

EXTENSIONS OF REMARKS

EXPERIENCED FARMER COMMENTS
ON FARM PROGRAM

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ALEXANDER. Mr. Speaker, it is often said that experience is the best teacher. G. A. Hale of Burdette who has owned and operated an 800-acre seed farm for the last 25 years has shared some of his experiences and suggestions with me for use in drafting new farm legislation. Mr. Hale was reared on a southwestern Arkansas farm, graduated from the Colleges of Agriculture of Iowa State University and University of Missouri, employed as agronomist and president of Burdette Plantation, assistant agronomist of the Georgia Experiment Station, associate agronomist of the USDA-Soil Conservation Service in Texas, Louisiana, Arkansas, and Oklahoma and is a registered plant breeder by the Arkansas State Plan Board. It is with great pleasure that I share his recommendations and advice with my colleagues:

RECOMMENDATIONS OF G. A. HALE

The recommendations and views below are based largely on actual farm records for this time for crops of cotton, soybeans and wheat. My net farm income before income taxes has varied from \$38,000 in 1954 and 55 to \$9,000 in 1968 and 69, with an average net income of about 3 per cent on my investment in land and equipment. My lowest income has been during the 1965 and 1970 Acts and I am asking that you amend and add to the 1970 Act the following provisions to correct the boom and bust economy of farmers during recent years:

1. CROP SUPPLY AND DEMAND IMBALANCE

If politically feasible, provide in the new Act that determinations of probable demand and supply for crops be made before planting time, similar to a study now under way by Cotton Incorporated for cotton so that growers can have this information as a guide line for planting plans. Much information is available on past crop history, but this is of very little help in making the right decisions for the future. Until we are better organized only the power of the federal government is strong enough to control to a certain degree the supply of farm products. Three million farmers can not control our production without the help of laws to regulate the crop acreages. No matter how efficient we may be and how much advertising, promotion, research and technology we have working for us, if we over-produce and build up unwanted supplies, we are in deep trouble as in past years.

2. GOVERNMENT LOANS AND PRICE SUPPORTS

The original purpose and justification for CCC crop loans was to provide for orderly marketing and a reasonable floor under crop prices, but in recent years loans have been set at very low amounts in an attempt to make our crop prices competitive in foreign markets, which has not proved effective for cotton. The new Act should return crop loans to the original purpose and for such amounts that with direct payments add up to at least 80 per cent of parity prices. Cottonseed is a good example of a crop without a loan or subsidy payment that I sold for

\$45.00 per ton, with parity price of \$85.00 which did not pay for ginning as compared to cotton lint which I sold for 28 cents, with parity of 56 cents, but with a subsidy payment of 15 cents for allotted acres. According to the latest study made in 1969 by the USDA the average cost of producing a pound of cotton lint was 29 cents for this area.

3. DIRECT OR SUBSIDY PAYMENTS

Until crop supplies are more in line with demands, and loans are nearer parity prices, direct or support payments must be provided for some crops. Limitations on the size of these payments should not be made as this practice is socialistic and eliminates many of our most efficient producers and discourages young people from beginning and continuing in farming. The average age of U.S. farmers is now 56 years and getting higher, while the average age of business executives is 35 years. We would prefer to get all our income from profitable marketing instead of the federal treasury.

4. ACREAGE ALLOTMENTS AND SET-ASIDES

Critics of strict crop allotments and penalties or set-aside requirements say that these will not control supplies, but my observation has been that when administrators do their duty and reduce allotments this is not true from past history. Until a better way is found to prevent burdensome crop surpluses, this method must be provided for in new legislation. Freedom to plant all our farm in one crop will return us to conditions before 1933. The program for rice proves that it was a mistake to allow freedom to plant in the case of corn, wheat and cotton, which are not now as profitable to grow as rice in this region. Acreage allotments should be based on the last three to five year history of acreage of each farm, with consideration for good economic and soil conservation practices. Only the wisdom and power of the Congress is strong enough to enforce these allotments until farmers are better organized to do the job for themselves.

5. THE PARITY PRICE CONCEPT, PARTIAL OR FULL

The price I received for cotton was the one factor most closely related to my net income during the 25 years I have farmed the same land. When crop prices plus direct payments equals less than about 80 per cent of full parity, most farmers are in deep economic trouble. Before the Farm Act of 1965, when crop loans were at least 80 per cent, my net income was comparable to that of most non-farmers except in a few years when crop yields were very low. Recently the cost of producing crops has risen rapidly and the new Act should provide for loans plus direct payments to equal at least 80 per cent of parity.

6. EXPORTS AND IMPORTS OF FARM CROPS

My visits to most of the free-world cotton and soybean growing countries during the last decade has convinced me that it is ridiculous to expect our farmers to compete with foreign growers without large subsidies for both farmers and exporters. Likewise, dumping our surplus, or selling it under the P.L. 480 for foreign money, tends to reduce foreign growers incentive to supply their needs and should be outlawed in a new Farm Act. The recent sales of wheat to Russia and China helped the price received by growers very little as I sold my 1972 crop for \$1.30 per bushel when the full parity price was about \$3.00 per bushel. More than a million bales of raw cotton equivalent in the form of textiles made from foreign-grown cotton is imported and Congress should give our cotton growers, textile workers, and mills tariff protection from this competition like they have for many of our other industries.

This action along with the natural increase in population and promotion of Cotton Incorporated and others should provide a market for about three million bales now exported and free us from foreign cotton competition in the domestic markets. From my very limited experience of exporting registered grade soybean planting seed, I have learned that individual farmers have to depend on professional exporters to sell their crops on foreign markets. We are not interested in growing and selling our crops at low prices and below production costs just to reduce our balance of payments and profit exporters and other agri-business that often benefit from large crops. Most of us would prefer to get an American price on the domestic market rather than depending on the failure of foreign production during years of poor crops for the sale of our crops.

No doubt, some of you are not hearing from and getting the views and the advice of the majority of your farm constituency; namely mostly small and retired farmers who are renting their land out, owner-operators and renters who are paying high taxes, high rents and getting low prices as their only source of income. May I suggest that you write the managers of local Production Credit and Federal Land Banks Associations, Farm Supply and Marketing Cooperatives and Country Banks for mailing lists and send these people short yes and no questionnaires on provisions of new farm legislation. If I can help by sending you more details on my experience, please let me know.

PLIGHT OF THE GREAT LAKES

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. KEATING. Mr. Speaker, on January 18, 1973, I cosponsored Congressman WILLIAM STANTON and CHUCK VANIK's bill to permit the construction of shore protection devices along non-public section of U.S. coastlines.

Such legislation is needed with great urgency if we are to protect the shoreline surrounding the Great Lakes. Unusually high water levels on the lakes have resulted in uncontrollable flooding and erosion.

Due to record rainfall during the last year, the rising water level in Lake Erie is expected to reach a record 5 feet above normal in late spring. It is estimated that damage could run into millions of dollars and could involve thousands of acres in the urbanized Great Lakes Basin.

All the water in the Great Lakes eventually flows into Lakes Erie and Ontario before emptying into the St. Lawrence River.

With the water level in Lake Ontario last month only 3 feet below the all-time record and a projected 2-foot rise in the near future, coastlines around Lake Ontario are in imminent danger.

The only way to lower the level of Lake Ontario would be to increase the flow of water through the dams at the mouth of the St. Lawrence River.

Yet this would endanger Montreal, as well as flooding other parts of Canada.

Even extensive lowering of Lake Ontario would have little effect on Lake Erie as there is no way of speeding up the flow of Lake Erie waters over Niagara Falls into Lake Ontario.

Obviously destruction and needless waste of the Great Lakes shorelines is inevitable unless immediate efforts are made to lower the water levels of the lakes and maintain controlled levels in the years to come. I urge my colleagues to give every consideration to this legislation.

**RED WOODWARD: A STUDY
IN COURAGE**

HON. CHARLES H. WILSON
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. CHARLES H. WILSON of California. Mr. Speaker, Sir Winston Churchill said:

Courage is rightly esteemed the first of human qualities because it is the quality which guarantees all others.

I first met Red Woodward when, as a sergeant in World War II, I danced to his band during my occasional recreational nights at Fort Worth. An ebullient, talented man, Red played a "mean" saxophone, and his smooth sounds and good humor were the perfect antidote for a tired soldier.

Red Woodward has continued to brighten the lives of others; for, after an operation several years ago for throat cancer, he has dedicated much of his time and efforts to helping other laryngectomees learn to use artificial speaking aids.

Red Woodward understands the difficult hurdles these patients face. For 7 months after his operation, he could not talk because his esophagus was not large enough to permit the swallowing and belching of air which some other laryngectomees do in order to form words. During this 7 months of silence, Red dubbed himself, "the fastest slate in the State" because he depended upon a small writing slate to communicate with others.

Yet, through experimentation and a deep desire to speak again, Red Woodward was able, by assiduous and often painful practice, to master the use of a pneumatic speaking device which permitted him to talk through a curved tube fitted into the hole left in his throat by the operation.

But he knew that others were not as fortunate. Many laryngectomees, going for 2 or 3 years without speaking, became resigned to their disability, and that, in the words of Red Woodward, "makes me so mad I could eat nails."

However, this is a man who puts his anger to purposeful use. For those who had given up trying, Red Woodward created an artificial speech aids agency which includes a "voice bank" offering a large assortment of artificial speech aids for those who cannot talk on their own.

And, although he continues to manage and play in the Red Woodward Orches-

tra—substituting the guitar for his saxophone—he works at a part-time job as well so that he can contribute half his salary to the voice bank. As a result of his selfless efforts, 17 other people have learned to speak through artificial devices. One man learned to talk over the telephone after 11 days—a feat it took Red 2 months to accomplish.

While his help has proved invaluable in giving others a literal "voice" in this life, in his typically modest way Red dismisses his efforts by saying, "I assist them; they teach themselves."

Adversity has met its master in Red Woodward. And he in turn has, by sheer persistence and a contagious joy in living, helped others retrieve optimism from despair and strength from helplessness.

**THE CONTINUING PLIGHT OF
SOVIET JEWS**

HON. ALPHONZO BELL
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 23, 1973

Mr. BELL. Mr. Speaker, in light of the continuing policy of arrest and harassment of Soviet Jews desiring to emigrate to Israel, I should like to submit the following letter from Lev Lerner, who, with his family, recently had the good fortune to be allowed to leave Russia.

The letter was forwarded to me by one of my constituents, Stuart Lotwin. I have entered in the Record previous correspondence and the transcript of a telephone conversation between Mr. Lotwin and Mr. Lerner, describing the problems the latter gentleman confronted in his efforts to emigrate.

While I still decry the exorbitant taxes imposed on Soviet Jews, such as the 19,000 Israeli pounds which Mr. Lerner was forced to pay—and have again cosponsored legislation to prohibit the granting of most-favored-nation treatment to the Soviet Union because of this policy—I am nonetheless happy to know of the Lerner's safe arrival in Israel and urge thoughtful consideration of this poignant letter. The text of the letter follows:

DECEMBER 13, 1972.

DEAR MR. STUART J. LOTWIN: I was glad to get your congratulations on the threshold of realization of our dream. I and my family already in Israel. We were excellently welcome. We live in one of the areas of Tel Aviv. I already have seen those Jerusalem which every year in our prayers hoped to see only in the next year. My daughter already goes to the school and study those language which lived only in her genes but was quite recently so far from her.

We hope that it will be really for us to see our friends who so much helped us and believed, as it now and then seemed hopelessly, in the realization of our dream.

In the time of our departure we were forced to pay the gigantic sum and to our regret persistent attempts to get in the last days abolition the payment for the education only has redoubled our situation. We were forced to pay even for my mother-in-law who in 1923 studied on the first course of pedagogical institute.

Dear Mr. Lotwin! If it is possible to organize for us the help in the repayment, com-

mon sum of which forms 19,000 of Israeli pounds, it would help us in the settling our affairs.

Only understand us rightly. We don't consider that anybody must to help us. We are happy that we are here, on that top to which was so hard our way. All the rest is the problem of other order. Do only that which is possible, because the impossible already has took place—we are here.

Here my exact address: Lev Lerner, Bet Milman Tagole 32, Ramat-Aviv, Israel. If for the sending money is necessary some account in the Bank of Israel make this with the help of small sum which we got in the time of our departure from Russia.

Dear Mr. Lotwin! I should want to ask you to help to my friends which as before get only the refusals and now are in the very hard situation. And first of all help to my friend Daniel Teitelbaum. I consider that your help to me was very effective and I hope that you will help to him to see as it is possible soon our homeland too.

I hope on our meeting soon. Shalom to you and your family.

LEV.

The best regards from my wife, daughter and mother-in-law. We are very thankful to you for your picture and shall send our one soon.

MICHAEL CAFFERTY

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 23, 1973

Mr. ROSTENKOWSKI. Mr. Speaker, last Wednesday, January 17, 1973, Michael Cafferty, chairman of the Chicago Transit Authority and one of the Nation's best known public transportation figures, passed away after a short illness.

Mr. Cafferty, 48, was appointed to the CTA Board by Mayor Richard J. Daley in April 1971. From 1969 to 1971, while with Secretary John Volpe at the U.S. Department of Transportation, he helped to establish the new office of Assistant Secretary for Environment and Urban Systems. He was Acting Assistant Secretary of Transportation at the time he left the Department to come to Chicago.

Mr. Cafferty believed that the mobility of citizens in a free society was essential to the well-being of that society. He was particularly concerned that the aged, the handicapped and the poor suffered the greatest inequities from insufficient and expensive public transportation.

His environmental concerns, a carry-over from his Department of Transportation days, led to the development of programs which controlled rapid transit noise pollution.

Recognized as one of the chief spokesmen on public transportation for the Nation's cities, Mr. Cafferty led the crusade for operating assistance—subsidies, a battle that some think is close to being won, largely due to his efforts. He was frequently called to Washington to testify before various congressional committees on urban problems.

In short, Michael Cafferty was a man of unselfish devotion to his colleagues, his city and his Nation. I join Mayor Daley and the city of Chicago in mourning the loss of a true friend.

**SENATOR WILLIAM F. KNOWLAND
ON PRESS FREEDOM**

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, the distinguished former Senator from California, the Honorable William F. Knowland, recently spoke out forcefully and eloquently regarding the recent court decisions and actions resulting in a very real threat to freedom of the press.

The Senator, now publisher and editor of the Oakland Tribune, rightfully calls to our attention the very real threat raised to the people's right to know if newsmen are compelled to release their sources or source material to the courts or other government bodies.

Mr. Speaker, I think that my colleagues in the House and the other body will find Senator Knowland's comments of great interest.

The article follows:

[From the Oakland Tribune, Jan. 10, 1973]

KNOWLAND'S STAND ON PRESS FREEDOM

William F. Knowland, publisher and editor of The Tribune, said yesterday he'd "personally take the responsibility of declining to furnish" investigative reporting notes if they were sought by subpoena, and would personally take the consequences. "It might be prison," said newsmen Trevor Thomas of television station KQED, who interviewed Knowland for last night's "Newsroom."

"It might be," Knowland replied adding: "I would take that responsibility, and I would not expect one of my reporters, or one of our people here, who was carrying out the job he had been assigned to do by his editors—and, in the final analysis, I have the final responsibility as the editor and publisher—I would not expect him to go to jail carrying out the instructions from this office."

When asked what he'd do if he received a subpoena "and it directed you to supply information, or one of your reporters, of a confidential source, for a story that had been written and published in The Tribune," Knowland replied:

"Assuming it was a case where our people have been doing investigative reporting on a matter which we felt was of great public interest, my instructions would be to the managing editor and the city editor that the notes would not be produced."

"I would suggest respectfully that the publisher himself would of course, obey an order of the court to appear in court, and I would then feel—with great respect, because I have great respect for the courts and the processes of law—that the notes could not be turned over without doing great damage to the whole process of the newspaper performing its function as an agency essential under the Constitution to this country, and I would personally take the responsibility for declining to furnish the material, and the consequences...."

Thomas noted Tribune editorials which have condemned court-ordered jailing of reporters for not identifying a source or refusing to answer grand jury questions, exclusion of newsmen from courtrooms and from access to previously public government documents, and a government official's report of planned legislation to "correct imbalance or consistent bias" in television network news reporting.

Knowland said "no newspaperman, or television or radio, has ever maintained that, if

an employee of one of those media were in a bank on his regular banking business and should see a holdup or a teller shot, that he would claim immunity from that sort of thing. This is not what we are talking about."

The issue, he said, basically concerns situations where reporters from any media "are working on a story which may be to uncover corruption in government" or on another topic, and have sources who have disclosed information to them and "by doing so may have placed their own lives in jeopardy from people who would wipe them out if they knew where the material was coming from...."

He said "those raw notes of the reporter, using it in its broad sense, should not be subject to subpoena or being produced in court."

He said that "if you once bring those into court, then I think you dry up sources of information and you do a great disservice to the American public, because ultimately, they would be dependent only on government handouts, on handouts of business institutions that wanted to cover up things which shouldn't be done, even in cases of corruption."

He said "I don't believe that the Nixon administration created the problem. I think it's been existing for a number of years... they have enlarged upon the problem, and what I am concerned about, as time passes on and other administrations, whether they be Democrat or Republican, succeed, may enlarge upon what is now confronting us, and this would not be good for the country."

Knowland pointed to nations run by dictatorships and noted that "the first thing that is done is to gain control of the radio, of television and of the press, and this is a historic pattern all over the world."

"Now I do not say that this is the intent of anybody now, but I do say, with what's happened in the world, this country must never take the risk of permitting that to... happen, whether it be five, 10 or 50 years from now."

**CONGRATULATIONS TO EMPLOYEES
OF THE DISTRICT GOVERNMENT
SELECTED FOR THE 1972 NATIONAL CIVIL SERVICE LEAGUE
AWARDS**

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. NELSEN. Mr. Speaker, I have recently been advised by the National Civil Service League, which has undertaken an annual project to spotlight outstanding employees of the District government, that the 1972 winners are:

George A. Grogan, Office of the Zoning Commission.

Mary C. Greenhow Hodges, Department of Human Resources.

Ruth Lee Brown Jackson, District of Columbia Personnel Office.

James E. Quigley, Department of General Services.

Jeane E. Rothman, Department of Human Resources.

Sidney A. Swann, Superior Court of the District of Columbia.

As the ranking minority member of the House District Committee and one who served as Chairman of the Commission on the Organization of the Government of the District of Columbia, which was charged with submitting recommen-

dations for economy, efficiency, and improved services in the District of Columbia, I wish to take this opportunity to extend to these individuals my congratulations upon the presentation of these awards. I also commend the National Civil Service League for undertaking this project, which I consider to be very worthwhile.

**ARMS CONTROL: WILL WE LOSE
THE MOMENTUM?**

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ZABLOCKI. Mr. Speaker, it was with deep concern that I read recent reports of the Nixon administration's alleged intent to reduce the budget of the Arms Control and Disarmament Agency by one-third during the next fiscal year. It is my sincere hope that this will not be the case. Such a reduction and other developments, including a reported budgetary request by the Pentagon for fiscal year 1974 to put MIRV warheads on all 1,000 of our land-based Minutemen missiles, leave serious doubts as to the priority which will be placed on controlling the arms race.

At the outset let me make clear that U.S. national security has always been uppermost in my mind. As President John F. Kennedy said so eloquently:

Let us never negotiate out of fear but let us never fear to negotiate.

We must, in other words, remain firm and resolute—negotiating always from a position of strength. However, if the last few years have taught us anything it is that the United States and the Soviet Union share one common foe—a dangerous and costly arms race. Even more importantly, I hope we have also learned that our national security can in fact be enhanced by slowing the arms race and reducing expenditures in that area.

As President Nixon himself said in his February 9, 1972, "U.S. foreign policy for the 1970's" report to the Congress:

By contributing to international stability and restraint, arms control agreements can provide a greater measure of security than could be achieved by relying solely on military power.

The ABM treaty and the interim agreement on offensive weapons negotiated at SALT I and signed by Mr. Nixon in May in Moscow offer dramatic proof of the truth of his words.

Recognizing that these arms control efforts were truly consistent with our national security they were welcomed by the Congress, the American people, and the entire world. However, reassuring as that progress was and hopeful as we were for continued progress in SALT II, many in this Nation were troubled and perplexed when in the wake of that agreement Pentagon officials recommended that defense spending on offensive weapons had to be increased, not reduced. In the face of such apparent contradiction, one is led to wonder whether in

fact the right hand knoweth what the left hand doeth.

Granted that arms control negotiations are complex and results too often slow in coming. It is, in fact, that very complexity—as measured against the importance of results—that compels the wisdom of competent and fully supported and adequately funded machinery for achieving those results. To reduce the funding of the ACDA, the Agency charged with this noble and urgent task, is tragically shortsighted.

From my vantage point as chairman of the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments I have come to appreciate the distinction and success with which ACDA has met that challenge. For the past 4 years the subcommittee has received periodic and informative briefings from Ambassador Gerard Smith, recently resigned head of ACDA and our chief negotiator at SALT. On the basis of those regular briefings and other extensive review and study it has become abundantly clear that the limited investment made in funding ACDA has paid rich dividends. To curtail that support now would seriously hamper the Agency's role in seeking further arms control agreements. In the eyes of the world it would be the epitome of pennywise, pound foolish myopia.

These and other issues—all of which trouble me greatly—were discussed by Marquis Childs yesterday in his column in the Washington Post. He focuses clearly on various unsettling signs in the arms control area and asks the crucial question of whether our positive momentum in this area will be lost. In particular I agree that unless the Honorable U. Alexis Johnson will be given all the titles, tools, and strength of position necessary for him to exert effective leadership in ACDA, it will be a distinct handicap. It would be indeed unfortunate if, as indicated, the ACDA is dismembered, its budget slashed, and its semiautonomous position destroyed.

These are questions which we in Congress especially should ponder seriously. Because Mr. Childs' remarks merit the attention of my colleagues I place them in the RECORD at this point and recommend their careful reading:

[From the Washington Post, Jan. 23, 1973]

**UNSETTLING SIGNS FOR ARMS CONTROL:
WILL MOMENTUM BE LOST?**

(By Marquis Childs)

To return to this capital from even a brief absence is to feel like Rip Van Winkle confronting a world utterly changed. Questioning those who have lived through the Nixon upheaval is of little help.

Why has so much of the government been turned upside down? We don't know. Only the secretive man in the White House now entered on his second four year term knows the answer. And, in a voice dropped to a whisper, we're not sure he knows.

The most dismaying change, in many ways the most mysterious, is the dismantling of the disarmament and arms control apparatus. Inaugural rhetoric cannot conceal the damage done to the effort that for a decade has made increasing progress toward controlling and to some degree scaling back the vast mountain of nuclear armaments with the judgment of life and death over all mankind.

What makes this more mysterious is that one of the great achievements of the Nixon

first term was the nuclear arms agreement culminating in the President's mission to Moscow. With a limit on defensive missiles and a five year agreement to restrain further building of offensive weapons, it was a small beginning hailed around the world.

A dedicated public servant, Gerard C. Smith, with 20 years experience in the nuclear jungle, worked tirelessly for four years as chief American negotiator in the SALT talks at Vienna and Helsinki. When he went back at the start of SALT II he was without any clear and finally arrived at position approved by the White House. On returning from Geneva, the new site of the talks, Smith resigned.

In his place the President appointed U. Alexis Johnson, under secretary of state for political affairs. Johnson is a career diplomat with no experience in nuclear matters. Grievously overworked, suffering from ill health, he is within a year of retirement age. The private word is that his will be a temporary appointment.

But this can mean that the momentum growing out of the modest success of last year will be lost. It can also mean that the Joint Chiefs of Staff who have reluctantly gone with arms limitation will have the dominant voice. Arms control specialists with long knowledge of the tortuous process of arriving at agreement with the Soviet Union are dismayed by the Johnson appointment. They say that he has been in the lap of the JCS for 10 years.

A further handicap is that Johnson will not be head, as was Smith, of the Arms Control and Disarmament Agency (ACDA). The semi-autonomous agency created in 1961 has played an important part in developing programs and conducting research on the techniques of control and the verification of limitation agreements. A recent agency study showed that in 120 countries surveyed \$207 billion was spent in 1970 for military purposes as against only \$168 billion for education and \$80 billion for health care.

The Arms control agency now seems in the process of being dismantled. A budget slash of 30 per cent will cut the agency back to \$6.7 million. Division heads with long experience in disarmament were asked to submit their resignations. They have thus far had no response. Happening throughout government, this is a sure fire prescription for demoralization.

Members of the General Advisory Commission on Disarmament also were asked to submit their resignations. The commission includes distinguished men concerned over the years with the growing nuclear burden one of them being William C. Foster who for seven years was head of the arms control agency. Chairman of the commission is John J. McCloy, a Republican with long time credentials in public life. McCloy has been trying in vain for several weeks to see the President and present the commission's view.

The President has made plain his intention of paring down one domestic program after another—education, poverty, welfare. But these parings will not bring the budget into balance. The only real economy can come out of defense with a total somewhere above \$80 billion including all the costly new toys for the three services. The only way is a verifiable agreement with the Soviet Union to scale back this appalling burden.

PEACE, AT LAST

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ERLBORN. Mr. Speaker, our war in Vietnam has lasted longer than

any of us wanted and, I think, longer than Mr. Nixon expected when he declared his ambition, 4 years ago, to be a peacemaker. His announcement of Tuesday night promises an end to our military involvement; and I hope it will be the beginning of the end of the divisions among Americans.

We have spilled too much blood; and finding a formula for stopping the fighting has been so hard that some Americans have doubted President Nixon's will for peace. I have not shared those doubts.

I thank God for our deliverance from this war. I hope that the doves and the hawks can now join hands so that we Americans can be at peace with ourselves.

If we can do that, there is a chance for an even greater goal—a generation of peace. There is a lot of work still to be done. Let us do it.

TRIBUTE TO JAMES V. SMITH

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. MIZELL. Mr. Speaker, I rise at this time to join my colleagues on the Committee on Agriculture and other distinguished Members of the House in paying well-deserved tribute to James V. Smith, who is leaving Washington after 4 highly successful years as Administrator of the Farmers Home Administration.

Many of my colleagues have already commented on the fact that Jim Smith served in this body with distinction during the 90th Congress before assuming the leadership of FHA.

I came to Washington with the beginning of the 91st Congress and did not have the privilege of serving with Jim here, but over the last 4 years, I developed an excellent working relationship with him as we labored together in the service of rural America.

In the 4 years of Jim Smith's tenure at FHA, that agency has distinguished itself as one of the most effective, efficient, and popular programs in the Government. That excellent record is due in no small measure to the personal efforts and talented guidance that Jim Smith gave to the program.

In the Fifth Congressional District of North Carolina, which I am privileged to represent, Jim Smith's name is a popular one, and his record of service is respected and appreciated there, just as it is throughout rural America and in the Congress.

The cause of rural America is an urgent and vital cause, and Jim Smith has been a strong and tireless advocate of that cause. His departure from the Government represents a great loss for rural America, but his service in the Government has added immeasurably to rural America's strength and vitality.

And so it is with great personal and professional respect and admiration that I join my colleagues in wishing Jim Smith well as he reenters private life. The title of "public servant" has fit him well, and he has worn it proudly. We need more, not fewer, men like James V. Smith.

THE NONIMMIGRANT VISA ACT

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ANNUNZIO. Mr. Speaker, last week I reintroduced a bill which would amend the Immigration and Nationality Act to facilitate the entry of foreign tourists and to establish penalties for the illegal employment of aliens. The purpose of this proposed legislation is to revamp the outmoded, inefficient, and inhospitable documentary requirements we make would-be visitors to this country go through.

Facilitation of the entry of foreign tourists would benefit the United States both financially and in terms of our image abroad. It would also benefit would-be foreign tourists and their relatives and friends here who have suffered unnecessary hardships under the current provisions of the law. In my 8 years in Congress, I have received countless letters from anguished relatives of all ethnic backgrounds asking why their relatives cannot visit them here briefly. It is in response to these letters, as well as in recognition of the broader implications for U.S. tourism, that I strongly endorse this legislation.

As you well know, the United States has a serious balance-of-trade problem. The international travel market represents the largest item of international world trade, with expenditures by international travelers in 1971, the latest figures available, estimated at \$19.9 billion. Of this, the United States received only \$2.9 billion, or 14.6 percent. The Department of Commerce says that in 1971, the difference between U.S. receipts and U.S. expenditures in international travel amounted to a deficit of some \$2.68 billion. That is, Americans spent approximately \$5.56 billion abroad, while foreign tourists spent an estimated \$2.88 billion in this country. Estimates indicate that the travel deficit for 1972 will amount to some \$2.83 billion. In 1972, Americans took 7,739,499 trips abroad and only 4,728,086 trips were made into this country by foreigners.

This travel deficit accounts for a considerable percentage of our imbalance in international payments. Further, our failure to compete more effectively in the world tourism market has deprived this country of a major source of employment. The potential value of this market to the U.S. economy is abundantly clear from the following statistics provided by the Commerce Department:

Each tourist from overseas countries equals an export item worth \$400.

Each \$20,000 spent by foreign tourists in the U.S. creates one job. Hence, in 1971 foreign tourist spending (excluding transportation) provided for 122,580 new jobs.

For every 100 people directly employed in the travel industry, 60 to 100 back-up jobs are created in related industries.

Dollars earned from tourists stay in the local area directly benefiting the residents and small business of the area.

Passage of this bill is long overdue. As long ago as 1967, President Johnson appointed the industry-Government special

task force on travel to make, quoting from their transmittal letter, "Specific recommendations on how the United States can best increase foreign travel to this country, thereby improving our balance of payments." In their report submitted in 1968, they noted that the travel deficit gap could range between \$2 and \$5 billion, should the trend then apparent continue—in 1971 the deficit was \$2.6 billion.

They recommended as the most satisfactory solution a seven-step program for stimulating and encouraging foreign travel to the United States, of which step three read as follows:

Remove barriers to the entry of travelers and to their free and pleasant movement around our country.

The following specific recommendation was made for implementing this proposed step:

U.S. laws and regulations should be changed to waive the visa requirements for business and pleasure visitors. Legislation has been drafted which would grant the Secretary of State and the Attorney General broad authority to waive visa requirements for business and pleasure visits of up to 90 days on the basis of reciprocity or for other reasons determined by the Secretary of State to be in the national interest. Foreign visitors entering without visas would be required to hold nonrefundable round-trip tickets.

The bill referred to here is essentially embodied in the bill before us today, and the reason for its need was succinctly stated in the 1968 special task force report:

Present entry procedures for vacation and business visitors to the United States are outmoded. They serve only to project an adverse image of this Nation's willingness to receive foreign guests. They are overly defensive and bespeak an unfriendly attitude based upon feelings of suspicion.

Under the current provisions of the Immigration and Nationality Act, the burden of proof rests with aliens wishing to visit this country to establish to the satisfaction of the American consul at the point of application that they have a residence in a foreign country which they have no intention of abandoning; that they are interested in visiting the United States temporarily for business or pleasure; and that they are not ineligible for entry on approximately 30 different grounds. These requirements are equally applicable to those seeking to enter as permanent residents and to those merely wishing to visit as tourists.

The bill before us would empower the Attorney General and the Secretary of State to exempt visitors coming for 90 days or less from all but the most serious of the 30-odd grounds of ineligibility, as well as from the visa requirement; only a passport would be necessary. This privilege would apply only to nationals of foreign countries designated by the Secretary of State on the basis of reciprocity or on the basis of a determination that such a designation would promote the foreign policy of the United States. Approximately 35 nations do not require visas from American tourists; we require them from nationals of all countries except Canada and Mexico.

There is no danger that this bill would create loopholes in our immigration law or escape hatches for illegal aliens. Sections 6 and 7 are specifically aimed at curbing the employment of illegal aliens by establishing penalties both for their employers and for nonimmigrants who accept employment in violation of their status.

Thorough safeguards are also provided to prevent abuse of the foreign visitor provisions. Aliens entering under this program would have no option either to extend their 90-day time limit or to adjust their status. They would be required to possess a valid passport and a non-refundable round trip ticket. Any alien who willfully remained beyond the 90-day period would be penalized by a delay of 2 years in his priority date for issuance of an immigrant visa. Those who threaten danger to our people would continue to be totally excluded—the confirmed criminal, the insane, those afflicted with contagious diseases, anarchists, and violators of our narcotics laws, to give example. In brief, the bill would simplify the procedure for granting a visitor's permit without in any way jeopardizing the security of our country.

As I have said before, launching a strong and positive national effort to increase travel to the United States is long overdue. Toward this end, we must insure that citizens of other countries are made to feel welcome, and are able to gain entry to the United States for brief visits with a minimum of red tape. I have referred earlier to the financial benefits involved in tourism. There are others of equal or greater importance. An exchange of visitors enlarges our horizons, it renews our faith in each other, and encourages the friendship of other countries we as a nation have always sought. I urge the consideration and votes of my colleagues for this urgently needed legislation.

WILLARD EDWARDS—OUTSTANDING JOURNALIST

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. ARENDS. Mr. Speaker, I have been privileged to know Willard Edwards, of the Chicago Tribune, longer than most of my colleagues in the Congress; and I want to join with his many admirers in the House and Senate in paying a special tribute to him as he begins a well-earned retirement.

I shall miss Willard Edwards on Capitol Hill. I shall miss not only his keen reporting for the Tribune and his hard-hitting columns, but this long association and our frequent conversations. His was a friendship I value and enjoyed, but I always knew that friendship alone could not win me favor with his pen. That I would have to merit by the manner in which I served the public interest.

Willard Edwards had style. He is an individualist. He knew his profession

and the responsibilities that went with it. I have never known him to abuse the privileges of the press or resort to invective.

He reported four of the most eventful and fateful decades in our Nation's history. Willard knew what America was all about—our strengths and our weaknesses—and he wrote from his personal knowledge of the issues. A skillful investigator, his candor was refreshing and sometimes embarrassing, but always fair and forthright. He knew the great and near-great but was never dazzled by their power; and he always had time to listen to the little man.

Willard Edwards may have retired from his daily beat, but I cannot believe that he had laid down his pen—that he has nothing more to say. I hope not, because he represents the finest his profession will ever see. He has my best wishes for good health and abundant happiness in the years ahead.

STRIP MINING

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. SHOUP. Mr. Speaker, last week, my hometown paper in Missoula, Mont., carried a front-page article on the shortage of heating fuels and diesel fuel. One of the suppliers said, "I'd heard talk of an energy shortage but I really didn't believe it." This shortage is real, is spreading, and will have an ever-increasing effect on associated resources. One of these resources with which I am concerned is coal.

Shortages of oil and gas will be reflected in increasing activity in coal development. It is likely that a large number of electric generating plants will be forced to convert from oil to coal. This conversion appears inevitable. The alternative is increasing dependence on foreign imports of oil and gas.

An increase in imports could provide a short-term solution to the current fuel crisis but even intermediate solutions must focus on the development of domestic oil, gas, and coal resources.

At recent hearings before the Senate Interior Committee. Gen. George Lincoln, outgoing Director of the Office of Emergency Preparedness said national security would best be served by development of coal gasification and new exploration for domestic natural gas. Senator Jackson said development of U.S. coal resources should "receive highest priority."

Montana is liberally endowed with coal. There is a need for this coal while we develop and build alternative energy sources. While we recognize this need, we also insist that the extraction of coal be carried out in such a way as to cause minimal damage to our environment. Necessary protection can only be provided by legislation on the national level.

On October 11, 1972, the House passed H.R. 6482, strip mining regulations. Had the Senate acted we would have taken a

significant step toward the protection of our lands. I am reintroducing this legislation and will work for its enactment.

The bill calls for operators to get permits before any surface mining can take place. The permits will be issued for a nominal fee but not until the operator can show that the land can be reclaimed. He must show that he has notified all interested parties of his interest, he must have a certificate of public liability insurance and must give written permission to Federal agency representatives for inspection purposes.

Any resident of an area having a valid legal interest involved, or agency representatives, can file written protests with the Secretary of Interior. If the protest fails in hearing, it can be appealed to the Federal district court.

Reclamation provisions are stringent. Applications must describe land use prior to mining, the mining operation, its impact on the land and the manner in which reclamation will be effected. The operator must also make provision for land stabilization and preservation of topsoil, air, water, and other pollution, water accumulation, backfilling, compaction, grading, reseedling, and revegetation.

No permits will be issued for areas within 100 feet of any public road or body of water nor within 1 mile of public lands if adverse impact is anticipated. If slopes involved exceed 20 degrees, the burden is on the operator to show that the land can be effectively reclaimed. No permanent spoils banks will be permitted on slopes steeper than 14 degrees.

The many provisions are tough but fair. The States involved can, if they so desire, adopt their own regulations provided they are no less stringent than the Federal law. The cost of State programs will be borne to a large part by grants from the Secretary.

I feel that this legislation, enacted into law, properly funded and enforced will go far toward answering the problems associated with strip mining. There is even a provision for a coal mine reclamation fund, established for the purpose of reclaiming lands mined prior to this legislation.

I am confident that my colleagues will once again demonstrate their concern for the orderly development of our coal resources and adopt this piece of legislation.

J. LEONARD STARKEY, ACTIVE CITIZEN AND ARTISAN

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BYRON. Mr. Speaker, there are always some citizens who take their retirement as an opportunity to help others and to pursue important avocations. Such a man is J. Leonard Starkey, of Smithsburg, Md. Mr. Starkey has been active in counseling an alcoholics group, organizing a senior citizens club, and perfecting his unusual hobby of tole painting.

After seeing several baskets full of early tinware, Mr. Starkey became interested in decorating the tinware in the manner of colonial days. With his background in art, he has become an expert in tole painting and now teaches the art to the senior citizens in the group he helped organize. His newest project is to organize local artisans into an association. These artisans in the Smithsburg area include specialists in macrame, decoupage, chair caning, picture framing, and other crafts.

J. Leonard Starkey is an asset to his community, and I join with others in wishing him well in the many endeavors he has undertaken.

UPDATING THE MINIMUM WAGE

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ERLBORN. Mr. Speaker, much unfinished business from the 92d Congress remains for this 93d Congress to complete. Prominent among the issues to be resolved is that of bringing our minimum wage law up to date.

So that we may proceed in accomplishing this objective, Mr. FUQUA, Mr. QUIE, Mr. WAGGONER, Mr. ANDERSON of Illinois, and I are today introducing an updated version of the minimum wage bill which foundered in the 92d Congress.

For the most part, our new proposal parallels the bill which came to be known as the Erlborn-Fuqua substitute and which the House of Representatives in 1972 accepted in preference to the measure reported by the Education and Labor Committee. Unfortunately, that bill and the Senate-passed version, which closely resembled the committee bill we had turned down, were not sent to conference. The House was unwilling to do so under conditions which placed us in an unfavorable position; that is, with a majority of conferees who supported the committee bill rather than the substitute. This failure to agree on the question of conferees prevented the enactment of a new minimum wage law in 1972.

We believed then and we believe now that increases in the hourly minimum wage rates are in order, hence the introduction of this bill. To demonstrate this and our willingness to compromise some of the differences which were expressed last year, we have made some modifications in that House-passed bill.

First, the new bill proposes to raise the minimum wage for most nonagricultural workers from the present \$1.60 an hour to \$1.80, with a second increase to \$2 per hour a year later. It differs from the 1972 House bill by adding a third step—to \$2.10 an hour 1 year after that. These changes would affect jobs covered by the minimum wage law before 1966. They have been at the \$1.60 level since 1968.

A second group of nonagricultural workers was not covered by the minimum

wage provisions until 1966. The floor under their wages was raised to \$1.60 February 1, 1971. Our new proposal would send their pay also to \$2.10 an hour, but in four steps, instead of three.

A third class to get higher minimums would be agricultural workers—from the present \$1.30 per hour to \$1.50, followed by yearly increases to \$1.70 after 1 year and \$1.80 after 2 years.

For each of these groups, the initial increase would take effect on the first day of the second full month after the bill's enactment; that is, if the President were to sign the measure at any time during March, for example, the first increase would take effect May 1.

The second modification involves young people. In conjunction with the House's insistence on a separate youth minimum rate, we again propose a youth differential; but our new bill departs somewhat from last year's on this aspect.

Our new bill would extend a youth differential rate to 16- and 17-year-olds for a 6-month period. In addition, all full-time students would have the benefit of the differential. That rate would be \$1.60 an hour for nonfarm work and \$1.30 for farm work or 80 percent of the applicable minimum rate, whichever is higher.

A section-by-section analysis of this proposal follows:

MINIMUM WAGE BILL INTRODUCED JANUARY 24, 1973, BY REPRESENTATIVES ERLÉNBERN, FUGUA, QUIE, WAGGONER, AND ANDERSON OF ILLINOIS

SECTION-BY-SECTION ANALYSIS

Short Title—Fair Labor Standards Amendments of 1973.

Title I—Increase in Minimum Wage Rates.
TYPE OF EMPLOYEE, HOURLY RATE, EFFECTIVE DATE

Nonagricultural employees covered under the minimum wage provisions of the Fair Labor Standards Act prior to the effective date of the 1966 amendments (including Federal employees covered by the 1966 amendments). Section 101: \$1.80, 30-60 days*; \$2.00, one year later; \$2.10, one year after second step.

Nonagricultural employees covered under the minimum wage provisions of the FLSA by the 1966 amendments. (Section 102): \$1.70, 30-60 days*; \$1.80, one year later; \$2.00, one year after second step; \$2.10, one year after third step.

Agricultural employees covered under the minimum wage provisions of the FLSA. (Section 103): \$1.50, 30-60 days; \$1.70, one year later; \$1.80, one year after second step.

Employees in Puerto Rico and the Virgin Islands (but not less than 60% of mainland minimum). (Section 104):

Nonagricultural employees covered prior to the 1966 amendments: Three steps (12.5%, 12.5%, and 6.25% of wage order issued immediately prior to the effective date of the FLSA of 1973): 60 days after effective date; 80 days after effective date. One year later. One year after second step.

Agricultural employees: Three steps (15.4%, 15.4%, and 7.7% of wage order issued immediately prior to the effective date of the FLSA of 1973): 60 days after effective date. One year later. One year after second step.

Nonagricultural employees covered under the 1966 amendments: Four steps (6.25%, 6.25%, 12.5%, and 6.25% of wage order issued immediately prior to the effective date of the FLSA of 1973): 60 days after effective date.

*The first day of the second full month after enactment. E.g., if enacted in March, the effective date would be May 1, 1973.

One year later. One year after second step. One year after third step.

(Note: With regard to employees in Puerto Rico and the Virgin Islands, the bill retains the review committee procedure established by the 1961 amendments and additionally permits the establishment of special industry review committees to make recommendations to the Secretary of Labor concerning the issuance of wage orders to implement the proposed increases.)

Employees in the Canal Zone: Excluded from increases.

Title II—Revision of exemptions.

Sales and Managerial Personnel—provides an exemption from overtime up to 48 hours a week for not more than seven weeks a year for employees in a retail or service establishment if in a sales capacity or as manager if such employee's regular rate of pay is not less than twice the minimum wage rate. (Section 201)

Newspaper Delivery Employees—extends the newsboy exemption from the minimum wage, overtime compensation, and child labor provisions to newsboys delivering shopping news, handbills or other types of advertising material. (Section 202)

House-Parents for Orphans—grants an exemption from the minimum wage and overtime provisions of the Act to house-parents of nonprofit educational institutions who reside on the premises, have a combined cash salary of \$10,000 per year, and receive board and lodging. (Section 203)

Title III—Expanding employment opportunities for youths.

Section 301:

Permits employment in any field at an hourly rate of 80% of the applicable minimum wage or \$1.60 (\$1.30 in agricultural employment), whichever is higher, for:

Full-time students and 16- and 17-year olds who are not full-time students for the first six months on a job.

Eliminates certification by Secretary now required, but provides that the Secretary shall prescribe regulations to insure that such employment will not create a substantial probability of reducing full-time employment opportunities for other workers.

Specifies that violators of this subsection shall be subject to the penalties provided in the Act.

Title IV—Conforming amendments and effective date.

THE LATE HONORABLE
LEO ALLEN

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. GERALD R. FORD. Mr. Speaker, I regret I was unavoidably absent from the floor when the gentleman from Illinois (Mr. ANDERSON) announced the death of his predecessor in the House, the Honorable Leo Allen, on January 19. Leo Allen served with great dedication and distinction for 28 years in this body, and was already a senior Member when I was first elected in 1948. But he was very kind and generous with his counsel to new Members, and perhaps I received some special consideration since he was an alumnus of the University of Michigan. He was an able chairman of the Committee on Rules during the Republican 80th and 83d Congresses and his contributions as a legislator will be long remembered. I extend my deepest sympathy to his family.

ALEXANDER'S BILL SEEN AS
CHALLENGE

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BURLISON of Missouri. Mr. Speaker, on January 6, I took the floor of the House to express to my colleagues the concern I feel over the adverse actions which the Department of Agriculture has taken against our Nation's farmers. One of the issues about which I spoke was the USDA's termination of operation of the emergency loan program of the Farmers Home Administration.

Among my colleagues who share this concern is Mr. ALEXANDER, of Arkansas, who is a member of the Committee on Agriculture. He has introduced H.R. 1975, a bill designed to continue the emergency loan program which has provided assistance to agricultural producers who have suffered severe losses as a result of natural disasters.

Mr. ALEXANDER's bill was recently the subject of a column by Mr. Leland DuVall of the Arkansas Gazette. I believe that Mr. DuVall's comments on the proposal are worthy of consideration and would like, at this time, to insert it in the RECORD for review by my colleagues:

ALEXANDER'S BILL SEEN AS CHALLENGE

(By Leland DuVall)

Considerable evidence could be offered in support of the proposition that the dominant power center in government moves haphazardly among the legislative, administrative and even the judicial branches. In one season, Congress may be in the saddle; in another, the president holds the reins; and sometimes, even the court asserts its authority in a way that overshadows the other two branches.

Most persons would agree that, at the moment, President Nixon is riding tall in the saddle. This is particularly true in the government's dealing with agriculture—which happens to be the primary subject under consideration here—and Mr. Nixon has made it perfectly clear to everyone that he relishes his role as the lone cowboy. There are those who complain that he has driven some of the venerable farm programs over the cliff while Congress, which had bred and cared for the critters over the years, demonstrated its helplessness.

United States Representative Bill Alexander (Dem., Ark.) apparently is convinced that the current exercise in presidential high-handedness has gone far enough and that the time has come for Congress to reassert the authority which, he believes, was reserved by the founding fathers for the legislative branch. Alexander believes that when Congress appropriates money for an authorized (farm) program and when the president signs the measure the president has no legal power to decree that the funds will not be spent or—as happened in the case of REAP and certain other segments of the general farm law—that the program no longer exists.

The first maneuver in the campaign was executed this week when Alexander introduced a bill which would, among other things, amend the emergency loan program under the Consolidated Farm and Rural Development Act. In its narrow interpretation, the amendment would "provide immediate relief to farmers who suffered losses due to disastrous weather conditions" last fall. It would provide farmers with long term

financing needed to cover their losses by making possible the extension of credit, either directly from the government or from private sources with a government guarantee of repayment.

The broader interpretation of the amendment reveals that it is a direct challenge to Mr. Nixon's decree that the emergency loan program no longer would be operated. Congress authorized the program with a whole body of laws and Alexander apparently is a leader of the group that believes the loans should be available.

Based on the economic interest of his district, Alexander is the logical leader of any move to preserve the emergency loan program. Agriculture is the dominant economic factor among his constituents and farmers suffered severe losses last year from excessive rains during the harvest season.

Despite the need for emergency loans, Mr. Nixon terminated the program. The Alexander bill could make it possible for farmers to obtain credit with which to finance their next crop.

The bill, which contains seven major sections, is not a give away. In fact, it repeals some of the standout features of the old law but Alexander believes the real need is for a source of credit.

"The bill provides farmers with sources of long-term financing which they need to cover their losses," Alexander said. "Farmers need to be able to get long term credit on a realistic basis."

He emphasized that the availability of credit was considerably more important than "cheap" interest.

Here are the major provisions of the bill: It repeals the \$5,000 "forgiveness" clause and the 1 per cent interest provision established by the "Hurricane Agnes" legislation. (Part of the emergency relief provided for the victims of the hurricane made credit available at 1 per cent interest and permitted the write-off of some of the debt under extreme conditions.)

Sections of the Consolidated Farm and Rural Development Act would be clarified with an amendment which would provide for an insurance or a guarantee of the credit.

The Agriculture secretary would be "required" to make, insure or guarantee loans to eligible applicants in areas designated by him as natural disasters and in areas designated by the president as major disasters. These are provided for under the Disaster Relief Act of 1970. (Under terms of the amendment, the secretary would not have to duplicate a designation already made by the president before offering the loans, since the area already would be qualified.)

Interest rates on the emergency loans, under the Consolidated Farm and Rural Development Act would be raised to "not more than 6 per cent". (Under the current arrangement, the interest rate can be as low as 1 per cent, which leaves the program open to criticism as a give-away. Alexander believes the pressing need is not ample credit rather than a drastically-subsidized interest rate.)

The "open money market" authority would be increased from the existing \$100 million limit to \$500 million.

The Agriculture Department would be authorized to guarantee loans originated, held and serviced by commercial institutions such as banks or Production Credit Associations. (This is the key provision, since it "directs" the Agriculture secretary to make disaster declarations for areas that have been subjected to severe damage. The existing law has been interpreted to mean that the secretary has an "option" in the matter.)

Finally, the bill would repeal parts of the Disaster Relief Act of 1970, which would cause the emergency loan program to revert to the permanent loan legislation. Alexander said the change would permit unlimited

long-term loans to farmers victimized by disasters.

In its narrow interpretation, the proposed legislation simply was designed to make certain that farmers who suffered severe crop or property losses would be able to borrow money so that they could continue their business. The funds might come directly from the government or from a private lending institution but they would not be a gift by any means.

In a broader sense, the measure is a challenge to President Nixon's assumed authority under which, in the name of fiscal conservation, he limits or terminates programs that have been written by Congress and signed into law.

If Congress hopes to function in its traditional role as lawmaker and custodian of the nation's purse it will have to reassert its authority and the Alexander bill might be a good place to start. As an alternative, the supply clerk might order a fresh supply of rubber stamps, although this would appear to be an unlikely course at a time when the Democrats are supposed to control Congress while a Republican resides at the White House—or at Key Biscayne or at Camp David or at San Clemente or some alternate seat of power.

BUILDING CODES

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ANNUNZIO. Mr. Speaker, today I am introducing legislation designed to assure the continued authority of State and local governments to protect the public health and safety of their residents in accordance with the highest building code standards they wish to adopt.

Health and safety features of building and related codes are an exercise of the police powers that were reserved to the States when the Constitution was written. They have been delegated to localities in most instances, because the local governments can be the best administrators of such regulations.

Unfortunately, HUD has sought to encroach upon these powers. It has done so in an indirect manner, by insisting that as part of the workable program for community improvement, which is a prerequisite for certain program grants, building codes have to be adopted which permit lower standards than a community may wish to adopt. This has been done, moreover, despite evidence that such lower standards can be unsatisfactory and dangerous.

In Dade County, Fla., after the code was changed in response to Federal pressure, to permit plastic pipe to be used, there were complaints from homebuyers of new FHA-insured homes that "everything leaks." The danger of bad shocks and even death from electrocution, of which there are a few hundred each year, is increased by the use of plastic sheathed electric cable through which a nail can be driven.

The Federal law should not become an instrument to bludgeon local communities into accepting such code provisions.

My bill would provide that nothing in any other part of the Federal law shall

prevent a locality from having in effect a code which the National Bureau of Standards has determined is as high or higher than minimum code standards specified by the Secretary of Housing and Urban Development to qualify under Federal law. Such local standards would be deemed satisfactory for all Federal requirements relating to acceptable code standards.

I believe that every community should have the right to determine its health and safety regulations, when embodied in building or other codes. My legislation would preserve that right, and I urge its early enactment.

PARCEL POST COMPETITION WITH PRIVATE DELIVERY SERVICES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, recently I met with representatives of the United Parcel Service. The object of their concern was the problem of parcel post competition and the probability that the U.S. Postal Service might be attempting to form a monopoly in this area. It seems that the problem lies in the fact that the Postal Service has not adjusted its rates since 1970—based on costs incurred during 1969—despite the fact that rates for other classifications of mail have increased proportionately to their usage by the general public. The Postal Service claims that parcel post costs have not risen since 1969. It appears that the Postal Service is not cognizant of the fact that parcel post has more of an impact on itself than it is willing to admit and that the costs incurred above the 1969 limit are being subsidized by the other classifications of mail service. The result is the formation of a monopoly to the disadvantage of the United Parcel Service.

Those involved in the business of transportation the mail of our citizens feel that efficiency is the key to achieving success in this very competitive enterprise. These businesses pay 100 percent of the costs involved in their work, in addition to paying all taxes imposed upon them by our Government. Free enterprise was a cornerstone upon which this country was founded and the figures in this article do not further the idea of free enterprise upon which our economy is based. The Postal Reorganization Act of 1970 gave the U.S. Postal Service the freedom to manage its own business, not the freedom to destroy its competition.

The following article is a summation of the problem of parcel post competition and states rather clearly the difficulties that have occurred.

The article follows:

PARCEL POST COMPETITION WITH PRIVATE DELIVERY SERVICES

What was the intention of the Congress when parcel post was originated?

Parcel Post was established by act of Congress to fill a transportation void that existed at the turn of the century, particularly in rural areas. The service was designated to supplement the limited capacity of private

transportation companies to make service available to all. Congress included in the law the requirement that parcel post pay its own way so that the service would not compete unfairly with existing transportation or discourage the development of new services.

During the first 57 years of parcel post history that preceded the Postal Reorganization Act of 1970, parcel post remained the only class of mail service that was required by law to be self-supporting.

Parcel post began operating on January 1, 1913, by act of August 24, 1912. It authorized the postmaster general, subject to the consent of the Interstate Commerce Commission, to establish classification, weight limits, rates, zones and conditions of parcel post service, and to "insure the receipt of revenue from such service adequate to pay the cost thereof." (Quote from the law.)

This policy that parcel post must pay its own way was reiterated in legislation passed in 1925 and 1928. In 1950 the law was given reinforcement teeth to increase compliance. To encourage cost recovery, Congress prohibited the Post Office from drawing upon its appropriated funds until the postmaster general certified in writing that the rates for parcel post were sufficient to cover the cost of the service, or that rates were to be established that would have this effect.

In 1958 the law was revised to establish a percentage range within which cost recovery must be accomplished. The law required that the revenues from fourth class mail must cover the cost of the service plus or minus 4 percent.

Over the many years the Post Office demonstrated it could comply with the policy of Congress and maintained cost accounting procedures that enabled it to set parcel post rates that reflected the cost of providing this service. It is equally obvious that proper parcel post rates did not drive the Post Office out of the parcel business.

UPS WELCOMES PARCEL POST COMPETITION

Since the Postal Reorganization Act of 1970, both Postmasters General Blount and Klassen have publicly stated their intention to change this tradition in order to recover the parcel deliveries they say have been taken away by private motor carriers. They both singled out United Parcel Service as their prime target.

If they mean to compete fairly we welcome the competition as in the public interest. If they mean to use the vast resources of the U.S. Postal Service to subsidize parcel post in order to drive out private competition, UPS will vigorously oppose such tactics in every way available to us. We have always supported a strong parcel post service. In 1969 UPS president, Paul Oberkotter, appeared before the House Committee on Post Office and Civil Service to testify on legislation proposing postal reorganization. He said:

"Nationwide territorial coverage is an important feature of the government's parcel post service. We believe that this service should be conducted in the most efficient manner possible. It is in our best interest. It keeps us on our toes. We believe that the chief executive officer of the postal establishment must be given the freedoms, the controls, the access to resources and the rules to enable him to operate effectively. Accordingly, we hope to be able to support fully the form of postal reorganization this Committee may adopt, provided that parcel post is required to compete with privately owned carriers on a fair basis."

United Parcel has demonstrated its interest in helping parcel post become a strong but fair competitor through deeds. In the past, the company has established a liaison with top postal officials to provide Post Office technical staff and consultants with access to UPS facilities and information. We would hope that this spirit of cooperation could

continue and that the public would benefit from it.

UPS SERVICE CONTINUES TO GROW

UPS operates in 46 of the 48 continental states. We are presently authorized to serve 40 entire states, parts of 6 other states and the District of Columbia.

In our authorized areas we serve every city, town, hamlet and farm. UPS rates are competitive with parcel post.

For those shippers who need an expedited service we provide a combined ground-air service that links up the West Coast states with those in the Midwest, South and East.

If applications now pending before the Interstate Commerce Commission are granted, UPS service will be available for both pickup and delivery at every point in the entire 48 states.

We presently have 225,000 customers using our service every day. We deliver over two and one-half million packages each day, to well over one million and a quarter consignees each day. We estimate that we have served over 15 million different consignees in the past year.

MYTHS THAT HAVE SPRUNG UP ABOUT UPS

There have been references to the fact that UPS "skims the cream" and picks and chooses customers. They are simply unfounded and untrue. Rather than picking and choosing customers with the most profitable volume, United Parcel Service provides total coverage of any area it is authorized to serve. Any person at any address can have a package picked up or delivered to his doorstep. UPS serves large towns, small towns, rural areas, and any remote location where a delivery vehicle can be driven.

By contrast, the Postal Service does not offer a package pickup except for favored large-volume shippers, and any citizen served by one of the 6,838 fourth class post offices gets no package delivery. In addition, the Postal Service limits package delivery from its 12,551 third class post offices. Postal management provides delivery at its option, and such service is usually given to areas that have a specified population density.

Under its tariffs as a common carrier, United Parcel Service cannot and does not refuse to give service to anyone who requests it. Such a refusal, made for the reason that the business would be unprofitable or marginal, would be grounds for revocation of the company's authority to operate. The company makes many deliveries into remote areas where a single package may move down miles of back roads before arriving at its destination.

While United Parcel Service serves many shippers with large volumes, the majority of the users of the service ship relatively low volumes. Of those customers who use the daily pickup service, more than half offer UPS less than four packages a day. About a quarter of these regular pickup customers offer on the average only one package or less a day.

United Parcel Service encourages use of its service by making it accessible to the greatest extent possible. Last year some 12 million packages were brought to the hundreds of United Parcel Service buildings where counters are maintained for the receipt of packages from any who wish to use the service.

The company offers a regular pickup service for a nominal weekly fee. The company's phone number appears in almost all phone books across the nation. Any customer may make a collect toll call and request one-time pickup service. The pickup is made for a nominal fee, usually the next day.

This phone system has been developed to make service available to everyone, even though UPS does not establish an office in every community. The Postal Service has established facilities in most large communities, and these are supported by the bil-

lions of dollars of revenue that is collected for the several classes of mail. United Parcel Service, working only with package volume, cannot duplicate the Postal building network, so it uses its package vehicles as mobile post offices that come to the door of the customer.

At present the company's pickup and delivery network covers its service areas so completely that its trucks have the capability of literally traveling down almost every road in America. Any activities designed to discourage the use of this service could reduce the number of packages being carried into areas that already generate too little package activity to be profitable. As long as United Parcel Service operates under the broad territorial grants of authority it now possesses, it must and does hold itself ready to continue to traverse almost every byway in America. It would be illogical for it to try to reduce the packages and revenue in any sparsely populated service area; since a reduction would cut into already thin or nonexistent profit margins for such areas.

UPS EMPLOYEES SHARE IN OUR BUSINESS

Our payroll for 1971 was \$525,000,000. Our taxes in 1971 amounted to \$94,000,000. We employ 53,000 people and operate a fleet of 28,000 vehicles from 800 locations across the country.

The employees of UPS have a stake in the company over and above their jobs and pay checks.

With minor exceptions, all UPS stock is owned by 5,100 UPS supervisors and managers who are actively engaged in operating the business, or their families; or by former employees, their estates or heirs. No one shareholder owns as much as 6% of the total UPS stock.

Since 1961, we have had a Thrift Plan available to all employees after one year of service. This is a savings and profit sharing plan. Presently 30,200 UPS employees participate in the Thrift Plan. Those who have been in the plan since 1961 now have \$8,000 each invested in the company's success.

This is why our employees are so concerned about the threat of the Postal Service using its monopoly service to subsidize parcel post which has always been considered by Congress to be a service competitive with private motor carriers.

PARCEL POST IS NOT PAYING ITS COSTS

The last parcel post rate increase took effect in November 1970 reflecting 1969 costs. Since then, rate increases have been put into effect for practically every class of mail except parcel post.

It is surprising that every class of mail except parcel post needed rate increases which reflected the rising costs of providing the services. It is now 1972 and the position of the Postal Service is that parcel post costs have not increased since 1969 despite substantial wage increases and rising costs in all other items of expenses.

1971 RATE INCREASES

1st Class, letters: up 33%.
2nd Class, newspapers, magazines: up 127%.
3rd Class, advertising: up 26%.
4th Class, parcel post: no increase.
Films, books, educational materials: up 17%.

The Postal Service is not allocating to parcel post costs caused by parcel post.

Of total fiscal 1970 postal costs of \$7,981 million, only \$435 million were attributed to parcel post service by U.S. Postal Service. We believe that approximately \$770 million of those costs can be causally related to parcel post service. In addition, parcel post must bear a reasonable share of the remaining "institutional" costs of the Postal Service. Because 1972 parcel post revenues are projected to be \$872 million, we feel a rate increase is clearly indicated.

Parcel post represents 40 percent of the cube and 25 percent of the weight of all mail handled by the Postal Service. Consequently, parcel post has a substantial impact on the costs of the Postal Service.

The Postal Service allocation of costs shown below does not reflect this impact:

[In percent]		
Types of costs	U.S. Postal Service allocation of these costs to parcel post	UPS estimate of proper allocation
Sorting of parcel post.....	100.0	100
Movement between post offices:		
A. By private carriers on subcontract.....	5.0	15
B. By postal employees.....	0	30
Parcel post delivery driver:		
Payroll.....	1.5	5
Postal window service for receiving parcel post from customers.....	0	10
Motor vehicle costs: Depreciation, repairs, servicing, fuel, tires, etc.....	0	20
Buildings and equipment, maintenance and depreciation.....	0	21

Note: Figures based on testimony of USPS and UPS before Postal Rate Commission, Docket R71-1.

The above U.S. Postal Service allocations of costs to parcel post are much lower than the cost allocated to parcel post under the law prior to the Postal Reorganization Act of 1970. The old law required the Post Office to allocate full costs to parcel post and to set rates that would recover such costs.

UPS and the thousands of parcel delivery companies throughout the United States who are competing with parcel post pay 100% of all these costs as well as taxes.

The new law did not intend the allocation interpretations proposed by U.S. Postal Service shown above. Such interpretations, if allowed, would be destructive of private competition with parcel post.

The new law intended to give the U.S. Postal Service the freedom to manage its business—not the freedom to destroy competition.

UKRAINIAN INDEPENDENCE DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. GILMAN. Mr. Speaker, last Saturday at the inaugural ceremony of President Richard M. Nixon, I was once again moved by the recital of the inspirational preamble to our Constitution promising to secure "liberty . . . for all."

In reflecting the freedom that our forefathers desperately guaranteed for us, I am reminded of those nations throughout the world which are denied freedom.

One such nation, the Ukraine, a captive nation, celebrated its national independence day on January 22. This 55th celebration of the Ukrainian Independence Day serves as a reminder of a short-lived freedom.

After many years of control by Czarist Russia, on January 22, 1918, the Ukrainian State fought for and won its independence from Russia. However, this brief interlude was terminated in 1920 when Russia asserted force and took con-

trol of the Ukraine, making a stalwart people the largest captive nation in the U.S.S.R.

Through these many years of oppression, the spirit of the Ukraine people has not diminished. Both here and abroad, January 22 is sought out as a day for recollecting and reaffirming the hope that the Ukraine will not always be a captive nation.

As we pay our respects to the brave Ukrainian nationalists let us recall that the Ukrainian people have suffered in their subservience. Their fortitude and commitment, untarnished through the years, is an inspiration to the citizens of the free nations of the world.

A CONSTITUTIONAL AMENDMENT TO STOP BUSING

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. NEDZI. Mr. Speaker, the time nears when the U.S. Supreme Court will have the opportunity to make the critical decision on cross-district busing and busing in pursuit of racial balance.

The House of Representatives has made its legislative intent abundantly clear that all orders in busing cases be stayed until the Supreme Court has acted; that is, until all appellate review has been exhausted.

Those of us who are convinced busing is wrong hope that the Supreme Court will rule quickly and decisively against busing and thereby decide the question once and for all.

However, if the Court rules otherwise, and, for example, upholds the Roth decision in Michigan, the only alternative is a constitutional amendment.

It is unfortunate that some Federal judges have become like moths fatally attracted to a flame. They have ordered busing in the face of overwhelming public opinion to the contrary, in the face of the fact that busing for racial balance across district lines is a radical departure from case law and tested educational practice, and in the absence of any persuasive evidence that education or racial harmony will be thereby improved.

My constituents and I believe we are in a crisis situation which threatens dire consequences. We believe that the U.S. Constitution is a noble document which should be amended rarely and then only with care. We believe this occasion is so serious that an amendment must be considered.

Any proposed constitutional amendment must travel a difficult path. As we know, the proposal must be passed by two-thirds vote of both House and Senate and then be ratified by the legislatures of three-fourths of the States.

An antibusing majority now exists in the House. As local court cases increase and the problem becomes more immediate in more congressional districts, the necessary two-thirds margin will become attainable.

The Senate presents a formidable obstacle. There, antibusing probably has a bare majority.

It seems likely that Senators, having larger, racially mixed constituencies, are apprehensive lest they offend the black community. And some in the black community, perceiving that some, but not all, antibusing reflects antiblackness as well, react not to the issue of busing itself, but to the antiblackness. Therefore, some Senators are reacting to a divided black community opinion which itself is reacting to a side aspect of the issue and not the issue itself.

It is important that the language of the proposed constitutional amendment be carefully and simply drawn so that Members are not provided with an excuse for opposing it by real or fanciful interpretations of the language. For example, one argument that has been heard already is that a constitutional amendment prohibiting busing would cause a reversion to a totally segregated, dual school system.

Several versions of a constitutional amendment have been suggested. Today I have cosponsored an amendment which reads simply:

No part of this Constitution shall be construed to require a school system which assigns pupils on the basis of neighborhood attendance areas to assign pupils in any other manner.

Personally, when it comes time to vote, I will support that version of a constitutional amendment which has the best chance to win.

Courts and legislatures should avoid imposing quotas and percentages. The emphasis should be on managing resources, not quotas.

I am for the concept of the neighborhood school, which means that all schoolchildren, without regard to race, color, or creed, have the right to attend schools nearest their homes.

Cross-district busing and race-conscious quotas, if imposed, are likely to mean bitter divisiveness, educational chaos, and a collapse in public support for public schools. There is, moreover, no objective evidence that those for whose benefit these plans are devised will, in fact, be benefited.

Busing children to out-of-neighborhood and even out-of-county schools is really intolerable. Congress, reflecting the thoughtful conviction of an overwhelming majority of Americans in this matter, cannot allow itself to acquiesce.

JIM SMITH

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. RAILSBACK. Mr. Speaker, I have had the privilege of working closely with Jim Smith, who is now leaving as Administrator of the Farmers Home Administration. He will be missed not only by members of his Department, but also by Members of the Congress. Jim was a

dedicated public servant in the finest meaning of that word.

Jim Smith was born on July 23, 1926, and grew up on a family farm outside Tuttle, Okla. He was a member of the 4-H Club and Future Farmers; and educated in the Tuttle Public Schools and the Oklahoma College of Liberal Arts at Chickasha, Okla. Jim was engaged in farming and cattle raising, and active in civil affairs. In 1958, he was the Chickasha Junior Chamber of Commerce's "Outstanding Young Farmer," and, in 1965, was given the Chickasha Junior Chamber of Commerce "Outstanding Citizen Award."

Jim was elected to the 90th Congress on February 8, 1966, and on February 3, 1969, President Nixon appointed him as Administrator of the Farmers Home Administration. He was responsible for the implementation of several FHA projects which improved the quality of rural life tremendously. I am certain his dedication to this segment of the American public will continue, and I take this opportunity to wish him and his family every success and happiness in the years to come.

NORTH CAROLINA PLANS PUSH FOR FOREIGN INVESTORS

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. FOUNTAIN. Mr. Speaker, international investment, like international trade is a two-way street. North Carolina's accomplishments in securing foreign investment capital from 11 countries for 67 industries are, therefore, highly significant.

An article detailing some of North Carolina's past and future efforts in this area appeared in the January 15 edition of the Journal of Commerce, and is as follows:

NORTH CAROLINA PLANS PUSH FOR FOREIGN INVESTORS

RALEIGH.—North Carolina, like the other Southeastern states, has been sharing in the multi-million dollar bonanza called reverse investment.

So important has it become, that state industrial and tourist resources director, Robert E. Leak, calls it "the highlight of North Carolina's international program."

SIGNIFICANT FACTOR

Since the Tar Heel State started scanning the world for foreign investment capital, North Carolina now counts 67 industries from 11 nations. The significant factor is that more than half of these are in manufacturing. These industries have provided jobs for hundreds of North Carolina workers, and have become the forerunners of several more expected to come to the state this year.

Mr. Leak, who has been a member of several North Carolina missions abroad, and who has been the architect of many of them, sees 1973 as becoming one of the best years ever, on the basis of inquiry from foreign firms and because of information brought back by mission members.

Missions last year took North Carolina industries investment teams to Europe, Scandinavia and Japan, engaging in talks with 60 top industrialists in these countries.

MISSION IN EUROPE

As far as reverse investment is concerned, North Carolina has been one of the most aggressive states in the U.S. in seeking out foreign dollars.

Along with the reverse investment missions, manufacturers of a wide variety of items in the state have traveled abroad seeking what the overseas market can absorb, and to learn how best North Carolina can meet these needs.

The state industrial division in April of last year sent two representatives to Europe to visit over 40 key European industrialists as a follow-up to the 1970 North Carolina Industrial Development mission to the United Kingdom and Europe.

LOCATE IN STATE

Directly resulting from that mission, a number of European companies have located in North Carolina. A recent example is the Funder Company from Austria, which announced plans to construct a plant in Mocksville, N.C. for the manufacture of laminated panels for the furniture industry. The original capital investment of \$2.5 million will eventually reach \$7 million.

The division participated in reverse investment seminars held in May of last year in Dusseldorf, West Germany, and Stockholm, Sweden, sponsored by the U.S. Department of Commerce and the National Association of State Development Agencies.

About 200 European and Scandinavian companies attended these seminars, with 22 prospects showing interest in North Carolina.

Thereafter, the division's efforts focused upon the Far East. During August, advance arrangements were made in Japan to hold an "All North Carolina" reverse investment seminar in Tokyo.

Prior success in Europe, Scandinavia, and Canada dictated that the North Carolina story be carried to the Japanese industrialist, particularly in view of the realignment of monetary currencies influencing foreign companies to advance their time-tables on plant location decisions.

Over 150 major Japanese companies attended this two-day seminar, entitled "Establishing Manufacturing Facilities in North Carolina, U.S.A.," which was held in October in Tokyo.

Among the topics covered at the seminar, which was opened by Robert S. Ingersoll, Ambassador of the United States to Japan, were labor, wages, industrial training, site, and construction costs, transportation, and utilities, marketing, financing and taxes, pollution, research and development, legal aspects of doing business, and livability.

A number of Japanese companies now are seriously investigating the possibilities of locating plants in North Carolina.

There are several projects under study by the division for 1973.

In terms of reverse investment, a major thrust will be directed toward European and Japanese prospects. From the standpoint of export promotion, the division is considering a North Carolina trade mission to the U.S.S.R. and Eastern Bloc countries.

While 1972 was an exceptionally active year, 1973 is regarded as equally promising.

THE 55TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

SPEECH OF

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. DELANEY. Mr. Speaker, I am glad to have this opportunity to join my col-

leagues today to commemorate the 55th anniversary of Ukrainian Independence, the day when the gallant people of the Ukraine freed themselves from the tyranny of their Russian oppressors.

These great and noble people had been submerged under the czars since the middle of the 17th century. Although their czarist rulers did their utmost to eradicate Ukrainian national traits and make these people Russians, their efforts were in vain. The indomitable Ukrainians steadfastly clung to their national traditions and ideals.

When the czarist government was overthrown by the Revolution of 1917, the Ukrainians proclaimed their independence on January 22, 1918, and the Ukrainian National Republic was born. Unfortunately, the fledgling government was faced by overwhelming odds, and was overthrown by the Red Army in 1920. Tragically, it has been a captive nation since that time.

During the 55 years of bondage, these exceptionally gifted and dedicated people have never lost hope of achieving their eventual freedom. On this anniversary of Ukrainian independence, it is right that we should call to mind our own historic commitment to self-determination, and rededicate ourselves to assuring all people's right to a government of their own choosing is a continuing principle of international justice.

NORM LENT REPORTS

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. LENT. Mr. Speaker, earlier this month I sent my first newsletter of the 93d Congress to my Fourth District constituents. I include the text of my newsletter in the RECORD at this point:

YOUR CONGRESSMAN NORM LENT REPORTS FROM WASHINGTON

(Congressman NORM LENT's Washington report, January 1973)

NEW CONGRESS CONVENES WITH MUCH TO DO

The new 93rd Congress had scarcely lowered its collective right hand after a January 3rd swearing-in ceremony before hundreds of new legislative proposals had been dropped in the House bill hopper.

The new Congress could be one of the busiest in recent years, but the House leadership must speedily construct the 21 standing committees and dispense quickly with routine organizational functions before the arrival of Spring, lest the 93rd begin as too many of its predecessors—as a turtle race.

In years past, a slow start for new Congressional sessions has impeded legislative progress, and I am going to do all I can to see that we "get off the mark" more quickly this year.

Among some of the more critical legislation likely to see House action this year is a private pension reform measure, a National health care bill, and a new energy policy plan. In addition, I feel strongly the Congress must tackle some unfinished business it skirted before adjourning last November for the 1972 elections.

High on this list must be an effective curb on forced busing of schoolchildren, as well

as legislation to effectively waylay proposed offshore oil drilling in the Atlantic until more foolproof environmental safeguards can be developed.

REPRESENTATIVE LENT SAYS: LET'S WORK TOGETHER FOR FOURTH DISTRICT

With the redrawing of Congressional District lines, I now have the honor of representing you in the new Fourth Congressional District. I've represented many of you on the South Shore in years past, either as your State Senator or as your Congressman, and I look forward to continuing what for me has been a rewarding experience as your Representative.

For those of you in Levittown, Hicksville, East Meadow and the communities stretching north to Glenwood Landing and Glen Head, I will be representing you for the first time. I was able to meet personally with many of you during the past campaign, and I look forward to meeting many, many more of you in the months ahead.

For all of us, the just-begun 93rd Congress offers an opportunity of working together to tackle head-on some of the tough National questions that need to be solved. We will not always agree on each and every issue or the method of cure for every problem—but working together we can insure that the new Fourth Congressional District will be "getting in its two cents worth" in Washington.

As your part of the deal, I need to hear from you on the National issues that concern you, the Federal legislation that you're for or against. If you've got something on your mind that concerns our National government, sit down and drop me a letter or a card.

I'll be flying back from Washington, D.C. every weekend and during Congressional recesses so as to be available to attend your functions and meet with you to get your views and help you with your problems. I'll be polling you on your views on some of the major issues via a Congressional questionnaire in the near future and sending you more of these newsletters in the months ahead in an effort to keep you abreast of what the Congress is doing and what it's failing to do.

NEW BALDWIN OFFICE OPENS

On January 1st, my staff and I moved our District Office from Rockville Centre to Baldwin. The Fourth Congressional District Office is now located in Room 207 of the Baldwin Plaza Building, 2280 Grand Avenue, Baldwin (just South of Sunrise Highway and the Baldwin LIRR Station).

My staff and I are delighted with our new location which is convenient to the LIRR and major bus lines. It can easily be reached by car and there is ample parking.

The new Baldwin Congressional Office will be staffed full time with hours from 9 a.m. to 5 p.m. Monday through Friday and 9 a.m. to noon on Saturday. The phone number is BA 3-1616.

If you have a question or just want to voice your thoughts on pending Federal legislation, don't hesitate to call my Baldwin Office. If you are experiencing a problem with the Federal government that is particularly involved, it is best to write to me directly in Washington outlining the details of the matter. In this way, I will be able to provide you with a speedier response.

PROTRACTED BATTLE PAYS OFF—REVENUE SHARING DOLLARS FLOWING BACK TO NASSAU

After a two-year Congressional battle, the Federal Revenue Sharing program which I fought so hard for during the last session of the Congress is beginning to bear fruit for Nassau County and its Towns and Villages.

The Federal Revenue Sharing checks forwarded recently to Nassau localities proved a belated holiday surprise with many villages, as well as the Towns of Hempstead, Oyster Bay and North Hempstead—and Nassau County—receiving sums considerably higher than original estimates which had been based

on outdated population and local taxation effort figures.

Freeport's slice of the Revenue Sharing pie, for example, increased from an original estimate of \$205,000 to a whopping \$319,000.

Both the Town of Hempstead and the Town of Oyster Bay virtually doubled their cut of the Federal monies. Hempstead receiving nearly \$3½ million and Oyster Bay nearly \$1½ million. Original Treasury Department estimates had allocated Hempstead Town only \$1,250,000 and Oyster Bay only \$800,000.

This returning of Federal tax monies from Washington to Nassau is a reversal of a long-time enigma which had our taxpayers sending money to Washington with little appreciable return for their dollar. It will translate into more effective and improved local services for Nassau residents and should ease the pressure for increases in local real property taxes.

REVENUE SHARING BOX SCORE

	Original estimate 1972	New share 1972
Nassau County.....	\$9,377,773	\$13,095,720
Town of Hempstead.....	1,250,000	3,416,212
Town of Oyster Bay.....	800,000	1,420,632
Town of North Hempstead.....	730,000	1,001,548
Brookville Village.....	13,889	13,688
East Rockaway.....	44,638	50,268
Freeport.....	205,766	319,510
Island Park.....	23,333	45,756
Muttontown.....	0	8,870
Old Brookville.....	0	7,608
Old Westbury.....	11,532	11,366
Westbury.....	66,427	65,470

WILL LONG ISLAND FIRM GET THE AX?—IN THIS CASE WE HOPE SO

After one of the most grueling performance competitions ever, the U.S. Air Force is on the verge of awarding a contract which could spell over 5,000 new jobs on Long Island and a sizeable infusion of money into our local economy.

One of the two finalists aiming at the contract to build the AX close-support fighter plane is Farmingdale's Fairchild Republic Corporation, which has developed an outstanding prototype. Although Fairchild is not located in the 4th C.D., many District residents are employed at the Farmingdale firm, and I am devoting all of my energies to see that the nearby plant comes out on top when the award is made on January 19th.

Working in conjunction with the Long Island Association of Commerce and Industry, I have been "lobbying" on Capitol Hill and at the Pentagon to insure that the Fairchild proposal gets closely looked at.

Fairchild Republic officials estimate that \$154,000,000 in subcontracting funds will flow to Long Island firms if they win the huge contract, and that is ample reason for us to be battling on behalf of the local firm.

NEVER AGAIN

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. HELSTOSKI. Mr. Speaker, all Americans, I am sure, share our happiness and relief at the announcement of the impending cease-fire in Vietnam, and the ensuing accounting for and return of our prisoners of war. It is vital, however, that this happiness not crowd from our minds the costly lesson we have learned in the Southeast Asian subcontinent.

Both sides have paid a heavy toll in

manpower. The devastation of land in Indochina will take much to repair. Unless the signed agreement provides for the elimination of the seeds of discontent in Vietnam, political corruption and the press for land reforms could serve possibly to reignite the Indochinese civil war.

I sincerely hope that all Americans will evaluate and remember the price this Nation has paid in honor, morale, and men. I hope that we will resolve that we will never again allow ourselves to forget through what mazes twisted priorities can lead us; that we will never again allow ourselves to be drawn into such a situation; that we will never again pay such a price for such vague objectives.

Mr. Speaker, in our relief, let us study what Vietnam has to teach us, and remember this lesson. We must resolve that such a tragic war and involvement will never happen again.

END THE ELECTORAL COLLEGE

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BELL. Mr. Speaker, I have introduced into the House today a constitutional amendment to abolish the institution and functions of the electoral college. I am impatient that 92 Congresses of the United States have permitted this anachronism to continue to exist. Little need be said about it: It is undemocratic. It is uncontrollable. And it is potentially dangerous. I say let us get rid of it.

The text of my proposed amendment, which has strong bipartisan support in the Senate under the leadership of Senator BAYH, follows:

H.J. RES. 237

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The people of the several States and the District constituting the seat of government of the United States shall elect the President and Vice President. Each elector shall cast a single vote for two persons who shall have consented to the joining of their names as candidates for the offices of President and Vice President. No candidate shall consent to the joinder of his name with that of more than one other person.

"Sec. 2. The electors of President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that for electors of President and Vice President, the legislature of any State may prescribe less restrictive residence qualifications and for electors of President and Vice President the Congress may establish uniform residence qualifications.

"Sec. 3. The persons joined as candidates for President and Vice President having the greatest number of votes shall be elected President and Vice President, if such number

be at least 40 per centum of the total number of votes cast. If none of the persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes, but the persons joined as candidates for President and Vice President having the greatest number of votes cast in the election received the greatest number of votes cast in each of several States which in combination are entitled to a number of Senators and Representatives in the Congress constituting a majority of the whole number of Members of both Houses of the Congress, such persons shall be elected President and Vice President. For the purposes of the preceding sentence, the District of Columbia shall be considered to be a State, and to be entitled to a number to which it would be entitled if it were a State, but in no event more than the number to which the least populous State is entitled.

"If, after any such election, none of the persons joined as candidates for President and Vice President is elected pursuant to the preceding paragraph, the Congress shall assemble in special session, in such manner as the Congress shall prescribe by law, on the thirty-fourth day after the date on which the election occurred. The Congress so assembled in special session shall be composed of those persons who are qualified to serve as Members of the Senate and the House of Representatives for the regular session beginning in the year next following the year in which the election occurred. In that special session the Senate and the House of Representatives so constituted sitting in joint session, each Member having one vote, shall choose immediately, from the two pairs of persons joined as candidates for President and Vice President who received the highest numbers of votes cast in the election, one such pair by ballot. For that purpose a quorum shall consist of three-fourths of the whole number of Senators and Representatives. The vote of each Member of each House shall be publicly announced and recorded. The pair of persons joined as candidates for President and Vice President receiving the greater number of votes shall be elected President and Vice President. Immediately after such choosing, the special session shall be adjourned sine die.

"No business other than the choosing of a President and Vice President shall be transacted in any special session in which the Congress is assembled under this section. A regular session of the Congress shall be adjourned during the period of any such special session, but may be continued after the adjournment of such special session. The assembly of the Congress in special session under this section shall not affect the term of office for which a Member of the Congress theretofore has been elected or appointed, and this section shall not impair the powers of any Member of the Congress with respect to any matter other than proceedings conducted in special session under this section.

"Sec. 4. The times, places, and manner of holding such elections and entitlement to inclusion on the ballot shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. The days for such elections shall be determined by Congress and shall be uniform throughout the United States. The Congress shall prescribe by law the times, places, and manner in which the results of such elections shall be ascertained and declared. No such election shall be held later than the first Tuesday after the first Monday in November, and the results thereof shall be declared no later than the thirtieth day after the date on which the election occurs.

"Sec. 5. The Congress may by law provide for the case of the death, inability, or withdrawal of any candidate for President or

Vice President before a President and Vice President have been elected, and for the case of the death of both the President-elect and Vice President-elect.

"Sec. 6. Sections 1 through 4 of this article shall take effect two years after the ratification of this article.

"Sec. 7. The Congress shall have power to enforce this article by appropriate legislation."

A NATIONAL HOLIDAY ON DR. MARTIN LUTHER KING'S BIRTHDAY

HON. WILLIAM H. HUDNUT III OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Thursday, January 18, 1973

Mr. HUDNUT. Mr. Speaker, I rise to support the proposal offered by the gentleman from Ohio (Mr. STOKES) and others to designate the birthday of Dr. Martin Luther King, Jr., as a national holiday.

On January 15, I was privileged to participate in a birthday celebration honoring the late Dr. King at the St. John's Missionary Baptist Church in Indianapolis. It seemed to me fitting and proper, as it does now, that the Congress should be sensitive and responsive to the yearning in the heart of black America for the enactment of legislation creating a national holiday in commemoration of their fallen hero's birthday.

There are several reasons why I believe January 15, or some other day that may be deemed more suitable on the national calendar, should be designated thusly.

First, our national history requires it. At present there is no national holiday that relates specifically to black America's contribution to our natural heritage, much less that of other national and racial minorities in our land. This is hardly an accurate reflection of what they have meant to our country across the generations.

Second, the merits of Dr. King himself require such action. Controversial though he was, I believe he stood for human rights, for equal opportunities for all, for brotherly love and for peaceful change. He was a man of courage, conscience, and conviction, a hero and champion within the black community who inspired many in white America and won worldwide acclaim and fame as well.

A third reason for such a national holiday, is that we live in a pluralistic society in which the rights of an individual to be himself, to make his unique contribution, and to advance to the limits of his ability and ambition, should be recognized. Dr. King perceived these rights as rights for all Americans, and helped his people to work for these goals.

The purpose of any holiday is to serve as a symbol. Obviously, we cannot have too many such holidays, or our country would be surfeited by a plethora of groups each demanding national recognition for their own particular ethnic or racial hero. But one such day, whether it be Dr. King's birthday or some other suitable date, would be an important symbol of our appreciation for many mi-

nority group's contributions to American history as well as our affirmation of their dignity and equality.

JAPAN AIR LINES AND THE ARAB BOYCOTT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 23, 1973

Mr. EILBERG. Mr. Speaker, in February 1969, I first reported to my colleagues in the House of Representatives the findings of the Anti-Defamation League of B'nai B'rith that Japanese commercial interests had knuckled under to Arab pressure and were boycotting Israel. I further updated that report on Wednesday, October 14, 1970, with new material from the ADL.

The situation shows little improvement since these two reports, and today the Japan Air Lines still continues to play the Arabs' game with its participation in the Arab boycott.

Japan is one of 76 countries, including the United States and Israel, that are members of GATT—general agreement on tariffs and trade. Therefore, Japan Air Lines' submission to the Arab boycott is not only immoral, but in violation of GATT regulations.

The traditional practice in international commercial aviation is for national airlines to recommend to their respective governments that they enter into treaty agreements on landing rights. Yet, Japan Air Lines has consistently refused to make such a recommendation in relation to Israel and has called the situation an incredible saga of the airline's knuckling under to Arab boycott threats. Meetings and exchanges of correspondence by the ADL with Japan Air Lines over a period of nearly 5 years have been totally nonproductive. Japan Air Lines has used stalling tactics with El Al Israel Airlines while offering ADL abundantly clear is its refusal to change its position.

Last month in Philadelphia, I participated on the opening day of a week-long demonstration protesting Japan Air Lines' participation in the Arab economic boycott of Israel at Japan Air Lines' Philadelphia office, 1518 Walnut Street. The demonstration was organized by Samuel Gaber, regional director of the Anti-Defamation League of B'nai B'rith in cooperation with: B'nai B'rith Council of Greater Philadelphia, B'nai B'rith Women District No. 3, B'nai B'rith Women Greater Philadelphia Council, the Board of Rabbis of Greater Philadelphia, Jewish Community Relations Council of Greater Philadelphia, Jewish Labor Committee—Metropolitan Philadelphia Area, Jewish War Veterans of the U.S.A.—Philadelphia County Council, and the Negro Trade Union Leadership Council.

I place in the RECORD the ADL fact file on "Japan Air Lines and the Arab Boycott" which was distributed by the ADL office in Philadelphia:

JAPAN AIR LINES AND THE ARAB BOYCOTT

Japan Air Lines is the national air carrier of Japan, with a fleet of 74 aircraft. With fifty percent of the airline owned by the government, the other 50% publicly held, in 1971, JAL flew approximately 1,630,000 international passengers.

In 1970, JAL inaugurated a Tokyo-London service via Moscow in addition to the already existing Tokyo-Paris-via-Moscow route. In its round-the-world flight, it services Honolulu, San Francisco, Los Angeles, New York, London, Paris, Rome, Moscow, Cairo, Beirut, Teheran, Karachi, New Delhi, Calcutta, Bangkok, Singapore, Hong Kong and several other cities along the route. Last year JAL requested landing rights in Chicago and Anchorage, Alaska.

JAL maintains 15 sales offices in the United States, 2 in Canada, 4 in Latin America, 19 in Europe, and 3 in the Middle East (Beirut, Teheran and Cairo). It also maintains over two dozen sales offices in Southeast Asia and Oceania.

BOYCOTT

Following the International Air Transport Association Conference in Manila during the winter of 1967, Mr. Ben-Ari, the Director General of El-Al Air Lines and Israel's Ambassador Bartur met in Japan with the president of Japan Air Lines. It was agreed that their respective business managers would enter into discussions regarding a mutual air agreement between El-Al and JAL, after which government discussions would follow respecting the establishment of an Israel-Japan mutual landing-rights treaty. Simultaneously, the president of JAL received an invitation from El-Al to visit Israel for discussions.

The business managers never met nor did the JAL president ever visit Israel; the reason given by JAL was that their executives were too busy. More than a year later, in the fall of 1968, the president of JAL formally cancelled the proposed trip, claiming that his heavy schedule made the trip unfeasible. Now, five years later, he has still not visited Israel despite repeated invitations.

In July of 1969, at a meeting between Mr. Elmer R. Brown, JAL's Passenger Sales Manager for the New York District, and Anti-Defamation League—B'nai B'rith representatives, the ADL explained that its leadership was troubled by reports that JAL was boycotting Israel. As a result, a second meeting between JAL and ADL—B'nai B'rith representatives took place on October 1, 1969, with Mr. Shigeo Kameda, the Vice President of JAL-American Operations heading the JAL delegation. The B'nai B'rith representatives stated their disappointment over the Japanese Government's tolerance of the JAL boycott. The airline representatives agreed to bring the problem to the attention of both the Japanese Ministry of Transportation and the Japanese Federation of Economic Organizations. On October 24, 1969, Mr. Kameda wrote to the Japanese Ministry of Transportation as promised, requesting that the matter be brought before the Minister of Transportation and before the President of the Federation of Economic Organizations. JAL's Vice President concluded:

"We would appreciate any action on your part to present the problem to the authorities concerned. We have been, and still are, receiving considerable business from B'nai B'rith and it is our sincere wish to be of whatever service we can be to this organization."

THE "NONNEGOTIATIONS"

On March 30, 1970, Mr. Arnold Forster and Mr. Lawrence Peirez met in Tokyo with Mr. Nobuo Matsumura, Director and Vice President of Japan Air Lines, and discussed the state of "non-negotiations" between El-Al and JAL.

Mr. Matsumura then asserted that no formal invitation had ever been extended to

the president of JAL by the president of El-Al; that El-Al and the Israeli Government were perfectly content with the attitude and activities of JAL; that JAL would be perfectly happy to entertain propositions by El-Al but had heard none; and that in his talks with an Israeli Embassy representative he had persuaded the Israeli Government that there was no reason for any complaint. All of these statements were completely contrary to the known facts. Mr. Matsumura further stated that JAL business propositions were decided solely on their commercial merit, and that the airline was not planning on opening service to Israel because it was suffering from a shortage of planes and pilots needed for existing routes.

On April 13, 1970, B'nai B'rith, over the signature of the Director of B'nai B'rith National Tours, wrote a letter to JAL, which declared in part:

"It seems that the door has been firmly closed and no interchange is contemplated by JAL. Such a position on the part of your airline is forcing us to terminate the use of JAL by B'nai B'rith and their 600,000 membership."

In a meeting between Mr. Forster of ADL and Mr. Brown of JAL on April 14, 1970, the ADL explained that the evidence that JAL was boycotting Israel was corroborated by: the refusal of the president of JAL to accept the repeated invitations to discuss matters of mutual interest with the president of El-Al, and by the apparent unwillingness of the Japanese Government to open any kind of negotiations with the Israeli Government for a possible treaty on mutual landing rights.

Mr. Forster stated plainly that "any movement, any action, any deed indicating that JAL was not playing the Arab game" that any affirmative step, establishing collaboration between JAL and El-Al or between Japan and Israel (treaty rights) could persuade B'nai B'rith and other Jewish organizations that there was no longer reason to avoid JAL's facilities.

THE DILATORY TACTIC

At this juncture, Mr. Akamara, JAL's London representative, paid a courtesy call on Mr. Y. Rabin, Chief of Civil Aviation for the Ministry of Transport in Israel; nothing came of the visit. But on July 20, 1970, a meeting—we learned, was held in Tokyo between Israeli Government representatives, specifically from the Israel Civil Aviation Board, including the Vice President of El-Al Israel Air Lines, and Japanese Civil Aeronautics Board officials, at which time August, 1971, we were told, was set as a tentative date for the opening of government negotiations which El-Al had requested.

As a follow-up to this meeting, a formal diplomatic note was delivered in August, 1970, to the Japanese Foreign Ministry by the Israeli Ambassador requesting an air treaty between the two countries.

In the United States, Japan Air Lines attempted, from July, 1970, through October, 1970, to persuade ADL that it was not guilty of boycott submission. Accordingly, JAL proposed a series of drafts of a letter that would satisfy Jewish organizations regarding JAL's bona fides. In retrospect, this seems only to have been a tactic to buy time—time during which double-talk and additional promises put off the moment of truth about the boycott.

THE DOUBLE-TALK

Throughout this period, JAL maintained that its decisions were subject to the directives and recommendations from the Japanese Government, while the Japanese Government spokesman continues to advise that the matter was up to Japan Air Lines' decision and recommendations. Throughout that period, Japan Air Lines was writing letters to inquirers, informing them of the July 20th meeting and stating that the result of that

meeting was an agreement to conduct a joint study of economics of the air route linking the two countries.

On September 9, 1970, during the IATA Convention in Honolulu, another meeting was held between the commercial managers of Japan Air Lines and El-Al—again no progress was achieved. This turns out to have been just another effort by JAL to extricate itself from pressures in the U.S. with excuses rather than with the actual change in policy.

In November, 1970, we learned that Japan Air Lines advised the Israeli Embassy in Tokyo that negotiations would now begin in May, 1971. When in late April, 1971, no appointments or schedules for negotiations or meetings had been set, the ADL charged Japan Air Lines with not fulfilling its promise to negotiate.

On May 11, 1971, Japan Air Lines issued a news release denying the charges of boycott. In its statement, it announced that "JAL is engaged in the commercial airline business only, and does not participate in any form of politics, either on an international scale or within any country. We are influenced by sound business practices." This statement continued: "In international commercial aviation, reciprocal landing rights are negotiated by governments concerned, on the basis of long, careful study to insure that any new route will be operated at a profit. In the past, such discussions and negotiations have often been lengthy."

JAL was still evading responsibility for the shutting out of Israel in obvious compliance with the regulations of the Arab Boycott Office.

But in a letter dated April 8, 1971, Mr. S. Yamada, Regional Manager, Southwest Region of Japan Air Lines, while admitting that it was the Japanese Government that had to decide on policy, clearly admitted JAL's own responsibility for the first time. He wrote: "It is true that the Japanese Government is withholding action on mutual air treaty with Israel but it is truly based on economic reasons of its flag carrier, Japan Air Lines . . . detailed market research has revealed that there is simply not sufficient movement of goods and personnel between these two countries to warrant a desired economic sustenance . . . we reiterate that Japan Air Lines is a money-making enterprise and definitely cannot afford to dash headlong into untried market areas merely to satisfy political objectives . . . We fly for profit and not for protocol. We sincerely look forward to the day when both our countries can enter into agreement to this end."

In response to that analysis, El-Al Israel Air Lines, we were informed, proposed that after negotiation of a mutual landing rights treaty, it (El-Al) would exercise its option of flying to Tokyo and sharing the profits with Japan Air Lines without an obligation on the part of Japan Air Lines to reciprocate in terms of committing planes or flight schedules to Israel. That offer, too, we now learn, has been rejected.

As a result of all the foregoing, to this date, there has been no development in terms of government negotiations on a landing treaty, nor any further negotiations between El-Al and Japan Air Lines.

MAN'S INHUMANITY TO MAN—
HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 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 1,925 American prisoners of war and their families.

How long?

INTIMIDATION OF THE NETWORKS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, the following is an eloquent criticism of the administration's attempts to intimidate the network television news and public affairs bureaus. This Los Angeles Times editorial of December 24, attacks the administration's actual intent in calling for the elimination of "the bias" and "ideological plugola" which allegedly characterize network news coverage. Clearly, the administration's intentions are not related to improving the quality of American television, but rather to the destruction of the news media's right to question, to inform the public free from the influences of governmental coercion. The article follows:

INTIMIDATION OF THE NETWORKS

The White House has decided that television isn't as good as it should be and says it is going to do something about it. But hold your cheers. For there is evidence that it may be nothing more than a mask for an effort to intimidate network news and programming.

Clay T. Whitehead, director of the President's Office of Telecommunications Policy, unveiled the plan without unveiling the legislation that Mr. Nixon hopes Congress will adopt. In this circumstance, comment of necessity must be limited to what Whitehead said and the emphasis he chose.

What he offered, in essence, was a mix of new regulations on station license renewal, which didn't seem new at all; a broad-brushed attack on network programming, particularly the news function of the networks, and a warning to stations affiliated with networks to bring changes in network program and news operations or risk the loss of their station licenses.

It may be significant that Whitehead aimed most of his shots at the networks and had little to say about those non-network stations that often are the reservoir of the ultimate in warmed-over mediocrity. He was, in effect, beginning his crusade for better television by attacking the areas that at least harbor most of what quality there is in American commercial television.

His attack was the more mischievous because of its imprecision, bordering on smear, as he talked about "so-called professionals who confuse sensationalism with sense and who dispense elitist gossip in the guise of news analysis," of the "ideological plugola" of those who "stress or suppress information in accordance with their beliefs," of the "bias in the network," of unacceptable network standards of taste, violence and decency.

No names. No examples. But a threat. Clean it up, whatever it is. Or there will be no license renewal.

Network officials immediately interpreted Whitehead's words as an effort to drive a wedge between the networks and their affiliated stations. Of course it was. Carried to the ultimate application, his proposals could

destroy network television by making its programming susceptible to every local attack, and leaving the affiliated stations more vulnerable to arbitrary loss of their licenses.

But in this regard, a contradiction is evident in what Whitehead has proposed. He has not matched his new threat with new rules. And he himself has defended his proposals as the means "to increase freedom and responsibility in broadcasting."

He proposed two criteria to determine license renewal: (1) a demonstration that the station is in tune with the needs and interests of the community it serves and (2) evidence that reasonable, realistic and practical opportunities have been given to present and discuss conflicting views on controversial issues.

So what's new? Station license renewal presently is tied to the so-called "community ascertainment" formula. And the fairness doctrine haunts every discussion of a controversial issue. If there is anything new, it is his suggestion that the station be evaluated "from the perspective of the people of his community and not the bureaucrat in Washington," but when he was questioned about this, he indicated the job would remain in the hands of the Federal Communications Commission.

His package includes two elements that might ease the chaos and confusion in present renewal procedures, however. He supports extending the term of a license from three years to five. And he argues that the burden of proof should rest with those who challenge a license renewal.

When the legislation is unveiled, it will be for Congress to determine the real intent of the White House. No doubt about it, some reform of procedures is desirable. An improvement of program quality would be welcome. But Whitehead's presentation of the President's ideas seems transparent to us, falling to hide an intent to weaken the networks, and particularly, to intimidate the network news and public affairs departments. That is not welcome.

RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

HON. THAD COCHRAN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. COCHRAN. Mr. Speaker, as my colleagues are aware, the rural environmental assistance program has been terminated by the Department of Agriculture.

Today I am cosponsoring a bill to reinstate this most beneficial program. I am well aware of the aims of the administration to reduce expenditures, and I support efforts in that direction. However, the REAP program is not just an expenditure, it is a wise investment.

This program does more than assist farmers in bettering their productive efforts. It provides needed pollution controls which benefit the entire community.

In my district alone, during fiscal 1972, more than 25 percent of the funds expended were directed toward correcting soil erosion and water pollution.

Surely a program which requires equal participation from the private sector, and which results in increased land productivity, and at the same time helps secure a healthier environment, deserves further consideration by this Congress.

I urge my colleagues to join with me in the effort to reinstate the rural environmental assistance program.

FOREIGN ASSISTANCE APPROPRIATION BILL

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. CONTE. Mr. Speaker, last September 21, an amendment was offered on the foreign assistance bill that would have denied further funds to guarantee or insure future investments by the Overseas Private Investment Corporation—OPIC.

Fortunately, the amendment was defeated by a scant 26 votes, but the attendant debate unleashed a flood of misinformation and misunderstandings about OPIC, its operations, and the overall impact on domestic employment of U.S. foreign investment.

OPIC will be scrutinized by oversight reviews in subcommittees of both the House and the Senate later this year, so that the Members will be accorded the benefit of more deliberative examination than was possible last fall on the floor.

Meanwhile, I would like to share with my colleague an article from the current Business Europe that describes an investment-guarantee plan unveiled last month by the Brussels Commission in the Common Market to improve the competitive edge of EEC companies in the developing world.

This plan is in addition to individual investment-guarantee plans that most of the member countries provide their own overseas investors.

Before we get swept too far along the protectionist wave that is surging through both Chambers, it behooves us to view the world outside with more realism.

The article follows:

EEC TO GUARANTEE INVESTMENTS IN DEVELOPING COUNTRIES

In a move designed to promote EEC investments abroad, the Brussels Commission last month unveiled a comprehensive investment-guarantee scheme that should considerably improve the international competitive position of companies and foreign subsidiaries within the EEC.

The plan, now before the EEC's Council of Ministers, calls for setting up an Office for Private Investment Guarantee (OPIG) with an initial capital of \$10.8 million. OPIG should enable the EEC to: expand its foreign trade, particularly with the less developed countries (LDCs); strengthen its economic and political ties with them; and, probably the most important, secure long-term supplies of basic raw materials to its industries.

The scheme, expected to enter into effect this year, would cover three broad categories of noncommercial or political risks: war and revolution; nationalization, expropriation, and confiscation; and transfer of profits and capital, inconvertibility, and foreign exchange losses.

OPIG's guarantee would apply only to direct investments (equity participation, long-term loans, and advances) for the establishment or expansion of manufacturing or trading facilities outside the EEC. Geo-

graphically, the program would be extended to all countries that have concluded a bilateral convention on private investments protection with the Community; are associated with the EEC (e.g. Greece, Turkey, the 19 Africa associates, etc.); and provide sufficient legislative guarantees to foreign capital.

Foreign investments by EEC subsidiaries of non-EEC companies would be eligible for OPIG insurance. Coverage would also be available for investment projects carried out jointly by firms within the EEC and state-controlled enterprises of East European or Far Eastern countries. Top priority would be given to multinational foreign ventures (projects developed by firms based in two or more EEC countries), as well as to direct investments abroad considered to be in the overall Community interest.

ELIGIBILITY REQUIREMENTS

To qualify for the EEC guarantee projects in the LDC's would have to be approved by the host country, benefit the latter in terms of economic development, foster intra-LDC economic and trade cooperation, and leave "adequate" participation opportunities to local capital.

OPIG's guarantee would cover 100% of the value of the original equity and/or loan investment. On demand, however, the coverage could be increased to reflect a maximum 3% annual growth of the project's initial net worth due to reinvested earnings and/or new capital contributions.

Annual corporate profits (dividends, interest royalties) would be guaranteed up to 24% of aggregate invested capital. For transfer and convertibility risks, however, this ceiling would be lowered to an annual 8% of the investment's value. OPIG coverage would normally be limited to 15 years, but could be extended to 20 years in exceptional (as yet unspecified) cases.

Losses resulting from political risks, including an unfavorable change in the host country's legislation on foreign investments, would be compensated 100% during the first 10 years of guarantee, tapering off by an annual 10% in the next five years with special conditions for guarantees having a 20-year maturity.

THE FORMULA

EEC compensation for losses due to war, revolution, nationalization, expropriation, and confiscation would be computed on the difference between: 1) either the book or the nominal value (less repatriated capital and profits of the investment, whichever the lower; and 2) the residual value of the assets, plus any compensation paid by the host country.

For foreign exchange risks, OPIG would guarantee the exchange rate prevailing at the time the insurance contract was signed, but would not cover a difference of less than 10% between the exchange rate guaranteed and that at which transfers were actually made. The scheme would not provide for the investor's "self-coverage"—a system used by countries such as the US, Sweden, Japan, Switzerland, and Canada, whereby, for indemnification purposes, they deduct from the officially ascertained losses a varying amount—from 1% for the US to 30% for Switzerland.

Although the Commission's proposals fail to spell out the cost to private companies of the OPIG program, it is expected that annual guarantee fees would range between 0.75% and 1% of the investment's value, depending on the foreign country's political and economic situation. These rates would represent the aggregate cost of insurance coverage for the three groups of noncommercial risks.

The EEC scheme would complement, rather than replace, investment-guarantee programs presently operated by individual EEC

countries (except Italy, which doesn't have an investment-guarantee program). Most of these national schemes, in fact, are limited not only with respect to their geographic scope, but also as to the type of investments and risks covered. Moreover, none of these programs affords insurance coverage to multinational EEC investments abroad.

STOCK DEALINGS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASPIN. Mr. Speaker, I have written today to Mr. William J. Casey, the Chairman of the Security and Exchange Commission concerning the unloading of more than 86,000 shares of common stock by Litton Industries former president Roy Ash.

Mr. Ash apparently unloaded the stock at a time when it was known privately, but not publicly that Litton was in big trouble on one of its major shipbuilding contracts. Litton failed to inform its stockholders either in its annual report or in its filings to the Security and Exchange Commission of developing problems on what is known as the LHA program.

As many of my colleagues may know, it is prohibited by Federal law for anyone to use insiders information in trading large blocks of stock. While no one is accusing Mr. Ash of insiders trading, the circumstances indicate to me that an investigation by the Security and Exchange Commission is warranted.

Yesterday, the distinguished Senator from North Carolina (Mr. ERVIN) and all of the Senate committee chairman introduced legislation which would require the Senate confirmation of Mr. Ash and his Deputy Director of the Office of Management and Budget. Mr. Ash should appear before both congressional committees and answer questions about his stock dealings and other matters which are relevant to his presidency of Litton and his tenure as the Director of the Office of Management and Budget. Before legislation passes the Congress requiring the confirmation of the Director of the Office of Management and Budget and his Deputy, I believe Mr. Ash should voluntarily appear before the Appropriations Committees of both Houses and discuss his stock dealings and other matters.

My letter to Mr. Casey follows:

CONGRESS OF
THE UNITED STATES,
Washington, D.C., January 24, 1973.

Mr. WILLIAM J. CASEY,
Chairman, Security and Exchange Commission,
Washington, D.C.

DEAR MR. CASEY: I am writing to you today to request the Security and Exchange Commission to investigate the unloading of more than 86,000 shares of Litton Industries common stock in 1970 by Roy Ash.

As you know, under 15 U.S.C. 78(u), the Security and Exchange Commission has the right to investigate any violation of the so-called Insider's Rule (15 U.S.C. 78(j)).

15 U.S.C. 78(u) and 15 U.S.C. 78(ff) provide criminal procedures and penalties for anyone who violates the insider's trading rule. It is my belief that Mr. Ash may have

violated these statutory provisions by selling more than 80,000 shares of Litton stock on the basis of "insider's information."

As you may know, according to SEC documents, during the months of March 1970—December 1970, Ash sold 86,797 shares of common stock.

By the time Ash was selling massive amounts of stock, evidence was already available privately but not publicly that Litton's LHA shipbuilding program was in deep trouble. Litton was awarded the \$900 million contract to build nine landing helicopter assault ships in May 1969.

Evidence that the LHA program was in deep trouble was first revealed in a General Accounting Office staff study which was released in early 1971 but based strictly on mid-1970 data.

To be more specific, at the same time Ash was selling large amounts of stock, the Navy notified Litton that they were seriously considering canceling four of the nine ships. The cancellation did occur, boosting the per ship cost of the program at that time from \$158 million per vessel to \$197 million.

In addition, the GAO reported, based on its 1970 findings, that "the records show four months slippage in scheduled delivery . . . the contractor is about three months behind in his original schedule on his overall design effort . . . and in view of the indicated slippages in the delivery of the LHA and the total workload of the contractor's shipyards which may impact further on delivery, close surveillance should be maintained over oncoming ship programs such as 30 DD963 destroyers which are scheduled for production in the same yard."

At the same time problems were developing on the LHA and Ash was selling a great deal of stock, Litton lowered its bid from approximately \$100 million per ship on the DD963 program to \$83 million per vessel. Litton's reduction of its bid by about \$213 million is a good sign that Litton is probably involved in some sort of buy-in on the contract. Hence, it was undoubtedly known privately to men like Mr. Ash but clearly not publicly to the stockholders, that the shipbuilding contracts were in trouble.

At the same time Ash was selling substantial amounts of stock and Litton was running into its first problems on the LHA, a rosy picture of Litton's shipbuilding operations was painted for the stockholders.

Immediately after the award of the DD963 contract, a Litton spokesman told Dan Dorfman of the *Wall Street Journal* that this contract will "start making important contributions to earnings in fiscal 1971 (beginning August 1)."

Even when Litton reported sharply decreased earnings in fiscal 1970, company officials pointed to the shipbuilding contracts as a future boost to the company's fortunes. The *Wall Street Journal* reported on Thursday, August 27, 1970, "Litton reiterated however that its major financial problems were due to external influences on its operations and said it was in a 'strong financial position' for the rest of the decade."

Part of Litton's optimism was based on recent bestowal of defense contracts including the DD963 destroyer program and several other smaller contracts.

Even when Litton stockholders tried to question the company about its shipbuilding activities at the 1970 annual meeting there was little response from company officials. The *Wall Street Journal* of Monday, December 14, 1970 reports "Litton Industries Inc., shareholders learned little about their company's plans at a two hour annual meeting here Saturday. Officials declined to answer most stockholders' questions because of a recent registration with the Security and Exchange Commission of a \$60 million offering of six-year notes later this month."

In response to holders' questions ranging

from the company's shipbuilding activities to its backlog, Charles Thornton, Chairman, replied, "We've got some good comments that—we'll write to you."

Mr. Ash and Mr. Thornton did tell stockholders in the 1970 Annual Report that "Our marine operations became profitable in fiscal 1970 and we look forward to continued profits and increased sales in the 70's. We began fiscal 1971 with longterm contracts in excess of \$3 billion for work to be performed in Litton's newest and the world's most automated shipbuilding facility . . . the management, scientific, engineering, production, and marketing talent now assembled at Litton is the strongest it ever has had."

Even in its January 1970 report to the SEC, Litton failed to mention any problems in its defense and maritime system group. Instead, Litton blamed lower earnings on "lower levels of economic activity and machines, tools, materials handling equipment, industrial equipment and motors." The result was a decrease in earnings per share from \$1.01 for the six month period ending January 1, 1970 to \$0.61 for the same period ending January 31, 1971.

Mr. Ash's massive unloading of stock, developing problems in the shipbuilding programs, and Litton's failure to mention them in either its quarterly reports to the SEC or its annual reports to the stockholders raises serious questions which should be investigated.

While no one is accusing Mr. Ash of insider dealings, the circumstances appear to warrant inquiry by the SEC.

All of these circumstances raise a basic question that both the SEC and Mr. Ash should answer. Did Mr. Ash withhold any information from the public or the stockholders concerning the shipbuilding division at the same time he knew there was trouble and was selling off millions of dollars of stock? This question deserves a straightforward answer directly from Mr. Ash in order to justify to the Litton stockholders and the public his unloading of 86,000 shares of stock when he may have known on the basis of inside information that Litton was in big trouble on its shipbuilding contracts.

I appreciate your attention to this matter. Sincerely,

YES ASPIN,
Member of Congress.

MELVIN R. LAIRD

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. TAYLOR of North Carolina. Mr. Speaker, I join my colleagues in paying a tribute to a distinguished Secretary of Defense and an outstanding American, Melvin R. Laird. When Melvin Laird was selected as Secretary of Defense 4 years ago those of us who had served with him as a colleague in the House knew that he would perform with devotion, dedication, and distinction. We expected much and we have not been disappointed.

Melvin Laird has served during a turbulent period of American history. An unpopular war and a changing environment on the international scene made difficult his task. Now as Mr. Laird leaves the office of Secretary of Defense he carries with him the respect and admiration of the Congress and the people of this Nation. We are deeply grateful to him

for his years of devoted service to our Nation.

TOM WICKER ON WAR POWERS LEGISLATION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ZABLOCKI. Mr. Speaker, in a two-part series recently in the New York Times the widely read columnist Mr. Tom Wicker discussed war powers legislation passed by the Senate during the 92d Congress and subsequently reintroduced into the 93d Congress as S. 440.

In his articles he reaches the conclusion of many of us in the House that the Senate bill "might well become a device for underwriting—not restraining—Presidential acts of war."

Unfortunately, Mr. Wicker seems not to have been aware of the joint resolution on war powers which three times has passed the House—a resolution which has been reintroduced into the 93d Congress in revised form as House Joint Resolution 2. This measure, while meeting objections which he has to the Senate bill, would put the Congress firmly on record in the area of war powers without also infringing upon the constitutional powers of the President.

Because Mr. Wicker's columns provide a cogent and convincing argument about the problems involved in S. 440 and similar legislation, I am inserting them in the Record at this point and urge my colleagues' attention to them:

[From the New York Times, Jan. 14, 1973]

MAKING WAR, NOT LOVE

(By Tom Wicker)

Senator Barry Goldwater, who sounds as if he'd still like to lob one into the men's room of the Kremlin, thinks it would be "nothing short of disaster" for Congress to supplant or reduce the President's war powers with some legislative procedure. And he is "sick and tired," he said with his usual subtlety, "of hearing demands, especially by the members of a political party whose leaders got us into this war, that President Nixon end the conflict on their terms."

Mr. Goldwater has a solid point about a good many Democrats, including some recent Presidential candidates, whose hawk feathers have turned dovish white since Lyndon Johnson left the White House and Richard Nixon came in. And while the matter still needs a lot of study, Mr. Goldwater also may be right in warning against tampering with the Constitution in reaction to Mr. Nixon's conduct of the war in Vietnam.

Nevertheless, recent events tend to support the conclusion of the historian Arthur Schlesinger Jr., who wrote in an article in The New York Times Magazine: "The inability to control Presidential war is now revealed as the great failure of the Constitution."

The most shocking thing about the Christmas bombing campaign launched by Mr. Nixon, for example, was that by the admission of official Administration sources it was intended to show Hanoi "the extent of his anger over what the officials say he regards as an eleventh-hour reneging on peace terms" and also to force Hanoi to "negotiate seriously." Put briefly, Mr. Nixon ordered out the B-52's for diplomatic reasons, tinged with personal anger.

It is true that this was done in the con-

text of an actual, if undeclared, war; still, no one has seriously argued that the Christmas bombing was demanded by the exigencies of the war. Instead, it was necessary—in Mr. Nixon's view—to his diplomacy. If he can constitutionally order an act of war for a diplomatic purpose, could he order a similar act at any time he thought it could further his diplomatic or even economic policies?

Could a President, for example, bomb Lima in order to forestall or retaliate for some act of expropriation by Peru? If Fidel Castro refuses to help put an end to airline hijackings to Cuba, can Mr. Nixon constitutionally bomb Havana to make him negotiate seriously? Or, during the India-Pakistan war, could he legally have blasted New Delhi in order to show his anger at Mrs. Gandhi's belligerence?

These may seem frivolous questions—until it is recalled that American Presidents have sent in the Marines in numerous cases not much more outlandish. Bombing is quicker and generals would have you believe it is more effective; and a lot of people who might once have thought that American Presidents would not do such things have had a bitter education in the Dominican Republic, Guatemala, Laos, the Bay of Pigs, Cambodia and Vietnam.

Another chilling note was struck this week by William P. Clements, nominated to be Deputy Secretary of Defense, who told a Congressional committee he "wouldn't eliminate" the possibility of using nuclear weapons in Vietnam but in fact was "not prepared to give you a philosophical view" on what he seemed to think was "a very complicated issue."

The White House and the State and Defense Departments immediately put out what appear to be solid pledges that nuclear weapons will not be used in Indochina—whereupon Mr. Clements hastily fell in line. But two points can be fairly made. One is that the Administration has made a promise, which is in no way legally or perhaps even politically binding on Mr. Nixon or a successor; the other is that the American people on occasion have heard a President pledge one thing, then see him finally do another.

On the other hand, it can hardly be denied that in the era of nuclear-tipped missiles a President must have the power to respond quickly and decisively; without that power, the whole idea of a "nuclear deterrent" falls to pieces. Moreover, even if the last decade provides some horrid examples, it is possible to imagine situations in which some quick Presidential action or threat might be necessary to preserve or restore peace.

The problem, therefore, is to retain the President's capacity to function as Commander in Chief, but to define or restrain that function so that he cannot make war, or order acts of war, by whim, impulse, tantrum or imperial decision. The original intent of the framers, after all, was to place a civilian Commander in Chief in restraint of the military—not to make him their Generalissimo.

Restricting President powers in such a fashion—or defining them so that such limits are both understood and enforceable—is not going to be easy and Barry Goldwater is probably right that a legislative substitute is not the answer.

MAKING WAR, NOT LOVE

(By Tom Wicker)

WASHINGTON, Jan. 15.—President Nixon's order for the Christmas carpet-bombing of Hanoi and Haiphong was perhaps the most imperial military decision in American history, although its purpose was diplomatic. It was not taken during a declared war, or in a domestic emergency such as Lincoln had to deal with, or in general consultation with Congress and the United Nations, as was Harry Truman's decision to defend South

Korea, or even with the dubious authorization of the Tonkin Gulf Resolution upon which Lyndon Johnson relied. Mr. Nixon's bombing decision apparently was not discussed even with his own Joint Chiefs of Staff.

But it is unlikely that even this horrendous expansion of the so-called "war powers" of the President as Commander in Chief will lead Congress to decisive action to restrict those powers. For the immediate future, Mr. Nixon remains an active Commander in Chief, ordering both military operations and peace negotiations; no Congress is likely to take the risky political step of attacking a President's powers in those circumstances, particularly in view of the new bombing halt.

In the era of nuclear-tipped missiles, moreover, the President must retain the power to act decisively and swiftly in response to threats from abroad. This necessity, plus the President's role as Commander in Chief, makes it most difficult to frame a satisfactory device for restricting his ability to make Presidential war.

The so-called War Powers Act now pending, for example, would require a President who had sent the Marines to the Dominican Republic or the B-52's to Hanoi to report to Congress within thirty days and to ask for its approval. This would give a President thirty days of war-making license not now specified in the Constitution. Worse, it wraps the President in the flag, gives him the initiative as a Commander in Chief who has acted in what he will surely call the national interest, and puts the onus on Congress to declare that he was wrong and ought not to have done it.

Congress will not often be so lion-like—quite the opposite—so the War Powers Act might well become a device for underwriting—not restraining—Presidential acts of war. But Congressional resolutions of policy, another possible device, have almost no teeth; Mr. Nixon, for example, merely shrugs off as not binding on him the Mansfield resolution which declares it national policy that the war in Vietnam should end on a certain date. As for cutting off funds for the war, Mr. Nixon has only to veto any bill that might attempt to do it. After that a two-thirds vote would be required in each house.

The Supreme Court is hardly the answer. If it tried to define Presidential war powers it would undertake to control the "co-equal" executive branch on the most sensitive questions of national policy. If it actually sought to restrict the Presidency, it might not be able to enforce its decision; or as now constituted, it might even expand the war powers, or confirm Mr. Nixon's view of them. In any case, no Supreme Court is likely to stumble into such a political thicket.

So, as a practical matter, there is no handy device, no quick and easy way to restrict Presidential war powers. But the first necessary step toward that difficult goal surely is an end to the war in Vietnam. While Mr. Nixon is actively functioning as Commander in Chief, while operations proceed, while he can base his actions on the demands of war, while he can clothe his policy in the "national interest," attacking his powers—even, to some extent, his policies—is too much like aiding the enemy; those who do it are even seen to be the enemy by people who consider their President the righteous leader of a peace-loving but mighty nation.

But once the war—or at least overt American participation in it—is over, Congress will not be in the position of attacking the Commander in Chief in wartime. Then, one useful precedent might be the Cooper-Church amendment of 1970, which prohibits the use of any appropriated funds for committing American "ground combat forces" to Laos, Cambodia or Thailand.

This strong amendment was passed and accepted by Mr. Nixon only as part of a Cambodian aid package he desperately wanted, and then only after the Cambodian invasion that produced it had been concluded. In similar circumstances, there might be a chance for an equally strong prohibition against using appropriated funds for renewing at least the ground war—possibly the air war, too—in Indochina.

That would not be the answer to the war powers problem, but it would be a first small step toward what is finally going to be needed—a serious revision in Congress, in the press, in the public they are supposed to serve, of the attitude that in national security affairs, the President knows best.

LAW TO PROTECT POLICE OFFICERS AND FIREMEN

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. MIZELL. Mr. Speaker, I rise at this time to join the distinguished chairman of the Committee on Internal Security, Mr. ICHORD, in sponsoring legislation to make it a Federal crime to kill or assault law enforcement officers and firemen engaged in the performance of their official duties.

I cosponsored similar legislation in the last Congress, Mr. Speaker, and at that time I pointed to alarming statistics which showed a marked increase over the last decade in the number of policemen and firemen killed in the line of duty.

The urgent need for this legislation is all the more apparent in view of the recent tragedy in New Orleans, when policemen, firemen, and private citizens alike were the victims of violence and terror.

Our society relies heavily on law enforcement officers to safeguard life and property and "insure domestic tranquility." Thus, their role is a crucial one in today's America, even though it seems fashionable in some circles to criticize and berate the law enforcement officer. In any event, it has always been largely a thankless job, despite its importance and its inherent danger.

I for one believe it is the responsibility of the Federal Government not only to assist the local law enforcement officer in the performance of his duty, by providing funds for training and equipment, but also to insure as best we can that the criminal or terrorists who contemplates an attack on a policeman will have the full weight of Federal law to contend with and to be punished by.

We can only hope that such a law would serve as a deterrent, at least in some cases, but we can demonstrate for certain, to both the peace forces and the criminal forces in America, that it is the sense of this Congress that the law enforcement officer shall have every assistance and every protection we can possibly give him.

I urge my colleagues to join with me in seeking passage of this legislation without delay.

PROPERTY TAX REFORM FOR VERMONT

HON. RICHARD W. MALLARY

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. MALLARY. Mr. Speaker, many States are plagued with the problem of rising property taxes which in many cases have exceeded the ability of property owners to pay. In addition, the holding of the California Supreme Court in *Serrano* against Priest (1971) has called into question the whole system of educational financing based upon property tax districts of unequal wealth.

A former member of the Vermont House of Representatives, John McClaughry of Lyndonville, has proposed an intriguing plan to couple income and property taxes to better relate overall tax liability to ability to pay, while at the same time making very basic changes in the Vermont system of educational financing.

Since the plan suggested by Mr. McClaughry might have applicability in other States and since it has merit as a conceptual basis for tax reform discussions, I insert his memorandum describing it at this point in the *RECORD*. Mr. McClaughry has added several footnotes to explain the Vermont property tax and school financing system.

PROPERTY TAX REFORM FOR VERMONT

(Proposal by Representative John McClaughry)

The people of Vermont demand a thoroughgoing plan for property tax reform. The reasons for this demand are well known.

In a system based on fair market value, rising prices for Vermont land produce higher valuations. Higher valuations, coupled with a steadily increasing demand for public services, leads to higher tax payments. Senior citizens can no longer afford to live on their homesteads. Young families can often afford only a mobile home. The Vermont working man and his family are driven to the wall.

In addition, the courts have sounded warnings about educational finance systems based on inequalities of taxable wealth among school districts. And the Vermont cost sharing formula for aid to local schools¹ is increasingly criticized. The time has clearly come for a major revision of public finance in Vermont, centering on the property and income taxes.

The McClaughry Plan is based upon the following principles:

I. Property taxation for the support of town services, including education, cannot be totally abolished because there is no feasible alternative source of revenue.

II. The property tax and the income tax must be coupled to better relate tax burden to the ability to pay. This is particularly important for senior citizens, farmers, young families, and persons of modest and low incomes.

III. The fair market value system of appraisal with all its administrative problems is still preferable to a system which bases economic values on political decisions.

IV. Local government should be strengthened and made more responsive, and local control of education should be preserved.

V. Property tax reform must make a special effort to keep Vermont farmers farming, and

Footnotes at end of article.

not force them to sell out because of crushing property tax burdens.

VI. Property tax reform must also make a special effort to alleviate the tax burdens on lower income senior citizens, particularly those on social security or other retirement plans.

The McClaughry Plan consists of a major tax reform proposal plus four other proposals for coordinated action.

I. Tax Reform: Couple the property tax to the income tax.

A. First, restore to the towns² the full fiscal responsibility for both town government and local education, and terminate state aid for current educational expenditures (the Miller formula). This will of course increase local revenue demand by about \$30 million.³

B. Give each Vermont taxpayer an annual credit against his state income tax based on two separate factors: his adjusted gross income, and the Grand List⁴ per child of his school district. The Grand List may be either an equalized grand list, now used in the Miller formula, or a professionally determined grand list using county or regional appraisers.⁵ This is a separate and unrelated policy question. The number of children used in the calculation is the total number of children in the town who are attending school, whether public or private school. The tax credit is an absolute tax credit; that is, if the taxpayer's credit is larger than his income tax liability, he receives the difference as a cash payment. The maximum amount of credit for any one income tax payer would be set by the Legislature, probably in the range of \$1,500-\$2,000. This would prevent excessive benefits to persons who hold large amounts of property but still have low incomes.

C. Install a device to allow renters to claim 25% of their rent payments as property taxes paid. (This device is now used in the senior citizen tax relief program.) This is necessary because rents may be raised to reflect the increased local property taxes. Special rules would be devised to allow landlords to claim credit for property taxes paid on unrented properties.

D. Divide local property tax payments into two semiannual installments: town government tax in the fall, and school tax in the spring. This is to ensure that taxpayers can have their credits before becoming liable to school taxes.

E. Out of state property owners would not be able to claim the Vermont income tax credit unless they subjected their entire incomes to the Vermont income tax. They would, of course, get a credit for income taxes paid to their state of residence in that case.

F. Eliminate the income tax surtax enacted in 1969.⁶ This is necessary because higher income taxpayers will be paying higher local property taxes on a progressive basis. This will cause a revenue loss to the state of about \$7 million.

G. The amount of tax credit to which an income tax payer is entitled may be simply calculated from a table of credit factors. The table would have adjusted gross income brackets down the left hand side, and grand list per pupil across the top. The individual's credit factor is obtained by taking the number in the box representing the individual's adjusted gross income and the grand list per pupil of the town in which he pays property taxes. This credit factor would then be multiplied by the taxpayer's property tax liability to get the amount of the credit, subject to the maximum mentioned above. (Where an individual owns property in more than one town, the computation is weighted accordingly.)

H. Discussion: The effects of the McClaughry Plan are twofold: taxpayers in towns with low grand lists per child will get larger credits than taxpayers in towns with high grand lists per child. And lower income taxpayers will get larger credits than high income taxpayers in the same town.

While abolishing the Miller formula aid and putting educational costs back on the local property tax will increase those taxes by about 30%, persons with lower incomes will be better able to pay their property taxes (or housing rentals) than they are now. Towns with low grand lists per pupil will in effect have their grand lists increased, measured by the grand list value of property which, if taxed at the town rate, would produce the aggregate credits received by the taxpayers resident in that town. This tends to meet the objections raised in the California Supreme Court case of *Serrano v. Priest* (1971), depending on the actual numbers used.

Instead of distributing state aid to education to the towns, under the McClaughry Plan the state really distributes state aid to individual taxpayers to enable them to better pay the local costs of education and town government. That distribution is made to favor middle and lower income taxpayers, and the taxpayers of towns with low equalized grand lists per pupil.

The plan can be implemented either with local listing and state equalization, as at present, or with professional area-wide tax administration.

If the principle is adopted that there will be no net impact on the state budget (using fiscal year 1972 estimates), the towns would collect an additional \$30 million in local property taxes. About \$21 million of this would come from Vermont residents, and about \$9 million from non-residents. (This assumes that the non-residents, who own about 30% of Vermont property, also pay about 30% of Vermont property taxes.)⁷ At the same time, the towns would not receive \$30 million in Miller formula aid.

At the state level, revenues would be reduced by about \$30 million: -\$7 million from eliminating the income surtax, -\$24 million in net collections because of the property tax credits, +\$1 net revenues from discontinuing the senior citizen property tax relief program,⁸ which is incorporated in the McClaughry Plan. On the expenditure side, this would be balanced by elimination of the \$30 million in Miller formula aid.

In effect, the McClaughry Plan reduces the state budget, both net revenues and expenditures, by about \$30 million, something probably unprecedented in any state in recent times. The plan leaves these funds in the hands of the taxpayers to enable them to pay the true costs of their local education and town government.

Clearly, the elimination of State aid for current educational expenditures and the restoration of local responsibility for financing education—plus channeling additional resources to local taxpayers to better enable them to pay those costs—restores local control of education.

Property owners who are not subject to Vermont income tax would not be able to claim the credit unless they bring their entire incomes under Vermont income taxation. This means that up to as much as \$9 million in additional property tax payments will be made by non-resident property owners. This payment will substantially reduce the tax burden on Vermont taxpayers.

Special rules must be devised to prevent evasion by the use of corporations created only to hold taxable real property which produces little or no taxable income. Such a rule might be a mandatory pass-through of property taxes paid by the corporation, pro rated to all common stockholders. Only the

stockholders who are subject to Vermont income taxes could claim the credit, however.

The crucial question in the legislation required to implement the McClaughry Plan is the numbers used in the credit factor table. While the adjusted gross income distribution of taxpayers is known, and the equalized grand lists per pupil, the amount and location of property owned by those taxpayers in those towns is not known. Once taxpayers file their returns the first year, the revenue effect on successive years can be predicted quite accurately, aside from subsequent property turnovers. The credit factors can be adjusted in later years to account for any under- or over-collection in the initial year.

Small Vermont-owned corporations can be accommodated by the previously mentioned pass-through of tax credit to individual shareholders, as in a Subchapter S corporation under the Internal Revenue Code. Special rules may be necessary for large national corporations.

It is necessary to state, finally, that any program as far-reaching as the McClaughry Plan will require considerable refinement before actual drafting and implementation.

FOOTNOTES

¹ The Vermont cost sharing formula for state aid to local education is known as the Miller formula. The state aid percentage is computed as follows:

(a) Each school district determines its "grand list" by local listing (appraising) of all real property, valued at 50% of fair market value, and then divided by 100; plus an entry of \$1.00 per adult for poll tax.

(b) This grand list is equalized by the state tax department to achieve uniformity in appraising.

(c) Each district's equalized grand list per pupil in average daily membership in public schools is then obtained.

(d) The "district multiplier" is obtained by dividing this number by the equivalent number for the state as a whole.

(e) The state aid percentage is determined by computing $100 - (f) \times (\text{District multiplier})$, where f is a factor computed to make the aggregate distribution of state aid equal to the available appropriations. Originally intended to be 0.60, f has now risen to about 0.68, representing a decline in the state aid percentage from an average 40% to 32%.

(For an exact statement of the law, see 16 Vermont Statutes Annotated § 3470-3472. There is also a "floor" to provide aid to towns which would not otherwise qualify for aid.)

² In Vermont the town, usually contiguous with the town school district, is the basic unit of property taxation. There is no significant state or county property taxation.

³ The figures used relate to the FY 1972 Vermont budget.

⁴ The Grand List is explained in note 1 supra.

⁵ The "equalization" of the grand list is carried out by the property tax division of the state Department of Taxes, which computes a ratio of the fair market values of a sample of properties in the town with the values listed by the town lists and multiplies the locally-determined grand list by this ratio. Invariably equalization of town grand lists is upward.

⁶ The 1969 surtax was a fifteen percent surtax to the basic 25% of Federal income tax liability. The 1972 legislature has programmed the reduction of this surtax to 12% for tax year 1973 (No. 260, Acts of 1972, amending 32 V.S.A. 5830(a).)

⁷ This assumption cannot be demonstrated with present data, but is generally accepted as conservative.

⁸ The senior citizen tax relief program provides an income tax rebate to senior citizens based on their local property taxes paid. See 32 V.S.A. Chapter 153.

COUNTRYSIDE AMERICA

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 23, 1973

Mr. ZWACH. Mr. Speaker, as most of my colleagues know, I have been championing "countryside America" ever since I have been in Congress and for long before that when I served in the Minnesota Senate and House.

There is a lot to be said about the quality of living in countryside America. One of the best brief statements on this subject was an editorial written recently by Dave Gallagher in the Montevideo American-News in our Minnesota Sixth Congressional District.

Mr. Gallagher points to the result of a recent Gallup poll showing that 55 percent of our people would like to live in the countryside. He then points out why they do not and concludes with the hope that the Rural Development Act will help stem the tide to the cities where two out of three Americans already live.

Mr. Speaker, I insert Mr. Gallagher's editorial in the CONGRESSIONAL RECORD and commend its reading to my colleagues:

URBAN DEVELOPMENT

A recent Gallup Poll published a week or so ago indicated that fifty-five percent of the respondents wanted to live in areas other than the metropolitan scene. Thirty-two percent said they preferred a small town and twenty-three percent said they preferred the farm.

If fifty-five percent of the people did not like living in the metropolitan area, then why do they continue to do so? And why are more people moving into these congested urban areas all the time?

The problem of rural development is not a new one. As far back as the turn of the century, when many more towns and hamlets dotted the countryside than presently, there were men of vision who realized that it would not last, that the small towns would not be able to compete with the larger cities.

Technology has done as much to help the farmers and the rural area as it has to hurt it. Agriculturally, technology has made the farmer's lot a much easier one, but the expenses have increased so drastically that the small-time farmer simply could not exist on the resources available to him.

Industrially, technology was suited best to the big city, where a ready labor market existed, where air, rail and highway transportation was plentiful, where water and power and other services were abundant—industrially, the small town could never compete.

There have been many reports circulated lately indicating that white and blue collar workers are unhappy with their course in life. They are sick and tired of their jobs, sick and tired of traffic and congestion and pollution and noise and smell and crowds of people and high crime rates and all the rest of it.

Why, then, do they not move away from it? Why put up with it? Because they, like so many Americans, are trapped. They are trapped in a socio-economic jungle that will not let them loose.

It is one thing for a man to say that he has had enough and quite another to take a financial loss on his mortgage, quit a good paying job, settle his accounts and move to a rural area. What will he do when he gets there?

Buy a farm? Not unless he has hundreds of thousands of dollars tucked away somewhere. A farmer is a composite of a banker, an agronomist, a mechanic, an electrician, a carpenter, a veterinarian, gambler and weatherman. No "city slicker" could step right into such a role.

The man on the move will probably find getting the type of employment he left in the metropolitan area impossible to obtain in the rural area and the pay he commanded will be equally out of range in most cases.

Whether the Nixon administration will do anything about the Rural Development Act of 1972 is not certain. Certainly more has to be done in the future than has been done in the past.

Two out of three Americans today live in urban concentrations of 50,000 or more. By the year 2000, that is expected to rise to eighty-five percent. To avoid utter chaos in our urban areas, that trend must be reversed. Maybe serious attention to the Rural Development Act will help stem the tide.

THE GREAT COMPETITION IN SPACE

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. HOSMER. Mr. Speaker, the distinguished physicist-astronomer and director of the Jodrell Bank Observatory, Sir Bernard Lovell, has written an outstanding article for the October issue of Foreign Affairs.

This article was brought to my attention by Paul L. Smith, an aerospace executive in my congressional district, who felt that it represents the feelings of many in the aerospace industry about the space program, its meaning, and its future.

Excerpts from the article follow:

[From Foreign Affairs, Oct. 1972, Vol. 51, No. 1, pp. 124-138]

THE GREAT COMPETITION IN SPACE

(By Sir Bernard Lovell)

II. THE INFLUENCE OF THE SPUTNIK

It is rare for a scientific exploit of one country to monopolize the attention of the entire world. The launching of an artificial earth satellite from the Soviet Union—Sputnik One on October 4, 1957—was such an occasion. Further—and of greater significance—the event was the direct cause of a revolution in the U.S. attitude to science.

The extent of the technological and political shock which the Soviets delivered to the West surprised both sides. Clearly the responsible individuals on both sides of the barrier had little concept of the deep effects of the enforced isolationism. For those within the Soviet Union it appeared inconceivable that Soviet science and technology could have risen to such competitive heights within a decade of utter disruption. For those in the United States it also seemed inconceivable. Actually, there was little excuse for the continued American blind disbelief in the powerful advance of Soviet science and technology. The few contacts within the international unions and the assessments which could be made from the news of the development of the Soviet intercontinental ballistic missile (ICBM) provided evidence of the state of Soviet techniques in those matters. Unfortunately, this was an era of the deepest suspicion, when any individual speaking favorably of Soviet scientific or technical strength was regarded as a Communist or, at the best, a fellow traveler. Further, it was

not then appreciated that responsible Soviet scientists, although often evading or refusing to give information, were entirely reliable when making specific statements.

Indeed, the preliminaries to the drama of October 1957 were entirely regular. Many years previously the appropriate international unions had scheduled the period of sunspot maximum (1957-1958) as the International Geophysical Year (IGY). In October 1954 the Special Committee, charged by the International Council of Scientific Unions (ICSU) with detailing the arrangements, met in Rome and recommended that, as part of the worldwide programs for the IGY, "thought be given to the launching of small satellite vehicles, to their scientific instrumentation, and to the new problems associated with satellite experiments, such as power supply, telemetry and orientation."

In accordance with this recommendation, President Eisenhower announced on July 29, 1955, that the United States would launch a satellite during the IGY. A similar announcement was made one day later by the Soviet Union. Those who believed this Soviet statement to be an idle dream, following in the wake of the realistic American plans, were presumably unaware that several months earlier (April 15, 1955) the Soviet Academy of Sciences had announced that it had set up a permanent commission of interplanetary communications, whose work included the development of meteorological satellites; or that the chairman of this commission, Professor Sedov, subsequently stated at a meeting in Copenhagen that Russia would launch a satellite within "the next two years" and that it would be heavier than the satellite proposed by the Americans.

The collective isolationist arrogance displayed by the West in the months immediately preceding the launching of Sputnik One appears today as a fantasy and could be dismissed as a regrettable issue of the past if there were not such serious parallels at the present time. During August 1957 the International Scientific Radio Union (URSI) convened at Boulder, Colorado, and the director of the U.S. Vanguard satellite project described the status of that satellite. The message was that Vanguard could not be ready for launching for several months but that, in any case, it was known also that the Soviets were encountering severe difficulties and there was little risk of competition. Yet in June Academician Nesmeyanov, President of the Soviet Academy of Sciences, had said that both the carrier vehicle and instrumentation for the Soviet satellite were ready. In fact, the Academy had even informed the IGY organization that they would launch their satellite "within a few months." The press reports of the successful testing of the Soviet ICBM which appeared during the course of the Boulder meeting should have removed any lingering doubts about the Soviet space potential.

It must be presumed that at least the intelligence sources of the West had access to the level of scientific information available to those of us who were concerned with the scientific problems of the IGY. In that case, the political treatment of the relative status of the American Vanguard project and of the Soviet Sputnik passes comprehension. Our own information in Britain, based purely on assessments of scientific information provided by scientific contacts from East and West, was that the Soviets would be able to launch a satellite before the Americans. In mid-September Radio Moscow said the launching would be "soon," and on October 1 broadcast the frequencies on which the Sputnik would transmit. Three days later Sputnik One, weighing 184 pounds, was launched. The miniature American Vanguard was not only late but, in the end, a total failure. Scorn about the level of Soviet science and technology had perforce to turn instantly to a vast new evaluation of the state of American science.

III. INTERACTION OF THE SOVIET AND AMERICAN SPACE PROGRAMS

Two important lessons were learned by the United States (but unfortunately, not by the European Communities) as a result of this dramatic public display by the Soviets of their technical status. The first was that no modern power could sustain itself as such unless there was a willingness to make appropriate investments throughout the entire spectrum of scientific research, development and technology. The second was that competitiveness might well be in order as a stimulus to individual effort, but could be disastrous if allowed to manifest itself through competitive projects of national concern.

It is fortunate that there were at that time influential members of the U.S. administration who realized that the Soviet achievement was neither a purely scientific trick nor a "lump of old iron" in space, but the beginning of developments which could have vital military, commercial and political consequences. The effective restoration of the balance of power in these widest aspects is the direct result of the immediate action which was taken to place American science on a more appropriate financial basis.

In 1956 the United States spent only 6.5 billion dollars on all forms of research and development. Until that time the rate of growth was about half a billion dollars per annum. Within a year after Sputnik the figure was 10.5 billion dollars—a dramatic increase of one percent in terms of the gross national product. By contrast, in the six years before Sputnik Russia doubled her expenditure on research and development. Even so, the United States could not achieve parity of growth in the vital decade following Sputnik. In the ten years 1956-66 the U.S. research and development (R & D) expenditure trebled whereas that of the Soviets increased five times. In realistic terms, it has been estimated that at this period the Soviet expenditure on R & D was 6.5 billion rubles—an amount equal to that which was being spent on new housing. Taking account of the housing situation in Russia, this is a quite staggering indication of state policy, which could have no conceivable parallel in Western nations. By 1966 the effective purchasing power of the Soviet R & D budget was estimated as equivalent to 22.8 billion dollars, which was about 15 percent greater than that of the United States at that time.¹

However, even unlimited resources are useless unless there is a consistent and coherent policy. This was the second lesson of the Sputnik. In 1957 the three U.S. military services were each developing ballistic missiles. Furthermore, in July 1955 when the decision was made to launch a satellite for the IGY a basic error was made; namely it was decided to base the carrier rocket on sounding rocket technology and not on the ballistic weapon developments. The contrast with the single-minded Soviet concentration on the ballistic weapon concept could hardly be more sharply defined.

The navy having failed dismally with Vanguard, the army was authorized to make an attempt with its Juno ballistic rocket (developed by Dr. Werner von Braun). By the time of this successful launch on January 31, 1958, the Eisenhower administration had already begun the reorganization of the U.S. space effort in the form of the National Aeronautics and Space Administration (NASA). Even so, it was the third U.S. military authority—the air force—which organized the first American attempt to send a rocket (un-

manned) to the moon, using the rocket of its Atlas intercontinental ballistic missile for the launching. They were still falling in these attempts even after the Soviets had hit the moon with Lunik 2 (September 13, 1959) and photographed the hidden side with Lunik 3 (October 1959).

As NASA gathered strength, with a budget increasing from \$150 million in 1959 to \$5,500 million seven years later, a unique international situation evolved: a new form of cold war developed between the Soviet Union and the United States in outer space. The tight security barrier maintained by the Soviets on all aspects of their space program, plus their technical superiority, provided them with a new form of political initiative. The first manned orbital flight by Yuri Gagarin on April 12, 1961, preceded by ten months that of an American astronaut in February 1962. The soft landing of Luna 9 on February 3, 1966, and the transmission to earth of photographs from the surface of the moon, four months ahead of the U.S. Surveyor (May 30, 1966), were indicative of a narrowing technical gap as NASA surmounted formidable technical problems with an efficiency and speed which could never have been realized except in such an international competitive arena.

The landing of men on the moon and their safe return to earth became a prestigious goal. That it was an international race with prodigious stakes has at various times been denied by both sides. That it was so on the American side is implicit in the "new ocean" speech of President Kennedy, with which he initiated the Apollo concept in 1961. Some historians may have the good fortune to uncover official Soviet documents which may reveal the extent to which the incredible and almost miraculous success of Apollo caused the Soviets to change their space program.

A personal assessment is that the break-even point came toward the end of 1968. In September 1968 the Soviets succeeded in sending an instrumented Zond probe on a circumlunar journey. This vehicle contained a transponded voice communication system and was subsequently recovered after splash-down in the Indian Ocean. Two months later another circumlunar probe (Zond 6) with voice transmission was recovered after touch-down in the Soviet Union. The persistent rumors then emanating from Moscow that the Soviets were about to repeat this exploit with a manned vehicle seemed well founded. The exploit never materialized, and at the approach of Christmas 1968, the three American astronauts made their historic circumlunar orbital flight to the moon. In the event, the American program continued its triumphant progress to the landing of Armstrong and Aldrin on the lunar surface on July 20, 1969.

Within a decade the immense resources of America had been harnessed to bring to success this fantastic project, requiring revolutionary scientific and technical concepts and developments in organization and logistics of entirely new dimensions. The Soviets did not expect the project to succeed. To the end they hoped for political gain and the discomfiture of the United States. When Apollo 11 was already on its way to the moon the Russians announced that Luna 15 had been launched from the Soviet Union on July 13. It was injected into lunar orbit on July 17, two days before Apollo. Only an hour before the lift-off of Armstrong and Aldrin, Luna 15 crashed on the lunar surface in a neighboring lunar mare. Luna 15 was meaningless except in the context of an attempt to recover lunar samples automatically. That this was indeed the intention was confirmed by the success of the identical Luna 16 a year later which succeeded in soft landing and returning automatically to earth with samples of the lunar surface. A minor prob-

lem with a rocket motor had caused the failure of Luna 15. With the attention of perhaps a third of the world's population concentrated on the moon in July 1969, it needs little imagination to appreciate the effect on world opinion had this little technical difficulty affected Apollo 11 instead of Luna 15.

VI. CONCLUSIONS

For the next decade the U.S. space program is largely ruled by the argument that by spending a further 15 billion dollars to develop the space shuttle, the cost of placing massive satellites in orbit can be reduced. Although scientists will, of course, be glad to mount experiments in such massive satellites, the concept is not justified on scientific merits. The backing for such concepts must be largely strategic. Surveillance satellites are already a common feature of space. The large space platform, made economically viable by the shuttle concept, must be regarded as a desirable space launching pad for these devices and for their extensions into the more active phases of interception and attack. The U.S. interest in the large orbiting platform is clearly a response to the recognized Soviet attempts to establish a similar facility in space.

The military dominance of space activity has been well hidden within the Soviet security screen and by the extroverted nature of the NASA missions. The reality of the military influence is evident from the information given recently to the U.S. Senate.⁴ To the end of 1971 America had delivered 764 payloads to space—241 by NASA, the remainder by the Department of Defense, of which 182 are classified as civil and 341 as military. The estimates for Russia are 661 payloads in space, of which 392 were military. Of these latter, 17 are classed as "fractional orbital bombardment" and 25 as "military inspection or destruction."

Any realistic discussion of collaboration in space in the foreseeable future must take account of the unpalatable fact that at least half the space effort of the two major powers involved lies in the military domain, and that an unseen but effective military influence lies behind some of the major trends of the remaining civil space activities. It is in this area of space activities that we look for new collaboration on the basis of the Nixon-Kosygin agreement. The major question is whether duplication of effort can be avoided, thereby freeing major resources for further advance into the unknown. Ten years ago the space agreement between the Soviet Union and the United States provided for coordinated launchings of meteorological satellites, of satellites for measuring the magnetic field, for communication tests and for exchange of data on space biology and medicine. It is in this sphere, together with the new studies of earth resources from space, that properly coordinated activities between the two powers could save overlapping costs and could immediately benefit the human race.

On the essentially scientific aspects of space exploration it is probably unreasonable, and may even be undesirable, to attempt detailed collaboration. The scientific brain requires a driving motive. It is not clear whether scientists are primarily motivated by sheer inquisitiveness about the universe or by the competitive instinct. It is at least probable that the latter is important for the scientist who finds his own level of essential international collaboration and resents bureaucratic or political direction. The continued purely scientific-instrumented flights in earth orbit, in interplanetary space and to the planets are cheap by the stand-

¹ The figures for Russia are taken from "Soviet Space Programs, 1962-65," a staff report of the Committee on Aeronautical and Space Sciences, U.S. Senate, Washington, D.C., December 1966.

⁴ See "Soviet Space Programs, 1971," a staff report of the Committee on Aeronautical and Space Sciences, U.S. Senate, Washington, D.C., April 1972.

ards of space expenditure. This intellectual pursuit of fundamental knowledge of our environment and the universe may with advantage be used to absorb harmlessly the competitive instinct of the space scientist in national, or at least localized international, groups where cost is important.

The real problems of international space collaboration lie in the exciting realms of manned excursions to the moon and beyond. After the conclusion of the Apollo program there are no U.S. plans for manned flights beyond earth orbit. No doubt within a few years the Soviets will, in their own time and by their own method, repeat the Apollo exploits. In their approach to these distant manned flights their whole attitude appears to differ essentially from that of the Americans. A fundamental edict of the Marxist-Leninist philosophy is that man can and must conquer his environment. The Soviets have made no secret of the fact that they interpret this, not merely as man conquering the hazards of the terrestrial environment, but moving into and establishing himself in the solar system. The question is not whether they will establish human colonies on the moon and Mars, and perhaps elsewhere in the solar system, but when they will feel ready to embark on these vast enterprises. Throughout the decade of Apollo, the Americans regarded man-on-the-moon as the winning goal. The Soviets no doubt expected to get there first, but their attitude has never wavered in regarding his exploit as a mere staging post to greater adventures.

The withdrawal of the United States from these manned planetary missions must be a cause of great concern. To allow one national group to establish itself unilaterally in lunar or planetary bases would be an incalculable disaster for the peoples of the earth. There are many dangers of local misuse arising from the massive engineering and technical advances which are first necessary on earth. There are more erudite dangers arising from the possibility that the Soviets might eventually attempt to change the planetary atmospheres to facilitate habitation, and the terrifying unknown dangers that might occur by the return of foreign organisms to the terrestrial globe. The ethical problems arising from man's tampering with his own local environment are current issues of concern. But they appear as shadows compared with the ethics of manned colonies in space unless such process are governed and carried out by international agreements. Fortunately, the vast cost of these undertakings, which could well materialize during this century, might erode the military budgets. The tensions between men would then pass to outer space.

THE ANNOUNCEMENT OF A VIETNAM CEASE-FIRE AND RETURN OF POW'S

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, I greet the news of a cease-fire agreement in Vietnam and the release of our POW's with great relief. I rejoice and am grateful to God that the war is now ending even as we are sobered by the thoughts of the great sacrifices that have been made. All Americans owe thanks to the more than 2½ million men and women who have served in this tragic war.

The effort of achieving a peace settlement by negotiation has been both arduous and almost unbelievably difficult, and

I congratulate the President on his steadfast efforts to reach a negotiated settlement.

As this war is quickly ended, perhaps the alienation caused by Vietnam will also fade into history. To restore faith in Government and avoid future Vietnams, reasoning and openness in foreign and domestic affairs must be sought and achieved.

Let us now prepare to welcome our heroic countrymen who will soon be released from their prisoner-of-war cells in Southeast Asia. We can celebrate their return and hope that all Americans can now unite in a common endeavor to build the kind of Nation that will inspire freedom loving people with our determination to live at peace.

HARRY TRUMAN: HUMILITY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. DERWINSKI. Mr. Speaker, when the history books are finally closed on America's great experiment in democracy, the name Harry Truman will occupy a cherished position among this country's great leaders. It does not take much of a prophet to make that statement; historians have already rated him as one of the five best Presidents to serve in the White House.

Mr. Truman was never called an intellectual and rightly so. But while his formal education was merely normal, this great country of ours has never, and probably will never, be led by a man with more backbone. In the face of history's most challenging problems, Mr. Truman never lost his native knack of seeing things in their proper perspective and explaining them simply to all of us.

In addition to a special kind of courage, President Truman possessed another gift—humility. The day after the Presidency was thrust unto him, Truman told a group of reporters:

Last night the whole weight of the moon and stars and all the planets fell on me. Please pray for me.

Apparently, the prayers were answered as he completed Franklin Roosevelt's term and his own 4-year administration with honor. Never a man to back away from a fight, Mr. Truman faced each crisis with the best interest of the Nation at heart.

Probably the best example of the former President's courage is his decision to use the atom bomb on the Japanese. While experts still argue over the wisdom of his action, there can be little doubt that Truman put the interests of America above his own place in history. An image-minded President-politician would have hesitated while thousands more Americans died in needless battle.

Harry Truman had a straightforward way of saying things. About the Presidency he said: "The buck stops here." When a reporter blasted his daughter's singing, Truman called him an s.o.b. and wrote him a letter on White House stationery offering to punch his face in.

Faced with "certain defeat" at the hands of Thomas Dewey in the 1948 election, Truman defied the "experts" by predicting victory, "I'll give 'em Hell," Harry said. And hell is just what he gave them.

They learned not all Chief Executives have the sound of a public relations man with a Harvard law degree. If Truman was President in this era, people would say he tells it like it is, but in those days the phrase had not been invented. In those days there was no need for such an expression.

Truman was once asked what he thought of the chances of a woman being President. Truman replied:

I've said for a long time that women have everything else, they might as well have the Presidency.

I am not sure how women's liberation people would react today, but I kind of like that answer.

Mr. Speaker, as a Member of Congress who respects all Presidents regardless of the political controversy which may swirl about them, I pay tribute today to a great President and great American, Harry Truman.

AN INCREDIBLE EXAMPLE OF INTEGRITY, COURAGE, AND LOYALTY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. ASHBROOK. Mr. Speaker, during the past 2 years the House Internal Security Committee has been holding oversight hearings on the administration of the Federal employee security program. Most of the major departments of the executive branch have come before the committee to explain the operation of the program and to suggest corrective action where necessary. Included were representatives of the State Department who described the circumstances and difficulties peculiar to their jurisdiction. Legislation was introduced based on the information but unfortunately did not get through Congress. In this Congress similar legislation will again be offered.

It is understandable, with this background in mind, why I am especially concerned about the forthcoming luncheon on January 30 at the State Department welcoming as a speaker John Stewart Service who was bounced from the State Department in the 1950's for passing classified information to a source identified by the FBI as a Communist agent. Although the U.S. Supreme Court ordered Service reinstated, the decision was based on a technicality and did not address itself to the charge that he had violated security regulations.

One knowledgeable witness to this era in our history when key Americans helped in the downfall of our wartime ally, Nationalist China, and who told his story before a congressional committee in testimony as yet unpublished is Edward Hunter, a psychological warfare expert with the OSS/CIA and who, incidentally, coined the term "brainwashing." Mr. Hunter's expertise in this area has been

used in appearances before various congressional hearings and he is presently the publisher of the monthly psywar publication, *Tactics*.

Mr. Hunter's article in the January 1973 issue of *Tactics* gives background information, past and present, on the importance of the upcoming luncheon. For my part, I cannot but help view the extraordinary role assigned to John Stewart Service, designating him as the "symbol" of American diplomatic "integrity, courage, and loyalty" incredible in light of his known serious violations of the Federal Government's security regulations. In effect, this function is a provocation to our Internal Security Committee; the State Department and the American Foreign Service Association are telling us that they regard our efforts to preserve American security as nothing but tilting with windmills.

In effect, they are saying that our hearings are a joke, a sham, and are challenging us to make the most of it.

The above-mentioned article follows:

[From the *Tactics*, Jan. 20, 1973]

STATE DEPARTMENT STAGES VICTORY LUNCHEON: PRO-PEKING LOBBY CELEBRATING

The Department of State, at a luncheon on January 30, will have gone full circle from the time it was the decisive factor in bringing about the loss of the Chinese mainland to the communists. The affair will celebrate the State Department's role during those years, on the premise that President Nixon's Peking trip vindicated its support of the Red Chinese.

The luncheon has been especially arranged for shortly after the President's inauguration, in order to set the tone for the Nixon administration's Asian policy. The purpose also is to create official support for the "psywar" line that Nixon's journey to the Chinese mainland vindicated the old, pro-Yenan or pro-Mao Tse-tung element in the State Department.

This is considered necessary in order to bring back into the State Department, if only symbolically, those who were discredited for supporting the Chinese communists in their fight against the Republic of China, headed by Chiang Kai-shek as Kuomintang Party leader.

ROGERS OPERATING THROUGH AFSA

The major objective looks toward the future, not to the past. The intent is to nail down a pro-communist policy in Asian affairs generally, which would undercut countries that have been our allies, and give the same backing to the red insurgents in such countries as Thailand and Burma as was given to the red Chinese.

The affair is being arranged pretentiously for the eighth floor, in the diplomatic reception room where the main functions are held. The announced sponsor is the American Foreign Service Association (AFSA), in effect a company union.

Sharing the sponsorship behind the scenes is the Carnegie Endowment for International Peace. William P. Rogers, as secretary of state, has cooperated closely on this with William C. Harrop, AFSA chairman. So has Marshall Green, assistant secretary for East Asia and Pacific affairs.

The State Department hopes, too, that this affair will restore prestige that it must have if it is to compete with its rival foreign ministry in the White House, under Dr. Henry A. Kissinger.

The invitations, dated Jan. 5, do not conceal the propaganda intent of the luncheon. The text:

"Dear AFSA colleague: The President's trip to Peking and the new era he has opened in American-Chinese relations have drawn at-

tention to the prophetic quality of much that was written about China by Foreign Service professionals serving there during the years 1942-1945.

"Historians have praised the perception and candor of the analysis that was produced by Foreign Service officers in Embassy Chungking and elsewhere during that turbulent period.

"The facts they reported were unwelcome at home. Many of these officers suffered harsh domestic criticism and were unable to continue their careers.

"At a luncheon on the Department of State's Eighth Floor at noon on Tuesday, Jan. 30, 1973 the American Foreign Service Association will honor these Foreign Service officers in China during the early 1940s who demonstrated their professionalism and integrity by reporting events as they saw them.

"We have asked Mr. John Service and Mrs. Barbara Tuchman to speak at this luncheon about the importance of honest "field reporting" by the Foreign Service, our responsibility as essential today as it was thirty years ago in China.

"In our audience we hope to have a number of Mr. Service's former colleagues in China as well as many of those persons in and out of government who have long been concerned with Asia and who have welcomed the President's visit and the new American policy which it symbolizes.

"Members of AFSA may sign up for the luncheon by returning the enclosed card along with a check for \$6.50 to the Association. Since the Association will be inviting a number of academics, government and press leaders to this luncheon, I regret that it will not be possible for individual members to bring guests.

"In fact, we anticipate that many more members than can be accommodated will wish to attend and the Association is endeavoring to arrange for large screen, closed circuit television coverage of the event in the West Auditorium of the State Department.

"As usual, checks received at AFSA after the luncheon is oversubscribed will be returned and we will also telephone those unable to obtain reservations.

"Sincerely,

**"WILLIAM C. HARROP,
Chairman, Board of Directors, American Foreign Service Association."**

TELLTALE MARKS OF CONTROL

The invitation makes plain that this is a psychological warfare ploy of the kind perpetrated in those years when an all-out, pro-Red Chinese campaign was being conducted in the United States by the State Department in collaboration with press organs such as the New York Times.

Congressional inquiry proved beyond the shadow of a doubt that this was a red propaganda drive, conducted in the United States as part of the communist guerrilla warfare and other military operations on the Chinese mainland. Moscow had entrusted the international ramification of this bold, "psywar" effort to conquer China to the Communist Party of the U.S.A. Earl Browder, as its chief, went to China on this mission, as he revealed himself after he broke with the Moscow leadership.

The all-out drive succeeded. The betrayal of China is amply documented. The mainland would not have been captured for communism without the backing of American reds, fellow travelers and dupes, along with unprincipled opportunists.

Now, after an interval of nearly a quarter of a century, when the events of that period have been forgotten, and are not being taught by indoctrinators operating as historians and professors, the State Department is being used as a "psywar" weapon to put across a new, pro-communist project.

The ostensible objective is to remedy an injustice to dedicated men and women who have been proven to have been right by

history. The journey to Peking by Nixon is being equated with the judgment of history. This, of course, is a nonsequitur. John Stewart Service's delivery of our most secret documents to red agents of the Philip J. Jaffe type while World War II was being waged is not to be justified by the fact that Mao Tse-tung, assisted by such intrigue, defeated Chiang Kai-shek's troops.

Neither can Nixon's China journey justify the effort by John Paton Davies, then a policy chief in the State Department, to secretly set up a staff in New York consisting mainly of outright and even paid agents of the Communists, to guide U.S. policy as regards the Far East.

EYES NOW ON VIETNAM, THAILAND

The short-range objective, of course, is this whitewash of past transgressors, but the longrange objective is focussed on immediate projects. The most important of these is the Viet Nam war. The formula being employed there to bring about a red victory is precisely the same, in practically every detail, with that which won on the Chinese mainland.

One need only change the name, China, to Indochina, and the scenario would be the same.

A whitewash of the China betrayal, therefore, would easily become the model for a transfer tactic for the betrayal of Indo-China. The communists always plan ahead, as they can because they possess an over-all, worldwide strategy. So we already are reading about preparations for the conquest of Thailand. Once Viet Nam were put into the red bag, Communist forces would simply turn their direction to this next country on their list of "kills."

We would be submitted, then, to a repeat of the same scenario, with the old formula for red conquest being repeated, and the same role in it being performed by the State Department-N.Y. Times-Harvard network.

These are the big stakes for which the sponsors of the January 30 dinner are playing. The U.S. itself, obviously, is the ultimate target:

The invitations were already printed three days before a meeting of the AFSA board of directors at noon, Jan. 8, in room 3524 of the State Department, ostensibly to decide on the affair. The decision had already been made in company union style.

The ostensible purpose of the luncheon was described by David E. Biltchik, properly a Harvard product, on "leave of absence" for an AFSA-Carnegie job.

He declared the affair was intended to honor courage and loyalty in government as exemplified by the "old China hands."

STAGE-MANAGED PERFORMANCE

Every detail is being planned beforehand, even to the exclusion of those who might provide evidence that would refute the prored whitewash. Significantly, the members of AFSA are informed in the invitation that they cannot bring any guests, and the reason given is that the sponsors of the luncheon are themselves deciding whom to invite from the press, the academic world and "old China hands."

The objective, of course, is to discredit those with China background who have been proven to have been correct—really correct—in their analyses and alerts, by what happened to the Chinese republic.

The rewriting of history to whitewash such as John Carter Vincent, Anna Louise Strong, Davies and Service, et al., cannot be accomplished without blackening the careers of such as Gen. Claire Chennault, Geraldine Fitch, Freda Utey, Walter Judd, many in American diplomatic and military circles—as well as the author of "Brain-Washing in Red China"—to name a few haphazardly chosen.

A bolder or more unethical maneuver to rewrite recent history, in an effort to influence contemporary history, cannot be found.

The dishonesty surrounding the affair was its 1984, Orwellian "Newspeak" approach in arranging a public vindication of those who collaborated in China's fall to the communists, while ignoring the State Department's large roster of present-day and fairly recent Foreign Service officers and other State Department employees who have been fired and persecuted, even hounded to their suicide, for providing accurate reports even if this reflected at times upon the communists.

A dinner should be arranged in the State Department to honor such as Culver B. Chamberlain, who was hounded out of the State Department because his beating up by Japanese troops in Mukden dramatized Japan's aggressions of that period; George Hanson, who was hounded into suicide because he exposed the machinations in Manchuria of both Tokyo and Moscow; Charles William Thomas, recently hounded into suicide because, although a liberal, he insisted upon writing objective reports, Otto F. Otepka, Stephen Koczak, John Hemenway and many, many others.

The brilliant Angus Ward was never forgiven because the scandal over red occupation of his consulate general in Mukden prevented a secretly prepared recognition of the Maoist regime soon after its capture of Peking. He was exiled to Afghanistan.

Indeed, the Jan. 30 affair could be called a victory luncheon, for those being paid tribute did help bring about the fall of the Chinese mainland to the communists.

The Washington Post on New Year's Day, 1973 finally published a letter by Freda Utley regarding its Dec. 10 editorial on John Carter Vincent's death several days before. Vincent's support of Mao was called "premature prescience," and in accordance with the "collective guilt" theory in communism, the editorial declared "every American of responsibility must feel sympathy and some sense of shame" for the "personal deprivation and humiliation" entailed by his forced separation from the State Department.

BUT HIS ADVICE WAS FOLLOWED

Freda Utley has authored the basic books about this China period. Her letter is a capsule history of how China fared in that dramatic period, and for this reason is presented here in full:

"Your editorial on the death of John Carter Vincent in your Dec. 10th Sunday edition stating that his diplomatic career was terminated on account of his 'political prescience' in foreseeing the Chinese Nationalist defeat and counseling withdrawal of U.S. aid from Chiang Kai-shek begs the question. To say that something will happen, then ensuring that it does happen and thereafter saying how 'prescient' you were is an easy gambit.

"Far from having gone 'unheeded' because unwelcome, as your editorial asserts, the counsel of John Vincent was in fact followed in the fateful years which followed VJ day. Witness the fact that in early 1946 General Marshall, President Truman's plenipotentiary envoy to China, embargoed all small arms and even ammunition to the Nationalist forces, unless and until Chiang formed a coalition government with the Communists, as urged by Vincent before and after he became Director of the State Department's Office of Far Eastern Affairs. The embargo was not lifted until July 1947 at the insistence of Congress. According to the testimony of Col. L. B. Moody, a U.S. ordnance officer who served with the Donald Nelson mission to China, the embargo resulted in the 'foreseen and inevitable defeat of the Nationalist armies.'

"Whether or not it was a 'tragedy' that Vincent was ousted from the State Department and 'personally deprived and humiliated' as you assert, by his retirement and appointment at Harvard, his work there at the East Asian Research Center if 'obscure' was certainly not 'relatively ineffective,' as

your obituary editorial asserts. Under the Directorship of Professor Fairbank this prestigious institute has successfully distorted the historical record and paved the way for the resuscitation of old China 'experts' who a quarter of a century ago counseled that we should 'let Chiang fall but not let it look as if we pushed him.'

"Instead of pitying the victims of 'McCarthyism' who were condemned to fellowships at Harvard or to taking well paid jobs with large foundations of 'liberal' persuasion, we should consider how worse a fate was reserved for the premature 'anti-Communists' in and out of government who were condemned to obscurity and often to poverty during the era designated by Eugene Lyons as the 'Red Decade.'"

This comprehensive digest in letter form should be read from the podium at the luncheon, but there is no chance it will be done. Freda Utley, who has been writing her biography, lives in Washington, D.C. (1611 21st St. N.W. 20009).

Wilson C. Lucom, tenacious activist (910 S. Ocean Blvd., Palm Beach, Fla. 33480) has sent a telegram to Rogers, with a copy to the President, as follows:

"I understand that Mr. Service is to speak on the subject of the integrity of field reporting. I am sure that you are well informed about the role Mr. Service played in the infamous Amerasia case. To ask Mr. Service to address himself to the subject of integrity is an unique idea.

"Perhaps we could persuade two of his former friends, Sol Adler and Frank Coe, to abandon their refuge in Communist China and come back and assist him in explaining to young Foreign Service officers how they can win glory by fighting the policies of the elected officials of their country."

The telegram refers to two of the American citizens who have made Red China their headquarters for propaganda warfare on behalf of the Chinese Reds.

An appropriate honor guest at the luncheon, if he were presently in the United States, would be Wilfred Burchett. He played a key role in the extraction of fake confessions of germ warfare from American captives of the reds in North Korea.

The AFSA directors meeting of Jan. 8 was attended by John D. Hemenway, an AFSA member, although he was squeezed out of the State Department for frankly supporting Nixon in the 1968 election, on top of writing admittedly correct analyses unfavorable to the communists in Russia and East Germany.

He was given a Pentagon post, but with the naming of Elliot L. Richardson as secretary of defense, the long arm of the State Department might reach to him there.

Hemenway gave the AFSA directors a background column on Service by Clark Mollenhoff, that appeared in the Feb. 27, 1972 Philadelphia Sunday Bulletin. The article declared:

"When Service was separated [dismissed], he appealed to the courts and in 1957 the U.S. Supreme Court held that the State Department had failed to follow its own regulations in connection with the dismissal action and ordered Service reinstated. The Supreme Court decision didn't get into ruling on the substantive issues of delivering classified documents to a man identified by the Federal Bureau of Investigation as a Communist agent."

Hemenway asked Harrop whether the AFSA board had been informed, "Or have you already made a final decision that we are to go ahead with this luncheon?" Harrop replied:

"We are having a series of luncheons over and above the arrangements made by our staff in collaboration with David Biltchik, who is spending this year on leave without pay working jointly for the Association [AFSA] on our 'openness' work and for the Carnegie Foundation, a program we call

'face-to-face,' a program which relates to persons in foreign affairs and people in the private world.

"Mr. Biltchik first made the proposal of a luncheon—I believe it is the very first—at which we would have, we hoped on the eighth floor of the department, a lunch which would discuss some of the context of the President's trip to China and the new American approach to China.

"We would discuss the reporting which was done during the middle and late forties by Foreign Service officers in China and which has subsequently been very harshly criticized as being so utterly out of step with what many people in America wished for at that time.

"And these men suffered, some of them severely, for their reporting which they did. We would like to try to make amends for that and recognize the contribution which these individuals made at that time and really focus the luncheon primarily upon the importance of people reporting from... as they see things... giving honest analysis... calling the shots as they appear to be..."

"The assistant secretary of state for East African affairs [Marshall Green] has collaborated with us in this endeavor and the secretary of state has approved of the luncheon for Service and others to come as guests of the association.

RALLY OF "LEADERS" ON CHINA

"We expect to have a number of members of the press field; we expect to have a number of academics and other leaders of the country in the China policy taking part in this because it will be a very fine occasion, one which will do credit to the association and to the foreign service.

"The board of directors... they are unanimously, I believe, in accord with this and we have discussed this at a number of meetings and there were no objections. Invitations have been extended and the eighth floor of the department is reserved and the luncheon will take place on 30 January. Announcements will be out tomorrow morning."

The discussion continued. Excerpts follow:

Hemenway: It struck me as curious why Service was chosen, because as you can see from Mollenhoff's article, Service's problems with the State Department and with our profession were not for inaccurate reporting. They arose out of giving classified material to an unauthorized person.

Whatever the merits of that, if the purpose of the luncheon is to honor integrity and loyalty, then I would have thought someone else would have been selected other than Mr. Service better exemplifying these qualities. It raises the issue of our organization endorsing not just individuals, but the policies for which the individuals stand.

Now, is it the contention of our organization that Service has been proven right in his reporting? And if so, has anyone gone through his reports to see what he actually reported? And if they are quote right end quota, as seen with the wisdom of 1973?

SERVICE AS A "SYMBOL"

Harrop: We have not assigned anyone to do that. We feel that the role that these men played in the forties and fifties is common knowledge; a number of articles have been written on the matter... Mrs. Tuchman's article in Foreign Affairs, and the profile that appeared in the N.Y. Times... We invited him as somehow sort of symbolizing... there were a number of other persons working on China at that time. Service embodies the whole group.

Hemenway: In my judgment, that is not what a loyal Foreign Service officer does, unless you are endorsing—about 20 years earlier—a kind of early version of Ellsberg.

Then there is one last question. Since Mr. Service, with his point of view, and the "old China hands" with their point of view, are being honored for their loyalty and dedica-

tion and all the rest of it, does this association intend also to honor people like Charles Thomas, who also suffered in our profession? There are a lot of names that could be mentioned if you are looking around for hard-working, dedicated Foreign Service officers who have been abused professionally. . . . Maybe our organization is not being even-handed. It seems to me more like an endorsement of a policy rather than of individuals.

Harrop: I don't really think that we need another motion on this. I think it is just a case of a disagreement with you on the issue. We can't expect to have the agreement of each of our members on every issue. So we are going ahead on this. In fact, the invitations are out.

**IN MEMORIAM TO THE HONORABLE
PAUL C. FALLAT, SUPREME PRESIDENT
OF THE SLOVAK CATHOLIC
SOKOL**

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ROE. Mr. Speaker, as the Slovak Catholic Sokol rallied together to observe Christian Unity Week—January 18 to 25—having as its theme “Lord, teach us to pray,” the sad and shocking news of the sudden death of their supreme president, the Honorable Paul C. Fallat, was met with disbelief, wonderment, and heartfelt mourning by the membership, residents of our Eighth Congressional District and the State of New Jersey. I ask my colleagues here in the Congress to join with me in extending our deepest sympathy to his wife Helen “Zidovskiy” Fallat; their daughter, Valerie; son-in-law, William G. Stettler; grandchildren, Melissa and Keith Stettler; brother, Joseph of Passaic, N.J.; and two sisters, Mrs. Irene Collier, of East Paterson, N.J., and Mrs. Rita Vissa, of Garfield, N.J.

Paul Fallat was an outstanding American of Slovak heritage who also brought great honor to the historic city and country of his birth Bardejov, Slovakia. He was held in the highest esteem by his fellow citizens in our community, county, State, and Nation. Mr. Speaker, with your permission I would like to insert at this point in our historic journal of Congress the statement issued by one of New Jersey's most prestigious weekly newspapers and official organ of the Slovak Catholic Sokol, *Katolícky Sokol*, Passaic, N.J., which eloquently manifests his lifetime of outstanding work on behalf of his fellowman as well as the respect and appreciation that are extended to the quality of his leadership and exemplary achievements by all of us who had the good fortune to know him. Their memorial reads as follows:

PAUL C. FALLAT, SUPREME PRESIDENT OF SLOVAK CATHOLIC SOKOL SUCCEDES TO HEART ATTACK AT AGE 64—FUNERAL FRIDAY MORNING, JANUARY 19 IN PASSAIC, N.J.; SERVED WITH U.S. NAVY IN WORLD WAR II; HEADED OUR SOKOL ORGANIZATION SINCE 1955

On Tuesday, January 16, 1973, Paul C. Fallat, Supreme President of the Slovak Catholic Sokol, died after a sudden heart attack

at the Hackensack General Hospital, Hackensack, New Jersey.

On Monday, the day before his death, he visited our Sokol headquarters and was in good cheer, promising to return to his office the following day.

DIED SUDDENLY AT 10 A.M.

On the fatal morning, he brought his wife, Helen, to the office of Sears and Roebuck in front of our Sokol Building. He parted in the usual way. However, he called on his physician, who detected immediately that he was not well and summoned an ambulance which rushed him to the Hackensack General Hospital. Here he passed away at 10 A.M.

His son-in-law, William G. Stettler, related the shocking news to our Supreme Secretary, Tibor T. Kovalovsky, who could not believe it and telephoned to the Hackensack General Hospital, where they confirmed the sad news.

Brother Kovalovsky immediately informed the local Supreme officers and after a conference with Editor John C. Sciranka, Attorney John D. Pogorelec and George A. Dluhy, member of the Supreme Court, Brother Kovalovsky telephoned Supreme Vice-President, John A. Olejar, and Supreme Treasurer, Stephen R. Olenick, also, members of the Executive Committee, namely, Mrs. Amalia Burican, Supreme Ladies Vice-President; George J. Kostelnik, Chairman of the Board of Supreme Auditors, and John J. Klimchak, Supreme Director of Sports and Athletics, and Rev. Jerome J. Pavlik, O.F.M., Supreme Chaplain. Telegrams were also sent to all Supreme Officers and leading fraternalists and the Associated Press and our Slovak publications notified.

**LOCAL SUPREME OFFICERS EXPRESS THEIR
CONDOLENCE**

The four Supreme Officers, Tibor T. Kovalovsky, John C. Sciranka, John D. Pogorelec and George A. Dluhy called personally on Mrs. Fallat and expressed their condolence and offered their services to her and her daughter, Mrs. Valerie Stettler and her husband, William G. Stettler, who were shocked with the sad news. Mrs. Fallat related to them how he was in the best of health and spirits in the morning and how he drove her to the Passaic Sears and Roebuck office and parted as usual. He did not complain or show any sign of illness.

The funeral arrangements were made for Friday morning at G. Edward Vaxmonsky Funeral Home, 139 Ackerman Ave., Clifton, N.J., where the body will lay until the funeral.

The funeral will be from St. Mary Roman Catholic Slovak Church in Passaic, N.J., of which Father John J. Demkovich is pastor and Rev. Msgr. Andrew J. Romanak, P.A., pastor-emeritus. Interment will be at St. Mary's Parish Cemetery at Saddle Brook, N.J.

BORN IN SLOVAKIA

The late Paul C. Fallat was born in August 12, 1908, in the historic city of Bardejov, Saris County, Slovakia. He studied art in his native city and also in Padua, Italy. During World War I, he was cut off from his father, the late Andrew Fallat, who left the family in Europe and came to America, where he enlisted into the Czecho-Slovak Legion and fought in France. After the establishment of the first Republic of Czecho-Slovakia, Mr. Fallat returned with other legionnaires to the newly-established country and was given a hero's welcome in his historic city of Bardejov.

Here he was offered a state job, but he insisted on returning to America. The family came to Ellsworth, Pa. After a short time, they moved to Clifton, N.J., and settled in Garfield, New Jersey.

Here young Paul continued in his studies and attended the Newark Academy of Fine and Industrial Arts. Later he also was a Rhodes Scholar.

Living in Garfield, he was soon acquainted

with the founders of the Slovak Catholic Sokol and shortly joined our organization as a member of Assembly 162 in Clifton, N.J.

DID OUTSTANDING PAINTINGS

As a young artist he was engaged to do art work for our Sokol organization and also did some outstanding paintings. Among them was a painting of St. Vojtech (Adalbert), patron of Group 1; the plaque of Father Francis Skuttl, our first Sokol editor, and General Milan R. Stefanik, which is in Third Ward Park in Passaic; also the portrait of the late Congressman Gordon Canfield. He won praise especially for the painting of “Victory of King Svatopluk over the Franks,” the portrait of General Milan R. Stefanik, Msgr. Jozef Tiso and the historical plaque of the purchase of Dundee from the Indians.

His historic sketches from the life of Msgr. Andrej Hlinka were published in the “Topix” and republished in the 1973 annual “Furdek” by the First Catholic Slovak Union, which was edited by Editor Joseph C. Krajsa.

SERVED IN U.S. NAVY DURING WORLD WAR II

He served in the U.S. Navy during World War II and took part with U.S. forces in Italy and the Pacific with the Naval Intelligence and received honorary discharge and commendations.

After returning from the service, he took part in our Sokol life and was elected President of Assembly 289, Slovak Catholic Sokol in Garfield.

In 1946, upon the resignation of the late Joseph A. Kalman, well-known Sokol, he was elected to the Supreme Office as a member of the Supreme Finance Committee.

A few months after this, he was elected Supreme Vice-President at the National Convention of our organization in Milwaukee, Wis.

He was re-elected to this office at the National Convention in 1950 in Wilkes-Barre, Pa., and then elected to the office of Supreme President at the Golden Jubilee National Convention in New York City in 1955.

**SERVED FIFTH TERM AS OUR SUPREME
PRESIDENT**

Brother Fallat was Supreme President for 17 years. He was re-elected at the Reading, Pa., National Convention in 1959 and re-elected at subsequent National Conventions in 1963 at Youngstown, O., in 1967 at Chicago, Ill., and in 1971 at Bethlehem, Pa.

He died preparing for the Annual Meeting of the Supreme Assembly, which is scheduled for the week of February 19th at Sokol Center, Youngstown, O.

As Supreme President, he attended Conventions of the National Fraternal Congress of America, also Conventions of Fraternal State Congresses. He was recently elected member of the Executive Committee of the New Jersey Fraternal Congress.

**SURVIVED BY WIFE, DAUGHTER, AND TWO
GRANDCHILDREN**

He is survived by his wife, Mrs. Helen (Zidovskiy) Fallat. They were married on October 9, 1937. Also surviving is a daughter, Mrs. William (Valerie) Stettler and two grandchildren, Melissa and Keith Stettler. Also a brother, Joseph Fallat, a commercial artist of Passaic, and two sisters, Mrs. Irene Collier of East Paterson, N.J., and Mrs. Rita Vissa of Garfield, N.J.

May he rest in peace. We express deep sympathy to the bereaved family!

Mr. Speaker, I know that you and our fellow Members of Congress will want to join with me in a moment of silent prayer in national recognition and farewell salute to the Honorable Paul Fallat. I trust that his wife and family will soon find abiding comfort in the faith that God has given them and in the knowledge that Paul is now under His eternal care. May he rest in peace.

"DIXIE"**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. RARICK. Mr. Speaker, because I share many people's concern at the concerted and organized efforts afoot in our country to suppress many cherished aspects of our American culture, I have introduced House Concurrent Resolution 14, expressing the sense of Congress that no action should be taken on the part of the Federal Government, any State, or political subdivision thereof that would remove the song "Dixie" from its proper place in the history of the United States and in that region of the United States known as the South, or prohibit the same from being played as a part of any public function or gathering.

I can see no useful purpose served by distorting our past in order to recreate a nonexistent heritage when as Americans we have a gallant history of record.

Insinuations that "Dixie" is a song of region or hate is at most a fabrication or witch-hunting expedition by those who would burn the books of history.

[From Lincoln Talks: A Biography in Anecdote, Collected, Collated, and Edited by Emanuel Hertz, Viking Press: New York, 1939. pp. 367-368.]

"DIXIE"

On the night when the news reached Washington of Lee's surrender to Grant, the people of Washington flocked to the White House lawn to serenade the President. A band being there, Lincoln turned to it and said:

"I have always thought 'Dixie' one of the best tunes I ever heard. I insisted yesterday we had fairly captured it. I presented the question to the Attorney-General and he gave the opinion that it was our lawful prize. I have not heard the old tune for four years. Now let the band play 'Dixie'!"—*Newport Mercury*.

The composer, Daniel Decatur Emmett, was born in Mt. Vernon, Ohio. "Dixie," originally called "Dixie's Land" was written in New York City for the celebrated Bryant's Minstrels in the spring of 1859. The original "Dixie's Land" contained one verse and the chorus. However, "Dixie" is best known and sung with verses two, three, and four with the chorus.

I ask that the lyrics of "Dixie" follow, along with the text of my bill to save this great musical work, a part of America's cultural heritage:

"DIXIE"

(Composed by Daniel Decatur Emmett)

1

Dis world waz made in jis six days,
And divided up in various ways,
Look-a-way—Look-a-way—Look-a-way Dixie
Land
Dey den made dixit trim and nice,
But Adam call'd it "Paradise"
Look-a-way—Look-a-way—Look-a-way Dixie
Land.

CHORUS

Den I wish I wax in Dixie
Hoo-ray—Hoo-ray
In Dixie's land, we'll took our stand,
To lib and die in Dixie
A-way—a-way—a-way day down South in
Dixie.

2

I wish I was in the land of cotton,
Old times there are not forgotten,
Look-a-way—Look-a-way—Look-a-way Dixie
Land,
In Dixie Land where I was born in—
Early on one frosty morn-in
Look-a-way—Look-a-way—Look-a-way Dixie
Land.

3

Old Missus marry Will "de weaver",
Willum was a gay deceiver,
Look-a-way—Look-a-way—Look-a-way Dixie
Land
But when he put his arm around her
He smil'd as fierce as a forty pounder
Look-a-way—Look-a-way—Look-a-way Dixie
Land.

4

His face was sharp as a butcher's cleaver,
But dat not seem to grieve her,
Look-a-way—Look-a-way—Look-a-way Dixie
Land
Old Missus acted the foolish part,
And died for a man that broke her heart
Look-a-way—Look-a-way—Look-a-way Dixie
Land

5

Buck wheat cakes and stony batter,
Makes you fat or a little fatter;
Here's a health to the next old missus,
And all de galls dat want to kiss us.

6

Now if you want to drive 'way sorrow,
Come and hear dis song to-morrow;
Den hoe it down and scratch yer grabble,
To Dixie land I'm bound to trabble.

H. CON. RES. 14

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that no action should be taken on the part of the Federal Government, any State or political subdivision thereof that would remove the song "Dixie" from its proper place in the history of the United States and that region of the United States known as the South, or prohibit same from being played as a part of any public function or gathering.

MEMORIAL TO LYNDON B. JOHNSON**HON. J. HERBERT BURKE**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. BURKE of Florida. Mr. Speaker, when any national leader, especially a former President passes away, there is certainly a feeling of great loss in the Nation, and I feel this loss. Nevertheless, I cannot be a hypocrite and praise Mr. Johnson's record, for there were too many instances where we disagreed on issues.

Still, it takes a certain kind of dedication and love for one's country to run for elective office, and former President Johnson had this in abundance. Although, I did not agree in toto with Mr. Johnson's proposals, I greatly admired his dedication to public life.

Idealistically I am a conservative and former President Johnson was a liberal. Yet, good government needs a balance of equal quantities of both. The adversary system is used to bring justice in our courts, and it is used in Congress to ascertain proper avenues for govern-

ment. President Johnson was a liberal warrior and we differed in our views. However, I can honestly say that I had a tremendous respect for his ability and his love of country.

OIL AND GAS "SOLUTION"—SPARKS STATES FACTS**HON. JAMES M. COLLINS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. COLLINS. Mr. Speaker, the major domestic industry crisis is in the oil and gas field. Energy is essential to our technological, mechanical economy.

In Washington, we hear many simple solutions but none has economic logic. We must be pragmatic and face the tough solutions that can provide positive answers. With inflation rampant, it is impossible to keep rigid price controls on gas without continuing to strangle gas production.

I was proud to see my neighbor Abbott Sparks who heads Petroleum Engineering Publishing Co. effectively refute misleading public statements. In Oklahoma, the price of gas is 14 cents per thousand cubic feet. Yet, in Lowell, Mass., they allow \$1.58 for liquid gas imported from Canada. Imported gas can get a large price, but domestic gas has a wellhead ceiling price.

I know you will find the following portions of a UPI story covering Abbott Sparks' comments on the oil and gas industry to be basic and sound:

The president and publisher of a Dallas-based petroleum publishing house Thursday took sharp issue with statements.

Abbott Sparks, who heads Petroleum Engineer Publishing Co., himself a former Oklahoman, said it is industry which has played and will continue to play such an important role in the growth and security of America.

The publishing company has circulation in 106 countries with staff representation in international oil and gas-producing areas.

Sparks, commenting on condemnation of the petroleum industry for the current shortage of energy, said "it must be a shock to any knowledgeable Oklahoman at a time when Oklahoma gas producers can average only about 14¢ per thousand cubic feet (MCF) for their gas, while Lowell, Mass., is paying \$1.58 per MCF for Canadian liquefied natural gas trucked across the border."

"No one cares to estimate the price of liquefied gas proposed to be imported from Algeria or Russia, but it could easily go to \$3 per thousand cubic feet. On top of that, the U.S. Petroleum industry provided the technology and the know-how to make it possible for the Algerians and Russians to get in position to market their gas," Sparks said.

We have made continual annual surveys of oil and gas companies with trade in stocks, and the number has grown in recent years. We now have 110 oil companies on our surveyed list, more than we have had since 1953.

"In 1953, however, return on operations was 14.5 per cent. But our last annual report survey showed record low earnings on revenues of 7.3 per cent, about half the level in 1952. You can't pay dividends and finance

exploration and facilities on that kind of return in a high risk business. And if it is a 'tax shelter' business, I wonder how many people enjoyed the shelter of the \$6-million noncommercial well that was drilled in Elk City, Okla., by Lone Star Gas Company.

"In 1972, U.S. oil and gas firms drilled half as many wells as they did in 1956 just as they had half the profit margins," Sparks said.

"Other countries need energy; the whole world needs energy; and most countries are doing everything they can to encourage energy development. The American companies who have the know-how are being put to work in countries all over the world for that reason. How many people realize that while we pay 30¢ to 40¢ per gallon for gasoline (approximately half of which is tax) in this country, they pay 80¢ to \$1.20 in England, France, Italy, Germany, and other European countries.

"How many people realize that although gasoline costs Americans less than the price of distilled water, oil and gas last year provided 76 per cent of the energy for the industrial muscle of America—long selling for less than replacement cost.

"Resources alone are not energy. Without the tools, technology, and the economics, there is no energy supply. The record says oil and gas paid \$14 billion in taxes to local, state, and federal governments in 1970, outstripping all other industries in total taxes paid," Sparks said.

CONGRESSIONAL TRIBUTE TO THE "MASTER" BUSBY BERKELEY

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. VEYSEY. Mr. Speaker, I am privileged to have in my congressional district, some of the foremost celebrities of the music and entertainment world. And among the elite of that group is a man who has carved himself the reputation, the master builder of the American musical film.

The master I speak of, Busby Berkeley recently celebrated his 77th birthday, and his 12th year in Palm Springs. On that occasion, the British Broadcasting Corp. broadcast a live telephone conversation with Busby Berkeley—via transoceanic hookup to his bedside in Palm Springs where he was recovering from major surgery. The tribute to this great musical talent was carried throughout the British Isles.

Busby Berkeley came out of retirement recently to lend his hand to the production of "No, No, Nanette," which has now run for three consecutive years on Broadway to sold out houses.

His accomplishments and awards are legion, and on January 27 he will be appropriately honored by the Desert Symphony Association with a special Busby Berkeley Concert in Palm Springs. Highlights will be selections from his many musicals including "The Goldiggers," "42d Street," and "No, No, Nanette."

I ask my colleagues to join me in this congressional tribute to Busby Berkeley, the master builder of the American musical film.

MELVIN R. LAIRD—A GREAT AMERICAN

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. ARENDS. Mr. Speaker, I regret that I could not be present on January 18 when so many paid a special tribute to my former colleague, Melvin R. Laird, who is retiring from his present post as Secretary of Defense.

I was one of the first to greet Mel when he entered these Halls in 1953 following his service in the Wisconsin State Senate, and we became good friends—a friendship which I have cherished over the years. His colleagues immediately recognized that here was a young man of outstanding ability, high intelligence, and a basic decency and genuine concern for his fellow citizens. These qualities characterized not only his service here in the Congress for eight terms but his record as Secretary of Defense during four of the most difficult years in our Nation's history.

Mel Laird is a unique individual. He has a tremendous capacity for work and an incisive mind which goes directly to the heart of any problem. This is one of the reasons Republicans in the 83d Congress selected him as a freshman Member to serve on one of our most important committees of the House—the Committee on Appropriations. He soon became one of its most effective minority members. Mel served on the Defense Appropriations Subcommittee; and as a member of the Committee on Armed Services I conferred with him frequently on the need for maintaining a strong and efficient defense establishment. He was determined that this be accomplished with the lowest possible cost to the taxpayer, and he has acted on this conviction during his service in the Pentagon.

Mel's interest in people makes him a natural leader. In 1964 he was selected to chair the Republican platform committee and the following year became chairman of the House Republican conference. His future here in Congress was bright, to say the least, and he served proudly. I personally was sorry when he resigned from the House; but I recognized, too, that he was one of the few who possessed the experience and ability to oversee our defense establishment in this critical Vietnam period.

In these days when there is much public concern over the relationship between the legislative and executive branches, Mel Laird has demonstrated the value of meaningful cooperation. Few Cabinet members have enjoyed such respect on Capitol Hill or have worked more closely with the Congress. Mel understands Government and its checks and balances. He understands the Congress and its responsibilities to the people and he understands the importance of efficient administration to the success of any endeavor.

The Nation owes Mel Laird a debt of gratitude. I join with colleagues on both sides of the aisle in wishing him well on

the occasion of his retirement. Let me express the hope, however, that after a well-earned rest he will return again to public service. We need more like him in Government today.

AN ISSUE OF NATIONAL CONSCIENCE

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. McCLOSKEY. Mr. Speaker, it is not often that a local school board feels impelled to take a position on an issue over national foreign policy.

The Palo Alto Unified School District is widely recognized as operating one of the finest school systems in the United States. I believe the language of the board's resolution to be worthy of study by all of us. The resolution follows:

RESOLUTION: AN ISSUE OF NATIONAL CONSCIENCE PREAMBLE

Normally a board of education functions by formulating and adopting statements of educational policy, that is, by precept rather than by example. It is not the function of the school board to act as guardian of community or national morals.

In some cases, however, in promoting the teaching of citizenship to our young people, it is justified in setting an example of an act of citizenship by speaking out directly on matters of grave national concern; in some extreme cases of violation of the ethical precepts upon which our Constitution and our ideals of democratic citizenship are based, this Board claims the right and acknowledges the obligation to make public its position on issues of national conscience.

Whereas, The United States has been engaged in an undeclared war in Indo-China for a decade which has caused great human suffering;

Whereas, Peace negotiations appeared to be reaching successful closure;

Whereas, The resumption of bombing of unprecedented ferocity has brought about further unmitigated suffering;

Whereas, Unnecessary imposition of human suffering is not consistent with the ethical principles of western civilization on which our Constitution and the education of a free people are based;

Whereas, The Board of Education is responsible for the teaching of "the principles of morality, truth, justice, patriotism and a true comprehension of the rights, duties and dignity of American citizenship" and "in manners and morals and the principles of a free government" (Education Code 13556.5);

Whereas, One of the duties of citizenship is to protest unethical action in the part of the government;

Therefore be it resolved that, The Board of Education requests the Congress of the United States to take immediate steps to cease funding the war in Indo-China, and

The Secretary of the Board send copies of this Resolution to the President of the United States, to the Vice President, the Speaker of the House of Representatives and representatives to the Congress from the State of California.

Adopted by the Palo Alto Board of Education, January 16, 1973.

Ayes: Mr. Preston Cutler, Mrs. Agnes Robinson, Mr. Theodore Vian.

Noes: Dr. Royce Cole, Mr. Donald Hammond.

PRESIDENT LYNDON B. JOHNSON

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. CHAMBERLAIN. Mr. Speaker, the death of President Lyndon B. Johnson marks the first time since 1933 that this Nation has been without the wisdom and counsel of a living former Chief Executive. As we mourn our great loss, however, I think the American people can take comfort in the knowledge that President Johnson gave fully of his heart, his mind, and physical being to serve our Nation both through periods of crises and time of significant progress.

The editorial in the State Journal of Lansing, Mich., of January 24, 1973, points out that he may best be remembered for the calm and self-confident leadership he provided in the days and weeks following that grim day in November of 1963 when President John F. Kennedy was assassinated.

The editorial follows:

[From the State Journal, Lansing, Mich., Jan. 24, 1973]

JOHNSON: A CAREER OF COURAGE

For the second time in a month, the nation mourns the passing of a former President, Lyndon B. Johnson, who died Monday of an apparent heart attack.

Mr. Johnson, like Harry S. Truman, was thrust into office upon the death of an incumbent chief executive during a most turbulent period in American history.

While Truman faced the staggering problems of the post-World War II era, Johnson was burdened with what some historians view as the most serious domestic crisis of the century, complicated by massive entanglement in a grim and divisive war in Southeast Asia.

It was ironic that during his early years in office Lyndon Johnson emerged as one of the most popular Presidents in decades, winning a smashing, landslide re-election in 1964. Unlike his fallen predecessor, John F. Kennedy, he marshalled the support of a balky U.S. Congress to push through the most significant domestic reform and civil rights legislation in a century.

But by the time he left office in 1968 he was the target of widespread attack and vilification because of a deepening and seemingly hopeless involvement in the quagmire of Vietnam.

History will decide whether Mr. Johnson was the victim of poor judgment or perhaps bad advice in his decision to stand and fight the Communist tide in Indochina, or whether that decision, in the long run, may prove a decisive one for preventing future conflicts.

Mr. Johnson was a master at the science of politics and compiled an outstanding record in Congress. But he may best be remembered for the calm and self-confident leadership he provided in the days and weeks following that grim day in November of 1963 when Kennedy was shot.

With the nation still in a state of shock following the assassination of its youthful president, Mr. Johnson emerged as a take-charge leader who, with his famous Texas drawl, appealed for unity to carry on the programs of his predecessor.

This story was not kind to Lyndon Johnson in the turbulent years that followed. But in the task of grappling with the immense problems of his office he demonstrated great courage and determination in fighting for what he believed to be the best interests of his country. And his hallmark efforts in be-

half of minority peoples changed the course of the nation.

He Was an American first and last. We are grateful for his service and saddened by his death.

FORESTRY INCENTIVES

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. SHOUP. Mr. Speaker, pressures on our Nation's forest resources and on our forest resource managers are great and they continue to build. The pressures arise from many demands; from industry homebuilders, recreationists, conservationists, and others. The heaviest pressures are directed at the managers of our publicly owned forest lands.

Public forest lands which make up about 30 percent of our total forest lands are producing half of our timber. Private forests must play a greater role in meeting increased demands for wood fiber, recreation, watershed, and wildlife habitat. Any poor management of these private lands must be remedied.

We have 510 million acres of commercial forest lands in the United States, 365 million acres of these are privately owned, and 65 million acres are owned by commercial forest industries. Only a fraction of the remaining 300 million acres is properly managed. These 300 million acres should be producing half of our timber needs but 25 percent of the land is in need of planting and another 45 percent needs timber stand improvement. Many of the owners have neither the funds nor the technical knowledge to carry out needed improvements.

If the United States is to have the timber needed in the years to come, the Federal Government must render assistance to see that forests—both public and private—are protected from fires, that young trees are planted and that our forests are tended and nurtured.

These private forests of which I speak are the most accessible in the country and are potentially the most productive. Sad to relate, they are in the worst condition. State programs are scarcely adequate. In 1970, State assistance was available to only 2 percent of eligible acreage.

My bill would authorize the Secretary of Agriculture to encourage and assist in the reforestation of private lands that are nonstocked or understocked. It would foster intensive multiple-purpose management, improving timber production, watersheds, forage values, fish and wildlife habitat and recreation.

Cost sharing would be provided for up to 50 percent of costs, not to exceed \$2,500 in any fiscal year, for those private ownerships not exceeding 500 acres. The Secretary is directed to provide technical assistance wherever it is requested with no limitations on acreage. Management problems do not stop when a forest reaches 500 acres in size.

The many provisions of this act will provide technical knowledge, manpower, equipment, planting stock and other ma-

terials needed to stimulate forest practices desperately needed on our private forest lands.

Mr. Speaker, I insert the text of my bill to be printed in its entirety at this point in the RECORD.

H.R. 2902

A bill to authorize the Secretary of Agriculture to develop and carry out a forestry incentives program to encourage a higher level of forest resource protection, development, and management by small nonindustrial private and non-Federal public forest landowners, and for other purposes.

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 "Forestry Incentives Act of 1973".

SEC. 2. (a) Congress hereby declares that the Nation's growing demands on forests and related land resources cannot be met by intensive management of Federal lands and industrial forests alone; that the three hundred and nine million acres of nonindustrial private land and twenty-nine million acres of non-Federal public forest land contain 65 percent of the Nation's total forest resource base available to provide timber, water, fish and wildlife habitat, and outdoor recreation opportunities; that the level of protection and management of such forest lands has historically been low; that such lands can provide substantially increased levels of resources and opportunities if judiciously managed and developed; that improved management and development of such lands will enhance and protect environmental values consistent with the National Environmental Policy Act of 1969 (83 Stat. 852); and that a forestry incentives program is necessary to supplement existing forestry assistance programs to further motivate, encourage, and involve the owners of small nonindustrial private forest lands and the owners of non-Federal public forest lands in actions needed to protect, develop, and manage their forest lands at a level adequate to meet emerging national demands.

(b) For the purposes of this Act the term "small non-industrial private forest lands" means commercial forest lands owned by any person whose total ownership of such lands does not exceed five hundred acres. Such term also includes groups or associations owning a total of five hundred acres or less of commercial forest lands, but does not include private corporations manufacturing products or providing public utility services of any type or the subsidiaries of such corporations.

SEC. 3. The Secretary of Agriculture (hereinafter referred to as the "Secretary") is hereby authorized and directed to develop and carry out a forestry incentives program to encourage the protection, development, and management of small nonindustrial private lands and non-Federal public forest lands. The purposes of such a program shall be to encourage landowners to apply practices which will provide for the afforestation of nonforest lands and reforestation of cut-over and other nonstocked and understocked forest lands, and for intensive multiple-purpose management and protection of forest resources to provide for production of timber and other benefits, for protection and enhancement of recreation opportunities and of scenic and other environmental values, and for protection and improvement of watersheds, forage values, and fish and wildlife habitat.

SEC. 4. (a) To effectuate the purposes of the forestry incentives program authorized by this Act, the Secretary shall provide a range of forestry incentives which shall include the following:

(1) Cost sharing with the owners of small nonindustrial private forest lands and the owners of non-Federal public forest lands in providing practices on such lands which

carry out the purposes of the forestry incentives program. No cost sharing under this paragraph shall provide for a Federal contribution in excess of 50 per centum of the total cost of practices on non-Federal public forest lands or small non-industrial private forest lands and no one small non-industrial private forest landowner shall receive cost sharing, under this Act in excess of \$2500 in any one fiscal year.

(2) Cost sharing with the owners of small nonindustrial private forest lands for the purposes of providing manpower, equipment, planting stock, and other materials to carry out the practices to be encouraged by the forestry incentives program. No cost sharing under this paragraph shall provide for a Federal contribution in excess of 50 per centum of the total cost of materials equipment, and services.

(3) Neither the definition of "small non-industrial private forest lands" nor any other provision of this Act is intended to rule out larger landholders from receiving technical assistance. The Secretary is directed to provide such technical assistance to all forest owners to assist them in protecting, developing and managing their forest lands.

(b) The Secretary may, for the purposes of this section, utilize the services of State and local committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1150; 16 U.S.C. 590h(b)), and distribute funds available for cost sharing under this Act by giving consideration to pertinent factors in each State and county, including but not limited to, the total areas of small non-industrial private forest lands and non-Federal public forest land and to the areas in need of planting or additional stocking, the potential productivity of such areas, and to the need for timber stand improvement on such lands. The Secretary may also designate advisers to serve as ex officio members of such committees for purposes of this Act. Such ex officio members shall be selected from (1) owners of small nonindustrial private forest lands, (2) private forest managers or consulting foresters, and (3) wildlife and other private or public resources interests.

(c) Federal funds available to a county for small nonindustrial private forest lands each year may be allocated for cost sharing among the owners of such lands on a bid basis, with such owners contracting to carry out the approved forestry practices for the smallest Federal cost share having first priority for available Federal funds, subject to the Federal cost sharing limitations prescribed in subsection (a) of this section.

SEC. 5. The Secretary shall consult with the State forester or other appropriate official of each State in the conduct of the forestry incentives program provided for in this Act. Federal assistance under this Act shall be extended in accordance with such terms and conditions as the Secretary deems appropriate to accomplish the purposes of this Act. Funds made available under this Act may be utilized for providing technical assistance to and encouraging non-Federal public landowners, and the owners of small nonindustrial private forest lands in initiating practices which further the purposes of this Act. The Secretary shall coordinate the administration of this Act with other related programs and shall carry out this Act in such a manner as to encourage the utilization of private agencies, firms, and individuals furnishing services and materials needed in the application of practices included in the forestry incentives program.

SEC. 6. There are authorized to be appropriated an amount not to exceed \$25,000,000 to carry out the provisions of this Act. Such funds shall remain available until expended.

NATIONAL STANDARDS FOR FIREHOSES

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BOB WILSON. Mr. Speaker, I am today reintroducing legislation which would authorize the establishment of national standards for threads and couplings of firehoses.

The recent tragic fires in several urban high-rises have focused national attention on the critical importance of firefighting technology. In handling many large blazes, local fire departments must call on other fire departments to assist them. Tragedy may result, however, if their equipment is not compatible.

Robert Ely, the chairman of the Committee on Standardization of Fire Hose Screw Threads of the International Association of Fire Chiefs, has devoted years of unselfish and tireless service to stir official interest and legislative action in the field of standardization.

Several decades ago, Norway adopted hose coupling standardization as the result of a massive fire at the residence of the Crown Prince and Princess. The fire became a major conflagration due to the differences in the hose couplings of the various fire brigades. The Norwegian Fire Protection Association has obtained the permission of His Royal Highness King Olav V to allow the following memorandum to be published in the United States. It succinctly points up the need for immediate adoption of similar legislation in the United States.

STANDARDIZATION OF FIRE HOSE COUPLINGS IN NORWAY

As in other countries, the question of standardized fire hose couplings was also in Norway discussed for a number of years. Thanks to a special case, this matter was solved quickly.

On May 20th, 1930, a fire broke out in the residence of the Norwegian Crownprince and princess, "Skaugum", some 15 miles west of the capital Oslo. The local fire brigade arrived quickly and stretched hoses to a well close to the building. The fire was almost under control when the water supply was exhausted.

The nearest water source was a lake some 3/4 eng. mile from the burning building. In the meantime, also other fire brigades had arrived, and together they had enough hoses to reach this lake. It turned out, however that the various fire brigades had different types of hose couplings, making connections impossible. As an emergency, the couplings were removed, the hoses placed inside each other, and the connections provisionally tightened with towels, etc. in order to reduce the leakage. During the time spent for this, however, the building had caught fire all over, and the efforts were directed towards spraying a large strong room in the basement, where irreplaceable valuables were kept, and which were saved from destruction.

Following this fire, The Norwegian Fire Protection Association's Director at the time again took the matter up with the proper Authorities in order to achieve standardization of fire hose couplings. The result was that a Norwegian coupling—NOR coupling—was chosen, and in the course of a short time

became standard for all fire brigades in Norway.

This tragic fire of the home of the present King of Norway, His Majesty King Olav V, was therefore a decisive factor contributing to the standardization of fire hose couplings in Norway, years ahead of many other countries. The usefulness and the necessity of such a standardization is beyond discussion today.

THE CASE OF JOHN D. HEMENWAY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASHBROOK. Mr. Speaker, for quite some time now I have inserted into the CONGRESSIONAL RECORD information on the case of John D. Hemenway, the former Foreign Service officer who was selected out of the State Department, who won the right to have a grievance hearing and who is now awaiting the final decision on his case by Deputy Secretary of State John N. Irwin II, recently nominated as our next Ambassador to France.

The first step in the Hemenway case was an extensive review of the case by a three-man panel which ruled in favor of Hemenway. However, William O. Hall, the Director General of the Foreign Service rejected the findings of the panel. From there the case went to Secretary Irwin where the final decision is now being awaited.

An extensive review of the case appeared in the Washington Post of December 11, 1972. I insert this item for the information of the Members, preceded by the favorable findings of the three-man panel which sided with John D. Hemenway, which findings appeared in the December 1972 issue of Tactics, the informative psywar journal published by Edward Hunter:

[From the Washington Post, Dec. 11, 1972]

MAN FIRED BY STATE DEPARTMENT BATTLES FOR VINDICATION

(By H. D. S. Greenway)

Who is John Hemenway and why is he saying all those terrible things about the State Department? Is he an American Dreyfus, as he suggests, "stripped of reputation and career" by a corrupt bureaucracy? Or, is he as a State Department official once claimed, simply a "pain in the bippie?"

John Hemenway is a former Foreign Service Officer who, after 14 years of what even the State Department admits was "consistently good performance," "was selected out" and thereby involuntarily retired in 1969.

According to State Department regulations, any Foreign Service Officer below the level of Career Minister who fails to receive promotion to the next grade within a specified number of years must leave the service.

In the past, many men have found selection out of the Foreign Service to be humiliating and degrading experience. Some have found it difficult to find other jobs in their middle years. Perhaps the most tragic case was that of Charles Thomas, who after selection out, killed himself on Easter Monday of 1971.

Like Thomas, Hemenway thought he had been wronged by the State Department. Even though another job had been found

for him in the Defense Department, Hemenway became determined that he was going to leave the State Department with his "integrity intact."

Determination is too mild a word to use in Hemenway's case. For the last three years he has waged war upon the State Department—in the press, in testimony before Congress—exposing what he believes to be corrupt promotion and personnel practices within the Foreign Service.

He is no longer seeking simply to clear his own name. In the years he has been appealing his case through the creaking machinery of the department's grievance proceedings, working at nights and on weekends, he has become an Ahab seeking an almost supernatural revenge upon the body of the bureaucratic whale.

The Hemenway affair has become something of a landmark in the Foreign Service as the longest and bitterest grievance that anyone can remember. After three years, it still remains unresolved.

Under the regulations in effect in 1968, Hemenway, as an FSO4, had eight years to be promoted to FSO 3. Seven selection boards failed to promote him and in January, 1969, he was selected out. Because he had not reached the level of FSO3, or the age of 50, he received no pension.

In 1971 these rules were changed to allow Foreign Service Officers to remain 20 years in FSO grades 3, 4 and 5 with no more than 15 years in any one grade. This new rule makes it practically impossible for a man in the position in which Hemenway found himself two years earlier to be selected out without a pension.

Hemenway felt himself to be the victim of a kind of "reverse McCarthyism." Certain State Department officials had referred to him as a "John Birch—type that finds a Communist under every chair," it was later revealed in testimony.

He had been deeply involved in the Berlin problem during the mid-1960s and had had strong differences of opinion with his superiors. He felt that malicious gossip and these differences of opinion over policy were the real reasons for his selection out.

He was given a special grievance hearing—the first in the history of the Foreign Service. The grievance committee was composed of three Foreign Service Officers—one picked by Hemenway, one picked by the State Department and a chairman acceptable to both.

The grievance committee wrestled for three years with what soon became adversary proceedings. Last September, after listening to 40 hours of testimony and sifting through 1,500 pages of documents, the committee recommended that Hemenway be reinstated in the Foreign Service, promoted, tendered an official apology and reimbursed for his legal expenses.

But Hemenway has not been reinstated. William O. Hall, the director general of the Foreign Service and the reviewing officer in this case, studied the grievance committee's report for a month and, in early November, decided against their recommendations for reinstatement, promotion, and reimbursement.

The State Department says that under the rules in effect when Hemenway's grievance hearing was set up, the committee was supposed to be a fact-finding body—not a jury. Their recommendations were not to be binding and the responsibility for a final decision always remained with the reviewing officer.

To Hemenway, the State Department's decision was both capricious and arbitrary.

The case is now under final review by the No. 2 man in the State Department, John Irwin, who has promised a decision in January.

It was subsequently announced that Irwin would be replaced as deputy secretary of state by Kenneth Rush as part of President Nixon's administrative shuffle. How this change will affect the Hemenway case is still in doubt.

But if Irwin, or his replacement, finds against Hemenway, he is prepared to take the State Department to court.

When some of Hemenway's colleagues, back in 1969, suggested that something might be done for Hemenway—some sort of compromise solution—Graham Parsons, one of the men selected by Dean Rusk to investigate the case, complained that Hemenway "had the bit between his teeth" and could not be "bought off." Parsons said that the trouble with Hemenway was that he attacked the system itself, according to sworn testimony brought out during the grievance hearing.

Hemenway would not find fault with that judgment. The unfairness of the system, as he sees it, has become an obsession.

Hemenway lives with his wife and five children in a comfortable house in the Northwest section of this city. His house is filled with musical instruments and he likes to play boogie-woogie and Mozart on a harpsichord—a copy of Handel's harpsichord in the British Museum.

His house is full of papers and documents pertaining to his case and he has the self-taught mastery of the law one expects of a condemned man penciling an appeal to the Supreme Court.

Hemenway was born in Wisconsin 45 years ago and was graduated from the Naval Academy with honors. He was a Rhodes scholar and gave up the military for the State Department in 1955. He is fluent in both Russian and German and served in the American embassy in Moscow for two years in the early '60s.

It was during his job as chief of the Berlin Section of the State Department's European Bureau that he had trouble with his superiors.

"The sum effect of the policies which they promoted and I opposed," Hemenway says, "was to perpetuate the permanent partition of Berlin, Germany and thus all of Europe."

His superiors took a different view. They said that Hemenway overdramatized the situation, and that the differences they had were normal in as sensitive an area as Berlin. Some of Hemenway's views were accepted, his superiors said, some were not. And when they were not it was often because the action he proposed seemed inadequate or insufficiently thought out, they said.

Whatever the case, Hemenway was mustered out.

Even though the State Department has changed the rules allowing for more time in grade, the department defends the selection out process. Without it, the department says, the Foreign Service bureaucracy would be worse than it is. For selection out is a "honing process" that allows talent to rise in the service. President Nixon is taking advantage of the process now to retire some of the older men and make room for younger men in the Foreign Service.

In Hemenway's case, a senior State Department official said, there had been certain weaknesses in his record—"inadequacies in drafting reports, a tendency to be overly vigorous in his point of view and to discount too quickly the views of others," but on the whole his performance was good.

His selection out doesn't reflect on his abilities, which are obviously very great. It was just that in competition with others he fell behind," the State Department official said.

"That," Hemenway says, "is a lie."

In Hemenway's view, the Foreign Service is a vicious "old boy" network where the rules are deliberately kept vague and constantly changed to accommodate favorites, but ruthlessly applied to get rid of people who make waves.

Hemenway has given reams of testimony before Congress on lateral appointments and promotion where people less qualified than he, he feels, have been promoted without strict observance of time in grade.

One of the people given a special exemp-

tion from the selection out rules was William O. Hall. Hemenway told the Fulbright Committee last spring. But this was before either he or Hall knew that Hall would end up reviewing the Hemenway case.

A 1968 interoffice memo to then-Director of Personnel Howard Mace from his subordinate Donald Tice reveals what the State Department really thought of Hemenway.

Tice wrote that Hemenway was destined to end up being "a pain in someone's bippie," and that the reason Hemenway had not been promoted despite his generally good performance was because Hemenway was "confident to the point of being arrogant and aggressive in a manner that approaches rudeness."

When Hemenway got word that he was about to be selected out, he wrote a memo to the then-Secretary of State, Dean Rusk, explaining his differences with his superiors over Berlin and saying that he was being punished "administratively for having done my duty as I see it."

Rusk, with only a short time left in office, asked former Ambassadors Graham Parsons and James Penfield to investigate the charges.

Parsons and Penfield took the word of Hemenway's superiors that policy differences had not prejudiced Hemenway's promotion and they so reported to Rusk.

But Hemenway felt that by not investigating the charges fully, Parsons and Penfield had effectively slandered him by suggesting to Rusk that "what I had reported was less than the truth."

When the special grievance committee was formed it immediately found itself procedurally at sea precisely because it was the first such committee in the history of the Foreign Service. There were no precedents. They had to formulate their own rules and, although they at first decided to consider only whether the report Hemenway objected to should be expunged from the record, they decided later to address themselves to the issues of promotion and selection out as well.

The grievance committee recommended that the Parsons-Penfield report be expunged and William O. Hall, in his review, upheld this recommendation. It was on the other recommendations for reinstatement, reimbursement and apology that Hall disagreed.

As to matters of fact, Hall said that the committee's findings were for the most part "supported by the evidence," but he disagreed with the committee's conclusions. Also, he held that the committee had exceeded its authority by delving into matters of promotion and selection.

The main thrust of Hall's rejection of the committee's recommendation was his finding that "the grievant failed to establish any impropriety in his involuntary retirement."

While there had been obvious differences between Hemenway and his bosses, Hall said, "the record does not indicate what effect the grievant's policy differences with his superiors may have had on their rating of him."

"This is the central difficulty of [Hemenway's] presentation—the failure to relate such differences as there may have existed to the deliberations of the selection boards, Hall found.

The grievance committee had said it was only "probable" that such conflicts had adversely affected Hemenway's performance ratings. And they said it was "impossible to conclude from the present state of the evidence" whether or not Hemenway would have been promoted even had there not been differences with his superiors.

But the grievance committee's recommendations appear to have been made less on the merits of Hemenway's original charges than on the issue of whether or not Hemenway had been denied due process in his grievance proceedings.

The committee said that the State Department's failure to produce documents had delayed the case for more than a year.

"Several department actions or inactions not only delayed the proceedings," the committee said, "but added to the burden placed upon the committee during the proceedings. . . . Failure to produce essential documents promptly, failure to assign departmental counsel early in the proceedings, failure to take appropriate administrative action to resolve satisfactorily the problems between Hemenway and the department" were all issues on which the committee scored the Department of State.

Hall, in his review, found that the "record does not reveal any arbitrary or capricious act or impropriety of the department in connection with these proceedings."

But if the case goes to court early next year the central issue may well be whether or not Hemenway was denied due process.

It is not likely that the Hemenway case could occur again in 1971 the State Department overhauled the entire grievance procedure.

The grievance board now consists of four "public" (non-department) members chaired by William Simkin, former director of the Federal Mediation and Conciliation Service, and two members drawn from each of the foreign affairs agencies.

The recommendations of the new board are binding and the State Department claims that many of the inequities of the old system have now been corrected.

Hemenway's own case could not be heard under the new rules, the State Department says, because it had begun under the old system and the new rules prohibit retroactivity.

But in the opinion of other legal sources close to the case, "no rules can wave away as if by magic a man's constitutional rights." If the case goes to court, Hemenway may well ask: Is it fair to have the department declare him not aggrieved when he has spent three years before a grievance committee that found him aggrieved?

The whole question of grievances has been boiling for three years and a bill to take the grievance procedure out of the hands of the State Department entirely passed the Senate only to die in the House Foreign Affairs Subcommittee.

In the past the State Department has fought such legislation, but now its reluctant position is that it no longer opposes it, but hopes that the statute will be general rather than specific and based on the reforms of 1971.

Hemenway feels that although he may never benefit from them himself, the reforms and the congressional action are in no small way due to his case and others like it.

He may not be America's Dreyfus, but if his case can force the bureaucracy to be more responsive to the individual he says it will have all been worth it.

[From Tactics, Dec. 20, 1972]

FULL TEXT OF RECOMMENDATIONS: INQUIRY SUPPORTS HEMENWAY

A devastating, all-inclusive verdict was handed down on Sept. 27, 1972 by a special hearing board in the John Hemenway case, after an intensive, three-year investigation into his accusations against the State Department. The committee found the State Department wrong and dishonest on all counts. The text of the recommendations, at the end of the exhaustive findings, is given here—nowhere else has it been printed; indeed, the press has hushed up on this whole affair in as unethical and complete a manner as Soviet Russia's Tass news agency operates, with a few exceptions found primarily in the non-news columns. The text, as provided by the Hemenway Grievance Hearing Committee, follows:

The Committee recommends, predicated upon the foregoing findings,

1. that John D. Hemenway be tendered an offer of employment in the Foreign Service of the United States;

2. that he be appointed in Class 3 at the step commensurate with the salary of his present position;

3. that he be credited with the time towards Foreign Service retirement which he has spent in U.S. government service since his selection out and the date of appointment;

4. that the Parsons/Penfield Report, dated Jan. 14-15, 1969, entitled John D. Hemenway, FSO-4. Review of Operation of Foreign Service Selection Systems in His Case, be expunged from the record of John D. Hemenway in any and every way both in the Department of State and in the U.S. Foreign Service, and that no reference thereto be made in any and all future communications of the Department of State concerning the grievant, John D. Hemenway;

5. that the commentary dated Jan. 8, 1969, entitled Comment on Mr. Hemenway's Allegations prepared by Alfred Puhon and Alexander C. Johnpoll be expunged from the record of John D. Hemenway in any and every way both in the Department of State and in the U.S. Foreign Service, and that no reference thereto be made in any and all future communications of the Department of State concerning the grievant, John D. Hemenway;

6. that these recommended expunctions be made complete throughout all records of the Department of State and the U.S. Foreign Service;

7. that any and all references to the Notes for the Secretary, dated Jan. 2, 1969, and prepared by John D. Hemenway be expunged from any and all records of the Department of State, and that this expunction shall include any and all other references thereto in the records of the Department of State;

8. that the Department of State issue a statement or letter to each, every and all persons, businesses and agencies to whom the Department has communicated in response to an inquiry with reference to Mr. Hemenway's selection out setting forth the foregoing findings of fact and recommendations and the action taken thereon;

9. that the Department of State tender to John D. Hemenway an appropriate letter of apology for the manner in which his complaints have been handled and disposed of, including delays in the furnishing of documents and other improprieties which occurred in his case as determined by the Committee;

10. that the Department of State reimburse John D. Hemenway for legal expenses incurred by him in the prosecution of his grievance;

11. that the denial of Mr. Hemenway's motion for preliminary findings accompanied by an offer of additional proof, including a reopening of the hearings, stand.—Paul A. Toussaint, chairman; Phillip H. Burris, and Maj. Gen. Richard C. Hagan, Air Force, retired.

"WOODY" FREE RETIRES

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. BYRON. Mr. Speaker, Woodrow Wilson "Woody" Free, of Brunswick, Md., has been in the business of entertaining people for over 43 years. One of the best known musicians in Frederick County, Woody is now retiring.

Woody began his career at the age of 16 when he and his brothers formed the Free Brothers Trio to play for house parties, dances, and churches. Following this, he joined the dance band of John

Funk. He later joined the Jimmy Taylor band in Frederick. After other band stints, Woody worked on the railroad but dropped out to form his own trio. The trio recently consisted of Woody and his son, Gary, and Merle Anderson. Woody was honored on December 30 on the occasion of his retirement, and I would like to add my own personal congratulations on a job well done.

A FATHER'S LETTER TO HIS SON

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. WYMAN. Mr. Speaker, if there is a so-called generation gap it is due in part to a breakdown in communication across the age spans. One of the most distressing aspects of differences between today's young people and their forebears is in the different sets of values that obtain with some values, or the lack thereof, that many find it hard to understand whether it be on their merits or demerits, or how they were conceived in the first place.

Recently a letter from a father to his son appeared in the Manchester, N.H., Union Leader's issue of January 23. The young man was off to college, and the father a busy and successful man. This letter is worth the serious consideration of other parents and other young people whether or not fortunate enough to be off to college.

PRESERVE OUR ECONOMIC SYSTEM

(By William F. McCurdy)

(NOTE.—Following is a speech delivered last year by Mr. McCurdy, who is Vice President, Public Relations, of Sears, Roebuck and Co.)

I am 54 years old and I classify this as middle aged. I have lived through a depression; I have lost four years to war; I am invested with sweat and I am absolutely sick of some of the younger generation; the hippies, the yuppies, the dippies, the militants and all of their nonsense.

I am tired, as a member of my generation, of being blamed, maimed, and contrite. I contend that we, my generation, has spent too much time telling the younger generation that they are a different breed—how wonderful they are. I submit to you that youth has always been wonderful. We were wonderful when we were young but that didn't give us any license to tear up the place.

The younger generation tells us today that they're up-tight about a lot of things. I'd like to tell you about some things that I'm up-tight about. I'm disturbed that on few college campuses in the United States today the President of the United States, the Vice President, a member of the Cabinet can come to talk to the students without disruption, physical abuse or intimidation. Yet at the same time, a convicted murderer, a dope peddler or one committed to overthrow our government cannot only get a respectful hearing, but be paid a handsome honorarium to boot.

Recently I sent a son to college. And when I stuffed in his pocketbook the check for his tuition and his room and board and his books and his activity fees and on and on, I also took the time out to write a little letter in the hope that he would read it. I don't know whether it will do him any good, but here's what I said:

DEAR SON:

So you're off to college! Your mother and I hope that it will be a worthwhile experience for you. I'm not sure about this, I have a friend who's had a son in college two or three years and I asked him not long ago: "Has going to college been a worthwhile experience for your son?" He said, "Well, I think so, it sure has cured his mother from bragging on him." And I know another young man who has been in college a couple of years and I asked him: "What do you think of college? Has it been worthwhile for you?" "Well," he said, "I'm not sure." He said, "When I am at college I'm a liberal, when I'm home I'm a conservative and when I'm alone I'm confused." Now we don't want you, my son, to be confused. We like you the way you are right now. We think you think straight about things, but you're going to undergo a new experience and I'd like to talk to you about it a little bit.

It occurs to me that there are many things about you, your actions and about your country that I should have discussed with you already. Now it may come as a shock to you to know this, but I was young once too. And I'd like to tell you that I know more about being young than you know about being old. You are fortunate to be a citizen by birth of the greatest country on this earth. Your generation has been freed of the nagging worries of food, clothing and shelter. You're the product of an affluency, which has been created for you by your parents. Today's generation is able to afford a hypersensitivity to social problems. I would like you to know this, my son; sensitivity is not the property of the young, nor was it invented in 1950. Your generation didn't invent it, you don't own it and what you seek to attain all mankind has sought to attain throughout the ages.

Society, or as your generation sometimes refers to it, "the establishment," is not a foreign thing that we seek to impose on the young. We know that our generation has been far from perfect, but I would remind you that we didn't make it, we have only sought to make it better; and the fact that we have not been 100 per cent successful is the story of all generations, just as it will be the story of your generation.

Society hangs together by the stitching of many threads. No 18-year-old is the product just of his 18 years. He is the product of 3000 years of the development of mankind and I would remind you, my son, that throughout those years injustice has existed and it has been fought. Rules have been out-moded and they have been changed. Doom has hung over man and somehow it has been avoided. Unjust wars have occurred and pain has been the cost of progress. Need I remind you too, that man has always persevered? And so, when your generation says that we must solve all of the country's problems by next Wednesday morning at 9 o'clock or you'll huff and puff and blow our house down, I could only characterize this as stupid, unthinking, irrational immaturity. Mankind can never hope for anything better on earth than to leave this world just a little bit better than he found it.

"All right," you say to me "What has your generation done?" Let's come to grips with this one right now. When you get to college you're going to hear a lot of anti-establishment talk. Now first let's examine just who is the establishment. To begin with it's your mother and your father and your aunts and your uncles and your adult friends that you always seem to think so much of. We're the establishment. We're not perfect but we're rather proud of what we've done. And when you think of the establishment, I'd like you to think of us in this way: We are the people who have increased, in our generation, the life expectancy in this country by more than 50 per cent. We are the people who have eradicated plagues. We are the people who developed the Salk vaccine. It came along too

late for us, but without it many of you and your generation would either be dead or crippled today.

We are the people who have reduced the working day by one-third and at the same time more than doubled per capita output. We're the people who have built thousands and thousands of high schools and colleges and have spent billions of dollars on higher education thereby making it available to the millions, when at one time it was the province of the very few. We're the people who without any bloodshed, back in the 1930s effected a social revolution so humane in its consequences that it tends to make the famous French Revolution look like a mere outburst of savagery and the famous Russian Revolution a downright political retrogression.

We're the people who defeated Hitler, contained Stalin and made Khrushchev back down. There is today a flag and a plaque on the moon attesting to the fact that my generation put the first man there. We're the people who split the atom, for good or evil, thereby releasing the primal energy of the cosmos for all mankind. And in my judgment during all of this time we have created a great literature, exciting architecture and have conducted extensive experimentation in all of the arts. And I'm going to restrain my enthusiasm, perhaps, for pointing out to you that we also developed the automatic transmission and maybe that's why so many of your generation are so shiftless.

Your generation has been most articulate in saying what's wrong with my generation. Our generation, on the other hand, has had no voice, no announcers, no press. That which is right, with us has been buried in silence and we tend to lose by default. So my son, in this letter I'm invoking the First Amendment in behalf of my generation. My generation were creatures of the depression.

Not long ago I was invited to a major university in our country to speak to the business college—1800 kids there. They called it a "symposium,"—they should have called it a Spanish Inquisition. This is the way it worked: Every morning at 8:30 I would make a statement for 30 minutes on behalf of the establishment, on the free enterprise system. For the rest of the day, including luncheon, I was attacked by the younger generation.

I'll never forget the first morning, I got through at 9 o'clock and I got the first questioner immediately. The young man stood up with a Custer hair-cut, a Fu-Manchu mustache, naked from the waist up, bare-footed. . . . they dress casually there. You've heard of the "Rambling Wreck from Georgia Tech," this kid looked like the "Total Loss from Holy Cross." And he pointed his finger at me and he said, "I charge you and your generation with being materialistic. I say that every thought and every deed of your generation is prompted by the profit motive, would you care to comment on that?" I said, "I don't think everything we do is dedicated to profit," I said "Of all the profitable investments I've ever known in my life, raising kids is right at the bottom of the list. And if all of your parents ever thought about was profit, they would have drowned you before you ever got your eyes open."

But I think there is something to what you say, I think we're materialistic, yes, I'll admit to it. We're all creatures of our own environment and we came along during the depression days. Things weren't very good back in the depression days, you don't know anything about that, but they weren't very good. Things were so bad that hitch-hikers were asking for rides going in either direction, they didn't care; that's how bad it was.

But how, how can we explain those times to you, my son, you don't know anything about them. You're leaving for college in a car that cost your mother and me three times more than I made the first year I ever worked for Sears, Roebuck and Co. And it wasn't because your car is that big, it's because my salary was that little. That wasn't Sears fault,

that was the ball game, that was the ball park, and that was the way we played it in those days. Sure I had a car, in my junior year when I went to school it was a stripped-down Model-T, I needed in order to pick up laundry and cleaning and pressing. I was trying to work my way through school.

In those days I never invited a girl for a date unless she was strong enough to carry 50 pounds of dirty laundry. And this may sound strange to you, but I think we were fortunate in those days because all of our luxuries and most of our necessities came to us a little bit at a time, we savored them and we enjoyed them and we appreciated them and we were thus motivated to work harder to get more. In those days a job was a thing of beauty and a joy forever. But your generation has had too much, too soon.

Let me talk to you just a second about what I think your mother and me owe you. I think we owe you food and clothing and shelter and an education, and all the love and respect you're able to earn for yourself. Now let me talk to you about something I think we don't owe you: our souls, our privacy, our whole lives, our immunity not only from our mistakes or from your own. These are what we don't owe you.

Bob Hope, one of the country's great entertainers and a great citizen, was asked last spring if he would speak to a graduating class in the United States and give them a few words of advice on going out into the world. His message was very brief, he said, "Don't go!"

Well I'm not sure this is exactly right, I think when you graduate from college you'll enjoy testing your wings, I think you'll enjoy a pride of authorship, I think you'll enjoy making a contribution to society, and I want you to know right now, my son, there are many things you and your generation can do. I readily admit every thing my generation has done is not right. In solving an economic problem of the '30s, I know very well we created social problems for the '60s and the '70s and you are concerned about them and you should be. And we're proud of you.

But I think you ought to know it takes time to get these things done. The technology we've delivered to you and your generation today has caused some problems and every action, as you've learned in physics brings about a reaction. And today we've got more automobiles than any country on earth, and some people say we've got more polluted air. We've got more TV sets today than any country on earth and some people say we've got more polluted minds. We've got more food today than any country on earth and more people are dying of obesity.

My research also pointed out we've got more bathtubs than any other country on earth, too, for whatever that's worth. But we hope you could keep the benefits and minimize the risks; we hope your generation can keep the cars and solve the pollution problem; we hope you can keep the TV and solve the programming problem; we hope you can keep food and solve the weight problem. I don't know what you'll do about those bathtubs, but if we ever have prohibition again I'm sure you'll find a functional use for those.

Above all else we hope you will not destroy the private enterprise system in America. We hope rather that you will understand it, appreciate it, learn to cherish it, because if you don't, my son, I predict that 20 years from now you're going to have a son driving off to school during another generation gap and you're going to be defending your generation against his generation and he's going to be saying that your generation turned out to be a bunch of sociological weirdos who were the residual legatees of an economic Garden of Eden and had neither the good sense nor strength to preserve it.

Sincerely,

YOUR DAD.

August 21, 1972.

LYNDON BAINES JOHNSON

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DULSKI. Mr. Speaker, the sudden passing of former President Lyndon Baines Johnson takes from the American scene our only living former President.

He will be greatly missed.

Within less than 1 month, our last two former Presidents have been called by their Maker. Indeed, when President Johnson died, the flags still were flying at half-mast around our country in mourning for former President Harry S. Truman.

President Johnson played an outstanding role as a legislator and leader in the Congress before he moved into the Vice Presidency and then the Presidency.

His record in the executive branch may take precedence in history, but those who know and were a part of that era recall with great respect and admiration his legislative ability. There can be no doubt that his legislative experience and leadership served him well in the White House.

His dedication to his country and his sense of responsibility toward its citizens are unquestioned. As with anyone in public life, he had his detractors as well as his supporters.

But no one can dispute his compassion for the impoverished, his concern for the realization of the highest goals and opportunities for Americans, and his commitment for using the highest office in our land for the betterment of the quality of life for all men.

I had the opportunity on numerous occasions to meet with President Johnson at the White House and my recollections are of a man who would listen intently to the visitor, a man who was friendly and relaxed, a man who was indeed a leader.

The particular occasion I recall was when I was invited to the White House for the signing of a bill which I had sponsored of interest to philatelists. Postmaster General Marvin Watson was present with me and we found the President very relaxed. A photographer took an excellent series of pictures which now form a montage on my office wall along with the pen he used to sign the bill.

After the bill signing, the President settled back in his chair for a leisurely chat. In the course of the conversation, he asked me if there was anything he could help me with.

I had not expected the question, but I answered quickly that, yes, there was one. I said that we in Buffalo need another \$1.5 million in Federal funds to get work started on our new Federal office building.

The President's response was immediate—and favorable. It was the last clearance we needed for the long-pending project which since has been completed in downtown Buffalo.

The job of President is a lonely one and, as President Truman always said,

EXTENSIONS OF REMARKS

it is where the buck stops. President Johnson was a distinguished and dedicated public servant who served his country well.

The Nation's history is enriched by the long public service of Lyndon Baines Johnson and its future is enhanced—perhaps more than any of us can comprehend fully at this time—by his initiative, tenacity, and foresight.

I join my colleagues in extending deepest sympathy to his family at this difficult time. I also join in expressing sincere gratitude to them for having shared his talents and his life with us.

President Johnson could well be described as "one who loved his fellow-man."

Lyndon Baines Johnson will be greatly missed.

HUMAN RIGHTS IN AMERICA

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. REUSS. Mr. Speaker, Mr. Bruno V. Bitker, a distinguished Wisconsin lawyer, has appraised the status of human rights in this country in a De Paul Law Review article titled, "Application of the United Nation's Universal Declaration of Human Rights Within the United States."

Mr. Bitker presents a broad survey of how the principles of the Declaration of Human Rights are woven into the American legal fabric. His work will be of great assistance in furthering international understanding of American adherence to this declaration and will serve as a beginning for further research.

The articles of the declaration, and brief summaries of Mr. Bitker's excellent analyses, follow:

APPLICATION OF THE UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS WITHIN THE UNITED STATES

(By Bruno V. Bitker)

ARTICLE 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

The same basic principle is spelled out in the United States Declaration of Independence as follows: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness."

ARTICLE 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

The ideals expressed in this article are the basic ideals of the United States. But the full attainment of these ideals has not been completely achieved.

ARTICLE 3

Everyone has the right to life, liberty and security of person.

The American Declaration of Independence contains the phrase "life, liberty, and the pursuit of happiness." Within the United States Constitution and the acts of Congress there are a wide variety of expressions supporting individual rights and personal security.

ARTICLE 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Adoption in 1865 of the thirteenth amendment to the United States Constitution provided: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States."

ARTICLE 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The eighth amendment provides that no "cruel and unusual punishments" shall be inflicted.

ARTICLE 6

Everyone has the right to recognition everywhere as a person before the law.

The fifth amendment to the Constitution provided that no person shall "be deprived of life, liberty, or property, without due process of law." The fourteenth amendment extended this provision beyond the federal government to the several states: "nor shall any State deprive any person of life, liberty, or property, without due process of law." The reference to "any person" emphasizes the right to recognition of everyone before the law in the United States.

ARTICLE 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

The series of Civil Rights Acts adopted by the Congress, beginning with the enactment of the Civil Rights Act of 1957 which established the Commission on Civil Rights, are noteworthy in connection with this article.

ARTICLE 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

There is an extensive system of federal, state, and local courts plus a wide variety of administrative tribunals at state and national levels. The courts are open to all on an equal basis.

ARTICLE 9

No one shall be subjected to arbitrary arrest, detention or exile.

The fourth amendment guarantees the "right of the people to be secure in their persons" and prohibits "unreasonable searches and seizures."

ARTICLE 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

The Bill of Rights of the United States Constitution spells out these protections in broad terms: the fifth amendment on self-incrimination; the sixth amendment on a speedy and public trial by an impartial jury and the right to counsel; the seventh amendment on jury trials for common law suits over twenty dollars; and the eighth amendment on excessive bail or fines or the infliction of cruel and unusual punishments.

ARTICLE 11

Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.

No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

The presumption of innocence may be deemed a principle of justice "so rooted in the traditions and conscience of our people as to be ranked as fundamental." Among the guarantees "necessary for his defense" is the right to counsel. The right to counsel is specifically provided for in the sixth amendment. The prohibition against conviction of any penal offense which was not such an offense when committed is embedded in the Constitution itself and applies to both federal and state governments. Under Supreme Court decisions, an *ex post facto* law is one which not only makes something criminal which was not so when the act occurred, but also one which increases the punishment.

ARTICLE 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

The first amendment's bar of Congress from abridging the freedom of speech, assembly and religion; the fourth amendment right of the people "to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures;" and the fifth amendment protection against compelling a person to be a witness against himself, indicate the sharp limits placed on the government to protect the individual's liberties against the state. But the scientific advances of the twentieth century have made possible intrusions into private lives that were hardly conceivable when the Bill of Rights was adopted. The telephone tap, the hidden or invading camera, the sophisticated eavesdropping devices and other technological advances in surveillance have forced a reevaluation of the extent to which privacy is protected. At this writing, neither the courts nor the Congress have determined how far they can go in protecting the traditional right of privacy as against the need to protect the nation against organized crime and subversive activities.

ARTICLE 13

Everyone has the right to freedom of movement and residence within the borders of each state.

Everyone has the right to leave the country, including his own, and return to his country.

The freedom of movement of American citizens within the United States is traditional and supported by Supreme Court decisions.

ARTICLE 14

Everyone has the right to seek and to enjoy in other countries asylum from persecution.

This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

The Immigration and Nationality Act as amended in 1965 codified previous immigration laws, eliminated previous racial restrictions and the national origin quota system, substituted a non-discretionary method for selecting immigrants and expanded oppor-

tunities for discretionary relief to alleviate hardships. No legislation specifically prohibits the departure from or return to the United States by an American citizen. However, passport laws exist.

ARTICLE 15

Everyone has a right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

The fourteenth amendment provides that, "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." There appears no basis upon which a citizen can be deprived of his citizenship except by his voluntary act.

ARTICLE 16

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution.

Marriage shall be entered into only with the free and full consent of the intending spouses.

The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

The right to select one's spouse free of legal limitations is American tradition spelled out in decisions of the Supreme Court.

ARTICLE 17

Everyone has the right to own property alone as well as in association with others.

No one shall be arbitrarily deprived of his property.

The fifth amendment provides that no person shall "be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

ARTICLE 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The right of freedom of thought, conscience and religion is deeply imbedded in American tradition. As to religion, the first amendment provides that: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

ARTICLE 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The applicability of the first amendment is apparent.

ARTICLE 20

Everyone has the right to freedom of peaceful assembly and association.

No one may be compelled to belong to an association.

This freedom, "the right of the people to assemble peaceably," is set out in the first amendment.

ARTICLE 21

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

Everyone has the right of equal access to public service in his country.

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The applicable phrase in the Declaration of Independence is that governments derive "their just powers from the consent of the governed." Article I of the Constitution provides for a national legislature elected by popular vote. Under article II the President and Vice President are chosen by electors from each State, who in turn are selected in a manner prescribed by the legislature of each State.

ARTICLE 22

Everyone as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality.

The Constitution of the United States in its opening clause states: "We the People of the United States in order to promote the General Welfare . . ." and in article II section 8 Congress is specifically empowered to provide for the "General Welfare."

ARTICLE 23

Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

Everyone without any discrimination, has the right to equal pay for equal work.

Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

Everyone has the right to form and to join trade unions for the protection of his interests.

The Full Employment Act of 1946 declares that government policy should foster and promote employment opportunities. The right to just and favorable remuneration and decent working conditions is protected by various laws relating to minimum wage rates, safety, health and hours of work. Under the National Labor Relations Act of 1935, employees were guaranteed organizational and bargaining rights.

ARTICLE 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Now through custom and collective bargaining, the normal work week is generally limited to forty hours with paid holidays and vacations.

ARTICLE 25

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Motherhood and childhood are entitled to special care and assistance.

The Social Security Act of 1935 and subsequent legislation recognized the right of every American "to a standard of living adequate for the health and well-being of himself and of his family." Despite the several measures, there are a substantial number of individuals who have annual incomes below the poverty line. Health as a human right is recognized and receives specific recognition in the Medicare and Medicaid programs. In the Housing Act of 1949, Congress established as a national objective "a decent home and a suitable living environment for every American family." The goal of twenty-six million new and rehabilitated units in the current decade may not be reached, but every effort is being made.

ARTICLE 26

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be generally available and higher education shall be equally accessible to all on the basis of merit.

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Parents have a prior right to choose the kind of education that shall be given to their children.

Although the United States Constitution does not mention education, it does provide for the "General Welfare." Illiteracy in the United States is estimated at two percent. Often because of racial discrimination, many young Americans do not have access to quality education. In 1954, in the historic decision of *Brown v. Board of Education*, all public schools were required to desegregate. Efforts to expand and improve education have been accompanied by recognition of the prior right of parents to determine the course of their children's education.

ARTICLE 27

Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

The constantly increasing government support for arts was evidenced by the passage of the National Foundation on the Arts and Humanities Act of 1965. The advancement of science and technology in the United States has been supported on the national and local levels. The right of protection to the author of any new scientific, literary or artistic production has its roots in the Constitution.

ARTICLE 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

It is evident that the United States has not achieved its own hope for a perfect social order, but Americans are now doing more than ever before to do so. To provide "international order," the United States has played a major role in the United Nations and made important contributions to international law in negotiating vital multinational agreements.

ARTICLE 29

Everyone has duties to the community in which alone the free and full development of his personality is possible.

In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

In the United States, the citizen has a legal duty to obey the law, pay taxes, serve in the armed forces, serve on juries and testify in court. It is difficult to conceive that the rights recognized in the United States Constitution and its amendments would be exercised contrary to the spirit of the United Nations Charter.

ARTICLE 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

No government, group, or individual can interpret the Declaration as creating the justification to destroy the rights of other governments, groups, or individuals.

TRAFFIC FATALITIES

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. RHODES. Mr. Speaker, each year the figures that record the death and destruction on our highways increase. These horrible totals have become a national disgrace.

The Tempe Daily News, published in Tempe, Ariz., recently ran two stories that deal with this subject. The first, indicates that the National Safety Council projects 1972 as the deadliest year on the highways in our history. The second reports on 1972's 50 percent decrease in fatal accidents in Tempe, Ariz.

Since it is projected that the Nation's car deaths will continue to go up, I call upon my colleagues to read these articles and to take special note of Tempe's efforts to reduce traffic deaths. Perhaps communities in other congressional districts would be well advised to follow Tempe's lead.

The articles follow:

TRAFFIC FATALITIES MAY REACH TRAGIC NEW HIGH FOR 1972

The National Safety Council has projected 1972 as the deadliest year for traffic safety in the history of the United States.

Howard Pyle, NSC president, said: "Based on figures for the first 10 months of 1972, traffic fatalities for the entire year are expected to reach a tragic 56,700. In addition, the number of persons suffering disabling injuries in traffic is expected to reach two million and the cost to the national economy approximately \$16 billion."

The worst year for traffic had been 1969 when 56,000 persons died in motor vehicle mishaps throughout the nation. The toll for 1971 was 54,700.

Pyle said: "Although preliminary data does not allow for in-depth analysis, we can point to certain contributing factors that are believed to be affecting the total increase:

"(1) the continued infestation of the nation's roadways by the drinking driver who is involved in about half of the fatal motor vehicle accidents;

"(2) the trend by states to lower their minimum drinking age to 18, the age when persons are learning to drive at the same time they are learning to drink, a combination that too often ends with tragic results;

"(3) the increasing number of motorcycles and minibikes in the hands of many unskilled operators; and

"(4) the 'bicycle boom' in which 11.5 million bikes were sold in the United States during 1972 without necessary bicycle safety instruction."

Pyle added, "The Highway Safety Acts of 1966 enables all levels of government to do much more than is being done for traffic safety. Failure to provide adequate funding continues to be the major problem. Public demand urging government leaders to find

the means to implement essential programs is imperative if highway accident losses are to be reduced."

FATAL ACCIDENTS DOWN IN TEMPE FOR 1972

While the state piled up a record 791 traffic fatalities, Tempe saw a 50 percent decrease in fatalities in the city, from seven to 14, according to department records released today.

Lieutenant Dale Douglas of the police traffic bureau, said his men are writing more citations and have tried to bear down on intoxicated drivers. He said he feels this may be responsible or contributing to the reduction.

Douglas said in half of the national fatal accidents, liquor is involved, and said for this purpose, his men went on a special squad this summer to cut down on the drinking driver.

Douglas also said that the motor patrol (motorcycles) have a lasting effect on motorists. He added that when the motors first appeared on Tempe streets, there was a sharp decline in the number of traffic accidents.

While the number of accidents and injury accidents is up, Douglas said this is deceiving. He said comparing the number of accidents to last year will not give the true overall picture, as the accident rate in 1971 was low.

He said a rise in traffic and population should also be considered in the rate, and added that Tempe was "holding their own" in the overall accident picture, while the other cities and state is experiencing increases.

The fatal accidents in Tempe were not of the "usual" variety, with only one resulting from a two car collision.

The other fatalities were from a pedestrian accident, two were from motorcycle accidents, and the remaining three were single car accidents.

Douglas said they were "highly unusual" in his opinion, with many of the fatalities being odd in nature.

He cited the car-street sweeper accident and the fatal where a woman fell from a moving car, as two of the unusual ones.

The Department of Public Safety said of the 791 fatalities, 487 were in Maricopa County, with 94 of them being inside Phoenix.

In 1971, the division said 274 persons died in Maricopa County from traffic accidents, with 89 in Phoenix.

UKRAINIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DINGELL. Mr. Speaker, I pay tribute to the Ukrainian Independence Day of January 22 and salute the continued search for freedom and independence by the Ukrainian peoples who are under the yoke of the dictates of the Soviet Union, which has denied 47 million non-Russians their God-given right of self-determination.

As Americans, and people throughout the world feel a great sense of relief and thanks today with the announcement of a scheduled ceasefire in Vietnam, there must not be a lessening of the drive to secure peace and justice in all parts of the world. That drive must not be marked with armed aggression nor forceful takeover of any nation by another.

I hope for freedom for the Ukrainian people and a revival in independent thought and expression for Ukrainians suffering under captive confinement.

**FORMER SENATOR JOSEPH CLARK
URGES CUTS IN DEFENSE SPENDING**

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DRINAN. Mr. Speaker, one of the most perceptive and wise men ever elected to Congress, former Senator Joseph Clark of Pennsylvania, has been a preeminent advocate of new domestic and international priorities. I have been an admirer of Senator Clark for years, as have so many others on Capitol Hill and throughout the world.

I insert in the RECORD at this point a letter by Senator Clark published in the New York Times on November 23, 1972. The letter, urging cuts in defense spending, speaks for itself. I fully agree with it:

FOR CUTS IN DEFENSE SPENDING

To the Editor:

In an exclusive pre-election interview published in The Washington Star-News on Nov. 8, President Nixon reiterated his conviction that cuts that can be made in the defense budget "certainly are minimal, except where we get mutual agreements with other countries." However, he also stated he will continue to work for strategic arms control with the Russians and mutual reductions of forces in Europe.

As a result of the President's landslide victory on Nov. 7, he obviously has complete control of military spending for the foreseeable future. Those, including myself, who believe the military budget can readily be cut unilaterally by many billions of dollars without jeopardy to our national security are thus left with only the hope of a comprehensive arms-control and disarmament agreement to provide the funds for meeting critical and underfunded domestic priorities. It is accordingly pertinent to look at three current possibilities for achieving such substantial cuts.

(1) In the General Assembly of the United Nations a move is afoot to convene a World Disarmament Conference. Such a conference was referred to favorably, at an appropriate time, in the Joint Communiqué issued from Moscow at the time the SALT I agreements were initiated last May. However, the U.S. delegation to the U.N. has stated its adamant opposition to such a conference. Only the People's Republic of China has joined us in this opposition, and it seems at least possible that China will change its mind in the light of its ambition to represent the underdeveloped world which strongly favors disarmament.

(2) The agenda for the SALT II talks has not been made public, but there is every reason to believe that the U.S. will take a most conservative position in this regard when the negotiations resume the end of this month.

If the Administration is really serious about arms control, the following would represent a minimum agenda:

A comprehensive test ban which can be monitored by national means without on-site inspection.

An agreement to destroy all nuclear weapons and build no more or, in the alternative, to restrict such weapons to 800 on each side, a number adequate for mutual destruction of Russian and American civilization.

A drastic cut in military manpower and conventional hardware.

The naming of civilians only to the U.S. delegation at SALT II. The Pentagon dominated the SALT I negotiations. A broad disarmament agreement would enable us to tear down the Pentagon and force the generals and admirals to seek other employment. Of course, they can be useful for the time being as advisers to the delegation.

The bringing up to date of the two treaties of General and Complete Disarmament filed by the U.S.S.R. and the U.S.A. during the Kennedy Administration and a start toward negotiations for an agreement on such treaties.

(3) The Administration should be held to its pledge to support mutual reduction of forces in Europe, not only at the discussions between the NATO-Warsaw Pact nations but also at Geneva. Similar negotiations should be promptly instituted to cut back our naval and air power in Southeast Asia, Korea and the Far East.

I hope that the new Congress will press these objectives on the President.

JOSEPH S. CLARK.

A SALUTE TO JAMES V. SMITH

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. HAMMERSCHMIDT. Mr. Speaker, I join with many other colleagues in extending a special salute to James V. Smith as he leaves his post as Administrator of the Department of Agriculture's Farmers Home Administration. Jim and I were first elected to Congress together in 1966. Since we were elected to represent districts in the neighboring States of Oklahoma and Arkansas, we became close friends through the many mutual interests from our part of the country.

I can speak from personal observation on the respect and friendship which Jim gained during his service in the 90th Congress. He represented the Sixth District of Oklahoma in a highly commendable manner, rendering excellent service to his constituents and proving his abilities in many ways on the Armed Services Committee. Jim always made every effort to act in the best interests of his district, his State, and the Nation. In each area of his congressional work, Jim proved himself to be a Christian gentleman with high ideals, firm convictions, and absolute integrity.

Some of the philosophy Jim expressed in speeches and writing as Administrator of the Farmers Home Administration seems to me worth having in the RECORD. Here are a few short quotations:

I am completely convinced that all America—and particularly rural America—has an exciting future, that there is great potential for furnishing economic opportunities and a fine quality of life for all.

As I travel this broad and beautiful land, I have seen people and communities who are futures for the sons and daughters of today's rural dwellers. There is a spirit abroad in our countryside that makes me proud to be associated with its people—and to be able to extend help to them through Farmers Home Administration when private credit cannot respond.

Our objective is a better life, with expand-

ing opportunity for all people—both rural and urban. As we tool up to achieve this objective, we must appraise our capability for meeting our national needs. The many demands upon us and upon our resources require that we distinguish between desires and needs.

Here are more of Jim Smith's ideas taken from his speeches:

Government agencies can help people achieve goals to which they aspire but cannot attain alone. We can broaden the range of choice and we can offer maximum benefits to those involved, with minimum impact on the taxpayer through the Farmers Home Administration type of lending.

Under this Administration we have developed methods of marketing our insured note paper so that it is attractive to big private investors. By so doing we have actually reversed a long-time and disastrous trend of money and credit flowing away from rural areas to cities. It is now returning in increasing volume.

Nearly all Farmers Home Administration loan funds are now provided by private investors—thus eliminating direct appropriations by Congress. Since we make loans and the loans are secured by assets, these figures do not appear as a part of our Federal debt. Our goal is to provide help and to work with borrowers to assure repayment.

Without this ability to interest private investors and market billions of dollars of insured loan paper every year, rural credit programs would be described in terms of nickels and dimes instead of \$1.6 billion in loan funds for rural housing, another \$1.1 billion in farmer credit and \$350 million for rural community water and sewer projects. That's the kind of credit Farmers Home Administration made available to rural America in the 1972 fiscal year.

But tax dollars alone are not the single, magical answer to the problem of building the kind of rural America we all want and must have.

Innovation is mandatory. It can open doors that will lead to better days. For example, in this past year, more money has been available to farmer-borrowers of Farmers Home Administration than ever before. Imaginative administration brought private lenders and private dollars into the picture so that, for the first time in history, over a billion dollars worth of supplementary credit was available to those who could not qualify for a full line of commercial credit.

Those few quotations indicate Jim Smith's dedication to his job as Administrator. He was a natural with deep feeling for the problems of all Americans—but especially rural America.

The type of inspirational leadership typified by James V. Smith is not frequently found in Government. We wish Jim well in his new endeavors and hope that one day he will return to Washington, so that we may all benefit from his abilities of leadership and from his dedication to this country.

Speaking for my district, the State of Arkansas, and my colleagues in Congress—thank you, Jim, for a capacity for hard work, sincere concern, and complete dedication which will be sorely missed.

MANY GENERATIONS OF PEACE

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. FREY. Mr. Speaker, today is a day of thanksgiving for all Americans. The

hostilities in Southeast Asia are finally ending. Thank God.

We are grateful that our prayers have been answered and that our prisoners of war will be coming home and our men missing in action will be accounted for.

We are grateful that we will now be able to concentrate our energies on solving the problems that beset us at home, on erasing poverty and ignorance and disease.

And we are grateful that President Nixon, throughout the long arduous negotiations, has had the courage and the wisdom not to settle for the easy way out, but instead to insist upon a peace with justice and a peace with honor. I hope and pray that we may continue in this path and that we are finally entering "many generations of peace" in the world.

AFSA, JOHN STEWART SERVICE,
AND INTEGRITY AND COURAGE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ASHBROOK. Mr. Speaker, I have just learned that the American Foreign Service Association, the largest professional organization representing career officers at the State Department, and the Face-to-Face program to the Carnegie Endowment for International Peace have jointly scheduled a luncheon on January 30 in the diplomatic dining area of the State Department to honor John Stewart Service and other "Old China Hands" who supported Mao Tse-tung and the Communists over the Nationalist Chinese with whom we were formally allied in fighting the Japanese in World War II.

The purpose of this luncheon, I am told, is to honor those Foreign Service officers in China during the early 1940's who demonstrated their professionalism and integrity by reporting events as they saw them. The person selected by AFSA for special honors, as "symbolizing" the "integrity" of these officers is John Stewart Service. At the January 8 public board meeting of AFSA, its Chairman William Harrop stated that "Service embodies the whole group."

The nominal organizer of this luncheon is David Biltchik. A Foreign Service officer and an AFSA member, Biltchik was granted official leave of absence from his duties by the State Department to run the affairs of Face-to-Face, a recently created program sponsored jointly by the American Foreign Service Association and the Carnegie Endowment for International Peace. Biltchik's salary, equal to what he was earning at the State Department, is paid from a grant given by the Carnegie Endowment. The current director of the Carnegie Endowment is Thomas Hughes, formerly Director of the State Department's Bureau of Intelligence and Research. Biltchik worked directly under Hughes in that Bureau.

Biltchik has been telling friends that it was his decision to invite Service,

claiming that Service "accepted my invitation to be the symbolic representative of the group forced out of Government in the early 1950's."

It is, of course, true that Service was "forced out" of the Government. But not because of "integrity" or because of "reporting," good or bad.

An article in the January 27, 1973 issue of Human Events recalls the real reasons. These include the following:

On June 7, 1945 Service and four others were arrested by the FBI in the famous *Amerasia* case, which involved the theft of hundreds of secret and other classified documents found in the office of the Communist-controlled magazine, *Amerasia*. Anthony Kubek, in his scholarly *How the Far East Was Lost*, wrote that "Service admitted giving secret government documents to Philip Jaffe, the editor of the magazine. Jaffe was named by a government witness as a Soviet agent."

As a member of the House Internal Security Committee, I am, of course directly concerned about the State Department's attitude regarding John Stewart Service's role in the *Amerasia* case. But there are other aspects of this luncheon and of the roles of AFSA, the Carnegie Endowment, and State Department management which are of equal concern to me as a member of the House Education and Labor Committee.

There have been even more serious allegations recently in the press and before the Department of Labor and the Employee-Management Relations Commission created under Executive Order No. 11636 that AFSA is a management dominated organization. These allegations claim that AFSA is serving as a front for the State Department to influence Congress, to manipulate public opinion, and to discredit the views of Foreign Service personnel who disagree with it or with State Department management.

It is not my purpose to pass judgment on these allegations. However, I believe that the time has come for an independent examination by the Department of Labor as to whether AFSA is genuinely a "democratic" organization independent of management as defined by Executive Order No. 11636. I trust that that Department, working jointly with the Employee-Management Relations Commission, will appoint a hearing examiner to go into the charges brought against the AFSA board by Foreign Service Officer John Harter and "selected out" Foreign Service Officer John Hemenway, both of whom are AFSA members and both of whom claim the AFSA board illegally denied them their rights.

Among the persons whom such a hearing examiner may wish to question are the present AFSA board members, as well as Marshall Green, Assistant Secretary of State for East Asian Affairs. In connection with the Service luncheon, AFSA board chairman publicly stated the following:

The Assistant secretary of state for East Asian affairs has collaborated with us in this endeavor and the secretary of state has approved of the luncheon for Service and others to come as guests of the association.

For the information of Members, I am inserting two articles dealing with the

Service luncheon which appeared in the issue of Human Events, dated January 27, 1973.

FOREIGN SERVICE GROUP RESUSCITATING OLD CHINA HAND

Just how warped to the left is the predominant thinking in the U.S. Foreign Service can be divined by the recent news that some Old China Hands will be feted at a luncheon, Tuesday, January 30, on the State Department's eighth floor. The American Foreign Service Association, the largest professional organization representing career officers at State, and the Face-to-Face program of the Carnegie Endowment for International Peace, have scheduled the gathering to honor those China experts who suggested we should support Mao Tse-tung and the Communists over Chiang Kai-shek at the very time we were allied with Chiang in fighting the Japanese in World War II.

An AFSA letter, dated January 5 of this year, says the luncheon "will honor those Foreign Service Officers in China during the early 1940's who demonstrated their professionalism and integrity by reporting events as they saw them." The facts they reported at the time, says the AFSA letter, signed by William C. Harrop, chairman, Board of Directors, "were unwelcome at home. Many of these officers suffered harsh domestic criticism and were unable to continue their careers." David Biltchik, director of Face-to-Face, stated the purpose of the luncheon was "to honor courage and loyalty in government as exemplified by the Old China Hands."

Curiously enough, however, the key speaker chosen to represent the Old China Hands is John Stewart Service. Contrary to the myth perpetrated by the AFSA and Face-to-Face, Service was not harassed for his "integrity" during the 1940's.

Service unquestionably wrote anti-Chiang, pro-Mao reports when he was in China, and as early as 1944 he recommended dumping Chiang for Mao. In a report dated Oct. 10, 1944, he tried to portray the Communists as "friendly to the United States." But it was not Service's reporting but his involvement in the theft of hundreds of secret government documents that got him into trouble.

On June 7, 1945, Service and four others were arrested by the FBI in the famous *Amerasia* case, which involved the theft of hundreds of secret and other classified documents found in the office of the Communist-controlled magazine, *Amerasia*. Anthony Kubek, in his scholarly *How the Far East Was Lost*, wrote that "Service admitted giving secret government documents to Philip Jaffe, the editor of the magazine. Jaffe was named by a government witness as a Soviet agent."

Freda Utley, the well-known journalist and a reliable expert on China, summed up the case as follows: "The FBI revealed that it had found a hundred files in the *Amerasia* offices, containing top secret and highly confidential papers stolen from the State Department, from the War and Navy Departments, the OSS and the OWI. It also found a large photocopying department, which could not possibly have been required by *Amerasia* for publishing purposes, and was almost certainly used for photostating of stolen papers for transmission to Moscow."

"The secret papers found in *Amerasia*'s offices concerned such subjects as the Navy's schedule and targets for the bombing of Japan; the disposition of the Japanese fleet; a detailed report showing the complete disposition and strength of the units of the Chinese Nationalist armies, with their exact location and the names of their commanders."

Columnist and author Ralph de Toledano, who was very familiar with the *Amerasia* affair, fills in other parts of the story:

"On 20 April, Service spent the morning in Jaffe's room at the Statler. By his own ad-

mission, he gave Jaffe—a man he had never met until the previous day—copies of some of his reports on China. . . . On at least one occasion a microphone was planted in Jaffe's hotel room.

"On 8 May the FBI recorded a discussion between Service and Jaffe about political, military and policy matters, in the course of which Service warned: 'Well, what I said about the military plans is of course, very secret.' A second recording: Jaffe asked Service if we would land on the shores of China; Service answered, 'I don't think it has been decided, I can tell you in a couple of weeks when Stilwell gets back.'"

After numerous clearances from State Department agencies, Service was at last suspended as a "loyalty risk" by order of the Civil Service Orderly Review Board Dec. 13, 1951. The Review Board concluded: "We are not required to find Service guilty of disloyalty, and we do not do so, but for an experienced and trusted representative of the State Department to so far forget his duty to his trust as his conduct with Jaffe so clearly indicates, forces us with regret to conclude that there is reasonable doubt as to his loyalty."

The board handed down its order: "The employee, John Stewart Service, should be forthwith removed from the rolls of the State Department." Service was subsequently suspended, but in 1957, thanks to a Supreme Court ruling that the secretary of state had acted summarily in removing him, he was restored to government service.

In short, the AFSA and Face-to-Face have chosen as their symbol of integrity a career foreign service officer who was caught red-handed slipping secret material to an identified Communist who edited a pro-Communist publication.

HEMENWAY ASKS SOME EMBARRASSING QUESTIONS

Pentagon official John D. Hemenway, the controversial ex-foreign service officer, has embarrassed the AFSA in its role to resuscitate Service, et al. (Hemenway is still battling the State Department's decision to involuntarily retire him in 1969. The department retired him, even though it admits he had a "consistently good performance" record in his job.)

At the January 8, AFSA Board of Directors meeting, Hemenway, who is a member of AFSA, raised some pointed questions about the decision to honor Service.

Addressing himself to the chairman of the AFSA Board, William Harrop, Hemenway asked: "If we are going to stand as an Association that 'history has proved these people right,' I presume that someone from this organization has looked into the matter to see that Service was 'right.' Has anyone done this, Mr. Chairman?" Harrop replied: "We have not assigned anyone to do that, Mr. Hemenway. . . ."

Harrop also indicated he had no knowledge that Service had handed over secret documents to a pro-Communist magazine and, anyway, didn't seem to care if he had.

Hemenway then asked if anyone had ever read major excerpts from Service's reports. In the room of about 20 board members, only two claimed to have read a substantial portion of his work. But both admitted that their areas of expertise did not involve China.

Hemenway also asked David Biltchik, the director of Face-to-Face, which is co-sponsoring the luncheon for Service with AFSA, whether some Old China Hands of a different philosophy would be invited to the affair. Biltchik said they wouldn't be, and specifically stated that such noted Sinologists as Walter Judd, Freda Utley and Edward Hunter would be barred from the Service luncheon.

VIETNAM SETTLEMENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. DERWINSKI. Mr. Speaker, we all share a great feeling of relief and satisfaction at what we hope will be a lasting settlement of the Vietnam conflict.

It is clear that the successful culmination of negotiations was due to the tremendous patience and diplomatic initiative that the United States maintained.

I believe that the United States has done more under all of our Presidents who have held the office since the close of World War II to strive for a world of peace than any other nation.

Our record is clear. We have not sought territory, we have not attempted to maintain control over vast parts of the world, but we have instead, respected the rights of people to self-determination and to be served by governments of their own choosing.

I believe that, at a time of rejoicing at the settlement in Vietnam, we should properly reemphasize the positive, altruistic nature of U.S. foreign policy. We realize that the difficult period of the Vietnam war produced a great misunderstanding as to our international role. We have steadfastly maintained since the close of World War II a clear goal of world peace. The tensions that have developed over the last 27 years have all been caused by the attempts of the Communist powers to maintain or seize control of neighboring lands.

I am confident that the details of the settlement will be properly implemented, especially as they apply to the release of our POW's and the fullest possible accounting of those missing in action.

Hopefully, with the Vietnam conflict behind us, we can direct our diplomatic efforts and initiative to solving the Middle East crisis and to further easing tensions in Europe.

President Nixon has hopefully achieved a settlement consistent with his policy of keeping the United States out of similar involvements in the future, and an era of peace and understanding and greater cooperation between nations may at last be at hand.

WISCONSIN AIDS EARTHQUAKE VICTIMS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ZABLOCKI. Mr. Speaker, our highly complex, technical, and statistically oriented society sometimes results in the unfortunate depersonalization of its members. It is therefore especially reassuring to know that people can and do respond to those in need in a genuine and human way. Such a case has been dramatically illustrated in the aftermath of the tragic earthquake

which struck Managua, Nicaragua last month.

The people of Wisconsin under the auspices of the Wisconsin Partners of the Americas have provided needed emergency relief to the residents of Managua and have spearheaded a nationwide effort to aid the many helpless victims of the tragic earthquake.

I would like to take this opportunity, Mr. Speaker, to commend the many fine people of Wisconsin for their humane response to the victims of this tragic earthquake in Nicaragua. The people of Wisconsin have truly responded in the spirit of the people-to-people component of President Kennedy's Alliance for Progress, the Partners of the Americas program which was founded in 1964 to sponsor and promote all the peoples of the American continent to work together as volunteers on mutual problems and projects of human concern.

I would like at this time to include two recent newspaper articles as evidence of the genuine human concern expressed by the people of Wisconsin for the unfortunate victims of the recent earthquake in Nicaragua.

NICARAGUA AGAIN HELPED BY WISCONSIN PARTNERS

WASHINGTON.—Three days before Christmas, a man walked into a newspaper office in Managua, Nicaragua, and said the chances of an imminent earthquake were 28 percent. He was 72 percent wrong.

The Nicaraguan earthquake is the second major disaster to strike the Central American country in 16 months. For the second time in 16 months, people 3,000 miles away in the state of Wisconsin, led by the Wisconsin Partners of the Americas, are providing emergency relief and spearheading a nationwide effort to help victims of the earthquake.

Wisconsin Governor Patrick J. Lucey inaugurated relief operations by calling a news conference on Christmas Day to appeal for funds. He also made statewide radio and television appeals for assistance to Wisconsin's Partner country, one of 41 similar partnerships between states in the U.S. and countries in Latin America.

In less than two weeks, a special earthquake relief fund set up by Governor Lucey has collected more than \$75,000. Contributions have ranged from 25 cents to \$1,000, according to the Governor's office in Madison, and money is still coming in.

In September 1971, Governor Lucey made similar appeals after the combined effects of Hurricanes Edith and Irene caused widespread flooding along Nicaragua's east coast. Two plane-loads of relief supplies from Wisconsin went to aid victims of the hurricanes. In addition, the Wisconsin Partners of the Americas provided continuing medical assistance in the Rio Coco area of eastern Nicaragua through the auspices of the University.

Shortly after receiving news of the earthquake, Dr. Henry Peters, President of Wisconsin Partners, called an emergency meeting to map out plans for aid, and telegraphed Nicaraguan Ambassador Guillermo Sevilla-Sacasa, pledging to provide whatever assistance was needed.

A three-man survey team, dispatched to Nicaragua by Governor Lucey, returned December 31, after spending four days studying damage and assessing the needs of victims.

One of the team members from the Wisconsin Partners, Dr. Ned Wallace, Director of International Health Affairs at the University of Wisconsin, left January 2 for a second trip to Nicaragua. He says emergency food

distribution is proceeding smoothly, contrary to earlier reports in the press.

The most pressing need still is for food, according to Dr. Wallace. "The dilemma for the Nicaraguan is further compounded because a severe drought during the past year has caused a food shortage."

Oscar Mayer & Company, a meat processing firm headquartered in Madison, Wisconsin, donated nine tons of canned luncheon meats, ready for immediate consumption and ideal for distribution in refugee camps.

Dr. Jose Canton, Chairman of the Nicaragua Partners Committee and Director of Rural Health Programs in Nicaragua, reported a critical need for syringes to guard against disease. The Wisconsin Partners collected 50,000 disposable syringes the same day. All were flown to Nicaragua January 3 aboard a Wisconsin Air National Guard C-97 transport.

Governor Lucey has ordered the Wisconsin Air National Guard to make daily flights to Nicaragua to deliver food and emergency supplies. The Wisconsin Governor also sent telegrams to the 49 other state governors, asking for their assistance "because the magnitude of relief requirements beggars our resources." Several governors have already responded.

"The response has been fantastic," says Alan A. Rubin, President of the Partners of the Americas national association in Washington, D.C.

Partners of the Americas was founded in 1964 as the people-to-people component of President Kennedy's Alliance for Progress. It works by linking states in the U.S. with regions or countries in Latin America to work together as volunteers on mutual development projects. President Nixon currently serves as Honorary Chairman of Partners of the Americas.

After the 1970 Peruvian earthquake, the Texas-Peru Partners of the Americas coordinated relief efforts in that South American country.

Tax-deductible contributions to the Wisconsin-Nicaragua relief fund are still being accepted. Checks should be made payable to "Partners of the Americas" and sent care of the Governor's Office, Madison, Wisconsin 53702.

Guillermo Sevilla-Sacasa, Nicaraguan Ambassador to the U.S., honored Governor Lucey last summer for his relief efforts after the 1971 hurricanes. The Nicaraguan ambassador also honored Dr. Wallace of the Wisconsin Partners and Robert Dunn, executive assistant to Governor Lucey, who coordinated relief operations.

[From the Wall Street Journal, Jan. 7, 1973]
QUAKE AID LATEST IN SERIES OF STATE TIES IN NICARAGUA

MADISON, Wis.—The outpouring of aid from Wisconsin to Nicaragua since the Dec. 23 earthquake there is only the latest in a series of actions that have strengthened relationships between the sister states over the last decade.

The bond between Nicaragua and Wisconsin was established first in late 1963 when then Gov. John Reynolds called for formation of a Wisconsin-Nicaragua committee under a federal program, then known as the Alliance for Progress. That program was instituted by President John F. Kennedy to strengthen relations between the two hemispheres.

NAME CHANGED

The program later was known as the Partners of the Alliance and now is called Partners of the Americas. The US State Department invited states to join as sister states with Latin American countries and arbitrarily assigned the sister state relationships. Wisconsin was assigned Nicaragua at that time.

Altogether there are about 40 states with sister state relationships, according to Uni-

versity of Wisconsin Dean Le Roy E. Luber, secretary of the Wisconsin-Nicaragua Partners of the Americas Committee.

MADE SEVERAL VISITS

One of the men actively engaged in the early stages of the program was John Ellingson, executive assistant to the secretary of the state Department of Transportation. Ellingson at that time worked for the Wisconsin Electric Co-operatives and recalled last week that the general manager of the co-operatives, William V. Thomas of Madison, took an active interest in the program.

He said Thomas made numerous visits to the country to aid rural electrification projects. The co-operatives also raised funds to allow Nicaraguans to roof a hospital, he said.

FIRE ENGINES SENT

Among other projects, Wisconsin sent boats to help firemen travel over waterways to fight fires. Two communities, Shorewood and Fort Atkinson, also contributed fire engines to Nicaragua.

Luber estimated that 10 tons of medical supplies have been shipped to Nicaragua over the last four years, with the cooperation of the Wisconsin Hospitals Association and Ohio Medical Products.

MED SCHOOL INVOLVED

There has been a continuing relationship between Nicaragua and UW Medical School, Luber added. The present chairman of the committee is Dr. Henry Peters of the UW School, and Dr. Ned Wallace of the school is now in Nicaragua, representing Wisconsin in determining the needs of earthquake victims.

Wallace had served as a medical missionary in the country before joining the UW and made a trip to the country last year after a hurricane struck.

Since the program began, there has been an exchange program between the medical school and students and doctors from Nicaragua.

In addition, Wisconsin nurses have gone to Nicaragua for a year, giving instruction and providing medical assistance.

High school boys and girls from Nicaragua have been brought to Fort Atkinson to attend school for a year and lived with families there. The city of Wausau has sponsored attendance at the UW Center in Wausau by Nicaraguans, Luber added.

The UW School of Agriculture has provided potato seed and agricultural information.

HURRICANE IN 1971

Wisconsin's major contribution prior to the earthquake resulted from a destructive hurricane and flooding in the spring of 1971.

Cash, clothing and food contributions, along with donations of aluminum boats, were sent. Gov. Lucey, his executive secretary and others were awarded Nicaraguan government medals for their work.

Among others active in the program have been Robert Ewans, former head of the Wisconsin Manufacturers Association; Richard Falk, former superintendent of schools in Madison, and Wilbur Renk, Sun Prairie farmer.

FIFTEEN-DAY FOOD SUPPLY

MANAGUA, NICARAGUA.—AP—A government inventory Saturday of emergency food for Managua showed stocks sufficient for two weeks or more.

The Society said the emergency medical assistance to the area was reported to be sufficient for the time being, but as other volunteers leave, Wisconsin doctors may take their place.

None of the Wisconsin volunteers has left yet * * * but also continuing need for outside help.

The official inventory listed beans sufficient for 15 days and 2,500 tons of potatoes, which also should last 15 days.

A three month supply of corn was on hand and stocks of sugar, powdered milk and concentrated mixed proteins were normal, the government said. Rice was reported in excellent supply.

SOME 150 DOCTORS VOLUNTEER

Some 150 physicians in Wisconsin have volunteered to go to Nicaragua to treat earthquake victims there, the state Medical Society of Wisconsin said Saturday.

ALEXANDER'S BILL SEEN AS CHALLENGE

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 24, 1973

Mr. ALEXANDER. Mr. Speaker, I include the article from the Arkansas Gazette in the Record, as follows:

ALEXANDER'S BILL SEEN AS CHALLENGE

(By Leland DuVall)

Considerable evidence could be offered in support of the proposition that the dominant power center in government moves haphazardly among the legislative, administrative and even the judicial branches. In one season, Congress may be in the saddle; in another, the president holds the reins; and sometimes, even the court asserts its authority in a way that overshadows the other two branches.

Most persons would agree that at the moment, President Nixon is riding tall in the saddle. This is particularly true in the government's dealing with agriculture—which happens to be the primary subject under consideration here—and Mr. Nixon has made it perfectly clear to everyone that he relishes his role as the lone cowboy. There are those who complain that he has driven some of the vulnerable farm programs over the cliff while Congress, which has bred and cared for the critters over the years, demonstrated its helplessness.

United States Representative Bill Alexander (Dem., Ark.) apparently is convinced that the current exercise in presidential high-handedness has gone far enough and that the time has come for Congress to reassert the authority which, he believes, was reserved by the founding fathers for the legislative branch. Alexander believes that when Congress appropriates money for an authorized (farm) program and when the President signs the measure, the President has no legal power to decree that the funds will not be spent or—as happened in the case of REAP and certain other segments of the general farm law—that the program no longer exists.

The first maneuver in the campaign was executed this week when Alexander introduced a bill which would, among other things, amend the emergency loan program under the Consolidated Farm and Rural Development Act. In its narrow interpretation, the amendment would "provide immediate relief to farmers who suffered losses due to disastrous weather conditions" last fall. It would provide farmers with long-term financing needed to cover these losses by making possible the extension of credit, either directly from the government or from private sources with a government guarantee or repayment.

The broader interpretation of the amendment reveals that it is a direct challenge to Mr. Nixon's decree that the emergency loan program no longer would be operated. Congress authorized the program with a whole body of laws and Alexander apparently is a leader of the group that believes the loans should be available.

Based on the economic interests of his district, Alexander is the logical leader of any move to preserve the emergency loan program. Agriculture is the dominant economic factor among his constituents and farmers suffered severe losses last year from excessive rains during the harvest season.

Despite the need for emergency loans, Mr. Nixon terminated the program. The Alexander bill would make it possible for farmers to obtain credit with which to finance their next crop.

The bill, which contains seven major sections is not a giveaway. In fact, it repeals some of the abandoned features of the old law, but Alexander believes the real need is for a source of credit.

The bill provides farmers with sources of long-term financing which they need to cover their losses. Alexander said, "Farmers need to be able to get long-term credit on a realistic basis."

He emphasized that the availability of credit was considerably more important than "cheap" interest.

Here are the major provisions of the bill: It repeals the \$5,000 "forgiveness" clause and the 1 per cent interest provision established by the "Hurricane Agnes" legislation. (Part of the emergency relief provided for the victims of the hurricane made credit available at 1 per cent interest and permitted the write-off of some of the debt under extreme conditions.)

Sections of the Consolidated Farm and Rural Development Act would be clarified with an amendment which would provide for an insurance or a guarantee of the credit.

The Agriculture secretary would be "required" to make, insure or guarantee loans to eligible applicants in areas designated by him as natural disasters and in areas designated by the President as major disasters. There are provided for under the Disaster Relief Act of 1970. (Under terms of the amendment, the secretary would not have to duplicate a designation already made by the President before offering the loans since the area already would be qualified.)

Interest rates on the emergency loans, under the Consolidated Farm and Rural Development Act would be raised to "not more than 6 per cent." (Under the current arrangement, the interest rate can be as low as 1 per cent, which leaves the program open to criticism as the give-away. Alexander believes the pressing need is for ample credit rather than a drastically-subsidized interest rate.)

The "open money market" authority would be increased, from the existing \$100 million limit to \$500 million.

The Agriculture Department would be authorized to guarantee loans originated, held and serviced by commercial institutions such as banks or Production Credit Associations. (This is a key provision, since it "directs" the Agriculture secretary to make disaster declarations for areas that have been subjected to severe damage. The existing law has been interpreted to mean that the secretary has "an option" (in the matter.)

Finally, the bill would repeal parts of the Disaster Relief Act of 1970, which would cause the emergency loan program to revert to the permanent loan legislation. Alexander said the change would permit unlimited long-term loans to farmers victimized by disasters.

In its narrow interpretation, the proposed legislation simply was designed to make certain that farmers who suffered severe crop or property losses would be able to borrow money so that they could continue their business. The funds might come directly from the government or a private lending institution but they would not be a gift by any means.

In a broader sense, the measure is a challenge to President Nixon's assumed authority under which, in the name of fiscal conservatism, he limits or terminates programs that have been written by Congress and signed into law.

If Congress hopes to function in its traditional role as lawmaker and custodian of the nation's purse, it will have to reassert its authority and the Alexander bill might be a good place to start. As an alternative, the supply clerk might order a fresh supply of rubber stamps, although this would appear to be an unlikely course at a time when the Democrats are supposed to control Congress while a Republican resides at the White House—or at Key Biscayne or at Camp David or at San Clemente or some alternate seat of power.

PUBLIC SUPPORT NEEDED FOR NEWSMAN LEGISLATION

HON. JEROME R. WALDIE
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, January 24, 1973

Mr. WALDIE. Mr. Speaker, I have introduced legislation to give unqualified protection to newsmen from compulsion

by the courts or other governmental agencies to release names of sources or news materials gathered in pursuit of a news story.

Mr. Speaker, I would like to call the attention of my colleagues in the House of Representatives to a recent editorial in the Concord, Calif., Transcript, in which an eloquent appeal for public support for this legislation is made.

I would hope that such public support is generated and that the Congress responds with a no-qualification newsman's privilege bill.

The editorial follows:

PUBLIC SUPPORT NEEDED FOR NEWSMAN LEGISLATION

Public response—or lack of it—to the recent jailings of newsmen for refusing to reveal confidential sources of information has been puzzling. We would expect a great outcry over this obvious infringement on First Amendment guarantees, but this hasn't been the case. Except for the media itself and a few concerned lawmakers, the matter has failed to stir more than a ripple of concern.

The issue is the right of a free people to be informed about matters of vital interest to them. Simply put, if a newsman is unable to protect the identity of his sources, they will soon dry up. The ability of the media to serve as a check on governmental abuse will be severely crippled. Reporters will have to rely more on government press releases for information, and that is not good.

Perhaps we would all be more concerned about personal freedoms—freedom of the press among them—if we lived in a totalitarian dictatorship where there were none. You never know what a good thing you have until you lose it, as the old saying goes.

The gravity of the issue has been seen by Congressman Jerome Waldie and Senator Alan Cranston, who have introduced companion measures providing for total protection to newsmen from forcible disclosure of news sources.

"The need for enactment of this legislation is dramatized more each day that Los Angeles Times reporter Bill Farr is confined to his cell for refusing to buckle under to a court order to disclose his news source," Waldie said, after he had introduced his measure on the first day of the 93rd Congress.

The Transcript fully supports the Waldie and Cranston measures. We further urge everyone to write their representatives in support of this legislation.

SENATE—Friday, January 26, 1973

The Senate met at 12 o'clock meridian and was called to order by Hon. JOSEPH R. BIDEN, JR., a Senator from the State of Delaware.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we lift our hearts to Thee, the giver of wisdom and strength, beseeching Thee to guide us through the deliberations of this day. Keep ever before us the vision of the better world that is yet to be. Enable us to strive for those plans and programs which bring nearer to completion the dreams of those who have gone ahead. Help us to work for that justice and peace which advances Thy kingdom on earth. Strength-

en us this day and abide with us when evening comes and our work is done.

We pray in His name who went about doing good. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 26, 1973.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOSEPH R. BIDEN, JR., a Senator from the State of Dela-

ware, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. BIDEN thereupon took the chair as Acting President pro tempore.

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.

REPORT ON CASH AWARDS MADE DURING 1972—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. BIDEN) laid before the Senate