority position for the Russian population apparently hasn't been fully assessed. Aside from the problems of reclassification and proper questioning about national origin, the continued drop in the birth rate, notably in urban centers in the RSFSR and parts of Ukraine, will make this adjustment inevitable. That is, if Russification influences are not stepped up to offset the natural development of things. In fact, with the natural increase dropping from 16.6 per thousand in 1961 to 9.7 per thousand in 1968, this tempo of decrease points not only to a

statistically determined adjustment in favor of the non-Russians that are more rurally situated but also, on an overall basis, to a replacement of population reproduction by depopulation.⁴ Projected objectively, it can result on Moscow's own statistical grounds and with some typical padding in a non-Russian majority by the end of this decade and a non-Slav majority by the end of the century.

Another significant way hampering the census process is the comparative lack of technical demographical development in the USSR. No single research center on demographic problems exists in the USSR, and no special organ, such as do exist for problems of history and economics, is available for critical use of the state's demographers. It should be noted that constructive criticism in the *Problems of Economics* contributed heavily to the reform program, such as it has been, since 1965. Yet, despite all this, a healthy skepticism must be maintained toward the economic statistics furnished by Moscow. In short, the technical development on the demographic level has lagged considerably, although it must be recognized that in its preparation and combination of direct questioning and sampling, the 1970 census is a substantial improvement over preceding censuses.

DISCOUNTS OF THE USSR CENSUS

Given the questionable vital statistics meted out by Moscow, there are nonetheless a few real qualifiers and discounts that with political import convey a different picture of the demographic scene in the USSR. To be sure, there are various ways of interpreting the actual data released—Moscow's way, an uncritical acceptance of the data in the West, a critical demographic way void of political considerations, and what may be called a critical politico-economic demographic way. The last is the methodology employed here. No more than military, economic, social and other types of statistics issuing from Moscow, demographic ones are equality, and in most cases more, subject to politico-economic qualification. Definition and classification are essential in this critical methodological interpretation.

At the outset, a patent contradiction appears between Moscow's political pretense of sovereign among equals for the fifteen republics and its demographic presentations. In a sovereign nation-state, such as the U.S., a census is formed substantially on the basis of a citizen-national residing in this country. So with other nation-states. The USSR, professedly a multi-national state where equal sovereignty ostensibly prevails among the republics, would clearly show a non-Russian majority on this basis. Thus, for example, a "Russian" residing and making his living in Byelorussia would technically be classified a Byelorussian in the sovereign national state or republic of Byelorussia, albeit of ethnic Russian background.⁵ As reported in the 1970 census, there are presumably 129 million Russians in the USSR, of which 107.7 million are in the RSFSR and the remainder, or about 21.3 million are in the "sovereign national republics." Accounting for the 3.3 million Ukrainians and others of non-federative status in the RSFSR, the net balance on the basis is non-Russian in character. The fact that the so-called Russian republic is federative guarantees the non-Russian status of those in the autonomous republics, such as the Tatars, Bashkirs, Yakuts, Mari and others.¹⁰

Of course, by the nature of the USSR, the above is a theoretical point, but one worthy of propaganda exploitation in its truest sense. Reams of Moscow, Minsk, Kiev and other propaganda underline the national sovereignty of each of the non-Russian republics, unlike the so-called sovereignty of our States. On the assumed national basis, the contradiction between political thesis and demographic presentation appears quite

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clear. If, on the given basis, the "Russians" in the national sovereign republics are to be construed as such, then in the light of the vaunted political thesis they cannot but assume the status of aliens in the "sovereign" non-Russian republics. Further, if Peking in its current propaganda against Moscow and in favor for example, of "an independent and Sovereign Socialist Ukrainian Republic" understood this contradiction, it would unquestionably pursue it to the limit and across-the-board.

Closer to the physical realities in the USSR, it is noteworthy that as concerns the Russian/non-Russian ratio in that multinational state, the 1970 census resulted in a slight drop in the Russian percentage, from 54 per cent to 53 percent. In the 1959 census, the total population was given as 208.8 million with 114.1 million Russians and 94.7 million non-Russians. In the 1970 census, the total is 241.7 million, with 129 million Russians and 112.7 million non-Russians. The apparent difference now is 14.9 million more Russians over the eleven year period and 17.9 million more non-Russians. Fundamentally, as indicated by relative fertility rates and environment, the trend is in the natural direction and with statistical validation and will doubtless continue. How it will show up in future estimates and census-taking will depend on political considerations more than economic or biological ones.

Now, in terms of politico-economic demography, if one takes the '59 census figures, certain real qualifiers give a different picture of the demographic situation. The formula would apply even more to the '70 census in view of the reduced Russian percentage. First, nowhere in the national and ethnic classification is mention made of the Cossacks who inhabit the region east of the Ukrainian SR and north of the Caucasus.¹¹ They are not to be synonymized with romantic portrayals of sword-wielding Czarist cavalry-men. It is estimated that some ten million Don, Kuban, Terek and other Cossacks exist. If this is so, then on the basis of numerous evidences of differentiated identity and expressions toward national independence the Cossacks should not be arbitrarily lumped as "Russians." The evidences include: historical designation of Cossackia as far back as the 16th century; Kuban declaration of independence on February 16, 1918, Don on May 17, 1918, Terek on June 13, 1918; efforts toward unification and creation of Cossackia; Cossack D.P.'s at the end of World War II; the autonomous Cossack spirit reflected in and captured by Sholokhov's *And Quiet Flows the Don*; Khrushchev's attempted use of Sholokhov's Cossack identity to counteract the Captive Nations Week resolution in 1959; and the fame of the Don Cossack chorus.

The ten million estimate for this largely rural and self-identifying group would have to be deducted from the generic "Russians," leaving in the '59 census 104.1 million Russians and 104.7 million non-Russians. Realistically applying the Lorimer caveat on opportunism and career bias, a conservative five million change further would reduce the Russian component additionally. It has always been rightly suspected that the Jewish count is on the down-side, 2.2 million for '59 and 2.1 million for '70.¹² Under fear of reprisals untold Jews have assumed Russian identity. The count is more realistically over three million. Finally, allowance would have to be made for usual front-office padding that is characteristic of much Moscow statistizing. Applying all this to the '70 census, the results would be roughly 114 million Russians and 127.7 million non-Russians.

Further applications of this analysis on national and discernible identity bases would result, in addition to an All-Union non-Russian majority, in non-Russian republic minority (excepting for the moment the Ka-

zakh SSR), about 87 per cent of the non-Russian population on an integrated or near national foundation, and the remainder made up of small ethnic groups. Although since 1959 the Kazakhs have appeared as a minority in the given republic—2.7 million of 9.1 in '59 and 4.1 of 12.8 million in '70—from the viewpoint of their Turkestanian identity, combining the republic with the other four Central Asian republics would obviously make them an integral part of the majority population in the area. It must be recalled that back in the 20's Moscow arbitrarily divided this area to discourage unified Turkestanian national interest. Strangely enough, an USSR military map will designate the area as the Turkestan District.

THE LESSON FOR THE FUTURE

Sober reflection on these essentials in USSR politico-economic demography cannot but lead to one conclusion, one that serves as the lesson for the future. The demographic facts are stacked up against the political aspirations and objectives of the totalitarian Russian rulers. The global image of a minority Russian nation in the USSR is too much for the Kremlin leaders to stomach, and though it really has been in the minority for some time, statistical manipulations by Moscow have enshrouded this basic fact through the 1970 census. On the basis of earthy fertility trends it is doubtful that the Kremlin clique can shamelessly pull off similar tricks by 1980. As all the weighty evidence points to, the Russian leadership will press hard on its Russification program to support its manipulative endeavors, notably on the pretext of internal migrations and economic requirements. Whether this course of misleading world attention eight years hence will succeed, depends on a number of factors.

One such factor is the wholesome resistance of the non-Russian nationals in what is truly an identity crisis. This applies more to the Slavic elements than to the non-Slavic. Another factor is the support and free voice given to this groundswell of resistance by knowledgeable circles in the Free World and in the United Nations. That in this decade there will be considerable opportunity and fertile ground for this kind of action goes virtually without saying. A most significant stroke in this direction was taken by Director Frank Shakespeare of the U.S. Information Agency when in a directive last spring he clearly stated, "The people of the major nations within the Soviet Union should be referred to by their nationality, i.e. Ukrainians, Georgians, Latvians, Russians, Uzbeks, Armenians, etc."¹³ In this unprecedented directive he also stressed that the Soviet Union as a people is "a semantical absurdity . . . There is no Soviet nation and never will be." He may not realize it, but his official action is in the vanguard of numerous things to come as the pressure of inexorable demography mounts, the Russians seek an out through Russification—which, incidentally, failed in the 1860's—the Red Chinese intensely propagandize against this "social imperialism," and Free World groups see the increasing importance of all this and act accordingly. In short, the problem here is not Malthusian over-population with all its socio-economic consequences but rather properly identified population with all its global politico-economic meaning.

FOOTNOTES

¹ John Lukacs. "The End of the Cold War (And Other Cliches)," *Worldview*, February 1972.

² For a concise background account see Ts. Garcia. *The Soviet Census, 1970*. Radio Liberty Committee, New York, 1970.

³ S. S. Balzak. *Economic Geography of the USSR*. New York, 1949, p. 174.

⁴ Frank Lorimer. *The Population of the Soviet Union: History and Prospects*. Geneva, 1946.

⁵ Hon. George A. Smathers. "The Tragedy of the Ukrainian Nation," *Congressional Record*, October 17, 1951.

⁶ *Study of Population and Immigration Problems: Nations, Peoples, and Countries in the USSR*. Special Series No. 17(b), GPO, 1964.

⁷ Murray Seeger. "Mother Russia Forsakes Hearth," *The Washington Post*, August 17, 1972.

⁸ Anthony Astrachan. "Soviet Census Shows Russian Hold Majority, Jews Decrease," *The Washington Post*, April 17, 1971.

⁹ A. Ivanou. "1970 Census: BSSR and the Byelorussians," *The Byelorussian*, New York, October 1971.

¹⁰ "Report of the Central Statistical Bureau of the USSR Council of Ministers." *Radynska Ukraina*, Kiev, April 17, 1971.

¹¹ See for a passably adequate account Gen. Wasill G. Glaskow. *History of the Cossacks*, New York, 1972.

¹² "Soviet Census Figures on Jews Questioned," *The Evening Star*, Washington, D.C., October 30, 1971.

¹³ USIA Here Bars 'Soviet' from Usage," *Associated Press*, March 24, 1972.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join in the special order commemorating Ukrainian Independence Day.

It was 55 years ago on January 22, 1918, that the Ukrainians declared their independence from Communist Russia. But the freedom and independence to which they had aspired for two and a half centuries lasted only a few years and was soon extinguished by the Communist Russian takeover. Since that time, the Ukrainian people have not given up hope of being served by a government of their choice. It is, indeed, appropriate that so many Members of the House join in emphasizing the right of the Ukrainian people to self-determination and freedom.

In commemoration of the just but short-lived freedom of the Ukrainian people, I insert an address by Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America, to the 11th Congress of Americans of Ukrainian Descent, and a telegram from President Nixon to the UCCA Congress:

WE KNOW WHERE WE ARE GOING

(Address by Dr. Lev E. Dobriansky, president, UCCA)

Ladies and Gentlemen, Delegates and Friends, Ukrainian Americans All in a common cause as on so many previous occasions it is a genuine privilege for me to address you on this 11th Congress of Americans of Ukrainian Descent. Having been honored to lead UCCA for almost a quarter of a century, it is my fervent hope and desire today, as it was the first time in 1949, that this Congress be the most productive and fruitful one yet. And I say this with the same youthful energy, enthusiasm and outlook that I had then, for being a professor among student youth daily I have long come to know that youth demands definition—is it chronological, biological, mental or experiential? On these realistic bases you are all youth by the very fact that you are here this week-end to share experience and ideas, to put your energies to work in plans for the future, and with youthful wisdom and enthusiasm to be firm in our common conviction that "We Know Where We're Going."

MORE "FIRSTS" IN A CONTINUOUS PROGRAM

It is not my purpose here to present you with a detailed report of the activities and

accomplishments of this past UCCA Administration. Such a report would be voluminous and would only duplicate what has been condensed for you in preparation of this Congress and what has been regularly related for the past three years in our newspaper organs and the various sources of UCCA publications. Amidst the volume of detailed activity and representation, what should be pointed out are the several outstanding "firsts" of this administration, made possible by the truly superb cooperation, collective thought and far-seeing vision of all members of UCCA's executive body and other organs, to whom I earnestly express my grateful thanks and heartfelt appreciation. Accomplished openly and also through less publicized means, these "firsts" are:

(1) a new level of protest and encouragement from our Department of State and our representatives in the United Nations concerning Russian cultural and other oppressions in Ukraine than has ever been attained before;

(2) a new policy in the United States Information Agency which bars the misleading use of such terms as "Soviet people," "Soviet nation" and so forth, and underscores consistent terms on the scale of respective national identification. Here our tribute to the Honorable Frank Shakespeare tomorrow evening cannot be enough;

(3) an instrumental involvement in having the President of our Nation pay a visit for the first time to the largest non-Russian captive nation both in the USSR and Eastern Europe, namely the base of our heritage, Ukraine;

(4) for the first time a whole week of coverage in breadth and depth of the 1972 Captive Nations Week over the facilities of the Voice of America;

(5) in this Administration more than ever the consistency of attacks from Moscow and Kiev against UCCA and me personally, as seen in the *Ukrainsky Visti, International Affairs, Na zadvirkach istoriyi* (In The Backyards of History), Radio Moscow and so forth; and

(6) also for the first time in official U.S. reports and media, with an overflow in unofficial reporting, the accurate designation of Olympic participants from the USSR according to their nationality (and in this Congressman Edward J. Derwinski has our tribute as well as Mr. Shakespeare).

These "firsts" just supplement the magnitude of UCCA's operations in what is a continuous methodical program designed to achieve our objectives. Each of us here must give sober thought to three essentials that have guided us all these years not only in realizing new accomplishments but also in intensifying and expanding previous ones in a cumulative development that has placed our organization at the forefront of pertinent international and national issues and also at the envy of others, some who think we're vested annually with a million dollars. These essential guidelines have been and are: (1) UCCA operates in a world and national context, and not in a vacuum unaffected by forces and influences arising in this context; (2) UCCA is the prime instrument and institutional expression of the principles and objectives that we commonly share, and not some imaginary parliament for the play of dislocated politics and outmoded rivalries; and (3) UCCA orients itself continually to the demands and challenges of the future, and not on any laurels and achievements of the past. It has been and is on these bases that "We Know Where We're Going."

UCCA IN THE WORLD AND NATIONAL CONTEXT

A few years ago Stephen Rosenfeld of *The Washington Post's* editorial board wrote that under our leadership Ukrainian Americans were being taken out of the mainstream of thought and policy in this country aimed

at a detente with the Soviet Union and other communist-dominated states. Nothing could be further from the truth. What he and others perhaps meant is that we are firmly fixed in our principles and concepts and refuse to ride the temporary tide of illusions that the permawar of the Red regimes is over, that Moscow or Peking have renounced their goals for world domination, that Soviet Russian imperio-colonialism is a thing of the past, and that the captive nations are no more. Our principles are grounded in our understanding of the world and national context, and these and other illusions form no part of it.

The truth of the matter is that though fixed in principles, we have been quite flexible in action on many fronts. As one example, concerning present trade with the USSR, we were in the forefront of the advocacy of a poltrade policy, which some call today "linkage" between economic trade and political concessions. The concession sought by our Government today is relief from the Vietnam war, but what of tomorrow in another round of trade agreements. It would be suicidal for us to beef up the USSR economy without crucial concessions pertaining to Ukraine and the other captive non-Russian nations in the USSR.

Another example was our position regarding the opening of relations with Red China. We did not oppose it so long as every attempt was made to maintain Free China in the United Nations, and our treaty commitments with the recognition of the Republic of China remained unimpaired. This was a perfectly rational position, reconciling principle and flexible action, because of the larger issue of the Sino-Russian conflict. The significant importance of this conflict and the exposure of Red China to the world are of fundamental meaning to the whole concept of the non-Russian nations in the USSR which we have advanced in the forefront of advocacy and proponentry. The subject of Ukrainian independence and that of the other captive non-Russian nations certainly cannot be pursued in void of these broader developments. The opportunities these broader developments provide for the further advance of our operations and goals are immense; and with cultured understanding, insight and vision we must be ready to seize them. And we will because "We Know Where We're Going."

Just one more example. As many of you know, we have developed a captive nations analysis that incisively applies to Eastern Europe, within the Soviet Union, Asia and Cuba, and is quite flexible to encompass South Vietnam and the Republic of China, should our national principles be dishonored. There are those who, ostrich-like, have turned their backs to the captive nations; there are those who can't rationally perceive the links between the captive nations in the USSR and those in other parts of the Red empire; and there are those who believe that detente and a new peaceful relationship with the communist regimes would be greatly advanced by the elimination of Captive Nations Week and all that goes with it. George Kennan, in his latest *Memoirs*, relates how he appealed to President Kennedy not to issue a Captive Nations Week proclamation in 1961. The President promised not to, but issued one nevertheless.

This same misguided feeling was to a lesser degree noticed at the recent Republican Convention platform hearings where in substitution of "captive nations" the platform was compromised to read support for the "political freedom of subjugated peoples everywhere in the world." Mark this: despite these and other heavy pressures, every President from 1959 on has annually issued this proclamation, no matter how toned down. Each in his own way has attested to the reality of the captive nations while, not contradictorily, pursuing detente and negotia-

tion. These acts, despite the heavy pressures, also attest to the fact that "We Know Where We're Going."

In short, case after case of such decision-making to project our fundamental ideas and principles can be cited. Our country has been and is in a state of confusion, more so four years ago than now. Pressures from various sources in the USSR, and particularly that of non-Russian nationalism, are impinging upon the Kremlin totalitarians for a change in institutions, and we, to be finally relieved from the Vietnam war pressure, are in a deal to relieve Moscow of an immediate economic pressure. No matter how you slice it, strategic military power still is, and will be for some time, bipolar between the USSR and USA; yet some are confusing reality with a pentagonal vision of global power distributed among the USA, Western Europe, the USSR, Red China and Japan. Realistically, for us the chief contender for global power and also our main enemy is and will continue to be the imperialist Russian base in the USSR. If you have been reading your papers of late, even the Red Chinese have been stressing this point.

While by numerous evidences this country of ours has suffered some collapse of national will, is struggling for a new sense of purpose and mission, we as a group can proudly say that despite many obstacles and heavy counter-forces we have maintained our will, our purpose, and our mission to preserve the strength of our America and thus in progression of time and effort to contribute to the freedom of Ukraine and all of the captive nations. This has been and is the basic philosophy of UCCA, and with firm conviction in it "We Know Where We're Going."

UCCA AS THE PRIME INSTRUMENT

For the conveyance and implementation of this philosophy the UCCA has been and is the prime instrument and institutional expression. A modicum of common sense rules that the lambastings it continually receives from Moscow and Kiev are not motivated by any love for us and what we stand for. The concrete principles of UCCA have been stated and re-stated time and time again. Suffice it here to repeat that our basic principles as an American national organization are (1) primary service to the national security of this country (2) through the strength and enlightenment of our Nation the final freedom and independence of the reservoir of our heritage, Ukraine (3) the eventual liberation of all the captive nations and (4) constructive efforts towards a peaceful community of free nations in Europe whatever the democratically accepted forms of political and economic association. There are derivative principles, but these basic ones are sufficient for our messages here.

To strengthen and fortify this instrument for the great, challenging period ahead, we must be honest with ourselves to face up to certain facts of political life. For one, we must vividly recognize the fact that foolish, neo-isolationist forces in this country work counter to our principles and operations and that, as a consequence, we have no alternative but to work harder and more diligently for what you and I believe in. Second, despite the impressions others have of our supposedly well-financed organization, for a national organization with international goals we have been operating on an annual shoe-string. A Hadassah branch garners in one week-end what we nationally manage in one year. Broad aspirations can be easily verbalized, but for an organization to work for them with progressive success demands more than wordy support. Third, involvement and activism are terms which only a few years ago found pointed currency on our campuses and in the streets, but we have been preaching this for our communities for two decades, not on the campuses and the streets but within and among other American organizations, within

the two and even other political parties, within governmental channels, among the media, and nationally and internationally. Bluntly, it means to express our views to Mayors, Governors, Senators, Representatives and others in favor of successive projects launched by UCCA. It also means to have all of our organizations and institutions involved, particularly our fraternal, our veterans, our numerous national groups and certainly our Churches. Their degrees of present involvement are known to most of us.

Fourth, we must also face up to the fact that there has been an unwholesome restrictive tendency in our organizational efforts. As an American national organization—and we can't sensibly presume to be anything else—we have seriously neglected our appeal to all Americans of Ukrainian descent, whatever their generation, whatever their capacity to understand or speak or write Ukrainian so long as they possess in their hearts and minds what the tongue can never equal. There are tens of thousands of them, but we insularly remain indifferent toward them and short-change ourselves as the practical abilities and talents that could be fruitfully utilized for the essential tasks at hand.

Lastly—and I'm sure this will astound some here—in my many years at the helm of UCCA, countless non-Ukrainian Americans have asked me whether it is possible to join and support UCCA through membership in its component local organizations simply because they believed in what you and I believe. The way we are presently structured, unfortunately, the reply had to be negative. But let me remind you that there are American Jewish organizations with sympathetic gentiles, most of whom know no Hebrew or Yiddish, that worked and succeeded together in creating and protecting the independent Israel state; that there are Irish American organizations with supporting non-Irish members, most of whom know no Gaelic, that worked and succeeded in creating an independent Ireland and are currently involved with Ulster; and that Black organizations in this country have white member supporters who have successfully worked together to advance Black interests. Where a cause is honestly deemed to be historic and sacred, far surpassing UCCA, you or me, there can be no narrow and arbitrary limits to its convinced and helping supporters. Again, in short, learning by the successful experience of others and being ready to accommodate change, then "We Know Where We're Going."

DEMANDS AND CHALLENGES OF THE FUTURE

In near conclusion, let me state that in all these years it has been a veritable record of experience and pride for me to represent you on the far-flung fronts of our activities, involving addresses, writings, consultations, meetings, TV, radio and sundry participations of all sorts, Congressional testimonies, world-wide travel, the constant development of new contacts and the steady cultivation of old friends of our cause, and so forth. As our activities have progressively expanded, unfortunately, sheer scarcity of time and resource has caused a selective restriction in more personal contacts with you and your organizations. I hope, on this score, that your charity of understanding is sufficient to absolve me of what may appear to be neglect. The course of such representation, which means not speaking to each other on problems we know alike but to fellow Americans and foreigners who don't or insufficiently know them, is, I assure you, a demanding and time-consuming one. Whomever you democratically choose to lead in the next Administration must be apprised and sufficiently appreciative of the continuum of purpose, mission, knowledge and issues of UCCA in the broad contexts set forth here.

With vision, determination and much initiative he or she must be prepared for the inevitable changes, and thus opportunities, of

the near future. Some of the continuities that must enter into your programming for the next four years are:

(1) a continuous and expanded propagation of our truths through *The Ukrainian Quarterly*, the *Congressional Record*, our newspaper organs, more books and pamphlets so that our enemies will continue to know that with their tactics they might fool some Americans but they can never fool us;

(2) a continuous involvement in the new Ethnic Heritage Studies program, which we testified and battled for;

(3) steady pursuit of the Congressional resolutions calling for the resurrection of the Ukrainian Orthodox and Catholic Churches, which the Department of State has been studying since last May;

(4) application of our poltrade concept to the USSR, which our fellow American Jews have seized upon for the exit of Jews from the USSR but which could apply also for the exit of Ukrainians, Balts and others in controlled measure and the cessation of Russian cultural repressions in Ukraine;

(5) celebration in 1974 of the 10th anniversary of the unveiling of the Shevchenko statue in Washington and the resumption of efforts toward a Shevchenko stamp and cognate goals on the occasion;

(6) continued participation of UCCA in international and national organizations, such as WACL, the ACWF, NCNC and so forth;

(7) a progressive entry of UCCA in preparations for our American bicentennial in 1976; and

(8) continued effort to influence the '76 Olympics for greater accuracy of national designation in the USSR participation.

These are just a few items on UCCA's horizon. There are many more, and there are traditional ones in our established working machinery without which our impact and effectiveness would be gravely impaired. But to effectuate all this and more quite plainly demands your vivid sense of purpose, resolve, unity and both your moral and material support. For in powerfully demonstrating these qualities for the challenging four years ahead, you will be demonstrating to all our friends and enemies, here and abroad, that "We Know Where We're Going."

[From the *America, Ukrainian Catholic Daily*, Philadelphia, Pa., Oct. 19, 1972]

PRESIDENT NIXON'S TELEGRAM TO UCCA CONGRESS

DR. LEV E. DOBRIANSKY,
President, UCCA:

My warmest greetings go out to the delegates of the Convention of the Ukrainian Congress Committee of America. You are to be commended on your consistent efforts to keep alive the rich cultural traditions of your forebears and to perpetuate the same high standards that have always characterized the contributions of Ukrainian Americans to our national life.

Your staunch appreciation of the heritage of freedom we cherish as Americans is a source of sustaining vitality and strength for our country. I hope that your meeting will be a productive and rewarding one for your members, as well as for the nation you serve with such loyalty and devotion.

RICHARD NIXON,

WHITE HOUSE, October 5, 1972.

Mr. GERALD R. FORD. Mr. Speaker, I am happy to salute the Ukrainian people on the occasion of their 22d of January celebration, the event marking the 55th anniversary of Ukrainian independence.

This year's celebration was somewhat dimmed. The incessant and systematic oppression of the Ukrainian people by the Soviet Government has continued.

Last year, over 100 Ukrainian intellectuals were arrested. These people are still imprisoned.

The people of the free world cannot allow this repression of basic freedoms of speech and thought to continue. It is the duty of each of us to voice our strongest condemnation of the infringements.

I hope that all Members of Congress will add their voices to those of the Ukrainian Americans who are protesting the destruction of the Ukrainian cultural heritage by the policy of forced Russification.

Let us hope that the spirit of independence may forever continue among the Ukrainian people.

Mr. ANDREWS of North Dakota. Mr. Speaker, the violation of human rights everywhere in the world should be the concern of the whole civilized world. January 22 has been set aside to call special attention to the plight of the 48 million people oppressed by the Russian Communist rule of the Ukraine. Their plight is called to our attention by the Americans of Ukrainian descent whose love for the freedom they have in this country makes them especially concerned about the enslavement of their native homeland. It is my privilege to represent many Americans of Ukrainian descent who live in North Dakota and I insert in the RECORD at this point a letter I received recently from one of them, Dr. Anthony Zukowsky, vice president of the Ukrainian Congress Committee of America and president of the North Dakota branch of that organization:

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
Steele, N. Dak., January 3, 1973.

HON. MARK ANDREWS,
House of Representatives,
Washington, D.C.

DEAR MR. ANDREWS: January 22, 1973 will mark the 55th Anniversary of the proclamation of the Independence of Ukraine, and the 54th Anniversary of the Act of Union, whereby all Ukrainian ethnographic lands were united into one independent and sovereign state of the Ukrainian nation. Both the Independence of Ukraine and the Act of Union were proclaimed in Kiev, capital of Ukraine, on January 22, 1918 and January 22, 1919, respectively.

Regrettably, the young Ukrainian democratic republic was immediately attached by Communist Russia, despite the fact that the new Soviet Russian government had officially recognized Ukraine as an independent and sovereign state. The same recognition to Ukraine was granted by the Central Powers and a number of states of the *Entente*, including France and Great Britain. By 1920, Ukraine, alone and unaided, succumbed to the vastly superior forces of Communist Russia, which destroyed the Ukrainian National Republic, created a Communist puppet government in Ukraine known as the "Ukrainian Soviet Socialist Republic" and incorporated it forcibly into the "Union of Soviet Socialist Republics" (USSR).

Today, the Kremlin is preparing whole-year celebrations throughout the Soviet Russian empire to commemorate the 50th anniversary of the "founding" of the Soviet Union, which was established on December 30, 1922.

In this connection, the Central Committee of the Communist Party of the Soviet Union (CPSU) and all its subservient branches in the so-called "union republics" are conducting a mammoth propaganda campaign for the purpose of creating another Soviet myth,

namely, that the USSR is a model multinational state, in which all component member-republics are truly "sovereign," in which the nationality problem has been "solved" satisfactorily and in which relations between the various nations are based on the "principles of true equality and friendship."

But, the reality is something different, as we can see in the case of Ukraine and the 47-million Ukrainian nation.

The entire history of Soviet-dominated Ukraine is a ghastly record in inhumanity, outright persecution and genocide, Russification and violations of human rights on a scale not known in mankind's history. Under Stalin, Ukraine was marked for physical destruction and denationalization; under Khrushchev and Brezhnev-Kosygin the outright terror was replaced by the subtle process of destroying the Ukrainian national consciousness and identity through Russification, persecution of "Ukrainian bourgeois nationalism" and the propagation of "fusion" of all non-Russian nations in a spurious "all-Soviet people" which essentially would be the Russian people.

In summing up the Soviet Russian rule in Ukraine, the following results exemplify the enslavement of Ukraine:

During the 50-year rule of Moscow over Ukraine literally millions of Ukrainians have been annihilated by the man-made famines, deportations and outright executions;

Both the Ukrainian Autocephalic Orthodox Church and the Ukrainian Catholic Church were ruthlessly destroyed and their faithful members were incorporated into the Kremlin-controlled Russian Orthodox Church;

All aspects of Ukrainian life are rigidly controlled and directed by Moscow; the Academy of Sciences, all scientific and research institutions, universities, technicums, publications, the press, party and government apparatuses, youth, women's organizations, trade unions, and so forth;

Arrests, trials and convictions of hundreds of young Ukrainian intellectuals—poets, writers, literary critics, playwrights, professors and students are charged with "anti-Soviet propaganda and agitation" though, in fact, these people profess loyalty to the Soviet state, but fight against its abuses, violations, and police rule. Among them are noted writers and thinkers such as V. Chornovil, I. Dzyuba, I. Svitychny, E. Sverstiuk, V. Moroz, L. Plushch, and many others. Yuriy Shukhevych, the son of General Roman Shukhevych, commander-in-chief of the UPA, has been in and out of Soviet concentration camps since the age of 15; in September 1972 he was again sentenced to ten years at hard labor for refusing to denounce his assassinated father and the ideal for which he was killed: a free Ukraine.

Today, Ukraine more than ever is a colony of Communist Russia, a land of inhuman persecution and economic exploitation.

Therefore, we kindly request you to make appropriate statement on January 22nd on the floor of House of Representatives in support of the Ukrainian people in their undaunted struggle for human rights and freedom, which are the basic presents of our modern and civilized society.

Sincerely yours,

Dr. ANTHONY ZUKOWSKY,
President.

Mr. SARASIN. Mr. Speaker, January 22 marked the 55th anniversary of the proclamation of sovereignty by the Ukrainian National Republic. The newly found independent status enjoyed in 1918 by the Ukrainians broke a centuries old scenario of invasion and subjugation by various oppressors, including Mongols, Poles, Czar Peter the Great, and the Bolsheviks.

Despite pledges to respect and honor Ukrainian independence, the Russian

Federated Soviet Socialist Republic professed only subversion and military aggression. Within 3 years the Ukraine was once again under the tyranny of the Soviet regime.

Opposition from Moscow has thwarted even the most meager efforts toward political, economic, and cultural development. Resistance movements have been countered with Soviet authorized deportation, starvation, and execution.

The Ukraine is in actuality but a constituent state of the U.S.S.R., yet its patriots have kept alive the spirit of nationalism and have nurtured the hopes for freedom.

Staunch in their desire for freedom, the Ukrainians hold as their ideal that which we won in 1776 in the American Revolutionary War.

The United States should take concerted actions to encourage this nationalistic spirit and the struggle for self-determination. Educational and cultural exchanges, in conjunction with expanded trade agreements, can provide encouragement to Ukrainians in their quest for freedom from Soviet domination.

I commend the activity of the Ukrainian Congress Committee of America, which serves to initiate efforts toward preserving freedom in the United States as well as establishing liberty in the Ukraine.

I urge all Americans to join the Ukrainian people in celebration of this anniversary.

Mr. ALBERT. Mr. Speaker, 55 years ago on January 22, 1918, the Ukrainian National Republic declared its independence from Russia. It was a happy day for all Ukrainians. However, we must remain saddened at the fate of that short-lived republic, for the realization of the centuries-long dream of freedom and liberty was brutally crushed by military force. The Russian Red Army, after more than 2 years of furious fighting against the ardent Ukrainian nationalists, finally overcame a stubborn resistance, and the Ukraine was incorporated as a Socialist Republic in the Soviet Union. Subsequent Soviet policy designed to extinguish Ukrainian cultural and spiritual independence has exacted a heavy toll in human lives and misery. The Ukraine, one of the richest of the captive republics of the U.S.S.R., has been economically exploited, and its natural endowments pillaged.

Still, the Ukrainians have never given up their dream of true liberty and freedom. They have tenaciously clung to their culture and tradition throughout an outrageous storm of the worst oppression. Force alone cannot destroy the cherished dream of a free Ukraine. The heroic voices of their spokesmen make it clear that free expression is a human right that cannot be denied. As members of a free society we are obligated to call attention to their plight, to raise our voices along with those of our Ukrainian Americans to honor their homeland and demand an end to oppression so that the over 47 million Ukrainians in the Soviet Union may be allowed to live in peace and freedom.

Mr. HELSTOSKI. Mr. Speaker, 55 years ago, the Ukraine broke its chains

of bondage and declared its independence from Russia's czarist government. Today we commemorate that momentous event.

In one respect, however, this anniversary must remain a solemn occasion. Only 3 years after declaring their independence, one modeled after our own, the Ukrainian people were once more annexed by another people's government, this time by the new Bolshevik Government in Moscow.

Heroically, these people struggled to regain their autonomy, but each new thrust resulted only in frustration.

Political trials of Ukrainian nationalist leaders resulted in execution and imprisonment for many of them.

Religious persecution has also marred the Ukraine since annexation. Orthodox Church members, Roman Catholics, Jews, and members of other religions have all been discouraged, sometimes through violence, from worshipping God. In 1929 and again in 1945, Ukrainian clergymen were banished en masse from their homeland.

Today, a capable Soviet leadership no longer resorts to executions as a means to suppress Ukrainian desires for self-determination and the right to worship God. Yet it does continue to discourage worship and the revival of the fine Ukrainian culture, steeped in traditions which date back more than a millenium.

Such policies strangle freedoms that we in our Nation find essential to a government whose first interest is the governed. The Ukrainians, just as our forefathers denounced the British, protest these policies. Stanchly, they stand up to Moscow's intimidations and demand their rights as human beings to self-determination and religious liberty.

Let us, then, as we observe this historic anniversary, not forget these brave, resolute people, but let us continue to support them; and as the Government of our people and that of the Soviet Union achieve greater accord, let us strive to use that greater understanding to make the Soviets more sensitive to the needs of the worthy Ukrainians.

Mr. HANLEY. Mr. Speaker, this January 22 marks the 55th anniversary of Ukrainian independence, a day which pays tribute to the struggle of a brave people. Yet the Ukraine spends this independence day as it has for the last several decades, under Soviet dictate.

This independence day is of particular importance to Ukrainians, who are being subjected to a massive propaganda campaign commemorating the 50th anniversary of the U.S.S.R. We must speak out in support of their quest for freedom. This verbal support must also be coupled with constructive action.

And so I urge my fellow Congressmen to support the religious revival in Ukraine by voting for the flood resolution, and to extend our options by creating a select committee on captive nations.

The oppressed people of the world must be heard. It is a moral obligation of free people to extend this right to others. Thank you.

Mr. ST GERMAIN. Mr. Speaker, 55 years ago, on January 22, 1918, a Ukrain-

ian National Republic completely independent from Russia was founded in Kiev. This fulfilled a dream held by Ukrainian nationalists over a long period of time. At last it seemed that the vibrant spirit and culture of the Ukraine could flower in peace and freedom in the community of new-born nations.

This republic, however, would only experience the exhilaration of freedom for 2 short years before being overwhelmed by the military might of Communist Russia. The revolution that promised emancipation and liberty for the formally enslaved people of Tsarist Russia only substituted one tyranny for another. The Ukraine became a Socialist Republic, and in 1922 was included in the Union of Soviet Socialist Republics, a captive nation in a betrayal of liberty and freedom.

A period where some expression of Ukraine nationalism was allowed came to an abrupt end in 1928, when the Soviet leadership began measures to more fully subjugate the Ukraine to Kremlin control. Russian was introduced as an official language, and repressive measures to stamp out Ukrainian nationalism included trials, executions and deportations. This horror was not confined to the Soviet Union alone, as prominent Ukrainians who tried to keep the flame of freedom for the Ukraine alive were ruthlessly hunted down elsewhere in Europe.

In the Ukraine itself, conditions worsened through the 1930's as the onslaught against the Ukrainian independent spirit intensified.

In addition to economic pillage of this rich land, the richest of all the Soviet Socialist Republics, and the political terror, there was the ordeal of famine, starvation, and the uncompromising attacks against religious and personal liberty. This tale of human misery and denial of man's dignity is one of the worst on record.

Then in World War II, this land suffered some of the most horrible ravages of war. Worse still was the shattering of the hope that Ukrainian independence could again reassert itself in the chaos of war. Ukrainian patriots rallied bravely to the cause and fought, first the invading Nazis, then the reconquering Communist army. But with no outside help, the cause was doomed and Stalinist repression continued unabated.

The death of Stalin by no means ended the persecution of the Ukrainians. For simply expressing a desire to enjoy the freedom that the Russian Revolution promised them, Ukrainian intellectuals and dissenters have suffered the same loss of jobs, confinement in "mental" institutions and prisons, and denial of free expression as other critics of the Soviet Government. This oppression must be ended, however, only if the free peoples of the world care, can the plight of these people be alleviated. We cannot ignore the fact that the citizens of a nation that was a charter member of the United Nations are still not free.

We, as a free nation, must not shun our responsibility as spokesmen for the cause of these millions, and we must do whatever we can to bring some small ray

of hope to them. It is with this in mind that I am honored to have this opportunity to commemorate a happy day in the long history of the Ukraine, Ukrainian Independence Day. I honor those stalwart defenders of liberty and freedom, and earnestly hope that they may regain the rights and independence denied them over these long years.

Mr. BURKE of Massachusetts. Mr. Speaker, today, January 23, marks the 55th anniversary of Ukrainian independence. History records that Ukrainian independence lasted only 2 short years, 1918-20. Communist Russia would have us believe that independence threw the Ukraine into such confusion and turmoil that it gladly welcomed the protective shadow of Russia. Nothing could be further from the truth. The proud people of the Ukraine fought valiantly for their freedom. Indeed, their struggle continues to this day.

Communist Russia would have us think that they have ruled the Ukraine wisely and well—that the people of the Ukraine have prospered under Communist leadership. In truth, the Ukrainians have suffered a more severe and enduring oppression than any other nation has had to face in the last half century. When Russian troops invaded and conquered the Ukraine in 1920, they were confident that they could suppress the people into total obedience. They underestimated the spirit and courage of these noble people. When the Communists heard a voice of protest, a plea for freedom, they would answer with a firing squad. But this did not silence the cry for liberty. For every patriot that died, there were others behind him with equal courage, and with the same burning desire to regain the independence which the Communists had taken from a once proud and happy nation.

Communist oppression did not stop here. Churches and religions were abolished as the Communists tried to convince the people that only the Communist Party knew what was moral, wise, and just. If the only "god" to be worshiped was the head of the Communist Party, he proved a cruel and wicked "god" indeed. For this is also the 40th anniversary of Stalin's man-made famine which took the lives of 15 million Ukrainians.

My fellow colleagues, the Ukrainian struggle for independence continues. Even as I address you now, the Communists are subjecting the people of the Ukraine to renewed cultural repression and mass arrests. Gentlemen, 55 years is a long time to fight for freedom, but these noble people have kept up the fight. Their courage should serve to inspire all of us to dedicate ourselves to do everything in our power to see that their dream becomes reality. As our Nation seeks for a closer relationship with the U.S.S.R. we must urge the President to take up the battle for Ukrainian independence. We will not be satisfied until this great people, and their great nation can, once again, join the independent nations of the free world.

Mr. ZABLOCKI. Mr. Speaker, in joining our distinguished colleagues, Congressmen Flood and DERWINSKI, in com-

memorating the 55th anniversary of Ukrainian independence, we are acknowledging our responsibility as free men to speak out on behalf of those seeking freedom and national independence.

Though the freedom enjoyed by the people of the Ukraine was shortlived, its memory remains alive. Ever since that cherished independence was destroyed in 1920, the largest non-Russian nation both in the U.S.S.R. and Eastern Europe has been struggling to regain it. With this in mind, we take this opportunity to make our plea for the justice and freedom of all captive peoples.

The Ukraine did not voluntarily enter into any federation to form the U.S.S.R. but, like other Baltic nations in the subsequent 20 years, was forcibly incorporated into this new state under Moscow's rule. Unfortunately, there are more recent examples of this Soviet policy of imperio-colonialism. The scandalous extradition of the Lithuanian sailor, Simas Kudirka; the invasion of Czechoslovakia; persistent Russian anti-Semitism; the plight of the rioting Polish workers; and the systematic Russian penetrations in the Mideast and Latin America have again demonstrated to us what the people of the Ukraine have been suffering for 55 years.

Therefore, the present detente now enjoyed by the United States and the U.S.S.R. must not diminish our outrage at the long years of subjugation of the Ukraine. Efforts to encourage our new trade policies with the Soviets should not simultaneously condone past acts of repression.

We cannot let it be forgotten that 40 years ago under Stalin over 15 million Ukrainian people starved to death as a result of a manmade famine. Nor should the current mass arrests and cultural repressions in the Ukraine be passed over without condemnation.

There is no doubt in my mind, Mr. Speaker, that increased contact with countries behind the Iron Curtain has been largely responsible for the growing assertion of dissatisfaction with their Communist oppressors. The desire for freedom remains strong and vibrant in these captive peoples. It is this desire for self determination that we must encourage.

Ukrainians still hold firm to the vision of their homeland as an independent nation. It is encouraged by the American ideal. It can be enhanced by the thaw in United States-Soviet relations. That is why it is essential that we nurture the channels of dialog which have already been opened and continue to develop new inroads in the quest for worldwide peace and independence.

Thus, I submit we must not place limits on our avenues of approach to the governments of the world. New points of contact offer new opportunities for understanding, I believe, in order that the ultimate result will be eventual freedom for the people of the Ukraine and other captive or threatened peoples of the world. It is to this goal—a world of peace—that we must sincerely rededicate ourselves on this 55th commemoration of Ukrainian independence.

Mr. SMITH of New York. Mr. Speaker, I am honored to have the privilege to join in observing Ukrainian Independence Day. In the hearts of all free people, this day carries with it a note of joy. But that joy is dulled by the shadow of sorrow for a once free and vital nation, which now lies captive. So many lives which were filled with purpose and hope were cruelly transformed into lives of despair.

It is fitting that we in the Congress publicly indicate our appreciation for the contribution of Ukrainian immigrants and their descendants to the American culture of today. Ukrainian Americans have been a creative force in American society. Their rich cultural and traditional gifts which they brought to America serve to enrich our own national culture. Their participation in government, community affairs, and in the business sector, merits the admiration of all people in the United States and sets an example of achievement for our citizens.

This day of commemoration keeps alive the precious concept of freedom in the hearts of oppressed people throughout the world who look to America as the beacon of freedom. If the people of the Ukraine are determined that the Ukraine shall again be free, then she shall be free, and until that day, and thereafter, we shall nourish and protect and proclaim freedom for all captive people.

Mr. YATRON. Mr. Speaker, on January 22, 1918, after 2½ centuries of Polish and Russian domination, the people of the Ukraine threw off the shackles of oppression and declared themselves at last a free and independent nation. This historic declaration marked the fulfillment of the dreams of the generations of Ukrainians who, although dominated by others, had never relinquished their desire for freedom. However, after less than 3 years of independence, during which the people of the Ukraine put up a valiant struggle for the protection of their homeland, the new Communist regime in the Soviet Union overran this new nation and established, once again, totalitarian rule over that troubled land.

Therefore, 55 years ago this month, the independence of the Ukraine was destroyed by the Soviet Union and, ever since those bleak days in 1918, this largest of the Eastern European, non-Russian nations—whose very name means "borderland" or "away from the brink"—has been struggling to regain its cherished freedom.

As we observe this 55th anniversary of Ukrainian independence, we must recognize that 47 million Ukrainians have been living in slavery since the early years of this century. Nevertheless, although their plight has worsened since World War II, events in this great country illustrate that their yearnings for freedom is not dead. Americans need not be reminded of the scores of people who have escaped Communist oppression, or of their continuing desire for freedom as it is expressed in passive resistance, workers' strikes, riots, or outright rebellion.

We live in a land fortunate enough to have had forefathers who saw fit not only to bestow the blessings of freedom

upon themselves and their posterity, but also to defend these blessings successfully when necessary. Thus, we must sometimes be reminded of those in other parts of the world who are less fortunate than we, and who, in some cases, can only remember freedom from their parents' or grandparents' lips.

Although the Communist regime continues its oppressiveness, the spirit of freedom still flourishes unabated in the hearts of contemporary Ukrainians just as it flourished in the hearts of their ancestors prior to 1918. And just as the ancestral spirit culminated in independence 55 years ago, so the Ukrainians trapped today under this latter-day Soviet brand of tyranny will once again, I deeply believe, see their dreams of independence fulfilled.

For us, this hope is symbolized by Ukrainian Independence Day. A day observed publicly in this country by Americans who join those in the Ukraine who are forced to observe this day in secret. An official national recognition of Ukrainian Independence Day in the United States would certainly be appropriate to honor those men and women who maintain their continuing struggle for freedom, and I shall support such an effort not only to honor all those who have come to America and have contributed to our domestic ideals, but also to honor those Ukrainians who continue to fight in their Soviet dominated homeland in the defense of their time-honored ideals of freedom.

Mr. BUCHANAN. Mr. Speaker, I would like to take a few moments to join my distinguished colleagues, and all who cherish freedom, in commemorating the anniversary of the independence of the Ukraine.

January 22 marked the 55th year since the Ukrainian National Republic gained full recognition as an independent nation. Unfortunately, the Ukrainian vision of liberty was darkened all too soon by the forceful intervention of the Soviet Government, which made the Ukraine an unwilling member of the U.S.S.R. in 1923. It is a credit to the Ukrainians, however, that through decades of repression, this vision of liberty has not been dimmed. It is a tribute also to the power of freedom that the 2 million Americans of Ukrainian descent have not forsaken the moral and physical struggle of their East European brothers and sisters.

Particular commendations should go to two groups who have refused to allow the plight of the Ukraine to be lost in the mists of time and Soviet propaganda. The Ukrainian Congress Committee of America, Inc., with leaders like Dr. Lev E. Dobriansky of Georgetown University, has with ceaseless effort brought to the attention of the American people the suffering of the 47 million Ukrainians. Under the leadership of president Ms. Ulana Celewycz, the Women's Association for the Defense of the Four Freedoms of the Ukraine has pleaded with compelling compassion for the recognition of the rights of Ukrainians for a life of their own choosing.

I recently visited the Soviet Union, where one cannot fail to notice the painful silence, and the undercurrent of fear

in a people whose active expression of conscience may result at any moment in their arrest.

Now reports from the Ukraine indicate that the Soviet Union, through secret police—KGB—harassment, has flagrantly violated the four freedoms held so dear by all of us who respect human rights and dignity—the freedom of speech, the freedom of conscience, the freedom from fear, and the freedom from want.

Freedom of speech and conscience cannot exist when the government sponsors—and censors—the news media. Publishers and writers of the underground Ukrainian Herald, authors, poets, critics, professors, students, both men and women, have been recent targets of KGB arrest and incarceration. Freedom from fear and want is impossible when no one can be sure from one day to the next that loved ones will return home in the evening and spend the night in peace.

For almost 200 years the people of the United States have basked in the luxury of freedom. It is difficult for us to fully comprehend a life in which freedom of speech and conscience, freedom from fear and want are not daily occurrences to be taken for granted.

The anniversary of the Ukrainian struggle for independence is an awesome reminder that the freedom which we as Americans know is the exception rather than the rule, worldwide, and that behind the Iron Curtain human rights and the hope of freedom are still a dream rather than a reality.

It is my privilege and honor to express my pride in the bravely tenacious Ukrainians whose hearts still crave and whose heads still conspire for the return of freedom to their homeland.

Mr. MINISH. Mr. Speaker, yesterday, January 22, marked the 55th anniversary of Ukrainian Independence Day. This anniversary is as important to us, the free citizens of the United States, as it is to the oppressed and freedom-starved people of the Ukraine.

While we in the United States are free to commemorate this significant anniversary, 47 million Ukrainians are being permeated with repressive propaganda concerning the 50th anniversary of the U.S.S.R.

Myths fostered upon the Ukrainian people by their Russian masters, and intended to force Ukrainian assimilation into Russia's homogeneous society, have not succeeded in inducing the cultured and highly individualistic Ukrainians to relinquish their proud nationalistic tradition.

I am confident that Russia's unscrupulous attempts to destroy Ukrainian culture will not succeed, because the people of the Ukraine have undergone great social and physical oppression in the past and are still adamant in their brave efforts to liberate themselves.

Americans, fortunate in their guaranteed right to freedom, must find empathy to appreciate the nature of this terrible struggle, and hope that the Ukrainians will not wait much longer to enjoy these same liberties. It is unconscionable that the Ukrainians, allowed a taste of freedom's richness, should have

their just reward cruelly removed and denied for so long.

Mr. KEMP. Mr. Speaker, we are blessed in this Nation by many freedoms, but freedom and responsibility are two sides of the same coin and I believe we have an obligation to use our freedoms to speak out on behalf of those peoples still held captive by Communist tyranny.

I am proud to join my colleagues today in paying tribute to the gallant Ukrainian people and to mark the 55th anniversary of the proclamation of Ukraine's independence. Dr. Dobriansky and the Ukrainian Congress Committee of America are once again to be commended for bringing to the attention of the American people the plight of the more than 47 million Ukrainians.

It was just 55 years ago that the Ukrainian people took advantage of the overthrow of the czarist regime to declare their freedom from Moscow's rule and establish an independent democratic government. Their new-found freedom unfortunately was shortlived. Although Lenin issued a proclamation on December 17, 1917, recognizing the Ukraine as a completely sovereign and independent state, 1 week later the Bolshevik army invaded the Ukraine. After a fierce battle, the Ukrainian people lost to overwhelming forces and became unwilling subjects of the Communist regime.

The Ukrainian people have heroically resisted systematic Communist efforts to erase all sense of Ukrainian nationality. And today the demand for freedom in the Ukraine has risen to such a level that a new wave of terror and repression has been put into effect in a vain attempt to silence the people.

I have recently had the opportunity to read some of the literature of the Ukrainian resistance movement and it is impossible not to be deeply moved by the selfless heroism shown by these Ukrainian freedom fighters. I would like to quote at this time a few words from a petition addressed to the Ukrainian Supreme Soviet from Siberia by the imprisoned Ukrainian historian, Valentyn Moroz:

The present events in Ukraine are also a turning point; the glacier of terror which had firmly bound the spiritual life of the nation for many years is breaking up. As always they put people behind bars and as always deport them to the East. But this time, these people did not sink into obscurity. To the great surprise of the KGB, for the first time in the last decade public opinion has risen; for the first time the KGB felt powerless to stifle all this.

It is my fervent hope that as writings such as these circulate throughout the free world and as the true facts of the Ukrainian people's struggle for liberty become better known, that free people everywhere will join together in a massive outcry for justice and freedom for the Ukrainian people.

On this anniversary, it is particularly appropriate that we should honor the memory of the millions of gallant Ukrainians who have fallen in the cause of freedom and that we should pay tribute to the countless Ukrainian freedom fighters who are today serving the cause of liberty and justice in their native land.

And let us once again pledge to continue to support in every way possible the Ukrainian people's struggle for freedom and self-determination—

By supporting the religious revival in the Ukraine by passing a congressional resolution seeking the resurrection of the Ukrainian Orthodox and Catholic Churches genocided by Stalin;

By creating a Select Committee on Captive Nations, with concentration on those in the U.S.S.R. and Red China; and

By adjusting economic exchange to political requisites in our trade policies.

I am privileged to have in my district in New York State many thousands of persons who were either born in the Ukraine or who are Americans of Ukrainian heritage. Mr. Speaker, I include for the RECORD an excellent letter which I have received from the Buffalo chapter of the Ukrainian Congress Committee of America, Inc., which clearly articulates the heroic struggles of the Ukrainian people. I also include selections from the Ukrainian Congress Committee of America's booklet "Ukrainian Intellectuals in Shackles".

UKRAINIAN CONGRESS COMMITTEE
OF AMERICA, INC., BUFFALO CHAPTER,

Buffalo, N. Y., January 6, 1973.

HON. CONGRESSMAN KEMP: January 23, 1973, will mark the 55th Anniversary of the proclamation of the Independence of Ukraine, and the 54th Anniversary of the Act of Union, whereby all Ukrainian ethnographic lands were united into one independent and sovereign state of the Ukrainian nation. Both the Independence of Ukraine and the Act of Union were proclaimed in Kiev, capital of Ukraine, on January 22, 1918 and January 22, 1919, respectively.

Regrettably, the young Ukrainian democratic republic was immediately attacked by Communist Russia, despite the fact that the new Soviet Russian government had officially recognized Ukraine as an independent and sovereign state. The same recognition to Ukraine was granted by the Central Powers and a number of states of the *Entente*, including France and Great Britain. By 1920, Ukraine, alone and unaided, succumbed to the vastly superior forces of Communist Russia, which destroyed the Ukrainian National Republic, created a Communist puppet government in Ukraine known as the "Ukrainian Soviet Socialist Republic," and incorporated it forcibly into the "Union of Soviet Socialist Republics" (USSR).

Today, the Kremlin is preparing whole-year celebrations throughout the Soviet Russian empire to commemorate the 50th anniversary of the "founding" of the Soviet Union, which was established on December 30, 1922.

In this connection, the Central Committee of the Communist Party of the Soviet Union (CPSU) and all its subservient branches in the so-called "union republics" are conducting a mammoth propaganda campaign for the purpose of creating another Soviet myth, namely, that the USSR is a model multinational state, in which the nationality problem has been "solved" satisfactorily, in which all component member-republics are truly "sovereign" and in which relations between the various nations are based on the "principles of true equality and friendship."

But the reality is something different, as we can see in the case of Ukraine and the 47-million Ukrainian nation.

The entire history of Soviet-dominated Ukraine is a ghastly record in inhumanity, outright persecution and genocide, Russifi-

cation and violations of human rights on a scale not known in mankind's history. Under Stalin, Ukraine was marked for physical destruction and denationalization; under Khrushchev and Brezhnev-Kosygin the outright terror was replaced by the subtle process of destroying the Ukrainian national consciousness and identity through Russification, persecution of "Ukrainian bourgeois nationalism," and the propagation of "fusion" of all non-Russian nations in a spurious "all-Soviet people," which essentially would be the Russian people.

In summing up the Soviet Russian rule in Ukraine, the following results exemplify the enslavement of Ukraine:

During the 50-year rule of Moscow over Ukraine, literally millions of Ukrainians have been annihilated by the man-made famines, deportations and outright executions;

Both the Ukrainian Autocephalic Orthodox Church and the Ukrainian Catholic Church were ruthlessly destroyed and their faithful members were incorporated into the Kremlin-controlled Russian Orthodox Church;

All aspects of Ukrainian life are rigidly controlled and directed by Moscow: the Academy of Sciences, all scientific and research institutions, universities, technicums, publications, the press, party and government apparatuses, youth, women's organizations, trade unions, and so forth;

Arrests, trials and convictions of hundreds of young Ukrainian intellectuals—poets, writers, literary critics, playwrights, professors and students—are charged with "anti-Soviet propaganda and agitation," though, in fact, these people profess loyalty to the Soviet state, but fight against its abuses, violations and police rule. Among them are noted writers and thinkers such as V. Chornovil, I. Dzyuba, I. Svitlychny, E. Sverstiuk, V. Moroz, L. Plushch, and many others. Yuriy Shukhevych, the son of General Roman Shukhevych, commander-in-chief of the UPA, has been in and out of Soviet concentration camps since the age of 15; in September 1972, he was again sentenced to ten years at hard labor for refusing to denounce his assassinated father and the ideal for which he was killed: a free Ukraine.

Today, Ukraine more than ever is a colony of Communist Russia, a land of inhuman persecution and economic exploitation.

Therefore, Sir, we kindly request you to make appropriate statement in support of the Ukrainian people in the House of Representatives, in paying tribute to the Ukrainian people and their undaunted struggle for human rights and freedom, which are the basic precedents of our modern and civilized society.

Sincerely yours,

WASYL SHARVAN,

President.

ANDRIJ DIAKUN, J. D.,

Vice President and Public Relations
Chairman.

UKRAINIAN INTELLECTUALS IN SHACKLES; VIOLATIONS OF HUMAN RIGHTS IN UKRAINE

INTRODUCTION

Recent arrests of Ukrainian intellectuals and other patriots in Ukraine bring to the fore the incessant and systematic oppression of the Ukrainian people by the Soviet government. This deplorable situation requires wider and more serious attention of world statesmen, who thus far have been reluctant to touch this matter as concerns the captive nations.

Yet much attention is devoted to violations of human rights in other parts of the world. The violation of human rights everywhere in the world should be the concern of the whole civilized world.

There are over 47,000,000 Ukrainians, and they are governed by a puppet regime of

Moscow, known as the "Ukrainian Soviet Socialist Republic," in which stooges of Moscow exercise the power in the name of the Communist Party. The Soviet secret police, the KGB (Committee for State Security), is the true government in the USSR and in Ukraine.

Persecution and oppression of the Ukrainian people have always been part and parcel of the Russian Communist rule in Ukraine. But since 1965 the Kremlin and its satraps in Ukraine have stepped up arrests and trials of Ukrainian intellectuals.

Both Reuters of London and The New York Times reported that in January, 1972, a new wave of arrests of Ukrainian intellectuals swept such Ukrainian cities as Kiev and Lvov; but reliable Ukrainian sources from Ukraine report that extensive arrests are continuing to be made in other cities of Ukraine—Odessa, Kharkiv, Dnepropetrovsk, Ivano-Frankivsk, and Ternopil, among others. The number of those arrested has passed one hundred.

On January 15, 1972 The New York Times reported from Moscow:

"The Soviet secret police have arrested 11 Ukrainians, apparently under suspicion of nationalist activity . . . All were held under an article of the Ukrainian Criminal Code that prohibits 'deliberately false fabrication defaming the Soviet state . . .'" The sources said that seven others were arrested in Lvov, the main city in Western Ukraine and generally considered one of the strongest centers of Ukrainian nationalism."

The same information, sent from Moscow by the Agence France Presse, was carried in the January 15-16, 1972 issue of *Le Figaro* of Paris.

WHO ARE THESE ARRESTED UKRAINIAN INTELLECTUALS?

Among those arrested in Ukraine are Ukrainian writers, literary critics, journalists, professors, students, artists, painters, scientific workers, and representatives of all other strata of society in Ukraine.

Many of these intellectuals had been arrested and sentenced in 1965-1966. Their "crimes" now are the same as in previous years, and these were defined succinctly by Edward Crankshaw, noted British Kremlinologist, who wrote in the February 11, 1968 issue of *The Observer* of London:

"What had these men done? They had discussed among themselves, and among their friends, ways and means of legally resisting the forcible Russification of Ukraine and the continued destruction of its culture. They possessed books dealing with this problem, some of them written in Czarist times. They possessed notebooks with quotations from the great Ukrainian patriots . . . They were not advocating secession in any form and even had they done so, there would have been no violation of the constitution . . . They were deeply concerned because the Moscow Government was still persisting in its efforts to blot out Ukrainian consciousness which even Stalin with his massive deportations and killings failed to do . . ."

The new wave of arrests in Ukraine and in Russia began after a decision on December 30, 1971 of the Central Committee of the Communist Party of the Soviet Union to suppress such samvydav (underground) publications as *The Chronicle of Current Events*, appearing in Russian, and *The Ukrainian Herald*, published in Ukrainian.

While in Russia the KGB is arresting Russian dissidents for their opposition to the Communist regime, in Ukraine these arrests are directed at destroying the essence of the Ukrainian national identity and at eradicating the Ukrainian national consciousness as a powerful force in the struggle for Ukrainian statehood.

Also, in contrast to the trials in Russia, which are accessible to Western journalists,

the political trials in Ukraine are held in camera, very often excluding family members of the defendants, because the Kremlin is fearful that open trials would engender and spread the seeds of opposition throughout the whole of Ukraine.

THE CASE OF THE UKRAINIAN INTELLECTUALS

Despite the Kremlin's lip service to the concept of human rights and the vaunted Soviet constitution, the Soviet regime in Ukraine has its own brand of "human rights," and acts accordingly.

In Ukraine most of the arrested were or are being tried under Art. 62 of the Criminal Code of the Ukrainian SSR, which reads:

"Agitation or propaganda for the purpose of undermining or weakening the Soviet rule, the commitment by individuals of crimes which are of particular danger to the state, or false or defamatory rumors which discredit the Soviet state and social system, as well as circulation, production or collection, for the same purpose, of literature of similar contents—are punishable by imprisonment for a term of from six months to seven years with banishment for up to five years . . ."

Consequently, Ukrainian intellectuals are being arrested for reading books on Ukraine by non-Communist writers or disseminating such documents as the encyclical *Pacem in Terris*, issued by the late Pope John XXIII in 1963, or the text of the address delivered by the late President Dwight D. Eisenhower at the unveiling of the Taras Shevchenko monument on June 27, 1964, in Washington, D.C.

VICTIMS OF SOVIET TYRANNY

Here are some of the arrested Ukrainian intellectuals, whose writings Moscow deems "dangerous" to its domination in Ukraine:

Vyacheslav M. Chornovil, born in 1938 in the Cherkassy province; publicist and literary critic and a graduate of Kiev State University; worked as reporter and TV commentator. In August of 1967 he was arrested and sentenced to 3 years at hard labor for compiling material on the arrests and trials of 20 Ukrainian intellectuals in 1965-66. His documentary book, *The Chornovil Papers*, was published by the McGraw-Hill Company in 1968. He was released in 1969, but re-arrested in January, 1972.

Ivan Dzyuba, born in 1931 in the village of Mykolaivka in the Donetsk area of Ukraine, where he attended the Pedagogical Institute (Donetsk was then known as Stalino); he is a graduate of the T. Shevchenko Institute of Literature in Kiev, and worked as editor and literary critic. Among his works are such books as *Soviet Literature, An "Ordinary Man" or a Philistine?*, *The One Who Chased Out the Pharisees*, and *Internationalism or Russification?* The latter book was published in English and disseminated throughout the world (1968). He was reported subsequently to have been released from prison and placed under house arrest. According to the March 3, 1972 issue of *Literaturna Ukraina* (Literary Ukraine), an organ of the Union of Writers of Ukraine, Dzyuba was expelled from the Union "for gross violation of the statutes" of the organization, and for "preparing and disseminating materials bearing an anti-Soviet and anti-Communist character. . . ."

(On May 1, 1972, several international news services reported from Moscow that two weeks prior the Soviet secret police in Kiev against arrested Ivan Dzyuba.)

Ivan Svitylchyn, born in 1929 in the Luhansk area of Ukraine. He is a literary critic and publicist; in 1952 he graduated from the State University in Kharkiv and worked in the Institute of Literature of the Academy of Sciences while writing articles and literary essays for various journals and newspapers in Ukraine. Arrested in 1966, he spent eight months in jail. He wrote also for Ukrainian journals in Czechoslovakia and Poland. His

latest translation of the work from the French poet, Pierre-Jean Beranger, appeared in the "Dnipro" Publication *Pisni* (Songs), published in Kiev in 1970.

Eugene Sverstiuk, born in 1928 in Volhynia. He is a critic and publicist; his essays and articles have been published in many Ukrainian reviews. With his arrest in 1965-1966, his literary output was curtailed considerably. One of his essays on the Ukrainian poet Mykola Zerov, who was "liquidated" during the Stalinist reign of terror, appeared in the Ukrainian magazine *Dukla*, appearing in Priasiv, Czechoslovakia, during Alexander Dubcek's regime; its publication has been suspended by the present pro-Moscow government of Gustav Husak. One important work, *Cathedral on the Scaffolding*, has been widely circulated in Ukraine as a samvydav (underground) publication.

Stephania Shabatara, born in 1938, is an artist and a specialist on Ukrainian rugs (kylim); her kylims have been displayed widely at art exhibits, especially at the December 1971 kylim exhibit in Kiev; widely known in Ukraine are her kylim "Ivan Kotlyarevsky" (1969) and "Young Dovbush in the Green Beskid" (1970). She incurred the ire of the KGB by demanding admission to the secret trial of Valentyn Moroz, who was sentenced to nine years at hard labor in the fall of 1970.

Irena Stasiv-Kalynets, born in 1940, is the wife of Ukrainian poet Ihor Kalynets, who is the author of three collections of poetry, *Fire of Kupalo* (1966) *Poetry from Ukraine* (1970), and *Summary of Silence* (1971). She, too, is a poet of note, specializing in poetry for children and the youth. She was an instructor of the Ukrainian language and literature at the Lviv Polytechnical Institute until the summer of 1970, when she was ousted from her position and was forced to work in a textile factory, where she was arrested in January, 1972.

Yuri Shukhevych, born in 1944. He is the son of General Roman Shukhevych (Taras Chuprynkha) who, as commander-in-chief of the Ukrainian Insurgent Army (UPA), was ambushed and killed by Soviet security troops in the fall of 1950 in Western Ukraine. The son, Yuri, was arrested by the NKVD in 1948, at which time he was 15 years old, and sentenced to 10 years at hard labor; he was released in 1956, but the Soviet Prosecutor General, Roman Rudenko, sentenced him again, this time to 2 years at hard labor. In 1958, on the eve of his release, he was tried once again by the Lviv District Court and sentenced to 10 years at hard labor for promoting "anti-Soviet propaganda and agitation" among political prisoners, and also because he refused to denounce his father as an "enemy of the people." In 1968 he was released, but forbidden to return to Ukraine; he lived with his wife and child in the city of Nalchik in the Caucasus, where he was arrested again on February 27, 1972.

Ivan A. Hel, a student and art critic at Lviv University, was first arrested and sentenced on March 25, 1965, to 3 years at hard labor for "anti-Soviet propaganda and agitation." He served his term in Camp II, Yavas, Mordovia. Released in 1969, he was again arrested in January, 1972.

Yaroslav Dobosh's arrest was reported on February 26, 1972, by *Radyanska Ukraina*, organ of the Central Committee of the Communist Party of Ukraine and the Council of Ministers of the Ukrainian SSR. The article assailed "bourgeois Ukrainian nationalists" and their "alliance" with Mao Tse-tung. In that connection the Soviet authorities "revealed" that Mr. Dobosh, a young Ukrainian student from Belgium, had brought "secret instructions from the Organization of Ukrainian Nationalists (OUN)" and (allegedly) "came to Ukraine to foment anti-Soviet revolutionary activities." (These charges were promptly denied by OUN leaders in Europe.)

OTHER ARRESTED UKRAINIANS

A number of other Ukrainian writers and intellectuals were arrested in January and February, 1972.

They are:

Kiev: Vasyl Stus, a literary critic; Alexander Serhienko, Leonid Seleznenko, Mykola Shumuk, Zinoviy Antoniuk and Anatole Lupynis, Alexander Riznykiv, Volodymyr Rohatynsky, Luba Seredniak, Leonid Kovalenko and Dr. Prytyka (no first name given).

Lviv: Stephaniea Hulyk, Hryhory Chubay and Mykhailo Osadchy. Mr. Osadchy, a literary critic and author, was sentenced in 1966 to 2 years at hard labor at Camp II, Yavas, Mordovia. At the time of his first arrest the KGB confiscated all copies of his book of poetry, *Moon Fields*. Born in Kumany in the Sumy region of northeastern Ukraine, he is a translator into Ukrainian of the poems of Garcia Lorca and the work of Baltic poets. Recently, he published a collection, entitled *Bilmo* (Cataract)—poetry, essays and articles, for which, apparently, he was arrested.

Ivano-Frankivsk: Rev. Vasyl Romaniuk, Leonid Plushch (engineer-mathematician), Mykola Plakhotiuk, Mynailo (no first name given) and Zinovia Franko. Miss Franko is the daughter of Taras Franko (who died on November 5, 1971) and a granddaughter of Ivan Franko, greatest poet of Ukraine after Shevchenko. For the past few years she was discriminated against by the Soviet government and could not obtain employment. She was arrested in Kiev and subsequently released. On March 2, 1972, *Radyanska Ukraina* printed an "open letter" signed by Miss Franko, in which she "recanted" her "anti-Soviet activities."

(According to the "Smolensk" Press Service, Miss Franko was rearrested by the KGB in April, 1972.)

MARTYRS SENTENCED TO LONG IMPRISONMENT

Most of these Ukrainian intellectuals have been accused of glorifying the Ukrainian past, reading pre-revolutionary books on Ukrainian history, and copying and disseminating the speeches and writings of Western leaders. They also discussed how to legally stop and resist the forcible Russification of Ukraine and the destruction of its culture by Russians. Some of them protested against the unbridled persecution of national minorities, notably the Jews; they accused the Soviet government of the inhuman deportations of the Baltic peoples and the "liquidation" of such ethnic groups as the Crimean Tartars, Volga Germans, Chechen-Ingushes and Karachais.

A few cases will illustrate the depth of Soviet Russian oppression and lawlessness in Ukraine:

Svyatoslav Y. Karavansky, poet, journalist and translator of English classics into Ukrainian, including Jane Eyre, was arrested while an officer of the Soviet army in 1944 and sentenced to 25 years at hard labor; released in 1960, he studied at Odessa University, but in 1965 he was arrested again and, without benefit of jury, was sentenced by Roman Rudenko, Prosecutor General of the USSR, to eight years and seven months imprisonment (cf. Karavansky's petition in defense of Jews and other minorities in the January 15, 1968 issue of *The New Leader* of New York). His wife, Nina Strokata-Karavansky, a microbiologist at the Medical Institute in Odessa, was arrested in the fall of 1971 for refusing to denounce and divorce her husband.

Kateryna Zarytska, a Ukrainian Red Cross worker during World War II, was arrested in 1947 and given 25 years at hard labor. She never benefited from any state-granted amnesty and, as far as is known, is in notorious Vladimir Prison, with release due this year. Her tragedy was shared by her husband, Mykhailo Soroka, another victim of Soviet oppression. A teacher by profession, he was arrested in 1940 and sentenced to eight years;

released in 1948, he was re-arrested and in 1952 sentenced to 25 years at hard labor for unspecified "subversive" activity. He died in a Soviet jail in the summer of 1971.

Valentyn Moroz, a young Ukrainian historian, born in 1936. A graduate from the University of Lviv, he taught modern history in Lutsk and Ivano-Frankivsk, and prepared himself for his Ph. D. degree. In August, 1965, he was arrested and tried on charges of "anti-Soviet propaganda and agitation," and in January, 1966, sentenced to five years at hard labor. He served four years in political prisoners' Camp II, Yavas, Mordovia. During his incarceration, Moroz was tried by the camp court and committed to solitary confinement for writing a blistering accusation of the Soviet regime in a booklet, *A Report from the Beria Preserve*. In the fall of 1969, he was released, but was unable to find employment because of his "criminal" record. On June 1, 1970, he was arrested again, and charged with writing *A Chronicle of Resistance in Ukraine*, which scathingly assailed the Russification of Ukraine. On November 20, 1970, he was sentenced to 9 years at hard labor. He is now reported to be in Vladimir Prison.

Archbishop Vasyl Welychkovsky, highest prelate of the Ukrainian Catholic Church (which functions illegally in Ukraine), was arrested in January, 1969 in Lviv, on his way to hear the confession of a sick person; in the fall of the same year he was tried and sentenced to three years at hard labor. In December, 1971, he was reported to be in a jail for common criminals in the Donbas area of Ukraine, and to be suffering from ill health and abuse.

On February 27, 1972, Archbishop Welychkovsky arrived in Rome after being released from prison, one month before his term was up. He has since been received by Joseph Cardinal Slipy, Archbishop-Major of the Ukrainian Church. Thus far no public statement has appeared as to the circumstances of his release and arrival in Rome.

Alla Horska, a young Ukrainian woman artist and a member of the Kiev Art Institute, was murdered on November 28, 1970, near Kiev under mysterious circumstances. In her home she often was host to many known Ukrainian intellectual dissidents. Together with two other Ukrainian artists, Panas Zalyvaka and Ludmyla Semykina, she designed a stained-glass window entitled, "Prophet" (showing Taras Shevchenko in chains, with powerful quotations against the Russian Czars), for the main hall of Kiev University. The window was destroyed by Russian chauvinists, angered because it symbolized freedom, for which all Ukrainians are striving. Miss Horska, according to *The Ukrainian Herald* (No. 5, June, 1971), was slain on the orders of the KGB.

TRAVESTY OF "CULTURAL EXCHANGE"

As we know, the United States has an agreement with the USSR regarding "cultural exchanges." We thus open our doors to various teams of Soviet scientists, dance and choral ensembles, students, scholars, musicians, and writers and poets, such as the hypocritical Yevgeniy Yevtushenko. All, as emissaries of the Soviet regime, give fulsome praise to the Soviet system and its alleged cultural and technological "progress" and "freedom."

But, at the very same time, the Soviet government is conducting cultural and religious genocide in Ukraine. It ruthlessly persecutes Catholicism, Orthodoxy, Protestantism and Judaism in the USSR.

Yet the Soviet Union is by no means immune to the voice of international public opinion. Under the pressure of world opinion, the Kremlin has allowed many Jews to emigrate from the USSR to Israel, and Alexander Solzhenitsyn, great Russian writer and Nobel prize winner, is still free because the Kremlin is reluctant to arrest him for fear of international repercussions. During the recent

visit to Canada of Soviet Premier Alexei Kosygin, Prime Minister Pierre E. Trudeau, influenced by Canadian public opinion and Ukrainian Canadian parliamentarian headed by Senator Paul Yuzyk, brought up the matter of repression in Ukraine with his Soviet guest.

Therefore, the protesting voice of freedom-loving peoples the world over, the press, radio and TV broadcasts—all can play a vital role in exposing and moderating the barbarous Soviet policies in Ukraine.

Mr. O'HARA. Mr. Speaker, I wish to associate myself with the remarks of my colleagues in paying tribute to the indomitable will of the people of Ukraine—a people who still search after the independence which they won more than half a century ago, and which they held on to for so brief a span of time before it was cruelly wrested from them.

This year marks the 55th anniversary of Ukraine's independence. This independence was destroyed in 1920 by the first wave of Soviet Russian imperialism. The people of Ukraine did not voluntarily enter into any free federation to form the Union of Soviet Socialist Republics. Ukraine was forcibly incorporated into this new imperialist state under Moscow's rule as were the Baltic nations 20 years later. The 47 million people of Ukraine constitute the largest captive non-Russian nation in the U.S.S.R. and Eastern Europe.

These years of captive-nation status have been hard ones for the people of Ukraine. History tells us that upward of 15 million Ukrainians have starved to death because of famines resulting from Kremlin economic and agricultural policies. Over the years, the Kremlin has destroyed the independent Ukrainian Orthodox Church and forced over 5 million members of the Ukrainian Catholic Church into the fold of the Russian Orthodox Church. It has harassed and persecuted other Christian adherents in Ukraine—the Baptists, Evangelics, Seventh-Day Adventists, and Jehovah's Witnesses. It has oppressed the Jews by closing down synagogues, molesting leaders, and terrorizing worshippers.

Recent arrests of Ukrainian intellectuals—writers, professors, artists, and scientists—and other patriots serve only to underscore the fact that there exists an intensive, systematic plan to destroy the culture of these people, and to complete the Russification of Ukraine which began in 1920.

All this is in open disregard of the Universal Declaration of Human Rights, a powerful, basic document seeking to promote and extend the rights of man. The Soviet Union is a signatory of the Declaration—yet the Soviets have obstructed, circumvented, and denied these principles to the people of the Ukraine.

As free men in the world's greatest nation, it is our moral duty and responsibility to speak out in behalf of those seeking freedom and national independence. And so, Mr. Speaker, I join in today's tribute to the people of Ukraine in their continuing quest for peace, justice, and freedom.

Mr. RARICK. Mr. Speaker, it is fitting that this House should pause today to commemorate the 55th anniversary of Ukrainian independence and to remem-

ber that the Ukraine and its people continue to be subjugated by the Soviet Union. The Ukraine today is a captive nation, where basic human rights are denied and where men are forbidden to speak freely. Dissent is still punished by prompt arrest and swift imprisonment.

The Ukraine won its independence on January 22, 1918, in a revolution not unlike that which brought America its freedom from the British. Like the Americans, the Ukrainians sought a free and independent state. Unfortunately, this was not the case as the Bolshevik Revolution, which was dominated by the Russians, did not live up to its high-sounding slogans and objectives, and the Communists extended their domination over other non-Russian people, including the Ukrainians.

The incidents of the week prior to the celebration of Ukrainian Independence Day in 1972 are certainly indicative of the situation in that captive nation. Newspapers of January 14 and 15, 1972, carried stories dealing with the sudden arrest of 13 Ukrainian intellectuals for "deliberately false fabrications defaming the Soviet State."

These articles indicate the true nature of life under communism—one of repression, fear, and terror. The true facts stand out in stark contrast to the "public" face of the Soviet Union. The Soviet bear is still vicious and self-possessing. It has never granted self-determination to any of its "colonies."

I urge the Members of this House to take stock of the world situation and recognize the stark realities of life under communism and take the necessary actions to call the attention of the world to the atrocities committed by the Soviets and their allies to maintain and further the cause of Communist world domination.

It is for this purpose—to call the attention of the world to the atrocities committed by the Communists or their agents in their drive for world domination—that I introduced House Resolution 27, which would create a select committee in the House to investigate all crimes against humanity perpetrated by Communists or under Communist direction, and would express the sense of Congress that a monument be erected as a suitable memorial to all victims of Communist actions. I would appreciate the support of our colleagues for this legislation.

I include the text of my bill along with relevant news clippings:

H. RES. 27

Whereas the United States of America has an abiding commitment to the principles of freedom, personal liberty, and human dignity, and holds it as a fundamental purpose to recognize and encourage constructive actions which foster the growth and development of national independence and freedom; and

Whereas the international Communist movement toward a world empire has from its beginning adopted the means of terrorism, assassination, and mass murder as official policies to apply their application advances the Communist cause of world domination; and

Whereas there is considerable evidence that Communists in the Soviet Union and in other countries have deliberately caused the

death of millions of individuals in Russia, Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idei-Ural, Tibet, Cosackia, Turkestan, North Vietnam, Serbia, Croatia, Slovenia, Cuba, and others; and

Whereas thousands of survivors and refugees from Communist campaigns of terrorism and mass liquidation have been forced to flee to the United States as refugees to find the freedom and dignity denied to them by Communist regimes and have become productive citizens of the United States; and

Whereas it is fitting that the full facts of Communist terrorism in all of its various forms, including assassination and mass murder, be made manifest to all the peoples of the world so that such policies can be properly understood and condemned by all mankind toward the purpose of eradicating such policies from the body of mankind: Now, therefore, be it

Resolved, That—

(1) The Speaker of the House shall within fourteen days hereafter appoint a special committee of twelve Members of the House, equally divided between the majority and minority parties, and shall designate one member to serve as chairman, which special committee shall proceed to investigate all crimes against humanity perpetrated under Communist direction. The special committee shall report to the House the results of its investigation, together with its recommendations, not later than one year following the appointment of its full membership by the Speaker.

(2) For the purpose of carrying out this resolution, the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and such places within the United States, whether the House is sitting, has recessed, or has adjourned, to hold such hearings, and to require by subpoena or otherwise, the attendance and testimony of such witness and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member; and be it further

Resolved, That it is the sense of the Congress that a monument be erected in the city of Washington, District of Columbia, our Nation's Capital, as a suitable memorial to all victims of international Communist crimes against humanity.

[From the New York Times, Jan. 15, 1972] SOVIET ARREST OF 11 IN UKRAINE REPORTED FOR ANTI-STATE ACTS

MOSCOW, January 14.—The Soviet secret police have arrested 11 Ukrainians apparently on suspicion of nationalist activity, reliable sources said today.

All were held under an article of the Ukrainian criminal code that prohibits dissemination of "deliberately false fabrications defaming the Soviet state," the sources said. The article carries a maximum sentence of three years' imprisonment.

Four of the persons were arrested Thursday in Kiev, the Ukrainian capital, the sources said. Among them, they added, was Ivan Svitlichny, a literary critic.

A Ukrainian underground publication, *Ukrainsky Visny* (Ukrainian Herald), says that Mr. Svitlichny is one of several intellectuals whom the security police have tried to discredit.

The sources said that the seven other arrests were made Wednesday in Lvov, the main city in the western Ukraine and generally considered one of the strongest centers of Ukrainian nationalism.

The seven arrested were reported to have included a former television journalist, Vyacheslav Chornovil. Mr. Chornovil, in his early 30's, was sentenced in November, 1967, to 18 months in a labor camp for compiling an underground account of secret police methods used in rounding up about 100 Ukrainian intellectuals in 1965 and 1966.

About 20 of those arrested then were eventually tried in secret in 1966 on charges of anti-Soviet agitation and propaganda.

They were sentenced to labor-camp terms ranging from six months to six years.

[From the Sun, Jan. 15, 1972]

CHORNOVIL, SVITLICHNY AND 11 OTHER UKRAINIAN INTELLECTUALS ARRESTED—UKRAINIAN DISSIDENTS REPORTED HELD

MOSCOW.—In a sweeping action against Ukrainian "nationalists," Soviet secret police have arrested 11 leading dissident intellectuals in the Ukraine, reliable sources said yesterday.

Among those held by police is Vyacheslav Chornovil, author of the "Chornovil Papers," an account of the trial and prison camp experiences of 20 Ukrainian intellectuals convicted in 1966 for nationalist agitation.

After the account was written, Mr. Chornovil was sent to prison in 1967 for three years. It was published later in the west.

ARRESTED IN LVOV

He was one of seven persons arrested Wednesday in Lvov, a city in the Western Ukraine where nationalist feeling against Russians is reported to be especially strong.

Four people were taken into custody in the Ukrainian Republic capital, Kiev, Thursday. They include Ivan Svitlichny, a former literary critic who has been particularly active in the nationalist movement.

The sources said the arrests were preceded by a series of raids by Soviet secret police on the homes of intellectuals in Kiev and Lvov.

Those held are all charged with dissemination of "deliberately false fabrications defaming the Soviet state." Conviction on the charge carries a maximum three-year sentence.

Despite the round-up of dissidents that led to the 1966 trials, the Ukraine has continued to be a source of trouble for Moscow. Like the dissidents centered in Moscow, the Ukrainians have their own underground newspaper, the *Ukrainian Herald*, to chronicle their battles with the authorities.

Some of them, disturbed by what they consider to be the Russification of the Ukraine, have called for secession from the Soviet Union—a right technically guaranteed in the Constitution.

In the most famous recent case, Valentin Moroy, a teacher, was sentenced in 1970 to nine years in prison and five years in exile on a charge of anti-Soviet agitation.

Mr. Chornovil was called as a witness at that trial, but refused to testify on the grounds that it was being held secretly, in violation of Soviet law.

GENERAL LEAVE

Mr. FLOOD, Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the subject of Ukrainian Independence Day.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE RICH GET RICHER

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, the Census Bureau's recent report, called "Money Income in 1971 of Families and Persons in the United States," contains some revealing data on changes in the distribu-

tion of income in this country in the past 4 years. The administration has not publicized the charts prepared by the Census Bureau showing changes in the percentage shares of U.S. income enjoyed by low-, middle-, and high-income fami-

lies. These charts show the top fifth of American families increasing their share dramatically under President Nixon—from 40.6 percent in 1968 to 41.6 percent in 1971—at the expense of the lower three-fifths, whose shares decreased over that period:

PERCENTAGE SHARE OF AGGREGATE INCOME IN 1947, 1950, AND 1959 TO 1971, RECEIVED BY EACH 1/5 OF FAMILIES AND UNRELATED INDIVIDUALS, RANKED BY INCOME, BY RACE OF HEAD

Income rank	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1950	1947
Families total (percent).....	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Lowest 1/5.....	5.5	5.5	5.6	5.7	5.4	5.5	5.3	5.2	5.1	5.1	4.8	4.9	5.0	4.5	5.0
Second 1/5.....	11.9	12.0	12.3	12.4	12.2	12.4	12.1	12.0	12.0	12.0	11.7	12.0	12.1	12.0	11.8
Third 1/5.....	17.4	17.4	17.6	17.7	17.5	17.7	17.7	17.7	17.6	17.5	17.4	17.6	17.7	17.4	17.0
Fourth 1/5.....	23.7	23.5	23.5	23.7	23.7	23.7	23.7	24.0	23.9	23.7	23.6	23.6	23.7	23.5	23.1
Highest 1/5.....	41.6	41.6	41.0	40.6	41.2	40.7	41.3	41.1	41.4	41.7	42.6	42.0	41.4	42.6	43.0
Top 5 percent.....	(1)	14.4	14.0	14.0	15.3	14.8	15.8	15.7	16.0	16.3	17.1	16.8	16.3	17.0	17.2

1 See text below.

And for the real shocker, let us look at the percentage share of the richest 5 percent of American families over the years. In 1947, these few families were receiving 17.2 percent of total income. By 1968, the figure had shrunk to 14.0 percent. But the first 2 Nixon years—1969 and 1970—reversed this trend: the share of the top 5 percent grew to 14.4 percent. Then, in 1971, instead of a percentage the Census Bureau reports a footnote, excusing the absence of information as follows:

The percentage shares of aggregate income for the top 5 percent of families for income year 1971 and also for other years are being computed using revised procedures. Because of their income level for this fractile falling into broader income intervals than those previously utilized, use of earlier techniques would result in inconsistent and erroneous estimates, primarily because of interpolation errors. Revised data will be included in income reports to be published in 1973. For more detailed explanation of this problem, see page 12 of the text.

However, a Census Bureau official informed me that if calculated according to previous procedures, the 1971 figure would have shown a jump to 16.2 percent—the largest increase for this group in 25 years. It is a curious coincidence that the Census Bureau should be overcome by statistical scruples at the very point where the direct income shifting effect of the last 3 years—heightened unemployment and increased tax breaks for well-to-do tax avoiders—would have been shown most clearly.

The text of a January 11, 1973, article by Harry B. Ellis in the Christian Science Monitor on the subject of income shares follows:

REUSS FINDS WIDENING OF RICH-POOR GAP

The old adage that the rich get richer and the poor get poorer was never truer than right now, according to Rep. Henry S. Reuss (D) of Wisconsin.

Latest census figures, he says, show that President Nixon's administration is helping the 20 percent of top-income Americans increase their share of national wealth "at the expense of the rest of society."

In 1968 the highest one-fifth of the population enjoyed 40.6 percent of the nation's income. In 1970, according to Census Bureau figures quoted by Mr. Reuss, this share had grown to 41.6 percent.

This meant that Americans on lower rungs of the income ladder were dividing smaller shares of the pie—that the income gap

between rich and other Americans grew during Mr. Nixon's first administration.

"But wait," adds Mr. Reuss, member of the House Committee on Banking and Currency and of the Joint Economic Committee of Congress. "Mr. Nixon's Robin Hood in reverse . . . appears in most striking form when you look at the share enjoyed by the richest 5 percent of American families."

This top 5 percent, he notes, enjoyed 17 percent of total U.S. income in 1950, but slipped to 14 percent between 1950 and 1968.

Under Presidents Truman, Eisenhower, Kennedy and Johnson, in other words, "the poor, and particularly the fellow in the middle, greatly improved their position" vis-a-vis the rich.

This trend reversed itself as soon as President Nixon took office. By 1970 the share of the top 5 percent of earners was up to 14.4 percent.

"And for 1971," declares Mr. Reuss, "we find the Census Bureau reporting not a figure but a gobbledygook-full footnote, stating that the Census Bureau hopes to have this figure in a year or so."

"However," adds the Wisconsin lawmaker, "a Census Bureau official, who preferred not to be named, informed us that the true figure would show the top 5 percent with a staggering 16.2 percent of the total, a 15 percent gain for them since 1968."

Mr. Reuss is a highly respected expert on economic affairs, a man not given to hyperbole. He is also one of many prominent Democratic lawmakers in both houses disturbed by what they regard as the tilt of Mr. Nixon's administration toward the affluent.

INCOME GAP WIDENED

In his early White House years the President gave tax breaks to business, in an effort to stimulate the U.S. economy. This worked, but a side effect, according to Census Bureau figures, was to widen the income gap between top and bottom.

White House spokesmen stress that, after years of stagnation, real take-home earnings of American workers—after the deduction of taxes and inflation—have risen during the Nixon years.

This also is true. Between 1964 and 1970, according to the Department of Commerce, real spendable income scarcely rose at all, when corrected for the cost of living rise and taxes.

Real income actually declined in the 1970 period, when a business slowdown coincided with inflation increases close to 6 percent.

Put another way, low- and middle-income people may have been narrowing the gap slightly between themselves and the rich, but they were not gaining in real income.

Then, on Aug. 15, 1971, Mr. Nixon introduced his new economic policy, characterized by a 90-day wage-and-price freeze, followed by still-existing controls. The Presi-

dent will shortly ask Congress to extend the controls program beyond April 30.

"Since August, 1971," says the Department of Commerce, "real spendable earnings for the average worker and his family have risen at an annual rate of 4.3 percent." The average American, in other words, now is beating inflation.

Nixon officials and Mr. Reuss appear to be looking at two sides of the same coin. The average American is earning more, but his income is not rising as quickly as that of the top 5 percent of money earners.

Both sides agree that dark spots exist in this picture of general, though mixed, affluence, notably that 16 percent of all teenagers and 9.6 percent of blacks cannot get work.

The Department of Labor urges Congress to consider adoption of a wage differential for American youth, allowing young people to be hired at less than the adult minimum wage.

An increase in the federal minimum wage without a youth differential, says Michael H. Moskow, Assistant Secretary of Labor for Policy, Evaluation, and Research, "might price some young people right out of the market."

ADULT OVER YOUTH?

An employer offering a minimum wage job tends to give it to an adult worker rather than to an inexperienced youth. If he could hire the teen-ager for less money, the employer might choose the youngster.

Cumulatively, this might put thousands of teenagers to work, reducing their soaring unemployment rate.

Representative Reuss has just introduced a "jobs now" bill aimed at creating 500,000 federally financed public service jobs, designed particularly to absorb the hard-core unemployed.

Object of the Reuss bill, cosponsored by 79 Democrats and Republicans, is to provide jobs—in recreation, child care, health care, antipollution, and other fields—at state and local levels.

A White House goal in 1973 is to cut nationwide unemployment, currently 5.2 percent of the labor force, below 5 percent. The Democratic leadership of House and Senate believes the target should be lower.

Both agree that, whatever happens to the white adult employment level, special steps must be taken to help disadvantaged Americans, handicapped by age, education, poverty, or color.

CONCERN ABOUT ABILITY OF CONGRESS TO EFFECTIVELY ASSERT PRIORITIES ESTABLISHED BY PEOPLE OF THIS NATION

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Arkansas (Mr. ALEXANDER) is recognized for 45 minutes.

Mr. ALEXANDER. Mr. Speaker, 5 years ago I was first elected to represent the First Congressional District of Arkansas in the U.S. Congress. At that time our region was undergoing rapid economic and social change, much the same as it is now. While I have continued to support the farm programs that have made this region and other rural areas like Arkansas what they are today, and included efforts to improve bulk transportation, export marketing, and world trade, I have attempted to expand the scope of my representation to include the priorities that are important to meet the needs and challenges of the current times. I have focused my efforts on a balanced economy, and aided with industrial development. I have personally sought more jobs in manufacturing. Our office has stressed the need for community development, highways, and public works projects. Education has been placed up front. I am among the strongest and most consistent supporters of education on Capitol Hill today. Housing has become one of the most commanding needs in the district. The responsibility for providing medical care for the poor has been accepted. Legislation for public parks and natural areas with planned recreation became an important part of our effort.

In general, Mr. Speaker, I have worked constantly and diligently for the improvement of the quality of life in Arkansas and in America. Always this congressional office keeps a vigilant eye on our needs for a strong national defense. I have followed with keen interest the developments of foreign policy as well as transportation, communications, power supply, and urban problems. Consumer affairs have been very important. I am an active participant in the debate on the reorganization of the agencies of the executive branch in an effort to make the bureaucracy more responsive to the needs and the will of our people.

Finally, Mr. Speaker, one of my committees is engaging in numerous oversight investigations of Government waste and inefficiency. Just recently the Subcommittee on Foreign Operations and Government Information journeyed on an inspection mission to Asia and to Europe whereby we are attempting to fulfill the charge that has been placed on us to investigate the needs and the reasons for the delinquent international debt that now stands in excess of \$46 billion, with hundreds of millions of dollars in arrears by some 40 nations.

I enumerate some of my efforts because they are among the priorities that were established in the First Congressional District through the political process. These are among the priorities that our people want their Representative to pursue in the Congress, and I believe that significant and worthwhile progress has been made toward the accomplishment of many of these goals during the 4 years that I have had the privilege to serve my people in the Congress.

However, Mr. Speaker, as I have come to learn the realities of Washington, I grow increasingly concerned

about the ability or the capacity of the Congress to effectively assert these priorities that are established by the people of my district and the people of this Nation.

Just recently a Cabinet officer, Dr. Earl Butz, of the Department of Agriculture, announced that he had decided to summarily terminate several Federal programs: part of the rural electrification program, the rural environmental assistance program, and the emergency loan program for farmers in financial distress. In this instance all three programs are essential to the needs of the people of the First Congressional District of Arkansas and to other rural areas of this great Nation.

Dr. Butz decided without consulting with the Congress to cancel the law by edict. The question is not whether one agrees with these programs. I disagree with several provisions myself. But does the Secretary, does any member of the executive branch, have the authority to take this action? An executive officer who is appointed and does not have the benefit of the election process has announced that he will terminate the law.

This action is arbitrary, intolerable, and wholly inconsistent with the principles of democracy that are dear to every discerning American.

This is but one example. I could give several illustrations that Congress is losing its power to govern this country and to establish the priorities that are set when our people elect their representatives and send them to Washington.

On January 10 I wrote Dr. Butz to protest the precipitous, unwise action which the Department of Agriculture has taken against the Rural Electrification Administration; programs which have been enacted by the U.S. Congress and have been canceled by the Department of Agriculture.

In that letter I asked as a Member of the House of Representatives and as a member of the Committee on Agriculture for some specific information. So that there would be no misunderstanding of what information I requested, I ask unanimous consent to insert a duplicate original of the letter which I forwarded to Dr. Butz on January 10, 1973.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The letter follows:

JANUARY 10, 1973.

HON. EARL BUTZ,
Secretary of Agriculture, U.S. Department of
Agriculture, Washington, D.C.

DEAR MR. SECRETARY: As the representative of a district, most of which is non-metropolitan, in which many citizens are actively working to upgrade their community facilities and development, I am a strong supporter of the Rural Electrification Administration. The work of REA has had a significant impact on the ability of many small communities in my district to make their areas more desirable as sites for corporations and businessmen who are seeking locations for branches or new operations.

A principal need that many non-metropolitan communities have in their efforts to develop needed facilities in credit available at reasonable rates. REA has been an invaluable resource for this financing. The recent adverse action by the USDA relating

to REA's financial resources appears to be in direct contradiction to the Administration's announced interest in assisting non-metropolitan areas in their community development efforts. It will certainly have a depressing effect on many of these efforts.

In view of this, I strongly protest the announced intention to force REA to enter the private money market in search of funding and to increase the interest rates on the money borrowed.

It is my understanding that USDA regards provisions of the Rural Development Act of 1972 as allowing this adverse action against REA. As a member of the House Committee on Agriculture and as a co-sponsor of the act, I want to state that it was not the intent of the Congress or the committee that such an interpretation of the act should be made. Therefore, I herewith request that you provide me with specific references to the statutory provisions which you believe provides the Secretary of Agriculture with the discretionary authority to take the action which has been taken with regard to REA.

Thank you for the cooperation which you may give me in this effort to correctly assess the USDA action against REA.

With kindest regards, I am,

Sincerely yours,

BILL ALEXANDER,
Congressman from Arkansas.

Mr. ALEXANDER. In that letter, Mr. Speaker, if I may quote from it, I asked:

I herewith request that you provide me with specific reference to the statutory provisions which you believe provides the Secretary of Agriculture with the discretionary authority to take the action which has been taken with regard to REA.

Mr. Speaker, to this date I have not heard from the Secretary of Agriculture, but instead yesterday I received a letter from one T. K. Cowden, an Assistant Secretary in response to the letter which I forwarded.

I ask unanimous consent, Mr. Speaker, to include a duplicate original of that letter in the Record at this point in time.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 17, 1973.

HON. BILL ALEXANDER,
House of Representatives.

DEAR MR. ALEXANDER: I appreciate your letter of January 10 and your comments concerning the changes in the REA program. The REA program has made a significant contribution to the development of small communities throughout the Nation and we believe that it can continue to do so.

A change in the interest rate from 2 to 5 percent should not have a great impact on most borrowers. I am informed that the average increase in revenue required to meet a 5 percent interest charge would be less than 2 percent by 1976 and probably less than 3 percent by 1981.

However, the greatest need for borrower capital from here on is to finance nonfarm electrification with a substantial amount of the loans being used to provide electricity to suburban and town development. Last year the average number of consumers per mile of line financed by REA loans was 14. On this basis, it is somewhat difficult to conclude that a reasonable increase in the interest rate would be prohibitive.

The utilization of insured and guaranteed loans under the Rural Development Act may prove to be very advantageous to the REA program because of the possibility of obtaining greater loan authority than would likely be available through direct loans. For

the remainder of fiscal year 1973, we will have \$390 million for electric loans. This means that for the entire fiscal year of 1973, our total loan authority will be \$618 million. This is nearly \$170 million more than has ever been provided in a single year.

Your careful consideration of the possibilities provided by the Rural Development Act will be important to the future of all REA borrowers.

Sincerely,

T. K. COWDEN,
Assistant Secretary.

Mr. ALEXANDER. Mr. Speaker, the letter which was signed by Mr. Cowden and purports to answer my letter of January 10, 1973, completely and totally ignores the question which I raised in the above referenced letter that I forwarded to the Secretary of Agriculture. Mr. Cowden's response is grossly inadequate and appears to be a deliberate, calculated attempt by the Office of the Secretary of Agriculture to deny the right and responsibility of a Member of Congress to obtain needed information.

I again respectfully request the information requested in my letter of January 10th. The request is being made under my authority and responsibility as a Member of Congress and of the House Committee on Agriculture as well as title V, section 552, subparagraph (c) of the United States Code.

The rationale for the action of the Secretary may be true. The loan provisions of the REA program may be obsolete, and be in need of revision. But where in the law does a Secretary, an elected official, find the authority to terminate the action of Congress?

The question goes to the authority and not to the rationale.

Mr. Speaker, if a Cabinet officer of this Government can thumb his nose at the legislative branch, this Congress is no more than a mere shadow of the Capitol dome.

Thank you, Mr. Speaker.

TRANSFER OF SPECIAL ORDER

Mr. ARENDS. Mr. Speaker, on today the gentleman from Ohio (Mr. MINSHALL) has a special order, to notify the House of the passing of a former Member, Oliver Bolton, of Ohio. I understand the gentleman from Ohio would like to have the special order tomorrow, and I ask unanimous consent that he be allowed the privilege of transferring his special order to tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EDITORIAL COMMENT ON THE LIFE AND TIMES OF PRESIDENT TRUMAN

The SPEAKER. Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 1 hour.

Mr. RANDALL. Mr. Speaker, with 3 days yet remaining of the period proclaimed to mourn our former President Harry S. Truman, the country is saddened again by the loss of a great and honored leader, Lyndon B. Johnson.

The reason I have asked for this time today is to announce that a resolution will soon be offered to authorize the Joint Committee on Printing to prepare a book containing tributes to Mr. Truman. The immediate purpose of my special order today is to request unanimous consent to include in the CONGRESSIONAL RECORD certain editorials written on the life and times of Mr. Truman from the Examiner, published in his home city of Independence, Mo.; the Kansas City Star of Kansas City, Mo.; the two St. Louis papers, being the St. Louis Globe Democrat and the St. Louis Post Dispatch; the St. Joseph News Press and the Springfield Leader Press. All of these are major publications with wide circulation in their respective areas of Missouri.

In each instance I have selected for inclusion only the principal or lead editorial in tribute to Mr. Truman.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I now ask unanimous consent that at this point in the RECORD I may be permitted to revise my own remarks to comment on the content of each of these editorials just before the entry of each into the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GENERAL LEAVE

Mr. RANDALL. Now, Mr. Speaker, as we come within 3 days of the end of the mourning period for Mr. Truman, I ask unanimous consent that all Members may have 5 legislative days from today to revise and extend their own remarks and to include excerpts from any editorials from districts they represent written in memory of Harry S. Truman.

Mr. Speaker, during all of my years as a Member of Congress, our residence in my home city of Independence, Mo., has been located only four short city blocks distant from that of our former President, Harry S. Truman. When Mr. Truman served as a member of the Jackson County Court on which body I was later elected to serve, and during his years in the Senate and in the Presidency, I know Mr. Truman was a regular reader of our hometown newspaper, the Independence Examiner.

I mention this fact only to emphasize that I know that our former President read, admired, and respected not only the paper's journalistic excellence, but also its editorial policy. It is for these reasons that I am sure Mr. Truman would have approved his editorial written and appearing in the edition of the Independence Examiner on December 26.

While the editor's comments devotes some of its space to the importance of the Truman Library to Independence, Mo., his hometown paper goes on to quote our former President to the effect that while the Library happened to be located in Independence, Mo., it belonged to all the people in the United States.

The important fact about the editorial published by Mr. Truman's home news-

paper is that it completely demolishes the sometimes expressed belief that a great man may not enjoy honor in his own country. The key content of the editorial, in my judgment, is that portion which states:

Truman, who set out to be a good president, became a great president by doing a good job.

The editorial follows:

[Editorial from the Independence (Mo.) Examiner, Dec. 26, 1972]

HARRY S. TRUMAN

The whole world joins us in our sorrow. Independence was Harry Truman's home town and a city never had a more loyal citizen. We naturally feel his loss more acutely than any other place could.

But through the years we have shared him with others. First, with Missourians when we sent him to the Senate, and then the nation when he became the 33rd President. And finally with the world as he provided leadership in the post-war years.

And now Harry Truman is dead at 88.

The Examiner extends its sympathy to his wife and his daughter and to his sister, hospitalized herself.

Harry Truman wasn't the kind of president who was forgotten when he left the White House. He wasn't the kind of man who felt his work was done when he retired from the presidency although he was already a senior citizen.

Truman made the presidential library, which he chose to locate in his home city, his personal project and he worked untiringly, traveled hundreds of miles, and made dozens of speeches in its behalf.

The flag is now at half mast at the beautiful structure on the crown of the hill where Truman spent eight busy, happy years involved in a maze of activities.

"The library will belong to the people of the United States," he said in the legend for one of the cornerstones. "My papers will be the property of the people and will be accessible to them. The papers of the president are among the most valuable sources of material for history. They ought to be preserved and they ought to be used."

Truman wanted his papers available for "furthering the study of free government and of the participation of the United States in world affairs."

And as Truman wished and dreamed, his library has been used by researchers who wrote books, and has been visited by more than two-million history-loving Americans. His beliefs and philosophy are perpetuated there.

And students fortunate enough to visit the library in educational groups in the years when the former president kept office hours will never forget his folksy history lessons.

He told them that their government is the greatest in the history of the world and urged them to study their history and "learn what we have."

Truman made more major decisions in his nearly eight years as chief executive than any other president. Reading, particularly history, a lifelong hobby, gave him invaluable background for his role.

Truman, as no other American president, told it like it was—he said what was on his mind. He was willing to speak up if he felt the occasion justified it, a trait which endeared him to the common man.

Truman, who set out to be a good president, became a great president by doing a good job.

He was willing to fight for what he thought was right. He fought a good fight all of his life, even to the end.

Harry Truman now belongs to immortality.

Mr. Speaker, the *Kansas City Times* is a paper which is the morning edition of the *Kansas City Star*, both of which are owned by the Star Co. Thus there is really only one paper in Kansas City, Mo., with both a morning and an evening edition. Most of us in the metropolitan area believe it is a good paper. It has achieved nationwide recognition as a great paper.

This is the paper whose reporters covered Mr. Truman when he was a member of the Jackson County Court. This paper has maintained a Washington bureau during all the years when Mr. Truman was in the Senate and in the Presidency. The *Star* has long maintained a bureau in Independence, Mo., and covered Mr. Truman's years in his home city after he left the White House. It is for the foregoing reasons that the editorial in the *Kansas City Times* of December 27, 1972, should and must be made a part of the permanent record of the life of Mr. Truman.

The following editorial sets the theme for several others written throughout Missouri as well as throughout the Nation when it points out that this supposedly common man from Independence became a most uncommon leader of the world.

While the editorial speaks for itself, it closes on the note that while Mr. Truman seemed to be an ordinary man, in the best sense of the phrase, because he was without vanity or pretension, his qualities of intellect and character made him a most unusual man. The editorial follows:

[From the *Kansas City (Mo.) Times*,
Dec. 27, 1972]

HARRY TRUMAN, MISSOURIAN AND PRESIDENT

Harry S Truman was the supposedly common man from Independence who became a most uncommon leader of the world.

The long-range successes and failures of the Truman years cannot be finally assessed, for the era has not played out its theme. But Harry Truman, the man and President, can be gauged. He lived among us in our own time: More than that, he was one of us; an apparently ordinary sort of person with the farm background and upbringing that were much the same as for millions of Middle Westerners.

Yet when events took him to the American presidency at a crucial turning point in the history of the world, the ordinary man became an extraordinarily strong and decisive leader. He acted with what must have been an innate wisdom and ability to clarify issues based on a lifetime of self-education and reading in history. Whether Harry Truman would have been on anybody's list in 1943 as a potential occupant of the White House is doubtful; the fact is, however, that in 1945—with almost no tutoring from his predecessor—Harry Truman was in the White House and facing decisions as momentous as any ever thrust on a man.

He rose to the challenges prayerfully but with not a quaking humility. There was a degree of self-assurance that carried no hint of arrogance. He became President when Hitler's cruel reign was dissolving in Europe and the Empire of Japan was under siege. Within weeks he would be sitting at a conference table with Winston Churchill and Josef Stalin. Within months he would make the fateful decision to drop the first and only atomic bombs used in war.

A GENEROUS MIND

Dean Acheson many years later, wrote of his chief as having a "truly hospitable and

generous mind, that is, a mind warm and welcoming in its reception of other people's ideas. Not in any sense self-deprecating, his approach was sturdy and self-confident, but without any trace of pretentiousness. He held his own ideas in abeyance until he had heard. . . . The ideas of others, alert and eager to gain additional knowledge and new insights. He was not afraid of the competition of others' ideas; he welcomed it".

This is a picture, not of a man who thought he was born to rule, as did Churchill, nor of a tyrant in the Stalin mold, who sought power as naturally as other men breathed. It is, instead, the description of a quick, intelligent and compassionate man who knew the gravity of his responsibility and who wanted to do the right thing. And who knew that whatever had to be done, it was Harry Truman who would have to do it.

The United States, surely, and the world were fortunate that such a man was ready to step on the global stage at just such a juncture in history. The American processes or politics and government seem to have an uncanny way of producing a Jackson, a Lincoln or a Truman when such an individual is needed. The consequences of a weak presidency in 1945-1953, or of a blustering, aggressive individual would have made for a very different world today. In the perspective of less than three decades, Harry Truman seems to have been the right man for the right time.

That time, now receding past the terms of four subsequent Presidents, was a period unparalleled in the history of the United States or any other nation. The fall of Nazi Germany and expansionist Japan had left a vacuum into which the old Russian imperialism with an even more dangerous face of international communism was rushing. The United States, with its nuclear monopoly, industrial power, and limited conventional forces, was the only challenger.

HIS DELICATE DECISIONS

The decisions in those days of Harry Truman's presidency were delicate in the extreme. All the old rules were off. Europe was a ruin of bomb craters and dead cities. Asia was a ferment of confusion in the wake of the Japanese defeat. There were no blueprints to guide a future in the midst of the convulsions that ended World War II and the beginning of the nuclear age.

Mr. Truman acted with caution and deliberate decision. From the very beginning he was steadfastly loyal to the ideal of the United Nations. His support in this area was crucial, both in giving the organization an early status and in placing it at the center of American foreign policy. He tried to head off an atomic arms race—and failed—but he tried, and that will always be to the credit of the United States and Harry Truman. At a time when the U.S. was the sole possessor of the bomb, this country did not and would not coerce the rest of the world with the ultimate threat. Other nations might not have been so generous.

Very quickly Harry Truman perceived that the Stalinist government of the Soviet Union based its policy on diplomatic duplicity and coercion. Out of this observation came the Truman Doctrine—the response to Russian intimidation in the region of Greece and Turkey. He proclaimed a policy of aid to all free people who would resist aggression or absorption.

The best example of a positive and creative foreign policy was the Marshall Plan that rebuilt postwar Europe. It was called the Marshall Plan because Mr. Truman's hero, George C. Marshall, was the secretary of state when it was implemented. It might more accurately have been called the Truman-Clifford-Acheson plan after the President and his lieutenants, Clark Clifford, and Dean Acheson. Before that, while the Russians were dismantling German industry in their

zone, Mr. Truman was moving to rehabilitate the smashed land. He firmly rejected the Morgenthau plan of a pastoral Germany. Later, he stood up to the Russian challenge and provided a classic example of the use of power with restraint in the Berlin airlift. He used the best American resource—airpower—and avoided the ground action that could have led to general combat.

At the same time the Truman administration was pushing the Point Four program of technical assistance that became a model for the best kind of aid to underdeveloped countries. And as Europe emerged from the ruins, Truman and his advisers restored national pride with the formation of the North Atlantic Treaty Organization. The modern state of Israel was born under his auspices. The prompt recognition of the new nation by the United States helped make an ancient dream become reality.

Mr. Truman said more than once that his most difficult decision was to order American arms against the Communist North Korean aggression in South Korea in 1950.

Out of that period came the firing of Gen. Douglas MacArthur, a genuine American folk hero. Mr. Truman did it because the general was defying the elected authority of the American people. Mr. Truman was right on this issue and most of the American people sensed it.

His action in Korea might be seen in contrast to the timidity of the Allies when Hitler was marching into the Rhineland and ushering in the age of Munich. His caution in restraining MacArthur and his refusal to put ground troops on the road to Berlin can be compared to the unhappy involvement of more than a half-million American troops in Southeast Asia.

The 1948 election, of course, was not only one of the great chapters in American politics, but pure Harry S Truman as well. Nobody, outside the Truman family, gave him the slightest chance.

With the defection of the Dixiecrats, led by Strom Thurmond, and the Progressives, led by Henry A. Wallace (Truman had had to fire him, too), ignominious defeat seemed certain. But Truman was drawing the crowds on his whistle-stop campaign. He denounced the "Do-Nothing 80th Republican Congress" with splendid contempt and great effect. And when the nation woke up after the election, Harry Truman had 303 electoral votes; Thomas Dewey had 189 and Strom Thurmond had 38. Wallace got none. Only Truman and his family were truly unsurprised, although a great many Democrats had begun to hedge as they watched the crowds swell.

THE POLITICAL LEGACY

The 1948 election also was a Truman legacy. Even in this day of the most scientific polls and the fanciest electronic computation on election night, something in the back of the American political mind always says: "Remember 1948".

The association of Mr. Truman in the 1920s and 1930s with the Pendergast machine of Jackson County is a fact of history although it can be seen now in the perspective of the rough politics of those days. Mr. Truman, of course, would not apologize for that association and would resent excuses offered by others. His loyalty to Pendergast long after he had any necessity to depend on him politically was a measure of the Truman allegiance to friends.

If that fidelity sometimes was misplaced in trust of weaker men, it nevertheless was a Truman trait. He was intensely loyal, not only to the people who had helped him in the early days of politics but to the associates of a lifetime. The men of Battery D, 129th Field Artillery, 35th Division, who served with Captain Harry in World War I, were special favorites.

Truman was a combat soldier; he saw men die under his command. He had been to

Europe before he met Stalin and Churchill at Potsdam, although neither of those two might have appreciated it. No scandal that came out of the years of machine rule touched him. He was, in fact, a progressive and far-seeing judge of the Jackson County Court who paved roads and planned parks.

International issues were in the forefront of the Truman years but he left a mark on the domestic scene. His Fair Deal laid the groundwork for Medicare and possibly for a national health insurance. He put through the rudiments of federal aid to education and equal employment opportunity. Federal housing was a germ of his administration. The armed forces were unified in his days of power and racial segregation in the military came to an end.

He could bear grudges. People accustomed to the suavity of a Roosevelt sometimes found Truman's style not easy to take. He was a fierce partisan whose opinions were expressed in a way to leave no doubt in the mind of listeners. He was a fond father and husband, a President out of the mold that began to change the spirit of the presidency with Andrew Jackson. Truman was a Middle Westerner with Southern overtone, a product of the American movement westward across the continent. But no politician who played Chopin on the piano could be classified as a routine politician.

HOME TO INDEPENDENCE

In 1953 when he left the White House he returned easily to his home in Independence. Churchill once wrote of the pain a statesman feels when the mantle of power suddenly drops; when one whose favor meant everything one day meant nothing the next. Harry Truman apparently felt no such twinges. He returned home as naturally as the day he left it. He busied himself with the magnificent Truman Library (which he saw as a memorial to the presidency, not to himself) and sometimes would answer the phone there at 7:30 a.m. before the staff had arrived. He dropped gracefully from the pinnacle of power to the pleasant life around the square in Independence, writing, speaking, traveling, while he could, and enjoying the family.

In the last analysis, Harry Truman did seem to be an ordinary man in the best sense of the phrase: Without vanity, pretension or vainglorious ambition. But his qualities of intellect and character were most unusual. He was a man who suddenly found himself in the mainstream of human events and whose special gift was to act decisively and with courage to change the course of history.

Mr. Speaker, the State of Missouri boasts two metropolitan areas—one in the heartland of America on the western edge of the State, being Kansas City, Mo., and the other the great metropolitan area on the east side of the State at the confluence of the Mississippi and Missouri Rivers, being St. Louis, Mo. St. Louis has long enjoyed the benefits of two great metropolitan papers, the St. Louis Globe-Democrat and the St. Louis Post-Dispatch. At this point, Mr. Speaker, I offer for inclusion in the RECORD an editorial from the St. Louis Globe-Democrat entitled "Harry S Truman—A Good President." For my part, I appreciate so very much the opening sentence which points out that the perspective of time has made it clear that Harry S Truman was an able President. In my judgment, history will say that he was a great President. I relish, particularly, the comment in the editorial which says that—

When the chips were down Mr. Truman could be counted upon to do what was

right—for he had the rarest of gifts—the ability to know exactly what he had to do and the courage to do it.

The editorial follows:

[From the St. Louis (Mo.) Globe-Democrat, Dec. 27, 1972]

HARRY S. TRUMAN—A GOOD PRESIDENT

The perspective of time has made it clear that Harry S. Truman was an able President.

This was not readily apparent when he left office. His opponents at that time dwelled on some of Mr. Truman's unsuccessful domestic programs and his involvement with such cronies as poker-playing friend Gen. Harry Vaughan.

But when his record in the White House was dispassionately examined, in the years that followed, it became apparent the farm boy from Missouri had indeed risen to the heights of White House competence.

He had been President only a short time when he had to make the awesome decision to proceed with the atom bomb over the objections of the nation's top nuclear scientist, and then a few months later to issue the orders to drop atomic bombs on Hiroshima and Nagasaki.

After making these decisions, Truman said he lost no sleep because he was certain the bombings would end the war and make the invasion of Japan unnecessary, thereby saving at least 250,000 American lives.

In 1949 he was instrumental in forming the North Atlantic Treaty Organization, the military alliance that prevented an aggressive, expansionist Soviet Union from moving against the West.

He will be remembered, too, for the massive economic aid that rescued a war-weary Europe and spared a threatened Greece from Communist takeover.

In 1950 Mr. Truman again had an historic decision to make when North Korea invaded South Korea. He unflinchingly sent American troops to Korea, saving not only Korea but the fledgling United Nations.

These are only some of the decisions that will give Mr. Truman high marks in history. But, to those who knew him, the thing they liked best about Harry Truman was his rare ability to "give 'em hell." They like it because they saw the plain-spoken Missourian as a wry, flinty champion of the underdog.

Their eyes popped and their ears tingled as Harry tore into "the Wall Street gluttons of privilege" who were trying to "stick a pitchfork in the farmer's back." And they laughed sympathetically when the President flew into a rage because a music critic wrote that Margaret Truman's voice was flat.

Mr. Truman called the review "lousy" and added, "I've never met you, but if I do you'll need a new nose and plenty of beefsteak and perhaps a supporter below."

Perhaps this fascination with the immensely human and likeable President tended to obscure some of his other accomplishments. It isn't well known, for example, that he campaigned hard for civil rights and asked for laws against racial discrimination in voting and employment, and other legislation to stop lynchings.

But he was ahead of his time and southern Democrats blocked most of the reforms that were later enacted by Congress.

When the chips were down Mr. Truman could be counted upon to do what was right.

Even though he had fought enactment of the Taft-Hartley Act, he didn't hesitate to use its authority when the nation's welfare was threatened by several national strikes.

The people of Missouri and the nation mourn the death of Harry S. Truman, who not only became a good President but a beloved champion of his fellow man.

For he had the rarest of gifts—the ability to know exactly what he had to do and the courage to do it.

Mr. Speaker, as I mentioned earlier, the Kansas City Star for many years has maintained an Independence, Mo. bureau for its paper. While James W. Porter, commonly known as "Bud," was the head of that bureau, another native son of Independence—Fred Schulenberg—also worked in the Independence office of the Kansas City Star. Like most native sons of Independence, he knew Mr. Truman well and even intimately. His story written for the St. Louis Globe-Democrat, "Truman Always Could Be Counted on for a Story," underscores a fact that had never before been given proper perspective and that is that while Mr. Truman may not have been much of a cheerleader for the printed media because he sometimes felt that it was not completely fair and impartial, he nonetheless had great respect for what we could call the working press. He recognized that these men had no voice or control of editorial policy and were only trying to do their best job as reporters.

The story told by Fred Schulenberg in the St. Louis Globe-Democrat about the famous Harpie Club was until this publication almost unknown except to the closest friends of Mr. Truman. In my judgment, Fred has not only made a contribution to Truman memorabilia but also added another interesting sidelight to the life of Mr. Truman when he tells of the time the President was able to evade the Washington press corps to visit his mother. Fred also does a good job as he describes Mr. Truman's personal enthusiasm for the Truman Library at Independence, Mo. The editorial follows:

[From the St. Louis (Mo.) Globe-Democrat, Dec. 27, 1972]

TRUMAN "ALWAYS COULD BE COUNTED ON FOR A STORY"

(By Fred Schulenberg)

(For almost 12 years the author, now editing a magazine in St. Louis, was night manager of the Independence bureau of the Kansas City Star. The period covered a portion of the time Mr. Truman was President and the years from 1953, when his second term expired, to April 1957, when the author changed jobs and moved here. These are the author's recollections of some of his contacts with the former president.)

President Harry S. Truman was a man reporters liked to cover—not so much because he was easy to cover, which he wasn't, but because he always could be counted on for a story. Although he held newspaper management in contempt during much of his time in public life, he had a warm regard for the working newspaperman.

My recollections are of President Truman at Independence. Many of the most vivid stem from the firm belief that in his home town he was entitled to privacy. If he had difficulties in Washington with newsmen—and a certain music critic—he also had a few in Independence, some of which have never been reported.

The former President never quite got used to the tight security imposed on him by the importance of his office. It was the veil which reporters sought to penetrate and, for many, Independence seemed a good place to do it.

The Truman temper probably was most sharply displayed on a cold December morning during his annual Christmas visit home while he was President.

An Independence newsmen from the Kansas City Star, James W. Porter, was subjected to one of the most caustic dressing downs a reporter could have received. The pity was that Porter was not responsible for the re-

porting incident which triggered the criticism.

As was his custom, Mr. Truman took his early morning walk from his home to the Independence square six blocks away, followed by an entourage of Secret Service men, local newsmen and members of the Washington press corps, and Independence citizens.

He stopped, as he frequently did, at the grocery store owned by the late Roger T. Sermon, mayor of Independence. Only Mr. Truman and Secret Service men entered the store, but one of the agents soon came out and told Porter that "the chief" wanted to see him.

What happened in the store, which the Star did not print, was that the President proceeded to tell Porter everything Mr. Truman had done since he got up before 6 a.m. According to Porter, who filed a complete report of the incident with his paper, Mr. Truman spared no details, even reciting particulars on his morning preparations and dressing techniques.

Then, Porter said, the President specifically criticized him and the Star for the "invasion of his privacy," on the previous night, when it had been reported that the President had played poker with friends.

I have to assume part of the blame for the incident, because it was I who had been the only reporter waiting outside the Truman home the previous evening who knew all the members of the Harple Club, the chief executive's long-time poker group. By process of elimination, I had located the Truman car and that of his Secret Service escort at a club member's home, and had learned from children who went in and got his autograph that "there were poker chips and cards around."

No one could know the former President without admiring him for his strong belief in the strength of the family unit.

I had just returned to the Star after serving in World War II when on Mother's Day I called the President's mother's home to see if he had called from Washington or sent flowers.

After one ring of the phone, Mr. Truman answered. After I had gotten over my surprise and we had exchanged brief pleasantries I asked how long he would be at Grandview. He said he would be leaving within the hour, because hardly anyone in Washington knew he had gone.

Among those who did not know were the Washington newspaper reporters. This was probably the only time the President did not leave Washington without a second plane loaded with reporters accompanying him.

He told me he thought it was something of a trick to slip away without them knowing. It was a pleasure for us to file a story on his leaving Washington, using the date-line, "Grandview, Mo."

No memorial was ever built to a man that had more of that man's architectural touch than does the Truman Library at Independence. ("For gosh sakes," he told me, "don't call it a memorial library until I'm dead.")

When the library was about half completed I asked Mr. Truman if he would let me do a feature story for the Star, centering it on his attachment to the project.

"Could you meet me at the building in the morning at 6:30," Mr. Truman said. "We can take a tour and you can get what you want."

Next morning it was five degrees above zero and he was waiting when I arrived. There was no heat in the building, but we made a two-hour inspection of the progress being made and he was still full of enthusiasm when I was virtually frozen. My fingers would no longer operate properly to use the camera I was carrying.

Mr. Speaker, while the St. Louis Post-Dispatch entitled its editorial, "The President From Missouri," the writer of that editorial goes on to make it plain

that Mr. Truman rose from a lowly farmboy to the Presidency and met on equal footing with the other great and powerful men of the world.

The concluding paragraph of this editorial contains some well-expressed thoughts when it points out that Mr. Truman was a man of the people, earthy, honest, with a mixture of pride and humility. It concludes with the comment that he gave each day's responsibilities the best he had and slept at night in the comfort of knowing that no man can do more. The editorial follows:

[From the St. Louis (Mo.) Post-Dispatch, Dec. 26, 1972]

THE PRESIDENT FROM MISSOURI

Harry Truman's place in history may safely be left to historians who will in time evaluate the Truman Doctrine, the containment of Communism and the Cold War within the context of this turbulent century. For Missourians he will remain their first President, a decent man of modest attainments thrust suddenly upon the world stage, possessed of the frailties and the nobility of anyone's next door neighbor.

Mr. Truman had character, and it saw him through many a crisis in his official life. He knew where he stood, and so did his friends and his enemies. If he was cranky and contentious at times, he could be magnanimous and conciliatory, too. He believed in the dignity of human beings, and he was not afraid to take political risks in pursuit of what he considered to be right.

It was typical of Mr. Truman that when Tom Pendergast, the discredited Democratic boss of Kansas City, died six days after Mr. Truman became vice president in 1945, Mr. Truman disregarded advice that it would be politically smart to ignore the event. He boarded a plane for Kansas City, telling reporters, "I'm as sorry as I can be; he was always my friend and I have always been his."

The nation's shock over the death of President Roosevelt on April 12, 1945 was exceeded only by its questions as to the capacity of the former Senator who succeeded him. Mr. Truman had received much favorable attention for his exposures of graft and waste in the defense establishment—in 1942 Marquis Childs referred to him as "one of the most useful and at the same time one of the most forthright and fearless of the ninety-six"—but as an executive he was unknown.

Mr. Truman quickly reassured the country, with a fine address to a joint session of Congress and in a press conference that revealed decisiveness and understanding. Few Presidents have assumed office in a period of greater crisis, and Mr. Truman had the added handicap of following the monumental and popular FDR. He never really felt secure until he won the presidency in his own right in 1948, defeating Gov. Dewey of New York in a legendary give-'em-hell campaign.

Looking back on the Truman years, some of our younger writers are inclined to fault the President for policies that in perspective appear to have been misguided. Should he have dropped atomic bombs on Hiroshima and Nagasaki? Should he have promulgated the Truman Doctrine (sparked by Greece and Turkey) of supporting "free people who are resisting attempted subjugation by armed minorities or by outside pressure?" Should he have prosecuted the Cold War by attempting to prevent the expansion of Communism? Should he have fired Gen. MacArthur for insubordination; and what about Korea?

It should be remembered that when Mr. Truman entered the White House the world was falling apart. Colonialism was on its last legs; big powers and little powers alike were scrambling to fill vacuums. The aims and

capabilities of the Communists were not fully understood. A generation has passed since the Truman years and some of the problems the Missourian faced have not yet been solved: Germany remains divided, Korea is divided, the U.S. is engaged in paracolonialism in Vietnam. One can well afford to look back with a measure of charity.

Mr. Truman was overwhelmingly a man of the people—earthy, gregarious, stubborn, courageous, honest, a mixture of pride and humility. He had small preparation for high office, but he gave the day's responsibilities the best he had and slept at night in the comfort of knowing that no man can do more. He was not only a native of this State, in many ways he was typical of its citizenry. We can be thankful that Mr. Truman walked among us.

THE SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

VOLUNTARY MILITARY SPECIAL PAY ACT OF 1973

THE SPEAKER. Under a previous order of the House, the gentleman from Florida (Mr. BENNETT) is recognized for 60 minutes.

MR. BENNETT. Mr. Speaker, I am happy to announce today that 113 Members of the House have joined me in sponsoring the Voluntary Military Special Pay Act of 1973. The legislation contains enlistment and reenlistment incentives for the active and reserve forces. A similar bill has been introduced in the Senate. The bill represents a dramatic departure from our traditional notions of military pay.

The pay increases, which the 92d Congress enacted, eliminated poverty in the military and assisted in bringing an end to the draft by June 30, 1973. The Voluntary Military Special Pay Act provides a flexible set of incentives to further enhance the efficiency of manpower management in the absence of the draft.

In our present military pay structure, compensation is basically equated with rank. This system if too rigidly followed, ignores the reality of a modern defense force—within each rank, there are many different military jobs, each requiring a unique level of training, aptitude, and sophistication. While the old system provides a sufficient incentive to enlist in many military occupations, it is incapable of meeting manning requirements in technical areas, such as electronics repairmen.

If the military were to attempt to compete with civilian industry for high-caliber individuals through the usual mechanism of an across-the-board increase for each pay grade, the cost would be prohibitive. We must develop a new approach, one which maintains the quality of our military personnel, without placing an undue burden upon the American taxpayer.

The Voluntary Military Special Pay Act alters traditional compensation policy by authorizing a cost-effective set of incentives at key enlistment and reenlistment points in areas of short supply. Because it is selective, the incentive will be granted only to those occupations which present special manning problems. Those servicemen not receiving the spe-

cial incentives will be maintained in a competitive position through existing authority for pay hikes associated with promotions, longevity, and increases in the cost of living.

The fiscal year 1974 budgetary cost of the legislation is \$225.3 million. As the final compensation measure in the volunteer force package the Special Pay Act will prove well worth the investment.

The selective reenlistment incentive alone will save nearly \$150 million by fiscal year 1978 by replacing present programs which are costly and ineffective. Further savings will be realized under other provisions of the bill as individuals enlist for longer terms. For example, it now costs \$13,927 to train an Air Force missile systems analyst. Under the current 4-year enlistment, his cost per productive man-year is \$4,285. But with the 6-year enlistment associated with the enlistment incentive in the Special Pay Act, his cost per man-year is reduced to \$2,843—leading to an annual savings of \$7,570 per man. By utilizing this legislation in all occupations with high training costs, the training portion of the military budget can be reduced at the same time as the experience level of our Armed Forces is enhanced.

Mr. Speaker, I ask unanimous consent that the list of Members sponsoring this bill be included in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The list is as follows:

SPONSORS OF THE VOLUNTARY MILITARY SPECIAL PAY ACT OF 1973

ALABAMA

John H. Buchanan, Jr.
William L. Dickinson
Jack Edwards

ARIZONA

John B. Conlon
John J. Rhodes

ARKANSAS

Bill Alexander

CALIFORNIA

Clair W. Burgener.
Don H. Clausen
George E. Danielson
Don Edwards
Craig Hosmer
William S. Mailliard
Carlos J. Moorhead
John E. Moss
John H. Rousselot
Edward R. Roybal
B. F. Sisk
Lionel Van Deerlin
Victor V. Veysey
Bob Wilson

COLORADO

James P. (Jim) Johnson

FLORIDA

Charles E. Bennett
Dante B. Fascell
Louis Frey, Jr.
Sam M. Gibbons
Bill Gunter
Claude Pepper
Claude D. Pepper
Bob Sikes
C. W. Bill Young

GEORGIA

John W. Davis
W. S. (Bill) Stuckey, Jr.

HAWAII

Spark M. Matsunaga
Patsy Takemoto Mink

IDAHO

Orval Hansen

ILLINOIS

John B. Anderson
Edward J. Derwinski
John N. Erlenborn
Robert P. Hanrahan
Melvin Price
Thomas F. Rallsback

INDIANA

John T. Myers

IOWA

Wiley Mayne

KANSAS

Keith G. Sebelius
Garner E. Shriver

KENTUCKY

Romano L. Mazzoli
Carl D. Perkins

LOUISIANA

Joe D. Waggonner, Jr.

MAINE

William S. Cohen

MARYLAND

Gilbert Gude
Lawrence J. Hogan
Parren J. Mitchell

MASSACHUSETTS

Edward P. Boland
Silvio P. Conte
Paul W. Cronin
Robert F. Drinan
Michael Harrington
Gerry E. Studds

MICHIGAN

Garry Brown
Marvin L. Esch
James Harvey
Robert J. Huber
James G. O'Hara
Guy A. Vander Jagt

MINNESOTA

William Frenzel
Albert H. Quile

MISSOURI

William (Bill) Clay
Richard (Dick) Ichord
Wm. J. (Bill) Randall

NEW HAMPSHIRE

James C. Cleveland

NEW JERSEY

Edwin B. Forsythe
Peter H. B. Frelinghuysen
Henry Helstoski
John E. Hunt
William B. Widnall

NEW MEXICO

Manuel Lujan, Jr.

NEW YORK

Herman Badillo
Hamilton Fish, Jr.
James F. Hastings
Frank Horton
Jack P. Kemp
Norman F. Lent
Howard W. Robison
Angelo D. Roncallo
Henry P. Smith III
Lester L. Wolff

NORTH CAROLINA

James T. (Jim) Broyhill
James G. Martin
Richardson Preyer

NORTH DAKOTA

Mark Andrews

OHIO

Tennyson Guyer
William J. Keating

Delbert L. Latta
John F. Seiberling
Louis Stokes

PENNSYLVANIA

Edward G. Blester, Jr.
Frank M. Clark
Lawrence Coughlin
John H. Dent
George A. Goodling
Thomas E. Morgan
Robert N. C. Nix
John H. Ware
Lawrence G. Williams
Gus Yatron

SOUTH CAROLINA

Tom S. Gettys

TENNESSEE

John J. Duncan

TEXAS

Jim Wright

VERMONT

Richard W. Mallary

VIRGINIA

Joel T. Broyhill
J. Kenneth Robinson
G. William Whitehurst

WASHINGTON

Joel Pritchard

WEST VIRGINIA

John M. Slack

WISCONSIN

William A. Steiger

Mr. ALEXANDER. Mr. Speaker, I have been pleased to join with the distinguished member of the House Armed Services Committee (Mr. BENNETT) in sponsoring the Voluntary Military Manpower Procurement Act of 1973. During the 92d Congress a number of measures were enacted to aid our Nation in establishing an all-volunteer military service. The procurement act which we now propose is a final step in that direction.

What we propose is that the proven method which is used in the civilian economy—and has been used to a limited degree in the military service—to recruit and retain the high caliber of men and women with the skills essential to maintain an effective, efficient organization be fully implemented in our military defense system.

Pay increases have been put into effect to remove our national security personnel from the poverty levels of society and make their incomes reasonably comparable with those of persons involved in nonmilitary endeavors requiring comparable skills, training, or capabilities. At least this is true in most cases.

Under existing law military pay is directly tied to rank. This effectively ignores the reality that some military duties, as in civilian life, require more skill and more training than others. The current laws also fail to take into account that some skills and professions are in such short supply that qualified individuals can command premium compensation for their services. And it fails to recognize that because, particularly in these skills and professional shortage areas, inadequate premium or incentive pay is available, we too often fail to retain qualified, desirable personnel and the training costs of our society forces are higher than they need be.

What we need, and must have, in our military pay system is flexibility. The

flexibility which will help recruit and retain in our military service the kind of qualified men and women required.

The Voluntary Military Manpower Procurement Act will provide that kind of flexibility. I commend this legislative proposal to the thorough analysis of its provisions and the problems it is intended to correct. And, I urge their support of this measure.

Mr. DICKINSON. Mr. Speaker, it is a privilege to join with a number of my colleagues in the House of Representatives in introducing the Voluntary Military Manpower Procurement Act of 1973. This bill will round out our efforts in the Congress to bring our Armed Forces up to date and give them their deserved place in our modern society.

During the past few years, the Congress has passed legislation to enhance the military service as a full-time career on a voluntary basis. The once poverty-level wages of the serviceman forced us into a draft situation which is no longer tolerable to our young people. It is, therefore, incumbent upon us to pass legislation to alleviate the need for the draft.

The Voluntary Military Manpower Procurement Act will provide the necessary incentive for skilled individuals to choose the military as a career, thereby ending the need for the draft in order to acquire and maintain sufficient numbers of doctors, lawyers, and skilled technicians, both enlisted men and officers, in the active and Reserve military. This measure will allow the military to compete with the private sector, through a series of bonuses and special rates of compensation, for highly skilled individuals without placing an undue burden upon the American taxpayer.

This bill was approved and endorsed during the 92d Congress by the President, the Department of Defense, the House Armed Services Committee, and the House of Representatives. I hope we can expedite passage of the measure again this year and urge immediate action by the Senate.

GENERAL LEAVE

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that all Members be allowed 5 legislative days to extend their remarks on the subject of my special order today.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

BUSING

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 15 minutes.

Mr. HOGAN. Mr. Speaker, the community of Dresden-Green is a small subdivision just beyond the Capital Beltway, in Prince Georges County, Md., which, at first glance seems to be pretty much like any other suburban subdivision in the Washington area. Like most other small communities, few people took notice of Dresden-Green. Unfortunately,

it took a Federal court order to draw the public's attention to this community.

Dresden-Green is home for 189 families and it is an integrated community, with 27 families being black, four East Indian, and two Turkish. This is not just a case of different colors living near each other, but rather a place where people of different colors have learned to live and work together in harmony. Dresden-Green supplies 130 of the approximately 430 students at nearby Robert Frost Elementary School, and all of the 10 or 12 black students who attend Frost.

Now along comes a Federal judge and the county school board and they set about changing all that. The busing plan that is scheduled to go into effect at the end of this month in Prince Georges County dictates that 170 students be bused out of Robert Frost, including all of the Dresden-Green children. The plan will move the students to William Paca Elementary School at Landover.

It seems to me that the situation in Dresden-Green represents the whole problem of busing in miniature. Why is it necessary to bus these children to a distant school when they already live in an integrated community and attend an integrated school? The only answer would seem to be that the court is trying to achieve some sort of magical statistical balance which is supposed to solve all race problems, rather than dealing with real people and their very real problems.

The citizens of Dresden-Green feel that the school administration merely drew a circle around their community and, since the children were already being bused, just extended the bus trip. They rightfully question whether or not the school administration or the court are even aware of who lives in Dresden-Green.

The question that citizens of Prince Georges County, and Dresden-Green in particular, must be asking themselves is: What is the purpose of the court-ordered busing and how can it possibly help the thousands of children who are going to be bused? Responsible officials should accept the responsibility of explaining to the community, if in fact they can, why they, as an integrated community, are subjected to being bused and tell them where they have failed to meet the standards that our society demands.

The whole busing mess heaps lunacy on lunacy.

Mr. Speaker, I hope the Congress will promptly respond to this problem by enacting legislation which I introduced on the opening day of the session which was cosponsored by my colleague, the gentleman from Maryland (Mrs. HOLT).

IT IS TIME FOR AN OPEN AND RENOVATED HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. ANDERSON) is recognized for 15 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, today I am introducing for appropriate reference, two bills which I think will go a long way toward achieving genuine reform in the House. The first bill would prohibit closed committee

sessions except for national security or personal privacy purposes; the second bill calls upon the Joint Committee on Congressional Operations to begin an immediate study of House Committee jurisdictions.

Mr. Speaker, the time has come to make this an open House and a renovated House or it will no longer be fit for habitation as the people's place in the Federal Government. The reason this House stands condemned in the eyes of the public is because we have operated for too long with the shades drawn and the doors locked on the rickety rooms that are our antiquated committee system. The bills which I am introducing today will give us a new lease on life in this House by opening those closed doors to the public and by initiating the long-overdue remodeling of our dilapidated committee structure.

I am especially appalled by the fact that in 1972 the 92d Congress conducted 40 percent of its business behind closed doors—a 4-percent increase over the previous year according to a Congressional Quarterly study. This clearly runs contrary to the thrust of the 1970 Legislative Reorganization Act which was partially aimed at opening up the committee system. I am, therefore, introducing this legislation today to require that all committees and subcommittees of the House conduct all their business in open session unless the committee, in open session that day votes to close a session because matters of national security or personal privacy are involved.

The second bill I am introducing mandates the Joint Committee on Congressional Operations to conduct an in-depth analysis of committee jurisdictions in the House with a view to reducing the fragmentation of policy and program oversight and more realistically aligning our committees with the functional purposes of our Government programs. The Joint Committee is instructed to make periodic reports to the House and to make its final recommendations by September 1, 1974.

Mr. Speaker, I am offering this resolution as a possible alternative to the Bolling-Martin resolution, House Resolution 132, which would create a bipartisan select committee of the House to study committee jurisdictions for the duration of this Congress at a cost of \$1.5 million. I am most enthusiastic about the need for restructuring the committee system of the Congress and commend the gentleman from Iowa (Mr. CULVER) on taking this initiative in his letter to House Members of December 29, 1972. In my response of January 2, 1973, I wrote:

I am in full agreement with you that this is a long overdue reform which is necessary if we are to modernize the Congress and restore it as a coequal branch of government.

I also suggested, in response to his invitation for recommendations as to the best vehicle for such reform, that either the Rules Special Subcommittee on Legislative Reorganization be reactivated for this purpose, or that the Joint Committee on Congressional Operations be utilized.

Today, I am further endorsing that latter suggestion. This is partially prompted by the introduction of a simi-

lar resolution in the Senate last week by the gentleman from Minnesota, Mr. HUMPHREY, calling on the Joint Committee on Congressional Operations to study Senate committee jurisdictions.

After all, Mr. Speaker, we created the Joint Committee on Congressional Operations with the 1970 Reorganization Act to study the organization and operations of Congress with a view to strengthening the legislative branch and streamlining its operations; let us let them do just that through this study. It makes much more sense to conduct such a study through the joint committee since any restructuring of the committee system will have to be in concert with Senate efforts to do the same. If the House and Senate do not reorganize their committee systems along parallel lines, they may end up working at cross-purposes under confusing conditions—hardly the mark of a successful reform.

I am, therefore, introducing this resolution in the hope that it will help to stimulate discussion and debate, particularly in the Rules Committee next week, over the best means to approach the problem and challenge of congressional committee reform. I hope that this will be considered concurrently by the Rules Committee when it takes up the Bolling-Martin resolution, and I am today calling upon the chairman to consider this request.

At this point in the RECORD, Mr. Speaker, I include the texts of my resolutions and a copy of my letter to Congressman CULVER dated January 2, 1973:

H. RES. 153

Resolved, That Rule XI of the House of Representatives is amended in the following ways:

(1) Rule XI, clause 26(f) is amended to read: "(f) Meetings for the transaction of business of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee in open session and with a quorum present determines by a roll call vote that all or part of the remainder of such meeting on that day shall be closed to the public because disclosure of evidence or other matters to be considered would endanger national security or tend to defame, degrade or incriminate any person."

(2) Rule XI, clause 27(f) is amended to read: "(f) (2) Each hearing conducted by each committee or subcommittee thereof shall be open to the public except when the committee or subcommittee in open session and with a quorum present determines by a roll call vote that all or part of the remainder of such hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or tend to defame, degrade or incriminate any person."

(3) Rule XI, clause (27)(g) (3) is amended to read: "(g) (3) Hearings pursuant to subparagraph (1) of this paragraph, or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by a roll call vote that the testimony to be taken at the hearing may relate to a matter of national security."

H. CON. RES. 91

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Joint Committee on Congressional Operations immediately begin or commission an in-depth analysis of the

Committee jurisdictions of the United States House of Representatives, taking into account the need to reduce fragmentation of policy and program oversight, the necessity for aligning Committee jurisdiction on the functional purposes of governmental programs, and the requirement that staff personnel and resources be effectively and efficiently allocated among Committees of Congress of the United States. The Joint Committee on Congressional Operations shall make periodic reports to the House of Representatives and present final recommendations to the House by September 1, 1974; and be it further

Resolved, That expenses of the Joint Committee on Congressional Operations under this concurrent resolution shall be paid from the contingency fund of the House upon vouchers approved by the Chairman of the Joint Committee on Congressional Operations.

WASHINGTON, D.C., January 2, 1973.

HON. JOHN C. CULVER,
House Office Building,
Washington, D.C.

DEAR JOHN: Thank you for your letter of December 29 regarding the need to revamp our committee system. I am in full agreement with you that this is a long overdue reform which is necessary if we are to modernize the Congress and restore it as a co-equal branch of government. Our own House Republican Task Force on House Rules recommended such a revamping in its interim report on October 24, 1972, and its final set of recommendations will be presented to the House Republican Conference tomorrow.

I would certainly support a resolution directing that a study be conducted on a restructuring of the Congressional committee system. This could be undertaken by the Joint Committee on Congressional Operations. Another possibility is to reestablish the House Rules Special Subcommittee on Legislative Reorganization which was responsible for the Legislative Reorganization Act of 1970. I have already written to Ray Madden urging that this subcommittee be set up again in the 93rd Congress in view of the growing interest in Congressional reform. Because the work load of the Rules Committee will be light in the early part of the first session, we would have the time to hold hearings on this matter.

Please let me know if I can be of any further assistance on this and keep me posted as to your further efforts. I especially want to commend you on taking this important initiative.

With all best wishes, I am

Very truly yours,

JOHN B. ANDERSON,
Member of Congress.

EASTERN WILDERNESS AREAS ACT

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, on January 11, 1973, I introduced H.R. 1881 and cosponsored a similar bill, H.R. 1758, the Eastern Wilderness Areas Act with my colleague, Representative JAMES HALEY. These bills will designate 28 new wilderness areas in the Eastern half of the United States. Our objective is to bring the benefits of wilderness in the national forests closer to home for the large part of our population concentrated in the East, the South, and the Midwest.

The proposed Eastern Wilderness Areas Act is a start toward that objective. Yet, in a practical and comprehensive program to protect wilderness in this part

of the country, a second step is also essential. That second step is to provide that additional areas of potential wilderness value will receive careful study and consideration.

On January 18, 1973, I introduced H.R. 2420, a bill which embodies this next step in the wilderness program: the "Wilderness Study Act of 1973."

This bill will do three important things. First, it establishes 29 new wilderness study areas. These are not "instant" wilderness areas, but areas which deserve to be properly studied, with full public participation, in order to determine if they should be designated as wilderness by the Congress. The provisions of the bill assure that these study areas will receive interim protection until the Congress has decided whether they should be designated as wilderness under the 1964 Wilderness Act.

Second, this bill deals with the special need for extending protection to one area in eastern Tennessee which merits wilderness protection, and which should become wilderness once its natural conditions have been restored.

Third, this bill provides for a systematic survey of the Eastern national forests in order to inventory additional areas which may merit preservation as wilderness. Full public participation is provided for, and the results of this inventory are to be reported to the Congress.

Over the past 15 months, the U.S. Forest Service has been conducting a "roadless area inventory" in the Western national forests. The purpose was to identify all areas which might qualify as wilderness, and to select those which the Forest Service will proceed to give intensive wilderness study.

The inventory has been completed and the Forest Service announced on January 18, 1973, tentative decisions regarding which areas shall be given wilderness study.

This listing of tentative wilderness study areas resulting from the roadless area inventory program is directly relevant to the legislation I introduced on January 18. For however good the list may be, it suffers from monumental lopsidedness. The fact is there was no real roadless area inventory in the national forests of the East, the South and the Midwest—an area of 23 million acres of national forest lands.

No roadless inventory was conducted on the national forests of the Eastern half of the country. No public hearings were held to gather specific input regarding areas which should be given wilderness study. Only 3 token Eastern areas are listed for study as wilderness in the announcement by the Forest Service. Whatever may be said about the quality of the roadless area inventory process in the West, we can only say that the wilderness potential of eastern national forests has been totally ignored by the Forest Service.

This results from the fact that some Forest Service officials believe there is virtually no wilderness in the East. How could we expect the regional foresters in Milwaukee and Atlanta to come up with a professional and objective inventory of potential wilderness areas when,

long before this process began, they officially reported to the Chief of the Forest Service that there are absolutely no candidate wilderness areas in the Eastern national forests? In September 1971, those officials submitted a report in which they responded to increasing support for citizen-initiated proposals for Eastern wilderness areas by saying "we are persistently reminded that there are simply no suitable remaining candidate areas for Wilderness classification in this part of the national forest system."

This is incorrect. But that has not kept this point of view from permeating the thinking of some local foresters who report to these officials. The word has gone out in the ranks of the Forest Service that the regional brass is flatly opposed to the idea that any areas in the eastern national forests could possibly qualify as wilderness under the 1964 Wilderness Act. So far as these officials are concerned, it is a settled question. The September 1971 report flatly concludes that:

The criteria for adding wilderness to the National Wilderness Preservation System do not fit conditions in the South and East.

As I have already pointed out, speaking as an author of the Wilderness Act, this conclusion is wrong. But be that as it may, we should note here that this regional office policy of no wilderness in the East led to the exclusion of most of the 23 million acres of Eastern national forests from any consideration in the field inventory and public input stages of the "roadless area inventory" program. This is the very antithesis of professional decisionmaking, in which all potential Eastern wilderness areas would have been systematically reviewed, with real public involvement, in order to determine which areas merit further study.

In point of fact, there has been no dependable, objective wilderness inventory in the East.

It is the purpose of the bill I introduced on January 18th to correct this glaring regional discrimination by directing such an inventory for the national forests in the regions which were bypassed in the administratively ordered "roadless area inventory."

In the September 1971 report, as a part of an effort to back up their no wilderness in the East policy, the regional officials of the Forest Service proposed an alternative, less-than-wilderness mechanism. They planned to call this the "Wildwoods Heritage System" or, alternatively, they would call such areas "Forest Heritage Reserves" or "Wild Areas." Their proposal led to the actual framing of an alternative wild areas system. This effort is entirely constructed on the faulty premise that the Wilderness Act will not work in the East. One regional forester did his best to obtain the support of West Virginia conservationists for the "wild areas" idea, but they know more about the Wilderness Act than he does, and they refused. I have other reports of local Forest Supervisors working to promote citizen support of this "wild areas" scheme.

As part of their informal support for the alternative wild areas proposal, Forest Service officials have submitted

to Congress a listing of areas they recommend for instant wild areas and another listing of their recommendations for study of wild areas. It is worth noting that these lists were derived without administration clearance, without public hearings of any kind, without consulting the Committees on Interior and Insular Affairs, which have jurisdiction over wilderness policy, without lawfully required environmental impact statements, and even without much real study of the areas by Forest Service field personnel. It is my understanding that at least one of the proposed instant wild areas has had virtually no study at all and was hastily suggested, on a few days' notice, over the telephone to the Washington Forest Service headquarters.

A friend and colleague has obtained a copy of this listing from the Forest Service. This document is prefaced by the flat assertion that the areas proposed for instant wild areas and study wild areas do not qualify as wilderness. That is a decision this agency has no authority to make. Even though the basis for this assertion is false, and there has been no administration clearance, and no public involvement in these decisions, the list has still been supplied to unsuspecting Members of Congress and the public.

Neither Senator JACKSON nor I, nor Congressman HALEY, nor anyone else who values the Wilderness Act, are about to let this charade succeed. To bring this matter into the open for the public airing it deserves, we have simply incorporated the list of instant wild areas into our Eastern Wilderness Areas Act. We shall leave it to the Forest Service to explain to us at hearings just why they think these areas do not qualify as wilderness, and just what kind of professional studies and public participation back up their decisions in this matter.

As a second step, I am incorporating the Forest Service list of proposed study wild areas in the new bill I introduced on January 18, H.R. 2420. The big difference, of course, is that my bill lists these as wilderness study areas, not some lesser category.

In the case of each of these 29 wilderness study areas, the Forest Service will be ordered to make a regular wilderness review of the area, to hold legal public hearings, and to report their findings to the President and the Congress. The Congress, which has sole authority to judge what is or is not qualified as wilderness, will make the decision as the Wilderness Act provides. In this process, the Forest Service will have its proper role, but so will the administration, the public and local conservation leaders, and, as the law clearly requires, so will the Congress. If, after thorough study, the Congress decides some of these areas do not qualify as wilderness, then and only then will it be proper to consider alternatives.

For the Congress to establish wilderness study areas is nothing unprecedented. We have done just this for most new national park proposals since 1964, so that each new area will be properly studied under the Wilderness Act. We have established a number of wilderness study areas, too, in national forests. Just last year we established the Indian Peak

wilderness study area in Colorado, as proposed by Representative DONALD BROTZMAN, and we established the Lower Minam Wilderness Study Area in Oregon, an idea advanced by Representative JOHN DELLENBACK in response to Forest Service assertions that the area did not qualify as wilderness. It is also what we did with the so-called "DuNoir Area" in Wyoming, as proposed by Senators HANSEN and MCGEE and our colleague, Mr. RONCALIO. Indeed, the original Wilderness Act established some 150 wilderness study areas, in effect. We are simply proposing in this new bill that Congress now add wilderness study areas in regions of the country overlooked the first time around, and overlooked, too, in the Forest Service roadless area inventory.

The first 25 wilderness study areas in section 2 of this bill are the areas listed as "study wild areas" by the Forest Service. The remaining 4 areas have been suggested by citizen groups. Unlike these citizen-proposed study areas, which are well defined, the 25 Forest Service areas have no defined acreage. I shall ask the Forest Service to recommend an appropriate acreage in each case. At the same time, I want to urge citizen conservation groups in each vicinity to make their own surveys of each of these areas and their own recommendations at the time of hearings regarding the appropriate extent and general boundaries for each wilderness study area. Both the Forest Service and citizen groups may also wish to recommend additional wilderness study areas, in the West as well as the East, and these proposals will be welcome.

Let me note a very important feature of this new bill. It provides strong and effective interim protection for these proposed wilderness study areas.

This bill provides that, upon the establishment of these areas as wilderness study areas, they shall be immediately managed to protect wilderness values. This protective interim management will continue in full effect until such time as the Congress determines otherwise. This is far stronger and longer lasting protection than offered by the "wild areas" proposal.

This bill provides that, upon establishment of these areas as wilderness study areas, the Federal lands involved shall be immediately withdrawn from mining and mineral leasing while the study proceeds. This is far stronger than the "wild areas" plan.

This bill provides that, during the study period and until Congress determines otherwise, these wilderness study areas will be protected from any project which would conflict with wilderness values. This is a provision adapted from the Wild and Scenic Rivers Act which I sponsored and which gave similar interim protection to study rivers. Again, there is no such interim protection even mentioned in the "wild areas" proposal.

If we really mean what we say about wanting to protect potential wilderness values, then strong interim protection is essential during the study period and until the Congress acts. I have written such strength into my bill, and I will welcome any additional suggestions. In my view, any legislation worth discussion,

which claims to protect wild land areas, must meet this standard of truly strong protection.

Finally, this new bill provides for the establishment of the North Cohutta Wilderness Reserve in eastern Tennessee. This is an area of land adjoining the proposed Cohutta Wilderness which is included as an instant wilderness in H.R. 1881. This fringe area, however, is temporarily disturbed. In order to deal with this situation, in drafting this wilderness reserve concept, I have adapted the proposal for potential wilderness additions already made by the Nixon administration. This area will receive immediate wilderness protection, to be managed so that it will recover its dominant natural character through the processes of natural restoration. When that has occurred, and the area meets the practical test of the Wilderness Act, the bill authorizes the President to take action that will complete its designation as full wilderness and it, too, will become part of the National Wilderness Preservation System.

Mr. Speaker, if we had been studying the wilderness potential of Shenandoah National Park just a few decades ago, we might have found it did not qualify because of obvious human disturbance. But when that park was studied for wilderness more recently, the finding was that it had recovered from past impacts and now qualified as wilderness. In his proposal that parts of Shenandoah National Park be designated as wilderness, President Nixon reported to the Congress that:

While it is true that generations of mountain people lived off the land in the area now embraced by the park, the evidences of their occupation are rapidly being erased by natural processes and the portions recommended for wilderness designation have sufficiently recovered so that natural conditions predominate.

The most remarkable and most obvious change in the landscape over the past 30 years is the growth of vegetation. Before long much of this area will be nearly identical in appearance to that observed by the first explorers except for the loss, by disease, of the American chestnut. Some associated animal life has also returned including bear, deer, beaver, and wild turkey.

Today this fringe area on the boundary of the proposed Cohutta Wilderness is much like Shenandoah National Park was just a few decades ago—disturbed by human impact but very much worth restoring and preserving. In a matter of a few decades, or perhaps less, this area, too, will fully qualify as wilderness. It should then become a part of the National Wilderness Preservation system, to be permanently managed as "an enduring resource of wilderness."

The "wilderness reserve" concept is simply a practical means to fulfill this need. As I mentioned, it is derived directly from a concept the President has already recommended to the Congress for similar situations in national park wilderness areas. It does no damage to the integrity of the Wilderness Act. Rather, it builds into the wilderness program an imaginative and future-oriented answer to a problem which exists in this and other areas worth saving.

Mr. Speaker, the Eastern Wilderness Areas Act introduced on January 11, H.R. 1881, and this new bill, H.R. 2420, the Wilderness Study Act, meet an obvious need in our wilderness program. They meet that need within the established, working framework of our existing national wilderness policy and program. Rather than going off in some entirely new direction, starting from scratch and doing real damage to existing programs, these bills build on the foundation we laid in the Wilderness Act of 1964, with the support of many citizens across this country.

In closing, I include the text of the "Wilderness Study Act of 1973," in the RECORD at the conclusion of my remarks as follows:

H.R. 2420

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Wilderness Study Act of 1973."

SECTION 2. (a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132), the Secretary of Agriculture (hereinafter known as the "Secretary") shall, within five years after the date of enactment of this Act, review certain lands designated by this Section, as to their suitability or nonsuitability for preservation as wilderness, and report his findings to the President as follows:

(1) certain lands in the Ocala National Forest, Florida, which are generally depicted on a map entitled "Alexander Springs Wilderness Study Area" and dated January 1973, which shall be known as the "Alexander Springs Wilderness Study Area";

(2) certain lands in the Kisatchie National Forest, Louisiana, which are generally depicted on a map entitled "Kisatchie Hills Wilderness Study Area" and dated January 1973, which shall be known as the "Kisatchie Hills Wilderness Study Area";

(3) certain lands in the Kisatchie National Forest, Louisiana, which are generally depicted on a map entitled "Saline Bayou Wilderness Study Area" and dated January 1973, which shall be known as the "Saline Bayou Wilderness Study Area";

(4) certain lands in the Davy Crockett National Forest, Texas, which are generally depicted on a map entitled "Big Slough Wilderness Study Area" and dated January 1973, which shall be known as the "Big Slough Wilderness Study Area";

(5) certain lands in the Sabine National Forest, Texas, which are generally depicted on a map entitled "Chambers Ferry Wilderness Study Area" and dated January 1973, which shall be known as the "Chambers Ferry Wilderness Study Area";

(6) certain lands in the Ouachita National Forest, Arkansas, which are generally depicted on a map entitled "Belle Starr Cave Wilderness Study Area" and dated January 1973, which shall be known as the "Belle Starr Cave Wilderness Study Area";

(7) certain lands in the Ouachita National Forest, Arkansas, generally depicted on a map entitled "Dry Creek Wilderness Study Area" and dated January 1973, which shall be known as the "Dry Creek Wilderness Study Area";

(8) certain lands in the Jefferson National Forest, Virginia, which are generally depicted on a map entitled "Mountain Lake Wilderness Study Area" and dated January 1973, which shall be known as the "Mountain Lake Wilderness Study Area";

(9) certain lands in the Jefferson National Forest, Virginia, which are generally depicted on a map entitled "Mill Creek Wilderness Study Area" and dated January

1973, which shall be known as the "Mill Creek Wilderness Study Area";

(10) certain lands in the Jefferson National Forest, Virginia, which are generally depicted on a map entitled "Peters Mountain Wilderness Study Area" and dated January 1973, which shall be known as the "Peters Mountain Wilderness Study Area";

(11) certain lands in the Daniel Boone National Forest, Kentucky, which are generally depicted on a map entitled "Yellow Cliff Wilderness Study Area" and dated January 1973, which shall be known as the "Yellow Cliff Wilderness Study Area";

(12) certain lands in the Croatan National Forest, North Carolina, which are generally depicted on a map entitled "Poccosin Wilderness Study Area" and dated January 1973 which shall be known as the "Poccosin Wilderness Study Area";

(13) certain lands in the Pisgah National Forest, North Carolina, which are generally depicted on a map entitled "Craggy Mountain Wilderness Study Area" and dated January 1973, which shall be known as the "Craggy Mountain Wilderness Study Area";

(14) certain lands in the Francis Marion National Forest, South Carolina, which are generally depicted on a map entitled "Wambau Wilderness Study Area" and dated January 1973, which shall be known as the "Wambau Wilderness Study Area";

(15) certain lands in the Ottawa National Forest, Michigan, which are generally depicted on a map entitled "Sturgeon River Wilderness Study Area" and dated January 1973, which shall be known as the "Sturgeon River Wilderness Study Area";

(16) certain lands in the Hiawatha National Forest, Michigan, which are generally depicted on a map entitled "Rock River Canyon Wilderness Study Area" and dated January 1973, which shall be known as the "Rock River Canyon Wilderness Study Area";

(17) certain lands in the Clark National Forest, Missouri, which are generally depicted on a map entitled "Bell Mountain Wilderness Study Area" and dated January 1973, which shall be known as the "Bell Mountain Wilderness Study Area";

(18) certain lands in the Nicolet National Forest, Wisconsin, which are generally depicted on a map entitled "Whisker Lake Wilderness Study Area" and dated January 1973, which shall be known as the "Whisker Lake Wilderness Study Area";

(19) certain lands in the Chequamegon National Forest, Wisconsin, which are generally depicted on a map entitled "Round Lake Wilderness Study Area" and dated January 1973, which shall be known as the "Round Lake Wilderness Study Area";

(20) certain lands in the Chequamegon National Forest, Wisconsin, which are generally depicted on a map entitled "Flynn Lake Wilderness Study Area" and dated January 1973, which shall be known as the "Flynn Lake Wilderness Study Area";

(21) certain lands in the Shawnee National Forest, Illinois, which are generally depicted on a map entitled "LaRue-Pine Hills Wilderness Study Area" and dated January 1973, which shall be known as the "LaRue-Pine Hills Wilderness Study Area";

(22) certain lands in the Shawnee National Forest, Illinois, which are generally depicted on a map entitled "Lusk Creek Wilderness Study Area" and dated January 1973, which shall be known as the "Lusk Creek Wilderness Study Area";

(23) certain lands in the Allegheny National Forest, Pennsylvania, which are generally depicted on a map entitled "Hickory Creek Wilderness Study Area" and dated January 1973, which shall be known as the "Hickory Creek Wilderness Study Area";

(24) certain lands in the Allegheny National Forest, Pennsylvania, which are generally depicted on a map entitled "Tracy Ridge Wilderness Study Area" and dated

January 1973, which shall be known as the "Tracy Ridge Wilderness Study Area";

(25) certain lands in the Wayne National Forest, Ohio, which are generally depicted on a map entitled "Clear Fork Wilderness Study Area" and dated January 1973, which shall be known as the "Clear Fork Wilderness Study Area";

(26) certain lands in the Nantahala National Forest, North Carolina, which comprise about sixteen thousand acres and which are generally depicted on a map entitled "Snowbird Creek Wilderness Study Area" and dated December 1972, which shall be known as the "Snowbird Creek Wilderness Study Area";

(27) certain lands in the Nantahala National Forest, North Carolina, which comprise about nineteen thousand acres and which are generally depicted on a map entitled "Cheoah Bald Wilderness Study Area" and dated December 1972, which shall be known as the "Cheoah Bald Wilderness Study Area";

(28) certain lands in the Pisgah National Forest, North Carolina, which comprises about ten thousand acres and which are generally depicted on a map entitled "Shining Rock Addition Wilderness Study Area" and dated December 1972, which shall be known as the "Shining Rock Addition Wilderness Study Area"; and

(29) certain lands in the Apalachicola National Forest, Florida, which comprise about fifteen thousand five hundred acres and which are generally depicted on a map entitled "Mud Swamp-New River Wilderness Study Area" and dated December 1972, which shall be known as the "Mud Swamp-New River Wilderness Study Area".

(b) The Secretary shall, in making his report, adhere to the criteria of wilderness suitability as set forth in the Wilderness Act, and as interpreted and supplemented by Congress in subsequent Acts designating areas as wilderness for addition to the National Wilderness Preservation System. In any case where the Secretary reports that any area, or portion thereof, is not suitable for preservation as wilderness, he shall also report to the President his findings and recommendations as to the desirability of establishing such area, or portion thereof, as a wilderness reserve.

(c) (1) The Secretary shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give public notice of the proposed action as appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the Secretary deems appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least sixty days before the date of a hearing advise the Governor of each State and the governing board of each county, or borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(d) The Secretary, in the administration of lands designated in this Section shall not

permit harvesting of timber or public or private vehicular use of any existing road, and shall not construct or permit the construction or expansion of any road in said lands. The Secretary shall administer said lands in accordance with the laws, rules, and regulations relating to the national forests especially to provide for nonvehicular access recreation and may construct such facilities and take such measures as are necessary for the health and safety of visitors and to protect, promote, and perpetuate the wilderness character and resources of said lands.

(e) The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries, within five years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress.

(f) The maps referred to in this section shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.

Sec. 3. (a) The Secretary shall, effective on the date of enactment of this Act, review each national forest in the eastern and southeastern regions of the National Forest System and identify any lands within the boundary of each such forest which may offer opportunities for the promotion, perpetuation, and, where necessary, restoration of the wilderness character of the lands. In conducting this review, the Secretary shall provide for full and continuing public participation, in accordance with the provisions of Section 2(c) of this Act and hold public hearings in the vicinity of each such forest and at least one additional hearing in the major population center or centers of each State within which the forest is located.

(b) The Secretary shall report his findings to the President, including his findings concerning any specific proposal for the establishment of wilderness areas made to him by the public, and other opportunities to assure that the National Wilderness Preservation System will include diverse and representative areas of wilderness. The President shall, within five years from the date of enactment of this Act, transmit the report of the Secretary to the Congress and advise the United States Senate and House of Representatives of his recommendations with respect to the establishment of wilderness areas. Any lands recommended as wilderness areas by the President shall, upon such recommendation, be administered in accordance with the provisions of Section 2(d) of this Act until the Congress provides for their designation as wilderness.

Sec. 4. (a) In furtherance of the purposes of the Wilderness Act, certain lands in the Cherokee National Forest, Tennessee, which comprise about fifteen thousand acres and which are generally depicted on a map entitled "North Cohutta Wilderness Reserve" and dated January 1973, are hereby designated as the "North Cohutta Wilderness Reserve." The lands within the "North Cohutta Wilderness Reserve" are, effective upon publication in the Federal Register of a notice by the President that all uses thereon prohibited by the Wilderness Act have ceased, hereby designated as wilderness. The term "wilderness reserve" as used in this Act is an area meriting preservation as wilderness, wherein man and his work once dominated the landscape and wherein the wilderness character of the area may be so restored by natural influences that the area and its community of life will generally appear to have been affected primarily by the forces of nature, regaining its primitive and natural conditions, with the imprint of man's work substantially unnoticeable.

(b) The Secretary shall initiate continuing ecological studies of the "North Cohutta Wilderness Reserve". Within five years following the date of enactment of this Act, and at each successive five year period thereafter, the Secretary shall report to the President his findings concerning the status of the "North Cohutta Wilderness Reserve", its natural restoration to wilderness character. The President shall transmit the report to the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives and to the public.

(c) The area established by this section as the "North Cohutta Wilderness Reserve" shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness.

(d) As soon as practicable after this Act takes effect, the Secretary shall file a map and a legal description of the "North Cohutta Wilderness Reserve" with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal description and maps may be made.

Sec. 5. Notwithstanding the provisions of section 4(d)(2) of the Wilderness Act, and subject to valid existing rights, federally owned lands designated in sections 2 and 4 of this Act and lands hereafter acquired within the boundaries of such areas are hereby withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Sec. 6. (a) Nothing in this Act shall diminish the existing authority of the Secretary to acquire by purchase with donated or appropriated funds, by gift, exchange, condemnation, or otherwise, such lands, waters, or interests therein as he determines necessary or desirable for the purposes of this Act and the Wilderness Act.

(b) In exercising the exchange authority granted by subsection (a) of this Section, the Secretary may accept title to non-federal property in exchange for federally owned property located in the same State, of substantially equal value, or, if not of substantially equal value, the value shall be equalized by the payment of money to the grantor or to the Secretary as the circumstances require.

(c) The head of any Federal department or agency having jurisdiction over any lands or interests in lands within the boundaries of lands designated in sections 2 and 4 of this Act is authorized to transfer to the Secretary jurisdiction over such lands for administration in accordance with the provisions of this Act.

Sec. 7. (a) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), within or directly affecting any lands designated in sections 2 and 4 of this Act, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the planning or construction of any project that would have a direct and adverse effect on the values for which such area was established or recommended for study.

(b) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(c) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

Sec. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

FEDERAL FISCAL RESPONSIBILITY

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. ESCH) is recognized for 10 minutes.

Mr. ESCH. Mr. Speaker, today I am reintroducing legislation which I hope will help the Congress reassert its role in assuring Federal fiscal responsibility. In my original proposal, introduced March 23, 1972, title IV of the bill authorized a study of fiscal procedures by a committee composed of leading members of each House Appropriations Committee, the Ways and Means Committee of the House, and the Finance Committee of the Senate. I am pleased that such a joint committee has subsequently been set up and has begun to prepare recommendations.

Mr. Speaker, for too long Congress has been talking about the need for fiscal responsibility without making any move to meet that need. The Congress has said it should have the power to control the budget. It has claimed it wants the power to set national priorities and has talked a great deal about reordering those priorities. It has expressed indignation over the Executive's use of impoundment and formed ad hoc coalition to demand the release of appropriated funds. Congress has spent much time explaining that the Executive has taken these powers away from legislature. The fact of the matter is that the Executive exercises control over the budget not in spite of Congress but entirely at the sufferance of Congress. If Congress wants authority over the budget, it need simply take it. I am introducing the Federal Fiscal Responsibility Act of 1973 so that Congress might reassert its rightful role in this most important process. I am hopeful that its provisions will be seriously considered as a vehicle for that purpose.

I believe that there are at least four major areas of needed reform: First, Congress must institute a total limitation framework on spending. Each Member of Congress has his own set of priorities, but generally they total up to more than the available revenues. By setting an annual spending limitation, Congress would finally face up to the limitation in available dollars.

Second, there has been a lack of predictability in funding. The legislature has failed to pass appropriation bills on time and thus the agencies and departments have been forced to function on a costly and ineffective day-to-day basis.

Third, the Federal bureaucracy has often been slow in paying its own bills to local and private contractors, causing undue hardships and costs for the individual citizen.

Finally, the legislative branch has never asserted its rightful role in determining that once funds were authorized and appropriated they should be spent. Over time, the executive branch has developed indiscriminate power to impound funds for specific programs and thus to subvert the intent of the Congress. The bill I am introducing today moves toward the correction of these deficiencies. It is not a bill which will attract dramatic headlines, but I believe it could

become a most significant instrument for meaningful congressional reform in the area of fiscal responsibility. It reaches out to the pressure points in the authorization-appropriation-expenditure cycle to develop more effective means of channeling Federal funds. Surely our taxpayers deserve this.

The Fiscal Responsibility Act of 1973 has three titles. Title I moves the Federal fiscal year to coincide with the calendar year. This section will help Federal budget planners and Members of Congress in doing long range comprehensive planning for the budget. At the present time, Members of Congress are forced to consider the 1,100-page budget document hurriedly if they want to decide on the budget before the beginning of a new fiscal year. In recent years this has forced Congress to pass a continuing resolution which allows an agency to operate while Congress finishes its appropriations process.

Title II of the bill requires Congress to establish an annual expenditure limitation. The Congress would be required to establish this limitation 45 days after the President's annual economic message. This would force Congress to consider our Federal budget in light of limited dollars and competing priorities.

Title III of the bill establishes a Federal impoundment procedure. It establishes two types of impoundment. The President may impound funds in a department or agency on a percentage across-the-board basis and must notify Congress immediately of this action. Either House of Congress then has 60 days to disapprove of the impoundment to force the President to stop the impoundment.

If the President decides to impound funds for a particular program in a department or agency without regard to the percentage limitations, he must pre-notify the Congress of his intention and wait 60 days before proceeding with this special impoundment. Congress has the opportunity within that time to disapprove of that impoundment.

The impoundment portion of the bill also includes a special section aimed at Federal officials who are unreasonably slow in disbursing funds to State and local units of government or to private contractors. If extra costs are incurred by the recipient of Federal funds because of a delay of 60 days or more, the Federal Government becomes liable for those extra costs.

In the next few weeks, I am hopeful that many of my colleagues will join me in supporting a reassertion of the integral role which the Congress should play in assuring Federal fiscal responsibility. The Fiscal Responsibility Act of 1973 offers some positive solutions to problems in our budgeting system and I am hopeful that my proposals will receive thoughtful consideration this year.

URBAN MASS TRANSPORTATION ASSISTANCE ACT OF 1973

The SPEAKER. Under a previous order of the House, the Gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, I am today introducing on behalf of myself and 20 other members of the Committee on Banking and Currency, the Urban Mass Transportation Assistance Act of 1973. This bill is basically the same provisions that were embodied in chapter VII of H.R. 16704, the omnibus housing bill of last session, which was not acted upon by the House. It is vitally important that the Congress consider and act upon this bill early if public transportation is to survive.

I need not go into details as to the crisis within which urban mass transportation finds itself at this moment. Our Nation's mass transit systems are clearly fast approaching a do or die situation. Dwindling revenues and passengers, along with rising costs and fares, have combined to make the public transit crisis national in scope. State and local taxes are supporting transit operations in 142 cities to the extent of more than \$400 million annually.

It is apparent that this present contribution by overtaxed localities in no way guarantees a stemming of the tide of financial difficulties besetting transit operations. The self-defeating pattern of raising fares to meet increasing costs merely results in less service and more and more transit riders opting for the private automobile. It is also apparent that there are countless thousands who do not have the luxury of that choice and are totally dependent on public transit for their mobility.

While there is always great reluctance to subsidize the operations of any public service—on a local or Federal level—there is little doubt about the consequences of delay in facing the decision. The Congress recognized the possibility of Federal operating subsidies in 1970 when the Urban Mass Transit Assistance Act of 1970 directed the Department of Transportation to investigate the scope of the problem and to make appropriate recommendations on how it might best be solved.

The Department reported to the Congress in November 1971 that the problem was indeed "severe"—but more importantly the subjects of that study—the many locally subsidized transit operations in our largest cities—have testified before this committee on how such a program might work, how much it would cost, and what the prospect is if such a program is not initiated now. It is to this prospect that this bill is addressed.

The specter of the 50-cent transit fare is all too real in many of the Nation's larger cities, and the timetable for achieving it in other cities is all too predictable. Statistics have shown that as fares rise beyond the 35-cent level, a greater percentage drop in ridership results, leading to the situation where a fare increase actually produces a net loss in revenue. Many transit operations are at the point where retrieving such riders will be difficult and expensive, if not impossible.

We in the Congress accept the goal of substantially increasing transit ridership—not just to rejuvenate an economically ailing industry—but, more impor-

tantly, to produce a more balanced transportation system in and around this Nation's cities. The fact that a single transit vehicle can represent between 30 and 60 individual automobiles commuting to work illustrates the point. If more and more cars are not merely to justify more and more highways, with the attendant problems of pollution and congestion, ecological destruction, higher relocation costs, and unwise land use, mass transit will have to become a viable commutation alternative. It is not so now and it will be less so in the near future without strong public action.

I note with interest and alarm the statement of the Administrator of the Environmental Protection Agency who, in announcing new Federal air pollution standards, stated that in order for many cities to meet the standards, they will have to drastically alter commuting habits. Testimony from officials of several large cities, including the District of Columbia, underscores that point.

In light of the Department's study and of the testimony on the state and prospects of many of the Nation's transit systems, it is obvious that there is a severe problem and that the Federal Government has a legitimate and justifiable role in its solution. While the Department's report suggested that there appeared to be no acceptable method to guarantee the workability of an operating subsidy program, the experience of many State and local programs of operating assistance suggests otherwise.

Already 142 communities are providing operating assistance enabling transit systems to continue their operations, and it is expected that a greatly increased number of communities in the coming year will be forced to follow suit. We have only to look at what has happened here in the Metropolitan Washington area, where four private bus systems have been taken over by a local community-sponsored transit system.

My bill would provide for Federal grants for operating expenses for urban mass transportation systems. There would be \$400 million authorized to be appropriated for fiscal year 1974 and \$400 million for fiscal year 1975. Assistance under this provision would be made by an individual mass transportation system in relation to the total number of such passengers carried by all urban mass transportation systems found eligible for assistance in the country. Urban mass transportation systems receiving benefits under this operating subsidy provision would have to provide half fare for the elderly and handicapped during nonpeak hours. In order to be eligible for grants under this provision, the applicant must submit to the Secretary of Transportation a comprehensive mass transportation service improvement plan. Grants for operating assistance would be a flat 100 percent grant.

Second, the bill would increase the Federal grant ratio under the Urban Mass Transportation Act of 1964 from the existing two-thirds Federal grant, one-third local contribution, to a flat 80-percent Federal grant, 20-percent local contribution.

Third, my bill would increase the capi-

tal grant authority under the Urban Mass Transportation Act by an additional \$3 billion. This was requested by the administration in September of last year when Secretary Volpe appeared before the Senate Banking Committee. Since it is important for communities to be able to know ahead of time the amount of capital grant funds that will be available, it is important that these additional funds be made available immediately. These are the three major proposals contained in my bill and I would certainly hope that the Committee on Banking and Currency would consider this bill as a matter of urgent priority.

GENERAL LEAVE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order on Thursday, January 18, 1973.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McDade (at the request of Mr. Gerald R. Ford) on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RANDALL, for 1 hour, today, and to revise and extend his remarks and include extraneous matter.

Mr. BENNETT, for 1 hour, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. ABDNOR) to revise and extend their remarks and include extraneous material:)

Mr. BELL, for 5 minutes, today.

Mr. HOGAN, for 15 minutes, today.

Mr. ANDERSON of Illinois, for 15 minutes, today.

Mr. SAYLOR, for 15 minutes, today.

Mr. ESCH, for 10 minutes, today.

(The following Members (at the request of Mr. GUNTER) to revise and extend their remarks and include extraneous material:)

Mr. METCALFE, for 10 minutes, today.

Mr. BIAGGI, for 30 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Mr. DELLUMS, for 60 minutes, January 25.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members, at the re-

quest of Mr. ABDNOR) and to include extraneous material:)

Mr. PRICE of Texas in four instances.

Mr. HANRAHAN in three instances.

Mr. BELL in two instances.

Mr. KEATING in three instances.

Mr. SHRIVER in two instances.

Mr. SARASIN.

Mr. NELSEN.

Mr. BAKER.

Mr. YOUNG of Florida in five instances.

Mr. DUNCAN.

Mr. RAILSBACK in four instances.

Mr. ESHLEMAN.

Mr. MIZELL in four instances.

Mr. COLLINS in five instances.

Mr. WYMAN in two instances.

Mr. DON H. CLAUSEN in three instances.

Mr. HUNT.

(The following Members (at the request of Mr. GUNTER) and to include extraneous matter:)

Mr. TEAGUE of Texas in six instances.

Mr. ROSENTHAL in 10 instances.

Mr. HUNGATE.

Mr. RARICK in three instances.

Mr. UDALL in seven instances.

Mr. GONZALEZ in three instances.

Mr. FRASER in five instances.

Mr. MURPHY of New York in three instances.

Mr. GRAY in 10 instances.

Mr. WALDIE in five instances.

Mr. VANIK in two instances.

Mr. HAMILTON in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. DE LA GARZA.

Mr. MCKAY.

Mr. GREEN of Pennsylvania in five instances.

Mr. ASHLEY in five instances.

Mr. FASCELL in two instances.

Mr. ROSTENKOWSKI.

Mr. BURKE of Massachusetts.

Mr. PATTEN.

Mr. HARRINGTON.

Mr. BRASCO.

DEATH OF THE HONORABLE LYNDON BAINES JOHNSON—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States:

To the Congress of the United States:

It is my sad duty to inform you officially of the death of Lyndon Baines Johnson, the thirty-sixth President of the United States.

His loss is especially poignant for all of us who knew him and worked with him in the House and Senate. It was there that he first became a legend and there that he began to influence our destiny as a great Nation.

Yet Lyndon Johnson's legacy extends far beyond his years in the Congress. He was a man of fierce devotion and love. He was devoted to his family. He was devoted to the cause of freedom and equality for his fellow man. And as President, he was devoted in a very special way to the land he loved.

The whole story of the Johnson years in the White House remains to be told, and history has yet to make its judgment. But millions of Americans will always remember a bitter day in November, 1963,

when so many of our people doubted the very future of this Republic, when so many were stunned at the very idea that an American Chief of State could be assassinated in this age, and so many abroad were fearful about the future course of the American democracy. And Lyndon Johnson rose above the doubt and the fear to hold this Nation on course until we rediscovered our faith in ourselves.

If he had done no more, his place in history would have been assured. But he did much more, and his role then was not a high-water mark but a hallmark. For it was his noble and difficult destiny to lead America through a long, dark night of necessity at home and abroad. He had the courage to do what many of his contemporaries condemned him for, but what will surely win warm praise in the history books of tomorrow.

RICHARD NIXON.

THE WHITE HOUSE, January 23, 1973.

REMAINS OF HON. LYNDON B. JOHNSON TO LIE IN STATE AT THE CAPITOL

Mr. O'NEILL. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 90) and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 90

Resolved by the House of Representatives (the Senate concurring), That in recognition of the long and distinguished service rendered to the Nation and to the world by Lyndon B. Johnson, Thirty-sixth President of the United States, his remains be permitted to lie in state in the rotunda of the Capitol from January 24 to January 25, 1973, and the Architect of the Capitol, under the direction of the Speaker of the House of Representatives and the President pro tempore of the Senate, shall take all necessary steps for the accomplishment of that purpose.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ARRANGEMENTS FOR FUNERAL OF HONORABLE LYNDON BAINES JOHNSON

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on yesterday the people of our entire Nation were saddened by the announcement of the death of Lyndon B. Johnson, former President of the United States.

At this point, Mr. Speaker, I place in the RECORD the schedule of arrangements for the final services for our late President, Lyndon B. Johnson:

TUESDAY, JANUARY 23, 1973

At 12 noon: Lie in State at The L. B. J. Library until 8 a.m., Wednesday, January 24, 1973. Full honor guard.

WEDNESDAY, JANUARY 24, 1973

At 8:30 a.m.: Proceed to Bergstrom Air Force Base.

At 9:15: Depart Bergstrom Air Force Base via Presidential aircraft.

At 1 p.m.: Arrive at Andrews Air Force Base, Md.

At 1:20 p.m.: Depart Andrews Air Force Base to 16th and Constitution Avenue where President Johnson will be transferred to a horse-drawn caisson for procession to the U.S. Capitol. There will be a flyover by the U.S. Air Force at Fourth Street as the caisson passes. Procession arrives at the U.S. Capitol, and President Johnson is placed in the rotunda.

At 2:30 p.m.: Ceremony in the rotunda. President Johnson will lie in state in the rotunda until 8 a.m. Thursday.

THURSDAY, JANUARY 25, 1973

From 9 to 9:30 a.m.: Departure from U.S. Capitol. Motorcade to National City Christian Church. Route: West on Constitution Avenue to Pennsylvania Avenue; northwest on Pennsylvania Avenue to 14th Street; north on 14th Street to Thomas Circle.

At 10: Funeral service at National City Christian Church.

From 11 a.m. to 12 noon: Motorcade to Andrews Air Force Base.

12:30: Depart Andrews Air Force Base for direct flight to L. B. J. Ranch.

At 3 p.m.: Arrive L. B. J. Ranch via U.S. Air Force aircraft.

At 3:10 p.m.: Depart L. B. J. Ranch to family cemetery.

At 3:30 p.m.: Final rites at the family cemetery.

The Speaker assures me that he will sometime in the near future arrange for a special day and a special time for memorial services here in the Chamber so that Members may deliver eulogies concerning the life and services of the late President Lyndon B. Johnson.

Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. RES. 152

Resolved, That the House of Representatives has learned with profound regret and sorrow of the death of Lyndon Baines Johnson, former President of the United States of America.

Resolved, That in recognition of the many virtues, public and private, of one who served with distinction as a Representative, Senator, Vice President, and President, the Speaker shall appoint committees of the House to join with such Members of the Senate as may be designated, to attend the funeral services of the former President.

Resolved, That the House tenders its deep sympathy to the members of the family of the former President in their sad bereavement.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy of the same to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the former President, this House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 1 o'clock and 2 minutes p.m.), the House adjourned until

tomorrow, Wednesday, January 24, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

263. A letter from the Assistant Secretary of Agriculture, transmitting the Fifth Annual Report on Operations under the Food Stamp Act of 1964, pursuant to Public Law 90-552; to the Committee on Agriculture.

264. A letter from the Assistant Secretary of the Interior and the Acting Director, American Revolution Bicentennial Commission, transmitting a report on a violation of section 3679 of the Revised Statutes by the Department and the Commission; to the Committee on Appropriations.

265. A letter from the Secretary of Defense, transmitting a report of real and personal property of the Department of Defense as of June 30, 1972, pursuant to 10 U.S.C. 2701; to the Committee on Armed Services.

266. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 5504 of title 10, United States Code, relating to assignment of lineal position to certain officers of the Navy and Marine Corps; to the Committee on Armed Services.

267. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the uniformed services on permanent duty aboard a ship being inactivated away from the home port whose dependents are residing at the home port; to the Committee on Armed Services.

268. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notice of the intention of the Department of the Navy to donate certain surplus property to the East Carolina Chapter, Inc., of the National Railway Historical Society, Asheboro, N.C., pursuant to 10 U.S.C. 7545; to the Committee on Armed Services.

269. A letter from the Assistant Secretary of the Air Force (Manpower and Reserve Affairs), transmitting a draft of proposed legislation to amend section 8376 of title 10, United States Code, to eliminate the requirement that an Air Force Reserve, or Air National Guard, officer serving on extended active duty in a temporary grade which is higher than his reserve grade must apply for promotion to the next higher reserve grade, when otherwise eligible; to the Committee on Armed Services.

270. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting copies of Presidential Determination 73-10, and the memorandum requesting it, authorizing sales of defense articles to various countries and international organizations, and authorizing the Secretary of State to determine whether the proposed transfer of a defense article by a foreign country or international organization not specified in Presidential Determination 93-10 will strengthen the security of the United States and promote world peace, pursuant to section 3(a)(1) of the Foreign Military Sales Act; to the Committee on Foreign Affairs.

271. A letter from the Secretary of the Interior, transmitting a report on matters contained in the Helium Act for fiscal year 1972, pursuant to section 16 of the act (50 U.S.C. 167); to the Committee on Interior and Insular Affairs.

272. A letter from the Secretary of State and the Attorney General, transmitting a draft of proposed legislation to define the circumstances in which foreign states are immune from the jurisdiction of U.S. courts and in which execution may not be levied on

their assets, and for other purposes; to the Committee on the Judiciary.

RECEIVED FROM THE COMPTROLLER GENERAL

273. A letter from the Comptroller General of the United States, transmitting a report on the need to improve language training programs and assignments for U.S. Government personnel overseas; to the Committee on Government Operations.

274. A letter from the Comptroller General of the United States, transmitting a report on how relending programs could be made more effective by the Export-Import Bank of the United States; to the Committee on Government Operations.

275. A letter from the Acting Comptroller General of the United States, transmitting the report and recommendation of the General Accounting Office concerning the claim of Mr. John B. Clayton against the United States, pursuant to 31 U.S.C. 236; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 2642. A bill to allow a credit of not more than \$300 against the Federal income tax for State and local real property taxes, or for a corresponding portion of rent, paid by individuals with respect to their principal residences; to the Committee on Ways and Means.

By Mr. ANDREWS of North Dakota:

H.R. 2643. A bill to extend titles I, II, III, IV, V, VI, and VII of the Agricultural Act of 1970 for 5 years; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. BOB WILSON, Mr. MATSUNAGA, Mr. STEIGER of Wisconsin, Mr. ALEXANDER, Mr. ANDERSON of Illinois, Mr. ANDREWS of North Dakota, Mr. BADILLO, Mr. BIESTER, Mr. BOLAND, Mr. BROWN of Michigan, Mr. BROTHILL of North Carolina, Mr. BROTHILL of Virginia, Mr. BUCHANAN, Mr. BURGNER, Mr. CLARK, Mr. DON H. CLAUSEN, Mr. CLAY, Mr. CLEVELAND, Mr. COHEN, Mr. COUGHLIN, Mr. CRONIN, Mr. DANIELSON, Mr. DAVIS of Georgia and Mr. DENT):

H.R. 2644. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. BOB WILSON (for himself, Mr. BENNETT, Mr. MATSUNAGA, Mr. STEIGER of Wisconsin, Mr. DERWINSKI, Mr. DICKINSON, Mr. DRINAN, Mr. DUNCAN, Mr. EDWARDS of California, Mr. EDWARDS of Alabama, Mr. ERLINBORN, Mr. ESCH, Mr. FASCELL, Mr. FISH, Mr. FORSTYTHE, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. FREY, Mr. GETTYS, Mr. GIBBONS, Mr. GOODLING, Mr. GUDE, Mr. GUNTER, Mr. GUYER, Mr. HANRAHAN):

H.R. 2645. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services and for other purposes; to the Committee on Armed Services.

By Mr. STEIGER of Wisconsin (for himself, Mr. BENNETT, Mr. BOB WILSON, Mr. MATSUNAGA, Mr. HANSEN of Idaho, Mr. HARRINGTON, Mr. HARVEY, Mr. HASTINGS, Mr. HELSTOSKI, Mr. HOGAN, Mr. HOSMER, Mr. HUBER, Mr. HUNT, Mr. ICHORD, Mr. JOHNSON of Colorado, Mr. KEATING, Mr. KEMP, Mr. LATTI, Mr. LENT, Mr. LUJAN, Mr. MAILLIARD, Mr. MALLARY, Mr. MARTIN of North Carolina, Mr. MAYNE, and Mr. MAZZOLI):

H.R. 2646. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services and for other purposes; to the Committee on Armed Services.

By Mr. MATSUNAGA (for himself, Mr. BENNETT, Mr. BOB WILSON, Mr. STEIGER of Wisconsin, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOORHEAD of California, Mr. MORGAN, Mr. MOSS, Mr. MYERS, Mr. NIX, Mr. O'HARA, Mr. PEPPER, Mr. PERKINS, Mr. PREYER, Mr. PRICE of Illinois, Mr. PRITCHARD, Mr. QUIE, Mr. RAILSBACK, Mr. RANDALL, Mr. RHODES, Mr. ROBINSON of Virginia, Mr. ROBINSON of New York, Mr. RONCALLO of New York, and Mr. ROUSSELOT):

H.R. 2647. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. BENNETT (for himself, Mr. BOB WILSON, Mr. MATSUNAGA, Mr. STEIGER of Wisconsin, Mr. ROYBAL, Mr. SEBELIUS, Mr. SEIBERLING, Mr. SHRIVER, Mr. SIKES, Mr. SISK, Mr. SLACK, Mr. SMITH of New York, Mr. STOKES, Mr. STUCKEY, Mr. STUDDS, Mr. VAN DEERLIN, Mr. VANDER JAGT, Mr. VEYSEY, Mr. WAGGONNER, Mr. WARE, Mr. WHITEHURST, Mr. WIDNALL, Mr. WILLIAMS, Mr. WOLFF, and Mr. WRIGHT):

H.R. 2648. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. BENNETT (for himself, Mr. BOB WILSON, Mr. MATSUNAGA, Mr. STEIGER of Wisconsin, Mr. YATRON, Mr. YOUNG of Florida, Mr. CONTE, Mr. CONLAN, and Mr. HORTON):

H.R. 2649. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. BINGHAM (for himself, Mr. PERKINS, Mr. HAWKINS, Mr. BURTON, Mrs. CHISHOLM, Mr. HARRINGTON, Mr. EDWARDS of California, Mr. HECHLER of West Virginia, Mr. ROSENTHAL, Mr. HELSTOSKI, Mr. EILBERG, Mr. FUQUA, Mr. WON PAT, Ms. ABZUG, Mr. DE LUGO, Mr. NEDZI, Mr. ADDABBO, Mr. MOAKLEY, Mr. CORMAN, Miss HOLTZMAN, Mrs. BURKE of California, Mr. MOORHEAD of Pennsylvania, and Mr. BRASCO):

H.R. 2650. A bill to amend the Elementary and Secondary Education Act of 1965 to assist school districts to carry out locally approved school security plans to reduce crime against children, employees, and facilities of their schools; to the Committee on Education and Labor.

By Mr. BOLAND:

H.R. 2651. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

By Mr. BRADEMAs (for himself, Mr. PERKINS, Mr. MATSUNAGA, Mr. MOAKLEY, Miss HOLTZMAN, Mr. THONE, Mr. PRICE of Illinois, Mr. WIDNALL, and Mr. CONTE):

H.R. 2652. A bill to strengthen and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. BRADEMAs (for himself, Mr. PERKINS, Mr. QUIE, Mrs. MINK, Mr. HANSEN of Idaho, Mr. MOSHER, Mr. LITTON, Mr. MINISH, Mr. PRICE of Illinois, Mr. CONTE, and Mr. DINGELL):

H.R. 2653. A bill to amend the Vocational Rehabilitation Act to extend and revise the

authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities and for other purposes; to the Committee on Education and Labor.

By Mr. BRASCO (for himself and Mr. DOMINICK V. DANIELS):

H.R. 2654. A bill to amend subchapter III of title 5, United States Code, to increase the multiplication factor used in computing annuities of certain employees engaged in hazardous duties, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CARTER:

H.R. 2655. A bill to establish a Commission on Medical Technology and Dignity of Dying; to the Committee on Interstate and Foreign Commerce.

H.R. 2656. A bill to provide that tobacco graders shall be retained in a pay status for 10 months in a calendar year, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COLLIER:

H.R. 2657. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 2658. A bill to amend chapter 207 of title 18, of the United States Code, to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 2659. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pension of \$125 per month to World War I veterans, subject to a \$2,400 and \$3,600 annual income limitation; to provide that retirement income such as social security shall not be counted as income; to provide that such pension shall be increased by 10 percent where the veteran served overseas during World War I; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2660. A bill to amend title II of the Social Security Act to provide under the retirement test a substantial increase in the amount of outside income permitted without loss of benefits, but with a requirement that income of all types and from all sources be included in determining the amount of an individual's income for purposes of such test; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 2661. A bill to amend the Internal Revenue Code of 1954 to deny any deduction for expenses or attending business conventions outside the United States; to the Committee on Ways and Means.

By Mr. CORMAN (for himself and Mr. PETTIS):

H.R. 2662. A bill to amend the Tariff Schedules of the United States to suspend the duty on certain aircraft components; to the Committee on Ways and Means.

By Mr. DOMINICK V. DANIELS:

H.R. 2663. A bill to amend the Internal Revenue Code of 1954 to provide a basic \$5,000 exemption from income tax, in the case of an individual or married couple, for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

H.R. 2664. A bill to amend the Internal Revenue Code of 1954 to provide that the first \$3,000 of an individual's civil service retirement annuity (or other Federal retirement annuity) shall be exempt from income tax; to the Committee on Ways and Means.

By Mr. E DE LA GARZA:

H.R. 2665. A bill to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone com-

munities to participate in the program, and for other purposes; to the Committee on Banking and Currency.

By Mr. DERWINSKI:

H.R. 2666. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 2667. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL (for himself and Mr. Moss):

H.R. 2668. A bill to establish the General Budget Office, and for other purposes; to the Committee on Government Operations.

By Mr. DINGELL (for himself, Mr. DANIELSON, Mr. MCKINNEY, Mr. BURTON, Mr. SYMINGTON, Mr. ZWACH, Mr. MAYNE, Mr. THONE, Mr. STUDDS, Mr. PIKE, and Mr. COUGHLIN):

H.R. 2669. A bill as provided for the conservation, protection, and propagation of species or subspecies of fish and wildlife that are threatened with extinction or likely within the foreseeable future to become threatened with extinction, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H.R. 2670. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2671. A bill to authorize a program for the improvement of Buffalo Harbor, its tributaries, and the Niagara River; to the Committee on Public Works.

By Mr. ESCH (for himself, Mr. ABDONOR, Mr. ESHLEMAN, Mr. FRENZEL, Mr. GUDE, Mr. HAMMERSCHMIDT, Mr. HASTINGS, Mr. HORTON, Mr. KUYKEN-DALL, Mr. MCCLOSKEY, Mr. REES, Mr. RUNNELLS, Mr. SEBELIUS, Mr. WARE, Mr. WHITEHURST, Mr. WILLIAMS, Mr. YATRON, and Mr. TIERNAN):

H.R. 2672. A bill to provide greater assurance for fiscal responsibility; to the Committee on Government Operations.

By Mr. FRASER (for himself and Mr. MELCHER):

H.R. 2673. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. FRASER (for himself and Mr. FRENZEL):

H.R. 2674. A bill relative to the oil import program; to the Committee on Ways and Means.

By Mr. GOLDWATER (for himself, Mr. BELL, and Mr. CORMAN):

H.R. 2675. A bill to establish the Federal Audiovisual Coordination Board, regulate production by Federal agencies of audiovisual materials, and provide certain labor standards in connection therewith; to the Committee on Government Operations.

By Mr. HECHLER of West Virginia:

H.R. 2676. A bill to require financial disclosure; to the Committee on Standards of Official Conduct.

By Mr. HECHLER of West Virginia (for himself, Mr. ADDABBO, Mr. BADILLO, Mr. BARRETT, Mr. BROWN of California, Mrs. CHISHOLM, Mr. DELLUMS, Mr. EILBERG, Mr. WILLIAM D. FORD, Mrs. GRASSO, Mr. KARTH, Mr. KOCH, Mr. LEGGETT, Mr. MANN, Mr. NIX, Mr. PIKE, Mr. PREYER, Mr. RANGEL, Mr. STOKES, and Mr. WOLFF):

H.R. 2677. A bill to provide for the control of surface and underground coal mining operations which adversely affect the quality of our environment, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 2678. A bill to amend title 38, United States Code, so as to provide mustering-out payments for certain members discharged from the Armed Forces after August 4, 1964; to the Committee on Veterans' Affairs.

H.R. 2679. A bill to amend chapter 31, section 1502(a) of title 38, United States Code, to provide that Vietnam era veterans shall have the same basic entitlement to vocational rehabilitation as that available to veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 2680. A bill to amend section 1502 of title 38, United States Code, to provide that eligibility requirements for Vietnam era veterans shall conform with those afforded World War II and Korean conflict veterans; to the Committee on Veterans' Affairs.

H.R. 2681. A bill to amend chapter 34, title 38, United States Code, to extend the time limitation for completing a program of education; to the Committee on Veterans' Affairs.

H.R. 2682. A bill to amend chapter 41 of title 38, United States Code, to improve job counseling and employment services for veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2683. A bill to amend chapter 31 of title 38, United States Code, to authorize additional training or education for certain veterans who are no longer eligible for training, in order to restore employability lost due to technological changes; to the Committee on Veterans' Affairs.

H.R. 2684. A bill to amend title 38 of the United States Code to make the children of certain veterans having a service-connected disability rated at not less than 50 percent eligible for benefits under the war orphans' educational assistance program; to the Committee on Veterans' Affairs.

By Mr. HICKS:

H.R. 2685. A bill to amend the Civil Rights Act of 1964 to make it an unlawful employment practice to discriminate against individuals who are physically handicapped because of such handicap; to the Committee on Education and Labor.

By Mr. HILLIS (for himself, Mr. MCDADE, Mr. JOHNSON of California, Mr. THONE, Mr. YOUNG of Florida, Mr. EDWARDS of California, Mr. KEMP, Mr. JONES of North Carolina, Mr. WALDIE, Mr. SHIPLEY, Mr. GREEN of Pennsylvania, Mr. SIKES, Mr. ULLMAN, Mr. HARVEY, Mr. QUIE, Mr. MOLLOHAN, Mr. CLARK, Mr. ERLBORN, Mr. ESHLEMAN, Mr. ZION, Mr. BLACKBURN, Mr. LATTI, Mr. POWELL of Ohio, Mr. PODELL, and Mr. WON PAT):

H.R. 2686. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension; to the Committee on Veterans' Affairs.

By Mr. HILLIS (for himself, Mr. MATSUNAGA, Mr. MAYNE, Mr. MURPHY of New York, Mr. FASCELL, Mr. ZWACH, Mr. WILLIAMS, Mr. GUYER, Mr. JOHNSON of Pennsylvania, Mr. HUDNUT, Mr. MYERS, Mr. HANSEN of Idaho, Mr. BAKER, Mr. HASTINGS, Mrs. CHISHOLM, Mr. SISK, Mr. FLOOD, Mr. WHITEHURST, Mr. VEYSEY, Mrs. BURKE of California, Mr. RINALDO, Mr. DOWNING, Mr. CLEVELAND, Mr. YATRON, and Mr. RAILSBACK):

H.R. 2687. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension; to the Committee on Veterans' Affairs.

By Mr. HILLIS (for himself, Mr. COUGHLIN, Mr. DAVIS of Georgia, Mr. ROE, and Mr. BRASCO):

H.R. 2688. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 2689. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. HUNT:

H.R. 2690. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

By Mr. ICHORD (for himself, Mr. MATHIS of Georgia, Mr. ZION, Mr. BEVILL, Mr. STRATTON, Mr. COLLINS, Mr. DAVIS of South Carolina, and Mr. WHITEHURST):

H.R. 2691. A bill to amend section 4 of the Internal Security Act of 1950; to the Committee on Internal Security.

By Mr. ICHORD (for himself, Mr. MAZZOLI, Mr. BLACKBURN, Mr. ESHLEMAN, Mr. DERWINSKI, Mr. GOODLING, Mr. HANRAHAN, Mr. PIKE, Mr. STUCKEY, Mr. SPENCE, Mr. BRAY, Mr. COLLINS, Mr. FISHER, Mr. MONTGOMERY, Mr. LENT, Mr. TAYLOR of North Carolina, Mr. DAVIS of South Carolina, Mr. DUNCAN, Mr. STRATTON, Mr. MCCOLLISTER, Mr. KING, Mr. EVINS of Tennessee, Mr. SLACK, Mr. CARNEY of Ohio, and Mr. ROBINSON of Virginia):

H.R. 2692. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. ICHORD (for himself, Mr. YOUNG of Florida, Mr. MILLER, Mr. STEIGER of Arizona, Mr. FLOWERS, Mr. WILLIAMS, Mr. MATHIS of Georgia, Mr. BEVILL, Mr. DEVINE, Mr. FLOOD, Mr. SHRIVER, Mr. EILBERG, Mr. RARICK, Mr. PREYER, Mr. WOLFF, Mr. GINN, Mr. VEYSEY, Mr. DOWNING, Mr. MITZELL, Mr. HENDERSON, Mr. KEMP, Mr. SATTERFIELD, Mr. CLEVELAND, Mr. NICHOLS, and Mr. MOLLOHAN):

H.R. 2693. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. ICHORD (for himself, Mr. W. C. (DAN) DANIEL, Mr. BAFALIS, Mr. GROVER, Mr. ROBERTS, Mrs. HOLT, Mr. WALSH, Mr. ALEXANDER, Mr. WON PAT, and Mr. HUBER):

H.R. 2694. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 2695. A bill to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2696. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. KEATING:

H.R. 2697. A bill to amend section 232 of the National Housing Act to include fire safety equipment among the items which may be covered by an insured mortgage thereunder, to require (as a condition of eligibility for mortgage insurance) that a nursing home or intermediate care facility comply with the Life Safety Code, and to authorize insured loans to provide fire safety equipment for such a home or facility; to the Committee on Banking and Currency.

H.R. 2698. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 2699. A bill to amend title VI of the Public Health Service Act to provide that a facility for long-term care must comply with the Life Safety Code in order to qualify for assistance thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 2700. A bill to amend the Social Security Act to provide that an intermediate care facility (or nursing home) must comply with the Life Safety Code, and must fully disclose all ownership and security interests therein, to qualify as a provider of services for which payment may be made under a State's approved title XIX plan (or certain other State plans), and to provide that information which an intermediate care facility or nursing home is required to furnish State agencies under the title XIX program must be made available to the public; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 2701. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 2702. A bill to amend chapter 67 of title 10, United States Code, to grant eligibility for retired pay to reservists serving in an inactive status before August 16, 1945, and for other purposes; to the Committee on Armed Services.

H.R. 2703. A bill to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program, and for other purposes; to the Committee on Armed Services.

H.R. 2704. A bill to amend chapter 55 of title 10 to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

H.R. 2705. A bill to terminate the authority of the President to suspend the Davis-Bacon Act; to the Committee on Education and Labor.

H.R. 2706. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2707. A bill to amend title 5, United States Code, to remove the prohibition on the concurrent payment of compensation for disability on account of a civilian work injury and of retired pay for a different disability incurred in service with the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2708. A bill to encourage the State to extend coverage under their State unemployment compensation laws to agricultural labor; to the Committee on Ways and Means.

By Mr. LEGGETT (for himself, Mr. FISH, and Mr. HUNGATE):

H.R. 2709. A bill to promote fair competition among prime contractors and subcontractors and to prevent bid peddling on public works contracts by requiring persons submitting bids on those contracts to spec-

ify certain subcontractors who will assist in carrying them out; to the Committee on the Judiciary.

By Mr. LEGGETT (for himself, Mr. Moss, Mr. JOHNSON of California, and Mr. McFALL):

H.R. 2710. A bill to confer exclusive jurisdiction on the Federal Maritime Commission over certain movements of merchandise by barge in foreign commerce; to the Committee on Merchant Marine and Fisheries.

By Mr. LONG of Maryland:

H.R. 2711. A bill to prohibit most favored-nation treatment and commercial and guarantee agreements with respect to any non-market economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. GIALMO, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BARRETT, Mr. BERGLAND, Mr. BEVILL, Mr. COTTER, Mrs. GRASSO, Mr. GREEN of Pennsylvania, Mr. HICKS, Mr. ROY, Mr. FLOOD, Mr. CARNEY of Ohio, Mr. HOWARD, Mr. JOHNSON of California, Mr. CONYERS, Mr. COUGHLIN, Mr. CORMAN, Mr. ADAMS, Mr. CONTE, Mr. VEYSEY, Miss HOLTZMAN, Mr. EILBERG, and Mr. COHEN):

H.R. 2712. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a formulary committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. Moss, Mr. BOWEN, Mr. McDADE, Mr. FULTON, Mr. BESTER, Mr. GUDE, Mr. DENT, Mr. O'HARA, Mr. HELSTOSKI, Mr. STOKES, Mr. WILLIAMS, Mr. DAVIS of Georgia, Mr. REID, Mr. MEEDS, Mr. HAWKINS, Mr. TIERNAN, Mr. CLARK, Mr. MORGAN, Mr. FASCELL, Mr. MURPHY of New York, Mr. BURTON, Mr. MCKINNEY, Mr. WOLFF, and Mr. THOMPSON of New Jersey):

H.R. 2713. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a formulary committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. MOORHEAD of Pennsylvania, Mrs. MINK, Mrs. CHISHOLM, Mr. CASEY of Texas, Mr. HECHLER of West Virginia, Mr. BROWN of Michigan, Mr. RANGEL, Mr. EDWARDS of California, Mr. BROWN of California, Mr. WON PAT, Mr. NIX, Mr. HANNA, Mr. PEPPER, Mr. ALEXANDER, Mr. STEELE, Mr. PIKE, Mr. RUNNELS, Mr. BADELLO, Mr. DANIELSON, Mr. PRICE of Illinois, Mr. WILLIAM D. FORD, Mr. YATRON, Mr. SARBANES, and Mr. FAUNTROY):

H.R. 2714. A bill to amend title II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a formulary committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. HARRINGTON, Mr. BELL, Mr. ROSTENKOWSKI, Mr. BOLLING, Mr. EVINS of Tennessee, Mr. FISH, Mr. RAILSBACK, Mr. REUSS, Mr. HAMILTON, Mr. MCCORMACK, Mr. SYMINGTON, Mr. BUCHANAN, Mr. HASTINGS, Mr. DRINAN, Mr. HANSEN of Washington, Mr. BURKE of Massachusetts, Mr. POBELL, Mr. LEHMAN, Mr. SEIBERLING, Mr. BRADEMANS, Mr. ROSENTHAL, Mr. RIEGLE, Mr. MOLLOHAN, and Mr. ROYBAL):

H.R. 2715. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a formulary committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

By Mr. OBEY (for himself, Mr. STUDDS, Mr. ASPIN, Mr. KYROS, Mr. BRASCO, and Mr. FRASER):

H.R. 2716. A bill to amend titles II and XVIII of the Social Security Act to include qualified drugs, requiring a physician's prescription or certification and approved by a formulary committee, among the items and services covered under the hospital insurance program; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 2717. A bill to amend title 10, United States Code, to restore the system of recomputation of retired pay for certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 2718. A bill to provide for the arrest of, and to prescribe penalties for, violators of certain laws and regulations relating to the public lands of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2719. A bill to establish certain policies with respect to certain leases or permits issued by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

H.R. 2720. A bill to authorize the Secretary of the Interior to sell certain rights in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 2721. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the continuation of youth fares and family fares; to authorize reduced-rate transportation for handicapped persons and their attendants; and to authorize reduced-rate transportation for elderly people on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 2722. A bill to amend the Railroad Unemployment Insurance Act to provide that the receipt of military retirement pay shall not cause benefits under that act to be diminished; to the Committee on Interstate and Foreign Commerce.

H.R. 2723. A bill to require the Secretary of Transportation to prescribe regulations governing the humane treatment of animals transported in air commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 2724. A bill to amend the act providing an exemption from the antitrust laws with respect to agreements between persons engaging in certain professional sports for the purpose of certain television contracts in order to terminate such exemption when a home game is sold out; to the Committee on the Judiciary.

H.R. 2725. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 2726. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 2727. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, and Mr. HASTINGS):

H.R. 2728. A bill to amend the Public Health Service Act to provide for the establishment of projects for the dental health of

children, to increase the number of dental auxiliaries, to increase the availability of dental care through efficient use of dental personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RUNNELS (for himself, Mr. NIX, Mr. EILBERG, Mr. MEEDS, Mr. RIEGLE, Mr. MCCOLLISTER, Mr. YARON, Mr. WILLIAMS, and Mr. VIGORITO):

H.R. 2729. A bill concerning the allocation of water pollution funds among the States in fiscal 1973 and fiscal 1974; to the Committee on Public Works.

By Mr. RUPPE:

H.R. 2730. A bill to declare that certain federally owned land is held by the United States in trust for the Keweenaw Bay Indian Community and to make such lands parts of the reservation involved; to the Committee on Interior and Insular Affairs.

H.R. 2731. A bill to amend title 18 of the United States Code to permit the mailing of lottery tickets and related matter, the broadcasting or televising of lottery information, and the transportation and advertising of lottery tickets in interstate commerce, but only where the lottery is conducted by a State agency; to the Committee on the Judiciary.

H.R. 2732. A bill to terminate the oil import control program; to the Committee on Ways and Means.

H.R. 2733. A bill to amend the Social Security Act to provide for medical, hospital and dental care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD of Pennsylvania, Mr. STEPHENS, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. ANNUNZIO, Mr. REES, Mr. HANLEY, Mr. BRASCO, Mr. KOCH, Mr. COTTER, Mr. MITCHELL of Maryland, Mr. FAUNTROY, Mr. YOUNG of Georgia, Mr. MOAKLEY, and Mr. STARK):

H.R. 2734. A bill to amend the Urban Mass Transportation Act of 1964 to provide a substantial increase in the total amount authorized for assistance thereunder, to increase the portion of project cost which may be covered by a Federal grant, to authorize assistance for operating expenses and for other purposes; to the Committee on Banking and Currency.

By Mr. THOMSON of Wisconsin:

H.R. 2735. A bill to provide for the conservation, protection, and propagation of species or subspecies of fish and wildlife that are threatened with extinction or likely within the foreseeable future to become threatened with extinction, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. THONE:

H.R. 2736. A bill to amend title 38 of the United States Code to provide specially adapted housing benefits to veterans suffering the loss, or loss of use, of both arms; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 2737. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 2738. A bill to provide for the crediting of certain past employment by certain persons subject to the National Guard Technicians Act of 1968; to the Committee on Armed Services.

H.R. 2739. A bill to amend the Lead-Based Paint Poisoning Prevention Act to permit grants thereunder to be made to a State agency in any case where local agencies are prevented by State law from receiving and expending such grants; to the Committee on Banking and Currency.

H.R. 2740. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

H.R. 2741. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

H.R. 2742. A bill to amend the Communications Act of 1934 to provide permanent financing for the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

H.R. 2743. A bill to amend part 1 of the Interstate Commerce Act to require the installation of sanitation devices in railroad cars to prevent the discharge from such cars of sewage; to the Committee on Interstate and Foreign Commerce.

H.R. 2744. A bill to establish a National Institute of Advertising, Marketing, and Society; to the Committee on Interstate and Foreign Commerce.

H.R. 2745. A bill to provide certain amounts of broadcast time for candidates for President and Vice President of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 2746. A bill to provide compensation to U.S. commercial fishing vessel owners for damages incurred by them as a result of an action of a vessel operated by a foreign government or a citizen of a foreign government; to the Committee on Merchant Marine and Fisheries.

H.R. 2747. A bill to provide for the retirement of certain employees of the Federal Bureau of Investigation and the U.S. Secret Service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2748. A bill to amend title 5, United States Code, relating to qualifications for appointment and retention in the civil service; to the Committee on Post Office and Civil Service.

H.R. 2749. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax retirement annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

H.R. 2750. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords; to the Committee on Ways and Means.

H.R. 2751. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. TIERNAN (for himself, Mr. ABZUG, Mr. BRASCO, Mr. BROWN of Michigan, Mr. BUCHANAN, Mrs. CHISHOLM, Mr. DANIELSON, Mr. EILBERG, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. MAILLIARD, Mr. MARTIN of North Carolina, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. MURPHY of New York, Mr. ROSENTHAL, Mr. SYMINGTON, Mr. WARE, and Mr. WILLIAMS):

H.R. 2752. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 2753. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition

paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. VEYSEY:

H.R. 2754. A bill to strengthen education by providing a share of the revenues of the United States to the States and to local educational agencies for the purpose of assisting them in carrying out education programs reflecting areas of national concern; to the Committee on Education and Labor.

By Mr. VIGORITO:

H.R. 2755. A bill to authorize the reinstatement and extension of the authorization for the beach erosion control project for Presque Isle Peninsula, Erie, Pa.; to the Committee on Public Works.

By Mr. COLLIER:

H.J. Res. 222. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

H.J. Res. 223. Joint resolution proposing an amendment to the Constitution of the United States relative to neighborhood schools; to the Committee on the Judiciary.

H.J. Res. 224. Joint resolution to authorize the President to proclaim the second Sunday in September of each year as Bataan Day; to the Committee on the Judiciary.

By Mr. CONABLE:

H.J. Res. 225. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.J. Res. 226. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.J. Res. 227. Joint resolution proposing an amendment to the Constitution of the United States limiting deficit spending by the Federal Government; to the Committee on the Judiciary.

H.J. Res. 228. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. HAMMERSCHMIDT (for himself and Mr. MILLS of Arkansas):

H.J. Res. 229. Joint resolution authorizing the President to proclaim the week beginning on the last Monday in October of each year as National Magic Week; to the Committee on the Judiciary.

By Mr. KEATING (for himself, Mr. DW LUGO, Mr. WALSH, Mr. HASTINGS, Mr. FOUNTAIN, Mr. YOUNG of Georgia, and Mr. BROWN of California):

H.J. Res. 230. Joint resolution designating certain election days as legal public holidays, and for other purposes; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.J. Res. 231. Joint resolution to provide for the designation of the week of February 11 to 17, 1973, as National Vocational Education Week; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.J. Res. 232. Joint resolution to establish a Commission on Philippine Guerrilla Recognition; to the Committee on Veterans' Affairs.

By Mr. PATMAN (for himself, Mr. BARRETT, and Mr. WIDNALL):

H.J. Res. 233. Joint resolution to amend the Housing and Urban Development Act of 1968 by increasing the limitation on the face amount of flood insurance authorized to be outstanding; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.J. Res. 234. Joint resolution commending the Cuban "Declaration of Freedom"; to the Committee on Foreign Affairs.

By Mr. ROSTENKOWSKI (for himself, Mr. BURKE of Massachusetts, Mr. BRASCO, Mr. DELANEY, Mr. FASCELL, Mr. MOORHEAD of Pennsylvania, Mr. MOSS, Mr. MURPHY of Illinois, and Mr. ROE):

H.J. Res. 235. Joint resolution to authorize the emergency importation of oil into the United States; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H. Con. Res. 91. Concurrent resolution expressing the sense of the Congress that the Joint Committee on Congressional Operations begin an immediate study of committee jurisdictions in the House of Representatives; to the Committee on Rules.

By Mr. GAYDOS:

H. Con. Res. 92. Concurrent resolution expressing the sense of Congress respecting Federal expenditures; to the Committee on Government Operations.

H. Con. Res. 93. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. PEPPER:

H. Con. Res. 94. Concurrent resolution expressing the sense of the Congress with respect to the diplomatic recognition of the Government of Cuba; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois:

H. Res. 153. Resolution to amend rule XI of the House of Representatives; to the Committee on Rules.

By Mr. BROWN of California (for himself, Mr. DANIELSON, and Mr. CORMAN):

H. Res. 154. Resolution authorizing each Member of the House to sue on behalf of the House with respect to funds illegally impounded by the President which would otherwise be available for programs and projects

in that Member's district; to the Committee on the Judiciary.

By Mr. DINGELL:

H. Res. 155. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. ICHORD:

H. Res. 156. Resolution providing for additional copies of "The Federal Civilian Employee Loyalty Program," House Report No. 92-1637, 92d Congress, 2d session; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

15. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to import restrictions on oil; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 2756. A bill for the relief of Ester Dina Bursztyn; to the Committee on the Judiciary.

H.R. 2757. A bill for the relief of Anna Rosa, Luigi, and Amelia Guistino; to the Committee on the Judiciary.

H.R. 2758. A bill for the relief of Alfredo and Caterina Iannitelli and minor son, Riccardo Jose Iannitelli; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.R. 2759. A bill for the relief of Renato Arrighi; to the Committee on the Judiciary.

By Mr. GOLDWATER:

H.R. 2760. A bill for the relief of Nicola Di Nallo; to the Committee on the Judiciary.

H.R. 2761. A bill for the relief of Ivo Falvo; to the Committee on the Judiciary.

H.R. 2762. A bill for the relief of Adele Romanelli; to the Committee on the Judiciary.

H.R. 2763. A bill for the relief of Santuzza Simonti; to the Committee on the Judiciary.

H.R. 2764. A bill for the relief of Lucia Tortorella; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 2765. A bill for the relief of Carl Harris; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 2766. A bill for the relief of Walter L. and Thelma M. Bossard; to the Committee on Interior and Insular Affairs.

H.R. 2767. A bill for the relief of Alfred Coleman; to the Committee on Interior and Insular Affairs.

H.R. 2768. A bill for the relief of Wah Fat Won (also known as Suey Hong Won); to the Committee on the Judiciary.

H.R. 2769. A bill for the relief of William R. Karsteter; to the Committee on the Judiciary.

By Mr. ROGERS (by request):

H.R. 2770. A bill for the relief of Charles P. Bailey; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2771. A bill for the relief of Leonard Diamond; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 2772. A bill for the relief of Maria D'Arpino; to the Committee on the Judiciary.

By Mr. BAKER:

H. Res. 157. A resolution to refer the bill (H.R. 1690) entitled "A bill for the relief of Farmers Chemical Association, Inc." to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

SENATE—Tuesday, January 23, 1973

The Senate met at 12 o'clock meridian and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in whom we live and move and have our being, quiet our hearts in grateful memory of Thy servant Lyndon Baines Johnson.

We give Thee thanks for his great and good life and for the enduring legacy of his leadership. We thank Thee for his legislative skills, his executive talents, and his enduring statesmanship in the affairs of the whole world. We thank Thee for his devotion to civil rights and human justice, his passion to help the poor, the undereducated, the ill, and those of limited opportunity.

We thank Thee too for his warm friendship, his outgoing good will, his love of the public arena, his ardor in the contest, his steadfastness in fulfilling this Nation's pledges to other nations, his dignity in victory, his quiet patience under criticism, his transcendent devotion to his country, and his abiding faith in Thee.

We beseech Thee, O Lord, to put within us the same high motives to lift the life of all the people to its highest and best and to carry forward the vision of a great society in the likeness of Thy promised kingdom.

Grant to those who mourn, the healing of Thy grace and the comfort of Thy Holy Spirit.

Through Jesus Christ, our Lord. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, January 20, 1973, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees

may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NO COMMITTEE MEETINGS TOMORROW

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Republican leader and myself, in view of the death of our late departed colleague and former President of the United States, Lyndon Baines Johnson, I ask unanimous consent that no committee meetings be held tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until the hour of 12 meridian tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL FRIDAY, JANUARY 26, 1973

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon on Friday next.