

September 12, 1973

Bethea, Herman R., xxx-xx-xxxx  
 Blair, George A., xxx-xx-xxxx  
 Bower, James N., xxx-xx-xxxx  
 Bradach, Bernard, xxx-xx-xxxx  
 Brog, David, xxx-xx-xxxx  
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 Canney, Paul J., xxx-xx-xxxx  
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 Cook, Margaret E., xxx-xx-xxxx  
 Dixon, David L., Jr., xxx-xx-xxxx  
 Dodd, William W., xxx-xx-xxxx  
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 Dunn, Earl J., Jr., xxx-xx-xxxx  
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 Ferrell, Joseph B., xxx-xx-xxxx  
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 Gilchrist, James, Jr., xxx-xx-xxxx  
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 Hancock, William R., xxx-xx-xxxx  
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 Holway, Warren A., xxx-xx-xxxx  
 Hummer, Walter L., xxx-xx-xxxx  
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 Jefferson, William J., Jr., xxx-xx-xxxx  
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 Johnson, Thurmond L., xxx-xx-xxxx  
 Jope, Howard E., Jr., xxx-xx-xxxx  
 Kalmar, George E., xxx-xx-xxxx  
 Keenan, Herbert A., xxx-xx-xxxx  
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 Kite, John T., xxx-xx-xxxx  
 Kop, Dietrich R., xxx-xx-xxxx  
 Koopman, Howard W., xxx-xx-xxxx  
 Land, Clarence J., xxx-xx-xxxx  
 Larson, John H., xxx-xx-xxxx  
 Lawrence, Rogers W., xxx-xx-xxxx  
 Leeman, David E., xxx-xx-xxxx  
 Livingstone, John D., xxx-xx-xxxx  
 Lockhart, Floyd R., xxx-xx-xxxx  
 Lord, John F., Jr., xxx-xx-xxxx  
 Madden, Thomas A. L., Jr., xxx-xx-xxxx  
 Manly, Donald L., xxx-xx-xxxx  
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 Moroney William P., xxx-xx-xxxx  
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 Turner, Thomas H., xxx-xx-xxxx  
 Walker, James A., xxx-xx-xxxx  
 Waterman, Donald J., xxx-xx-xxxx  
 Williams, Arthur B., Jr., xxx-xx-xxxx  
 Young, Thomas C., xxx-xx-xxxx

## CHAPLAINS

Pearson, Roger H., xxx-xx-xxxx

## MEDICAL CORPS

Sanders, James G., xxx-xx-xxxx

## NURSE CORPS

Brady, Eugene P., xxx-xx-xxxx  
 Howland, Richard J., xxx-xx-xxxx  
 Larscheid, Jon L., xxx-xx-xxxx  
 Morgan, Richard T., Jr., xxx-xx-xxxx  
 Peterson, Roger M., xxx-xx-xxxx  
 Schnepfer, Patricia A., xxx-xx-xxxx

## BIOMEDICAL SCIENCES CORPS

Bottom, Bobby D., xxx-xx-xxxx  
 Taschner, John C., xxx-xx-xxxx

The following person for appointment in the Reserve of the Air Force and USAF (temporary) (Medical Corps), in the grade of colonel, under the provisions of sections 593, 8444, and 8447, title 10, United States Code and Public Law 92-129, with a view to designation as a medical officer under the provisions of section 8067, title 10, United States Code:

## MEDICAL CORPS

## To be colonel

Masters, Orlan V. W., xxx-xx-xxxx

## IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

## MEDICAL CORPS

## To be colonel

Masters, Orlan V. W., xxx-xx-xxxx

## To be general

Lt. Gen. Robert J. Dixon, xxx-xx-xxxx FR  
 (major general, Regular Air Force), U.S. Air Force.

## UNITED NATIONS

The following-named persons to be representatives of the United States of America to the 28th session of the General Assembly of the United Nations:

John A. Scall, of the District of Columbia.  
 W. Tapley Bennett, Jr., of Georgia.

William F. Buckley, Jr., of Connecticut.

The following-named persons to be alternate representatives of the United States of America to the 28th session of the General Assembly of the United Nations:

Margaret B. Young, of New York.

Mark Evans, of the District of Columbia.

William E. Schaufele, Jr., of Ohio.

Clarence Clyde Ferguson, Jr., of New Jersey.

Richard M. Scammon, of Maryland.

The following-named persons to be representatives of the United States of America to the 28th session of the General Assembly of the United Nations:

Robert N. C. Nix, U.S. Representative from the State of Pennsylvania.

John H. Buchanan, Jr., U.S. representative from the State of Alabama.

## WITHDRAWAL

Executive nomination withdrawn from the Senate September 12, 1973:

## JUSTICE DEPARTMENT

David J. Cannon, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years, which was sent to the Senate on August 9, 1973.

## CONFIRMATION

Executive nomination confirmed by the Senate September 12, 1973:

## OFFICE OF ECONOMIC OPPORTUNITY

Alvin J. Arnett, of Maryland, to be Director of the Office of Economic Opportunity.

(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

## EXTENSIONS OF REMARKS

## PRESERVATION OF THE STRIPED BASS

## HON. ABRAHAM A. RIBICOFF

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Wednesday, September 12, 1973

Mr. RIBICOFF. Mr. President, for years sportsmen from Connecticut and throughout the entire Northeast have enjoyed fishing for striped bass in Long Island Sound. Now there is a serious possibility that New York's Consolidated Edison Storm King powerplant on the Hudson River may destroy the Sound's striped bass.

Many of the striped bass are hatched in the Hudson River. Fishermen fear that the Storm King plant, which will take in 9 million gallons of Hudson River water a minute will also suck in and destroy the bulk of the river's striped bass eggs, larvae, and new born fish.

Because it is such a complex problem, I have asked the Atomic Energy Com-

mission to have its Oak Ridge National Laboratory, which has a model of the site in question, to thoroughly review the issues involved.

I ask unanimous consent that my letter of September 10, 1973, to Dr. Dixie Lee Ray, the Chairman of the AEC, be printed in the Extensions of Remarks.

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

SEPTEMBER 10, 1973.

Dr. DIXIE LEE RAY,  
 Chairman, U.S. Atomic Energy Commission,  
 Washington, D.C.

DEAR DR. RAY: I am writing to request the assistance of the Oak Ridge National Laboratory in getting answers to questions that a number of Connecticut striped bass fishermen have asked me about.

The questions concern the Storm King pumped storage hydroelectric power plant that Consolidated Edison proposed to construct on the Hudson River at Cornwall, New York. Many of the striped bass that are hatched in the Hudson spend their adult lives in Long Island Sound where they provide outstanding and valuable sports fishing

for Connecticut anglers. The fishermen fear that the Storm King plant, which will take in nine million gallons of Hudson River water a minute, will also suck in and destroy vast numbers of eggs, larvae and young striped bass and thus cause the fishing in Long Island Sound to decline drastically.

The Storm King plant, which has been licensed by the Federal Power Commission has been the subject of litigation for nearly ten years. Still, the effect of the plant on the fishes of the Hudson, particularly striped bass, remains in dispute. Consolidated Edison maintains that a study shows the Storm King plant would remove only an insignificant three per cent of the yearly striped bass hatch. In rebuttal, fishermen state this claim is based on incorrect mathematics because the equation used in the study to predict mortalities did not include the tides in the Hudson. The fishermen also state that density-induced currents were not treated fully in the study.

The fishermen's assertions would appear to have some substance, inasmuch as W. Mason Lawrence of the New York State Department of Environmental Conservation has admitted by letter, that "the river was treated as if it flowed in one direction only" and thus "tidal

recycling of eggs and larvae past the intake was not included in the calculations of the potential effect of the plant." Concerned fishermen point out that the Hudson River reverses flow with each tide, four times in a day and, as a result, striped bass eggs and larvae floating past the plant intake would be subjected to removal not once but ten to twelve times. The kill then would not be an insignificant three per cent but a most significant 35 per cent, possibly more, depending upon the volume of freshwater entering the Hudson during spring spawning.

Because of these different opinions, I wish to submit the question of just what effect the Storm King plant would have on striped bass to the Oak Ridge National Laboratory. The aquatic biology section, led by Dr. Charles Coutant in the Environmental Sciences Division, enjoys the finest reputation and the laboratory has, most importantly, a biological model of the Hudson used in the Indian Point Number Two operating license hearing recently concluding by the Atomic Energy Commission.

Specially, I pose the following questions to the Oak Ridge National Laboratory:

1. What percentage of the striped bass hatch in the Hudson will be removed or destroyed by operation of the Storm King plant?
2. Is the percentage significant or insignificant?
3. What effect will this removal or destruction have on striped bass fishing in Long Island Sound?
4. In the event operation of the Storm King plant would have a significant impact, can hatcheries be used to sustain striped bass fishing in Long Island Sound?

Best wishes,  
Sincerely,

ABE RIBICOFF.

#### HAYWOOD COUNTY, TENN., SESQUICENTENNIAL

#### HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. JONES of Tennessee. Mr. Speaker, it is my pleasure to announce the sesquicentennial celebration of Haywood County, Tenn., which begins September 13, and continues through September 17.

The section of Tennessee in which Haywood County is located was first founded by Henry Rutherford in 1785. Mr. Rutherford descended, with his party, the Cumberland, Ohio, and Mississippi Rivers to a small stream the Indians called Okeena and which this surveying party named Forked Deer. The surveyors report of this fertile region, well-adapted to cotton, caused many to predict the great migration to it which followed in 1819. By an act of the Tennessee Assembly in 1823, Brownsville was designated the county seat and the town was incorporated in 1826. Brownsville was named for Gen. Jacob Jennings Brown of Pennsylvania who was distinguished in the War of 1812.

Colonel Richard Nixon came from Jackson through the cane brakes to his land grant and settled 4 miles east of Brownsville on Nixon Creek. It was at Nixon's home that the first courts were held until March 8, 1824, at which time the first courthouse was erected of logs.

The county jail, a log cabin, was built in 1825 for \$185 and in 1824-25, public roads were cut from Brownsville to neighboring county seats.

Cotton made its appearance in Haywood County in 1828, and also in that year the first cotton gin—Bradford's—was operated. In 1829, there was a horse-propelled grist mill, in 1874, a cotton mill and in 1825 the first school was established.

The first newspaper, The Bee, was published in May 1868, and became the States in 1870.

Some of the early educational institutions founded in Haywood County were: Union Academy, Brownsville Male Academy, Brownsville Female Institute, Dan-cyville Female Institute, Baptist Female College, Brownsville Seminary, Caveville Male and Female Academy, and Wesleyan Female College. The academies were replaced by public high schools as exemplified by transfer of title of trustees of the "Old Male Academy" to the Brownsville Board of Public School Directors in 1897. Progress came rapidly to Haywood County primarily due to this section's agricultural foundation. No war was connected with the settlement of this county. The country was peaceful and settlements sprang up rapidly everywhere.

Thomas Bond, who came to Haywood County in 1826, is best remembered for the beautiful houses that he caused to be built, two of which still remain on West Main Street in Brownsville.

The western district was settled by men already attached to some church organization. Baptist and Methodist influences predominated. The Methodist annual conference of 1821 established two regular circuits in west Tennessee and the Baptist followed in 1882. In 1827 Thomas H. Taylor deeded to the elders of the Presbyterian Church certain church and academy grounds. Zion Episcopal Church was organized in 1832. St. Andrews Mission Episcopal was established in 1841 at St. Gregory's chapel in Brownsville and later on held meetings in the county court house.

Firms established in Brownsville prior to 1870 were Emil Tamm, Raglands and Felsenthal's, still in operation today.

Although Haywood County's prosperity through its first 50 years of history was dependent upon agriculture, now modern factories manufacture plastics; including toys, gloves, television parts and heating and air conditioning equipment.

The citizens of Haywood County are proud of their progressive and rapidly growing communities, and I am proud to represent such a county in the U.S. House of Representatives.

#### DIANE STRAWBRIDGE—A YOUNG LADY WITH A NOBLE PURPOSE

#### HON. JESSE A. HELMS

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 12, 1973

Mr. HELMS. Mr. President, I call my fellow Senators' attention to a remark-

able project which has been undertaken by a young lady in my State, Miss Diane Strawbridge, of Durham, N.C.

This splendid young lady has been an inspiration to me for the past couple of years. I well recall the first time she contacted me about a project she had in mind. I tried to lend her a hand then, and since that time she has devoted an incredible amount of time and energy to it.

Jimmy Dumbell, a columnist for the Charlotte, N.C., Observer, wrote a fine article about Diane for the September 5 edition of his paper. I ask unanimous consent that this column be printed in the Extensions of Remarks, so that my colleagues in the Senate may be informed about Diane Strawbridge and her project.

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

#### DIANE STRAWBRIDGE CONTINUES HER CAMPAIGN AGAINST CRIME

Diane Strawbridge is single, pretty, 20, a sophomore at N.C. State University in Raleigh and hardly the type you would figure to carry on a fervent campaign against crime. But she is.

She estimates that in the past year she has spoken to more than 15,000 people, including some professionals in the crime-fighting business. She has received some 5,000 letters and petitions from residents of 35 states, letters that she has solicited, asking and demanding that existing laws be enforced and that new and stricter legislation be enacted.

Her goal is 50,000 letters. When she gets them, she says, she will take them to Washington "and then we'll get something done."

"I started this last fall. I'm not a woman's libber or anything. I just want to make the world safe for my family and children. If I waited for something to happen to make me do all this it might be too late."

"The point of all this is to combat crime. We want to strengthen the court system. There's corruption in some courts and police departments. We need stricter punishment, too, and more uniformity in sentences. To get the death penalty back would be a deterrent, and 99 per cent of those I've heard from agree on this."

She feels prisoners need better rehabilitation, "but we can't let prisoners out until they have been rehabilitated. Okay, like if you have stricter punishment and better rehabilitation and enforce the laws we've already got, then the crime rate is bound to come down."

"Like I say, I need as many letters and petitions as I can get. I've been working real closely with several senators and congressmen on this and Sen. Jesse Helms, particularly."

"And they tell me that they need some evidence of the people's desire to fight crime before they can do anything and that if I'll bring them 50,000 letters and petitions, that will indicate enough public pressure to get some of the crime-fighting laws passed."

Miss Strawbridge, who in junior high school was named "Outstanding Teen-ager of America," began her campaign with one letter to the editor of her hometown paper in Durham. In it she called for the changes she still asks.

"My phone rang all day long with people agreeing with me. I got a letter from Jesse Helms and one from President Nixon. I don't know how he found out about my letter. All these people said they felt I was right and they would work and help in any way they could."

School has not interfered with her campaign, nor will it interfere in the coming



months. She has spoken to church groups, civic clubs, book clubs, high school assemblies, Boy Scout and Girl Scout troops, the graduation exercises of the South Carolina Police Academy in Columbia and the Southern Police Institute Alumni Retraining Conference at Myrtle Beach in the past few months.

Letters in support of her campaign can be addressed to P.O. Box 32 in Durham. She still needs 45,000 of them.

### TAKING ADVANTAGE OF THE CONSUMER

#### HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. LENT. Mr. Speaker, it is not necessary to dwell upon the fact that the rapid increase in the cost of living is the most serious domestic problem we face in this country today. While I do sympathize with all sectors of the economy, I cannot help but feel that the consumer is the most frustrated and adversely affected of all. The Honorable John S. DaVanzo, councilman from the Town of North Hempstead, N.Y., has been in Washington this week to meet with representatives of the Cost of Living Council to discuss the plight of the consumer, and particularly the Long Island consumer. His remarks on the high cost of living, and especially the potential heating oil price increase, are worth noting, and I wish to include them in the RECORD at this point:

STATEMENT OF COUNCILMAN JOHN S. DAVANZO

The time has come, and indeed is long past for the voices of our consumers to be heard. We in town government have said time and again that the almost skyrocketing of the cost of food and now many other items is unconscionable. For years, the American housewife has had to contend with rising prices, but never in recent memory has the suffering been so unequal or so great. We vigorously protest this uncontrolled spiral and must demand some affirmative action from your body.

We, in local government, have always tried to help all the people in our communities solve the problems which afflict them. This is not a partisan concern . . . it is a concern for the health and welfare of all our residents. It is indeed unfortunate that we must use this final forum to express the mounting frustration of our residents trying to live within their incomes. The people in our communities must feed and clothe their families, and these abrupt spurts in the cost of living are far outpacing the ability of our wage-earners to keep up.

The inescapable conclusion is that these increases in the cost of living are no longer simply a manifestation of the rising cost of doing business. The American people are being taken advantage of, and gentlemen, you are the ones who can stop it. I appeal to you to do so . . . and do so quickly.

As if these steep rises in the cost of food weren't enough, we on Long Island now find that this winter will be cold indeed, principally through the action of major oil companies, which have sharply reduced the supply of home heating oil allotted to both industrial and residential users. The only way to avoid this situation is through prompt and effective action. We must appeal to you to look closely at this situation. We have been told that this is the direct result of economic

controls. Surely we are not seeking any action which will raise the price of anything, but regulations must apply equally, and if that is where the problem lies, the council must see to it that our residents are not frozen out of their homes this winter.

### THE BOMB AT THE BRITISH EMBASSY: MORE VIOLENCE

#### HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. KEATING. Mr. Speaker, the recent explosion of a letter bomb at the British Embassy in Washington provides yet another example of the continued reliance of many persons on the use of violence to achieve their objectives.

Like other acts of indiscriminate terrorism, the letter bomb sent to the British embassy resulted in the serious injury to an innocent person. Like other acts of violence which are committed in the name of some "just" cause, the letter bomb produced no tangible results except to further undermine the rule of law in the United States and elsewhere around the world.

It would be a small comfort if this recent use of violence could be looked upon as a rare and unusual occurrence. Unfortunately, such is not the case.

The siege at the Bureau of Indian Affairs in Washington almost 1 year ago, the siege at Wounded Knee earlier this year, the attempt by dissidents to close down the Federal Government in May of 1971—all of these incidents are based upon the premise that violence is a legitimate tool to be used in achieving certain objectives.

No society can remain free and democratic unless there is a strong determination to obey the laws of that society, and unless there is a strong determination to punish those who choose not to obey those laws.

The failure to adequately prosecute perpetrators of crime and violence, however, is not just confined to the well-known acts of terrorism and violence such as occurred at the British Embassy.

A similar neglect of responsibility to enforce the rule of law can be seen through recent acts of violence in our own State of Ohio.

Last May, employees of the Burr Oak State Lodge in Morgan County went on strike in support of a move to achieve an objective: Union recognition.

Yet the strike dragged on for more than 4 months, and the tactics employed became increasingly violent each week.

When telephoned bomb threats forced the evacuation of the lodge on three consecutive nights in late July, the situation had deteriorated to the point where the county sheriff proclaimed he was no longer able to guarantee the safety of the citizens who wanted to use this public facility.

The subsequent decision to close down the Burr Oak State lodge provided a clear message to the citizens of Ohio: Those persons who are involved in a dispute will be encouraged to use violence

or the threat of violence to achieve their objectives.

This retreat from the rule of law represents a clear failure on the part of public officials in the State of Ohio to fulfill their responsibility of enforcing the laws enacted by the Ohio General Assembly.

This surrender to those who seek to deny members of the public access to a public facility, this surrender to those who seek to threaten the safety and welfare of the people of Ohio can only encourage further violence and further disrespect for the law.

The law is either being enforced or it is not being enforced. It is time for public officials everywhere to take a clear and firm stand on this matter: That no matter who breaks the law, and no matter how just or unjust the objectives sought, the law will be enforced with vigor and fairness in all circumstances.

When participants in violence are convinced in advance that they will be held accountable for their crimes, no matter how righteous their cause, they will be less likely to destroy property, detain and injure people, and otherwise demonstrate contempt for law and society.

The efforts of public officials in Ohio, and elsewhere in the United States, should be directed at insuring that American justice is carried out and that the grievances of different groups be met at civilized levels of human behavior.

### CONGRESSMAN HUNT'S QUESTIONNAIRE

#### HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HUNT. Mr. Speaker, each year since I first came to Congress I have submitted an annual questionnaire so that I might learn the views of my constituents. This year I mailed out 144,000 questionnaires and have, to date, received 19,800 responses. The following is a tabulation of the responses by percentage from the respondents:

HUNT CONGRESSIONAL QUESTIONNAIRE, 1973

1. Should the United States contribute to the post-war reconstruction of North Vietnam? Yes, 10%; no, 83%; and undecided 7%.

2. Should amnesty be granted deserters or draft evaders? Yes, 17%; no, 77%; and undecided, 6%.

3. Do you favor further economic and cultural trade with China and Russia? Yes, 78%; no, 14%; undecided, 8%.

4. Should the death penalty be restored nationally for such crimes as premeditated murder, treason or hijacking? Yes, 88%; no, 7%; undecided, 5%.

5. Should a news reporter have the right to refuse to reveal the name of the source of a news story? Yes, 59%; no, 30%; undecided, 11%.

6. Do you support the Administration's efforts to lower Federal spending through freezing of funds appropriated by Congress? Yes, 51%; no, 32%; undecided, 17%.

7. Would you favor a Federal law imposing ten year mandatory sentences without parole for first offense drug pushers and life

sentences for second convictions? Yes, 84%; no, 10%; and undecided, 6%.

8. Which Congressional course of action on abortion do you favor? (a) do nothing at all and let Supreme Court decision permitting abortion stand? Yes, 42%; (b) enact amendment to let each State decide abortion question? Yes, 47%; and undecided for (a) (b), 11%.

9. Should strikers qualify for food stamps? Yes, 28%; no, 65%; undecided, 7.

## SLAUGHTER OF HARP SEALS

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. WALDIE. Mr. Speaker, the cruel and senseless slaughter of baby harp seals by Norwegian and Canadian companies is still continuing in the St. Lawrence River and off the coast of Canada. The yearly hunts which these companies undertake—last year's "harvest" amounted to 300,000 seals—serve no other purpose than to provide those who have the expensive tastes for luxury products of seal fur and leather at an incredibly painful cost to the harp and hooded seal populations. The United States is a large market for these fur industries and our silence is nothing less than an inhumane condemnation of these unprotected animals.

The legislation which I am introducing today prohibiting the importation of any product derived from the harp or hooded seal is an appeal to the moral and ethical sense of the people of the United States.

The continued destruction of fur-bearing mammals is only one indication of the environmental and ecological crises which we are approaching. I feel that the unbelievably cruel killing method used on the harp seal paints an even more atrocious picture of this senseless destruction and makes even more imperative the need to put an immediate end to this practice. Therefore, I am introducing this bill to bring this situation to the attention of my colleagues in the hope they will be made more aware of it toward the objective that it be passed into law to protect these endangered animals.

The bill follows:

H.R. 10221

A bill to prohibit the importation of articles of harp seal and hooded seal

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general headnotes of the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by adding at the end thereof the following new headnote:

"13. The entry, or withdrawal from warehouse, for consumption of any article covered by these schedules which is in whole or part of harp seal (*Pagophilus Groenlandicus*) or hooded seal (*Cystophora Cristata*), whether or not such article is in chief value of harp seal or hooded seal, is prohibited."

Sec. 2. The amendment made by the first section of this Act shall take effect on the thirtieth day after the date of the enactment of this Act.

## THE AGNEW LEAKS

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. MICHEL. Mr. Speaker, an editorial entitled, "The Agnew 'Leaks'" appearing in the Monday, August 27, 1973, edition of the Peoria Journal Star speaks for itself. I would have no comment to make other than to respectfully suggest to our friends in the media that a copy of this editorial be posted in a convenient location so that all of those engaged in reporting on the activities of the Congress and the executive branch can read it and ponder its message. I include the text of the editorial to be placed in the RECORD at this point:

THE AGNEW "LEAKS"

(By C. L. Dancey)

We of the press have painted ourselves into a corner and are now in danger of looking completely asinine.

The Agnew "Leak" uproar has reached the limits of absurdity when we get to printing speculations by other anonymous sources about who the original anonymous sources might have been!

Now we are printing "leaks" about previous "leaks" and who leaked them! How reliable is that technique, friends? Are the people who spied-and-spilled also going to stool-pigeon on themselves? Are the newsmen who got the original secret information now going to seek other "leaks" to expose the first one?

Don't the New York Times, the Associated Press and others concerned already know where they got the stories?

Of course they do.

Hence, in the whole fouled up mess some of the press seems intent on putting itself in the most ridiculous position of all.

Now the key news question and the key news sought in the whole Agnew affair is clearly: Who is responsible for those original leaks?

That is the news story that needs publishing—the big story.

That is what the "people's right to know" focuses on as something they have a "right to know" at this moment.

It is rather like the "tapes" in the Watergate matter. In the Agnew affair, instead of the "tapes" which might give clear answers, it is the identity of the secret informant that might make key things clear.

And this is not being withheld by Agnew, of course, or under any executive privilege. It is being withheld by the New York Times, The Associated Press and others. They invoke "confidentiality of sources."

The basis for that claim is not national security but for the newspaper's own security as a requirement of "freedom of the press." Some maintain that such modes of operation as assist the press are essential in serving "freedom" and the "people's right to know."

Hence that rationale proves to be a bit more complicated in its justification than "separation of powers," which is bad enough.

Can we expect courts and public to refuse to accept the "separation of powers" concept as a basis for the confidentiality of presidential records—and yet willingly accept "freedom of the press" as providing a basis for confidentiality of news sources?

Look where it puts us! Those who did leak the investigation secrets about the Agnew matter must hide behind the "people's right to know" as the reason they don't tell the people what the people most want to know right now—who was responsible!

Doesn't the "people's right to know" entitle them to know where this disputed data came from so they can reasonably judge the purposes involved? Don't we need to know if it was an "outrageous" attempt to prevent the system of injustice itself? If it was, it is an example of political corruption? Just like all those other shady, hidden activities we've been discussing all these months?

Haven't some of us in the press, indeed, painted ourselves into a corner and aren't we in the process of making ourselves look asinine? Invoking the "people's right to know" in order to frustrate and deny the "people's right to know?"

Doesn't this double standard make us look silly, egocentric, unreasonable, unfair and abusive regarding others—and yet secretive, sneaky, manipulative, and with it all self-righteous in our own operations?

In the midst of all our saintly demands about the Garden-of-Eden atmosphere in which politics ought to be practiced, aren't we stumbling badly over our own sacred principle of the "right to know?" where we are involved?

## "MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 18

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HARRINGTON. Mr. Speaker, on September 9, an employee of a 7-11 store was shot and killed by two gunmen who began shooting as soon as they entered the store. Their victims were given no warning. They were not threatened and given a chance to "turn over the money." They were immediately attacked by the swiftest killer—the handgun. George Stevens was shot at least twice in the chest, and James Ivison was shot in the elbow. Ivison was able to press an alarm button on the floor that summoned the police. They were not in time.

Gun control is not a law to infringe on homeowners' safety and sportsmen's pleasure. It is legislation that would save thousands of lives every year—lives like George Stevens.

I would like at this time to include the September 10 Washington Post article.

## ONE KILLED, TWO WOUNDED IN SHOOTING AT STORE

(By Martin Weil and E. J. Bachinski)

An employee of a Seven-11 store in Prince George's County was shot and killed last night during an apparent holdup attempt in which the store manager and a customer were also shot, county police reported.

Police said that two men armed with handguns walked into the food store at 6011 Arbor St. in Cheverly about 9:45 p.m. and began shooting almost at once.

The employee who was killed was shot at least twice in the chest as he stood near the rear of the store, police reported. He was identified as George H. Stevens of 6335 Landover Rd., Hyattsville.

The store manager, identified as James A. Ivison, was admitted last night to Prince George's General Hospital for treatment of a gunshot wound in the elbow.

The customer, identified as Raymond D. Evinger, 29, of 2402 Lake Ave., Cheverly, was also admitted to the hospital with gunshot wounds in the right arm and side. His condition was termed fair.



Evinger was shot near a soft drink cooler. Iverson, the manager, was hit behind a counter. After being shot, Iverson fell to the floor and pressed an alarm button that brought police to the scene.

They arrived to find the counter spattered with blood and the drawer of a cash register standing open.

But it was not immediately known, police said, whether any money was taken.

Nor did police offer any explanation as to why the gunmen began firing as they entered the store.

Residents of the area around the store, near an exit ramp from Rte. 50, said that just after the shots were fired, they saw two men run from the store and go behind some houses.

Soon afterwards, they said, they saw a late model green Ford leave the area at high speed.

There are more than 200 Seven-11 stores in the Washington area. Generally they remain open later than many other neighborhood stores and some have become the targets of robbery.

#### HOW THE A-7D REWROTE THE BOOK IN SOUTHEAST ASIA

**HON. O. C. FISHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. FISHER. Mr. Speaker, I am much impressed by an article which I read in the August issue of the Air Force Association magazine, entitled "How the A-7D Rewrote the Book in Southeast Asia." It covers the A-7D combat record in Southeast Asia during the last 10 weeks of the Vietnam war.

In terms of accuracy, survivability and reliability, the A-7D and the A-7E there demonstrated in close to 50,000 combat sorties that the system operates most effectively. The enthusiasm of the pilots who flew those missions, expressed in the article, is understandable. They should be the best judges of the equipment. In this instance the A-7D's weapons systems represents the very best in engineering achievement and adds up to the best tactical air-ground weapons delivery system for medium ranges within the free world.

Moreover, we must also remember that the A-7D is a ground attack aircraft and was never intended to be a fighter. Its capability is concentrated on the air-ground delivery of weapons. By so doing, the airplane can be produced at minimum cost and maximum effectiveness. Some detractors have claimed the A-7D is limited in utilization to the so-called "permissive" environment, but it has been demonstrated that this is simply not true.

#### EFFECTIVE DEFENSE AGAINST GROUND WEAPONS

This airplane depends on speed and method of weapons delivery for its defense against ground weapons. The abortive invasion of South Vietnam into Laos to cut the Ho Chi Minh Trail failed because of, among other things, the effectiveness of enemy shoulder-held missiles against helicopters and slow flying airplanes when operating at low altitudes. Of course the Air Force is "work-

ing on the problem" as far as a defense against this type of weaponry is concerned, but an effective solution has not been reached.

In the meantime, the A-7D delivers its weapons from a higher altitude at a greater speed with greater accuracy, and is thus able to operate in the face of the enemy shoulder-held weaponry, as well as better than other tactical aircraft in the projected future inventory. I believe our experience in Vietnam confirms this fact.

Some of the fighters that we are buying at this point for air-to-air purposes depend on their close turn ratio compared to that of enemy airplanes to provide disengagement and the ability to get home when opposed. The A-7D has the same or better turn ratios and thus possesses disengagement capability equal to fighters which are actually purchased for use as air-to-air weapons rather than air-to-ground weaponry. Again, we do not need to speculate about this; the record of performance under combat conditions confirms it.

#### NATIONAL GUARD AND RESERVE EQUIPMENT MUST BE COMPARABLE TO THAT OF REGULAR FORCES

Mr. Speaker, Subcommittee No. 2 of the House Armed Services Committee has program in the Air Force for equipping shown deep concern over the lack of a the Air National Guard and the Air Force Reserves with reasonably effective airplanes. As chairman of that subcommittee I have repeatedly referred to the Secretary's pronouncement on that subject. It will be recalled that Mr. Laird, while Secretary of Defense, announced a program which all of us considered to be very commendable.

This was the so-called Total Force Concept. Under this concept, all of the forces including the Reserve components are to be considered as a part of the total force to be available to meet any potential enemy. It follows that in order for this concept to be effective the Reserve components must be equipped with effective weapons systems as well as be manned and trained up to the levels of the active establishment.

#### AIR NATIONAL GUARD IS UNDEREQUIPPED

In spite of the significant overall reduction in defense dollars while simultaneously increasing the effectiveness of the total force, the Air Force has not yet elected to do this in the tactical area; the Air National Guard is still equipped with F-100 airplanes which are not only marginally effective in the air-ground role, but are on their last legs as far as even peacetime operation is concerned. In other words, great savings could be effected in these days of high personnel costs by manning and properly equipping the Reserve components. It would seem that the A-7D, which has the very latest in air-to-ground delivery systems, would be a very effective and economical way to bring the Air National Guard and the Air Force Reserve up to their proper combat effectiveness.

Mr. Speaker, I emphasize that we do not need to speculate about the capability and the performance of the A-7D. It has proven its worth time after time under extreme combat conditions. At the

beginning of my remarks I referred to an article which appeared in the August issue of the Air Force magazine. It relates to the effectiveness of the A-7D and the weapon delivery system, as well as the enthusiasm of those who have been flying the airplane in combat.

Under leave to extend my remarks, I include the article. It follows:

#### HOW THE A-7D REWROTE THE BOOK IN SEA (By John L. Frisbee)

"When our flight of three A-7s got to the target area in Laos, three F-4s were working it with laser-guided bombs. They were going after a bridge and had damaged it extensively before their fuel ran low and they had to leave.

"Then the FAC put us on the bridge. One of our pilots was a first lieutenant on his second mission in SEA—the second time he had ever dropped bombs in combat. We destroyed that bridge with three bombs.

"Next, the FAC gave us a bypass bridge about 100 meters down the river. We dropped it with two bombs and went over to a ferry crossing on another river. With three bombs, we destroyed the ferry cable, the dock, and the ferry.

"'Okay,' the FAC said 'I've got only one more bridge.' We went down to that bridge and destroyed it with three bombs. Fantastic!"

The A-7D mission that Capt. Buddy Sizemore—a pilot of the 354th Tac Fighter Wing out of Myrtle Beach AFB, S.C.—described may not have been exactly typical, but it wasn't all that untypical of the wing's experience in Southeast Asia, either. And Captain Sizemore's "Fantastic!" is the judgment of a pilot who had been there before. Earlier in the war, he flew a tour in F-4s, based at Phu Cat.

#### HIGH ACCURACY, LOW LOSSES

If you didn't know that USAF had an A-7D wing in SEA during the closing months of the Vietnam War, you're forgiven. Despite the remarkable record of the 354th TFW and its A-7D "Little Hummer," they got scant notice in the press. But they were there, all right.

The wing, then commanded by Col. Thomas M. Knoles, arrived at Korat Royal Tha AFB in mid-October 1972. Its seventy-two birds flew some 4,000 sorties between October 16 and the end of December, when the Linebacker II bombing campaign ended U.S. participation in the Vietnam War. A squadron of the 354th is still there, along with one squadron from the 355th TFW, Davis-Monthan AFB, Ariz., both under Col. William D. Curry, now the 354th Wing Commander.

Although neither Guinness nor anybody else keeps record books on tactical fighter wing achievements, the 354th TFW must have set a lot of new marks. Its deployment from Myrtle Beach to Korat set the tone for the entire operation. Col. John Rhemann—then Wing Deputy for Operations and now Wing Commander Rear, back from SEA and running the show at Myrtle Beach—said, "This was one of the few times in Air Force history that a wing of fighter aircraft departed the US and arrived at its overseas destination with all aircraft on schedule."

During its ten weeks of combat in 1972, the wing—operating at a 0.87 frag rate for its seventy-two aircraft, which comes out to sixty-two sorties a day—dropped nearly 25,000 bombs, most of them Mark 82 500-pounders. According to FACs and other interested observers of bombing accuracy, they probably had an average miss distance of about ten meters.

Capt. Harry G. Rodman is a FAC who worked the 354th A-7s, mostly against interdiction targets. He's now stationed at Hurlburt Field, Fla., with the 549th Tactical Air Support Training Squadron. Captain Rod-

man says that the A-7D "was tremendously accurate. You could depend on the weapon system to put an iron bomb exactly where you wanted it—an unguided system that could be used with confidence against point targets. When all its systems were operating, it was nearly as accurate as guided bombs."

Against all kinds of targets—trucks, storage sites, ammunition caches—the wing averaged close to twenty-five percent secondary explosions, significantly higher by estimates of experienced pilots than normally scored by other tactical fighters.

The A-7D proved to be reliable and easy to maintain. It had a ground abort rate of 0.3 percent and an air abort rate of 0.5 percent. Tactical Air Command's "acceptable" rate is 5.0 percent.

Perhaps most remarkable of all was the A-7D's combat loss rate. The 354th was fragged against all kinds of targets in South Vietnam, Laos, and Cambodia, with emphasis on generally well-defended interdiction targets. During Linebacker II, they supplied the bulk of the daytime strike force, hitting undisclosed targets—some of them near downtown Hanoi—requiring extreme accuracy. The wing lost only two aircraft in its combat operations. One of the pilots was captured and subsequently returned when the POWs were released by North Vietnam. The other, regrettably, was killed.

#### THE A-7D'S SMARTS

What accounts for the 354th TFW's unprecedented accuracy in delivering unguided bombs and for its combat loss rate, which much be the lowest in the history of tactical fighter operations? Ask any A-7D pilot, and he'll tell you it was the airplane—not the pilots.

Even though fighter pilots are not noted for their modesty, we'll discount that statement. With two or three exceptions, all of the 354th pilots who flew in SEA were old hands. Most of them had at least one previous SEA tour in F-100s, F-105s, or F-4s. The same goes for the rated members of the wing staff and the squadron commanders who led missions. And they all had a good bit of A-7 time in the States. You don't write off that kind of experience as a neutral factor.

Nevertheless, a large share of the credit must go to the bird itself. Its electronic systems were described in some detail by Capt. Tom Ryan, a 354th pilot, in an article, "A-7D—That Super-Accurate SLUF," published in our March 1972 issue. The systems include forward-looking radar, Doppler, an Inertial Measurement System, and a radar altimeter. The information supplied by these systems is digested by a tactical computer and displayed on a Projected Map Display System (a map in the cockpit on which the aircraft's precise position is continuously indicated) and on a Head-Up Display (HUD) projected on the windscreen, which gives the pilot all information he needs to control the aircraft and deliver bombs or 20-mm shells on target. The systems can be used for accurate straight-and-level bombing from medium altitude, radar offset bombing, computed gunfire, and for dive-bombing—the most accurate bomb delivery mode.

One of the beautiful things about the Little Hummer's systems is the flexibility they give a pilot in his dive-bombing run. After the navigation systems have led him to the target area, all he has to do is identify the target, then, looking through the Head-Up Display on his windscreen, put the HUD's aiming symbol on the target and press a "designator" button on the stick. The computer almost instantaneously figures out the point in space where bombs must be released to hit the target. The pilot can take evasive action all the way down the chute until the aiming symbol meets the target. At that point, he levels his wings for "about three seconds," picks the bomb, and pulls off the target. Bull's-eye or a near miss! No more worries about parameters of airspeed, dive angle, re-

lease altitude, which have always demanded so much of a pilot's attention, kept his head in the cockpit, and made him a predictable target for enemy gunners.

#### STAY HIGH, STAY SAFE

Except in cases where they had to go low in order to identify a target, the 354th pilots released from altitudes between 5,000 and 7,000 feet—well above the effective range of small-arms fire and most enemy AA. So the A-7D's electronic systems in the hands of competent pilots came up with unequalled accuracy and survivability.

Here's how Lt. Col. Charlie Copin, Commander of the wing's 356th Squadron, put it: "My job as a squadron commander was to make sure that targets were hit and that the airplanes came back so they could be used again the next day. It was damned nice to be able to put a 3,000-foot-above-the-ground minimum altitude restriction on my pilots, knowing that they could hit the target without getting down in the weeds. It was the airplane, not the pilots, that allowed us to do that."

The A-7's accuracy did create an educating job for the pilots. "We had to get the FACs to not talk in general terms," Captain Sizemore said. "They would say, 'Okay, fifty meters west of my smoke.' You'd drop a bomb and the FAC would say, 'Now ten meters east.' We had to tell them, 'Hey, wait a minute. I see a tree on a rocky point. Where do you want it in relation to that?' We had to educate them to use specific points."

Should the A-7 be modified to carry laser or electro-optical guided bombs? Capt. Don Cornell doesn't think so. "To be realistic, LGBs are more accurate than the A-7's iron bombs. The difference in accuracy isn't great, and it's not going to cost you as much to destroy a given target with the A-7 as with guided bombs."

Another virtue of the A-7D's systems was pointed out by Capt. Dave Sawyer. "The tac computer allows you to come in on a target from any direction, dive angle, and airspeed. With several A-1s working a target, each with different parameters, you really can keep the defenders busy. And you don't have to waste any time finding the target. All pilots know where it is from their systems. You can hit it and get out fast."

When operating on long missions, as they did in SEA, and for deployment, the A-7D's navigation system is a real boon. Captain Cornell said that occasionally, during the deployment to Korat, the KC-135s that refueled them over the Pacific would update their navigation systems from his. "I was less than a mile off course between Hawaii and Wake Island. This was entirely on the Inertial Measuring System, and without the Doppler, since we were over water."

#### LITTLE BIRD—LONG LEGS

Another plus for the A-7D—and for Seventh Air Force planners—was the length of the airplane's legs. Colonel Rhemann has a bunch of charts in his briefing room at Myrtle Beach AFB, centered on Korat RTAFB. They show the areas in which combat-loaded A-7Ds could operate without refueling from tankers—essentially all of Southeast Asia.

A typical configuration was for a mission with a 350-nautical-mile radius. That radius takes in all of western South Vietnam, North Vietnam to within about ninety miles of Hanoi, Cambodia, and Laos except for the extreme northern tip. Carrying two 300-gallon wing tanks, eight Mark 82 bombs, and 1,000 rounds of 20-mm ammunition, the bird had thirty minutes in the target area and 2,300 pounds of fuel reserve on return to Korat. By cutting the fuel reserve to 1,500 pounds, combat radius was increased to 480 nautical miles—well beyond Hanoi and Haiphong without refueling.

Often a pilot was fragged against a target

in southern South Vietnam, diverted to one in north Laos, and was still able to give the FAC twenty to thirty minutes in the target area without refueling. Some Linebacker II missions were flown without tanker support; on others, external tanks were left off in order to increase the A-7's bomb load, and tankers were used.

The A-7D's range came in handy in two other missions assigned to the 354th: search and rescue (more about that later), and night escort for the AC-130 Spectre gunships. Maj. Jack Terry believes that the A-7 was the best aircraft in SEA for gunship escort "because we could stay with them so long—about an hour and a half. When escorting the Spectres, we did flak suppression on the big guns," which was never a real fun job.

Did the wing do much night work? "No," said Lt. Col. Dave Eknes, the 355th Squadron Commander. "The A-7 is well adapted to night operations because of the precision of its systems, but we were limited by the number of aircraft we had over there. They wanted us in the daytime."

#### SEARCH AND RESCUE

When the 354th went to SEA, they expected to be flying interdiction and close support. It turned out to be more interdiction than close support, largely because of the nature of the conflict at that time. Very few U.S. ground forces were involved, and, during late 1972, there were fewer troops in contact, so the number of true "close-support" sorties was considerably less than in previous years. Then they flew some bombing missions that could be classified as strategic during Linebacker II.

The big surprise, however, was being given the Sandy role in search and rescue (SAR) operations—locating and protecting downed airmen, covering the rescue helicopters, and coordinating action in the pickup area. That happened three weeks after their arrival at Korat, because the A-1s that had done the Sandy job throughout the Vietnam War were being turned over to the South Vietnamese Air Force.

"There was considerable skepticism about the A-7's suitability for the Sandy mission," Colonel Rhemann recalled. "We went into an extensive training program to develop new tactics. By comparison to the A-1, the A-7 is a relatively fast, high-performance aircraft. Tactics had to be changed significantly. We had a couple of pilots who had flown A-1 Sandys in SEA, and that helped."

"A week after taking over the Sandy job, our pilots participated in the pickup of two F-105 pilots near Thanh Hoa in some very marginal weather. It was a difficult mission, and, after that, there was little doubt that the A-7 was not just an adequate replacement for the A-1. It was far superior in that role."

Before the air war ended eight weeks later, 354th Sandy pilots had taken part in the rescue of twenty-two downed flyers. The "difficult mission" Colonel Rhemann spoke about was certainly among the classics of the SAR business. Here is how it went:

An F-105 Wild Weasel had been hit by a SAM in the vicinity of Thanh Hoa, on the coast, some ninety miles south of Hanoi. The Weasel crew bailed out at about 11:00 p.m., landing at the base of the first ridge line west of the city. The following day, three of the 354th Sandys went up in very bad weather and got the survivors located, part way up the ridge line, but separated from each other.

A SAR force of about seventy-five aircraft was put together late that day and during the night by the Joint Rescue Coordination Center at Tan Son Nhut Air Base, near Saigon. It included F-105 Wild Weasels to suppress the SAMs around Thanh Hoa, F-4 Wolf PACs and F-4 MIG CAP aircraft, tankers, an HC-130 Kingbird (the mission coordinator), H-53 Jolly Green rescue helicopters, A-7Ds with smoke for screening pur-



poses, and three 354th TFW Sandys. Pickup was set for first light the following day, with takeoff for the Sandys at 0430.

Maj. Colin A. "Arnie" Clarke, who was operations officer of the 354th TFW's SAR organization, led the Sandys. He has been awarded the Air Force Cross for his part in the show.

The Sandys rendezvoused with the Jolly Greens above a solid overcast along the Laos-North Vietnam border. While the Jollys held in orbit, Major Clarke and his wingmen worked east from the Plaine des Jarres in Laos, looking for a break in the overcast through which a chopper could let down. Approach from the Gulf of Tonkin seemed out of the question. The Thanh Hoa area was heavily defended by antiaircraft guns and SAMs, while just north of the town was a MIG field.

#### INTO THE VALLEY

Major Clarke told his wingmen to hold while he let down several times into narrow valleys, trusting to the accuracy of his Projected Map Display and radar altimeter. Each time he broke out under very low ceilings, the valley proved too narrow to turn in, and ahead the clouds closed down over rises in the ground.

Giving up on the valleys, Clarke climbed up on top, flew east, and let down over the Gulf to see if there was any way to work a Jolly through the enemy defenses along the coast. There wasn't. He did get the survivors pinpointed and marked on his Projected Map Display so both men on the ground could be found immediately on return.

Clarke now went back over the Gulf, picked up his wingmen and the smoke-carrying A-7s, and took them in to see where the survivors were. The A-7s took several .51-caliber hits. But weather in the pickup area had improved somewhat—2,500-foot ceiling with lower broken clouds, rain, and three miles' visibility. It was still too low for the supporting F-4s to use their delay-fuzed CBU antipersonnel bomblets against enemy gun positions. To the west, the only approach route for the choppers, it was still down in the valleys.

Everything pointed to an aborted mission. But Major Clarke "knew that the weather wouldn't be any better for days. The survivors couldn't last that long." Having been shot down himself on an earlier tour as an F-100 Misty FAC, he knew that it was now or never.

Going back west again, Major Clarke let down on instruments in a valley wide enough to turn in. While he orbited just above the ground, one of the Jollys did a DF letdown on him, but ran low on fuel, climbed back through the clouds, and headed for home.

The mission now was six hours old.

Two more Jollys came up from Kakhon Phanom and held while Clarke went out to a tanker for a rest and fuel. At that point, he set a pickup time for the SAR force. Going back west, he once more let down on instruments into a valley "wide enough to hold a two-G turn" and a chopper DFed down on his position—about forty-five miles west of the survivors.

Flying ahead and doing 360-degree turns to stay with the chopper, Clarke led it to near the pickup area, where he told the Jolly to hold while he went in to get the survivors alerted and suppress fire from enemy guns.

Clarke now discovered a .51-caliber gun position on the ridge, just above one survivor, who was hiding in tall brush. "A guy could have thrown a hand grenade from the gun pits onto the survivor." He and his wingmen, Captains Sawyer and Cornell, kept fire on the guns while the A-7 smoke birds laid down a screen.

By this time, there was a lot of lead flying around and a lot of chatter on the radio. The Jolly Green pilot decided to come in, unaware of the gun position close to one survivor. Miraculously, he made both pickups,

then headed west, directly past the .51-gun pits.

Clarke made "a very low pass" on the guns to protect the Jolly and took a hit "by something that felt like a 57-mm." He lost all his systems and pulled up into the clouds "with what I hoped was wings level. About that time a SAM radar picked me up, and things didn't look too good." The SAM apparently didn't fire.

Clarke broke out on top, joined up with a couple of A-7s, and made an IFR landing at Da Nang, flying the wing of one A-7. Mission time: about nine hours.

The "57-mm hit" turned out to have been a .51-cal tracer that exploded one of his empty wing tanks, blowing in the side of the fuselage and bowing the underside of the wing.

That was one to remember.

#### MANY PLUSES—A FEW MINUSES

The 354th Tactical Fighter Wing was the first to try out the A-7D in combat. They went to Korat to fly interdiction and close support. That they did, and gunship night escort, search and rescue, helicopter escort—and Linebacker II daytime strike missions in and around Hanoi. They did a lot of things that no tactical fighters have done before, and some things that other fighters haven't done as well.

No one in the 354th bad-mouths the A-7D. Not the pilots, who came from F-100, F-105, and F-4 units. Not the ground crews or support people.

Like every airplane, the A-7D has its faults—like its ground-loving tendency on a hot, 105-degree runway with a full load—but they're few compared to its virtues. And so far as runway length is concerned, Charlie Copin pointed out that "where you don't have to fly as far to target as we did in SEA, you can leave off the wing tanks, carry the same bomb load, and reduce takeoff roll by 3,000 feet."

If they could redesign the A-7D, how would they change it? More power? Of course. Every pilot wants that in any airplane. A bigger gun? Maybe, but if you can hit a tank with bombs on the first pass, do you really need a bigger gun?

Anything else?

After a long pause, Capt. Don Cornell replied, "I guess about the only thing I'd do would be to make it a little prettier."

And that just about sums up the 354th Tactical Fighter Wing's feeling of affection for its Little Hummer.

#### DONALD E. WELCH

#### HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. ASPIN. Mr. Speaker, I wish to take this opportunity to commend and congratulate a young constituent of mine, Donald E. Welch, on his recent election as the president of the National Junior Classical League, an organization designed to encourage in young people an interest in and appreciation for the civilization, language, literature, and art of ancient Greece and Rome, at its 20th annual convention in Claremont, Calif.

Donald is presently a senior at Parker High School in Janesville, Wis., and is in his 7th year of the study of Latin. He is active in the Latin Club and is a past president of the Wisconsin branch of the classical league with Mrs. Arlene Silness ably serving as his advisor.

Donald's activities are not limited to the study of the classics, however. He was also a representative to Badger Boys State this past summer, and is active in the National Honor Society, drama, and has played basketball since 9th grade. In addition, Donald has worked with mentally retarded children in an education class.

I am happy to join Donald's parents, Mr. and Mrs. Donald Welch, Sr., as well as Donald's fellow students and the faculty of Parker High, in their pride for this fine young man.

#### THE PRESIDENT, THE "FED" AND HIGH INTEREST RATES

#### HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. EVINS of Tennessee. Mr. Speaker, many who heard the President's recent press conference had their worst fears confirmed when the President said that his economic advisers had guessed wrong and advised him wrong with respect to economic policy.

The erratic course of the administration's economic policy has been difficult to fathom—many feel wage-price controls were applied too late and lifted too early. Selective price controls are working great hardships on not only American consumers, but also small businessmen and other segments of our economy. Inflation continues to increase. The dollar has twice been devalued and interest rates continue too high. The proper remedy seems not yet in sight.

Because of the interest of my colleagues and the American people in this most important subject, I place in the RECORD herewith a perceptive article by Mr. Hobart Rowen appearing in the Washington Post.

The article follows:

Mr. NIXON, THE "FED" AND HIGH INTEREST RATES

(By Hobart Rowen)

Sitting in the White House East Room for President Nixon's press conference last Wednesday, one thing became perfectly clear: the administration has no new ideas for controlling inflation.

Sidestepping any blame for himself, the President took a dig at his economic advisers for the disastrous price spiral of 1973.

"I'm afraid I can't be any more perceptive than my economic advisers have been and their guesses with regard to, as you know, the numbers insofar as inflation have been, have not been very good."

He then tossed the advisers a crumb of comfort by saying he didn't blame them because of "factors . . . (they) did not foresee."

Mr. Nixon's advisers have been wrong on more than guessing the rate of inflation. At almost every turn, from the original "game plan" of 1969 which produced inflation and recession at the same time, to the ill-fated junking of Phase II of wage-price controls on Jan. 11, Mr. Nixon and his experts have botched the job of managing the economy.

This isn't to say that there were no problems beyond their control, notably a worldwide boom that contributed to rising prices here.

But lots of our present economic headaches could have been avoided or mitigated. There were plenty of warnings, for example, that the Agriculture Department was following a policy of scarcity all during 1972, when food demand was booming. But the department had a monolithic concentration on boosting farm income rather than the national food supply.

And consistently, Federal Reserve Chairman Arthur Burns—whose name the President invoked twice at the Wednesday press conference—beggared for a stronger tax policy that would ease the inflation-fighting burden imposed on monetary policy. Had that advice been heeded, interest rates wouldn't be so high today.

For all of the policy mistakes, only two notes of grace can be recalled. First, Treasury Secretary George P. Shultz has admitted that Phase III was a disaster, and Burns concedes that the Fed should have exerted greater monetary restraint last year.

Government expenditures should also have been reined in last year. A golden opportunity to trim back military spending coincident with the winding down of war in Vietnam was missed.

But now the monkey is on the back of Mr. Burns and his six fellow governors. Almost the entire fight against inflation depends on a high interest rate policy—and the Fed is the first to admit that there are serious limits to what should be expected from monetary measures. The Fed can establish a goal—and have no assurance that it can reach it. Moreover, it is uncertain what effect a given policy, even if achieved, will have on prices.

Former Fed Governor Sherman Maisel points out in a soon-to-be published book, "Managing the Dollar," that the present Fed policy of allowing unlimited credit to those who can pay the price must at some point price others out of the market.

Burns himself, in testimony Aug. 3 before the Joint Economic Committee, said that interest rates "could go so high that we would be laying the foundation for the breakdown of our economic and social order."

He cited, in that connection, the fact that the 180-day interest rate in Chile was 90 per cent, because the inflation rate had hit 200 per cent.

"If I accomplish nothing else this morning," Burns told that hearing, "I want to emphasize the simple truth that inflation and high interest rates go together, and that both the one and the other pose perils for economic and social stability in our country."

But in the month since then, interest rates have forged relentlessly upward. We may not yet be suffering from a Banana Republic style of inflation, but for the first time in recent history, interest rates, like other elements of price inflation, are being measured in double numbers—11 per cent or so for bank loans to small business, 10 or 11 per cent in the "overnight" rate at which banks borrow from each other—and 10 per cent is widely predicted for the banks' prime lending rate, the price of money to the best and biggest customers.

When asked Wednesday whether "the tax structure should be altered in any way to help strengthen the economy," Mr. Nixon responded:

"... a number of my advisers, including, incidentally, Arthur Burns, have strongly recommended that the answer to this whole problem of inflation is the tax structure, you know. That there's this gimmick and that one. And by saying gimmick, I don't mean anything disrespectful to Arthur Burns, because he's very important to us at this moment... But there isn't a chance that a responsible tax bill would be passed by this Congress in time to deal with that problem."

That may be a correct political judgment. But if proposing higher taxes of some sort is the right policy; the President

shouldn't shrink from it. Just his willingness to develop a more even-handed economic program might have a beneficial effect.

Right now, the burden of monetary restraint is very uneven. Housing gets clobbered. Smaller businessmen get hit hard when borrowing money. Local communities find it tough or impossible to get the money they need for community projects.

To those affected by high interest rates, it is little comfort to hear that with 6 per cent inflation, a 10 per cent interest rate works out to a "real" money cost of only 4 per cent.

That may be significant to the big businessman, to whom interest rates are but another operational cost, with the government picking up as much as 50 per cent of it on his tax return, anyway.

But to the homeowner, or small borrower, a high interest rate is just another inflated price, along with the rest of them, which reduces the amount of money in his pocket. If it goes on long enough, a recession is a certainty—but it won't necessarily cure inflation.

#### NOTES ON LOCAL INSTITUTIONS

### HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. DE LUGO. Mr. Speaker, I was sorry to note that the Cafe Brittany on the Island of St. Thomas is closing. This has been an outstanding restaurant, and I am sure that it is familiar to many of my colleagues who have visited the island.

Not only has the Brittany been a gourmet's delight, but under its general manager Jerry Meyer the cafe has been a leader in career training programs for young Virgin Islanders. It has been an example of a business with an enlightened social conscience, and I sincerely hope that a way will be found for the Brittany to reopen in the near future.

I am including with my remarks an article from the Daily News written by Benita Cannon which describes the many contributions of the Cafe Brittany and the reasons for its closing. On the brighter side, the article also describes the fine photography show of Sammy Hall, a native of St. Thomas, and an artist of unusual talent.

The article follows:

#### NOTES ON LOCAL INSTITUTIONS

(By Benita Cannon)

The word embraces not only public, government-sponsored projects, but also private businesses that render significant services to their communities, and it is in that sense that the word is used here.

One of these, the Cafe Brittany has closed, and that is sad, sad news for its patrons and friends, and for the Island of St. Thomas where it operated for nearly six years, meeting some very special community needs.

The Brittany could well boast of its fine food, excellent service and pleasant atmosphere, but those were fractional parts of its community role. It was Cafe Brittany whose doors stood open for meetings of local organizations, whether those attending ordered a meal or not. When any worthwhile cause undertook a fund-raising campaign, Cafe Brittany could be counted upon to donate a certificate covering a number of dinners, and those were cherished raffle prizes or auction items for the annual Community Chest drive and for many, many other philanthropic,

educational and social welfare organizations.

Jerry Meyer, Cafe Brittany's general manager, was one of the first local businessmen to participate in career training programs for young Virgin Islanders, and he encouraged other businesses to adopt the practice.

Cafe Brittany succeeded superbly in serving its community. It was as a business that it failed. It suffered all the difficulties presently confronting many Virgin Islands businesses—a diminished tourist trade and smaller numbers of vacationers, fewer people going out at night, and enormous operating costs, particularly for a first-class restaurant. I have been told, although I cannot verify it, that the Brittany had another problem: unpaid charge accounts. According to quite a few people, much of the Brittany's business was on a "chit" basis and too many of those chits were never paid. If that is so, it speaks badly for a lot of us.

There seems to be some possibility that Jerry Meyer will manage to put it all back together again. A reopening of Cafe Brittany would be glad tidings indeed, and I join with all his other friends in wishing him the best of good luck in his efforts.

On a happier note, a good friend and beautiful human being (there aren't too many of these around these days) is having a one-man photography show at the A. H. Riise Art Gallery. His name is Sammy Hall, and he is a photographer of unusual accomplishment. He uses only black-and-white film, then colors the prints by hand, carefully and tediously. The finished photograph resembles a painting, with all the subtle understatement of a master artist's touch.

Sammy was born on St. Thomas, spent some years living and working in New York, and now resides on St. John with his wife and family. He is a genuine "local talent"—a Virgin Islander who shares, through his photographs, his love and appreciation for the natural wonders of his region.

In this case, of course, the "institution" is A. H. Riise, whose small but handsome art gallery provides a showcase for the output of Virgin Islands artists, affording an opportunity for their work to be seen by the community and by the streams of visitors who pass through the doors of A. H. Riise daily. It has offered a "leg up" for a number of gifted local artists.

Like Cafe Brittany, A. H. Riise is generous in its support of local philanthropies, and it is almost inevitable to find contributions from it on the prize or auction lists of worthy organizations trying to raise money.

Cafe Brittany and A. H. Riise: institutions. Businesses, yes, but community-minded, seeing their roles as something beyond commercial enterprise.

#### ANNOUNCEMENT OF HEARINGS ON H.R. 187, TREATMENT AND REHABILITATION OF NARCOTICS ADDICTS

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. EDWARDS of California. Mr. Speaker, I would like to announce that the Subcommittee on Civil Rights and Constitutional Rights of the House Committee on the Judiciary will continue its hearings on H.R. 187, to amend title 18 of the U.S. Code to enable the Federal criminal justice system to deal more effectively with the problem of narcotic ad-



diction, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enable the State and municipalities to deal more effectively with that problem, and for other related purposes.

On Tuesday, September 18, 1973, at 10 a.m. in room 2226, Rayburn House Office Building, the subcommittee will hear testimony from Dr. Robert DuPont. Dr. DuPont is director of the Special Action Office for Drug Abuse Prevention.

Those wishing to testify or to submit statements for the record should address their requests to the Committee on the Judiciary, U.S. House of Representatives, Washington, D.C. 20515.

#### THEY CARED ABOUT PEOPLE

### HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HARVEY. Mr. Speaker, during the congressional recess I returned to the eighth district for a series of office hours throughout many of the small communities. One of my favorite stops is the community of Millington because, as has been the case in each of the last 10 years, Bill Throop is always there with a warm greeting and handshake.

This year was no exception. Bill, long active in veterans' affairs and a fine community leader, made his visit. But, I was saddened to learn that his lovely wife, Lucille, had passed away.

Many might consider Lucille and Bill Throop as plain, ordinary people. They would be proud of that designation. But, I have and continue to think of them as very special people.

Mrs. Lilia DeBoer, veterans' counselor and another distinguished Tuscola County resident, touched on the Throops in a very nice tribute that she extended in her regular radio program over WKYO in Caro last month. While Mrs. DeBoer's tribute to the Throops follows my personal comments, I wanted to particularly single out the following segment from that radio statement:

At one time Lucille and Bill had the used clothing room at their home and Lucille saw to it everything was in good condition and looked after the clothes room herself. I wonder how many people would be willing to turn their glassed-in front porch into a clothing room for the needy.

Lucille and Bill Throop have always had one great characteristic—they cared about people. Lucille is gone now—passing away on July 21, 1973, but you can be certain that Bill will carry on the wonderful and commendable work of both—caring about people.

Mrs. DeBoer's radio comments follow:

July 21st we were saddened to receive a phone call from Millington that Lucille Throop had passed away. Lucille was the angel of Millington. Everybody loved her and she was always ready to give a helping hand to anyone in need. She was the wife of Bill Throop of Millington and both of them were interested in people. At one time Lucille and Bill had the used clothing room at their home and Lucille saw to it everything was in

good condition and looked after the clothes room herself. I wonder how many people would be willing to turn their glassed-in front porch into a clothing room for the needy. I never saw Lucille when she wasn't smiling. If you stopped into her home she was always ready to make you a cup of tea and give you some of her homemade bread, cookies or fried cakes. If anyone was ill she sent them a card and if at home she took them some of her good home baked goods; if there was a death in the family she was always there with food for the family and always sent a card. The young people in the community loved her. I can recall one time when Bill was in the VA hospital at Saginaw, they made tray favors for all the veterans in his ward and sent them over with Lucille. She was crossing guard for the school and an excellent one. No matter when you passed her corner she would smile and wave her hand. All of us in the office will miss her as she very seldom came in that she didn't bring cookies, cake or fried cakes for us to have with our coffee. She always sold unique Christmas Gifts and made quilts to sell, and I for one will be lost as I never had to go out to shop, Lucille brought things to my door. Lucille was a person who did her good deeds quietly and she was always there but she never made a big fuss about what she did. It will take the people a long time to get over her loss and as time goes on we will realize more and more how much she did for people. She is probably already learning the needs of people in Heaven and is busy taking care of them as she is that type of person. She never complained and seemed ageless so it was a terrible shock to learn of her passing. She was a person that enriched your life just by knowing her. We hate to see the passing of people like Lucille as she was a good citizen; a good neighbor, a good wife, a good mother and grandmother. Her good deeds are too numerous to mention on this program but she will be missed by all who knew her.

#### CONSTITUTIONAL AMENDMENT ON BUDGET CONTROL

### HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. SPENCE. Mr. Speaker, I think a good many of my colleagues discovered during the recent August recess a fact which they certainly could not have learned from the Washington media; namely, that the American people, though concerned about Watergate, are not nearly so concerned about that problem as they are about the continuing inflationary spiral and the state of the Nation's economy.

Recent experience with price controls has demonstrated again what had already been proven over and over. If anyone had cared to look at past history he could have foreseen the present failure of price controls to stem inflation and stabilize the economy. Indeed, President Nixon told us repeatedly that they would not work before hysterical political pressure finally forced him to demonstrate the fact again for an unbelieving Congress and public. Now we as a people have once again come face to face with the reality that wage and price controls treat only the symptoms of economic dislocation, not the causes. And we are seeing an ever-increasing awareness on the

part of the people that the primary cause of inflation is rampant deficit spending by the Federal Government. According to a January Harris survey, 74 percent of Americans believed that Federal spending was the single greatest cause of continuing inflation. That alone, of course, is not conclusive evidence that they want the spending reduced. It has always been popular to say it, but for years most of us—whether legislators or the general public—have behaved as if it were not true. It has been good political rhetoric, but it has not been popular when translated into political action. Now, however, I think the time has come when the people again perceive the truth and are going to expect their elected Representatives to behave in responsible ways which will bring Federal spending under control, eliminate deficits, and begin to reduce our gigantic national debt in order that runaway inflation can actually be curbed.

It is for this reason that I am today introducing a constitutional amendment which I believe will enable us to achieve the goal of balanced budgets in the most expeditious, forthright, and sustained way possible.

In offering this amendment I am fully aware of the many proposals which have already been presented to this Congress to deal with the problem of budget control and inflationary Federal spending. Among these proposals are one recommended by the Joint Committee on Budget Control (H.R. 7130), which I support, and a constitutional amendment requiring balanced budgets which I have cosponsored.

However, after a careful study of all these proposals and the issue in general, I have become convinced that none of the remedies thus far introduced is adequate to do the job that needs to be done. A statute providing for a balanced budget and the limiting of expenditures, no matter how detailed its procedures for implementation, can be easily repealed or supplanted by a subsequent act of Congress. This means that, as future pressures to spend mount and present resolves and the lessons of present experience fade into history, a future Congress can renege with relative ease on any brave commitments we make this year. It is equally true that a constitutional amendment which only requires that the budget be balanced establishes a good policy but would be extremely difficult to implement. It is necessary to spell out who establishes the spending priorities, what happens when there is not enough money to pay for all the programs Congress may enact or the President may request, and so forth. Any solution which does not do this—any solution which is not essentially self-implementing—assures that Congress and the Executive will continue to be subjected to the same "politics by pressure group" which now prevents us from achieving the balanced budget goals most of us at least profess to desire.

It is for this reason that I presume to offer yet another proposal in the area of budget control. The resolution I submit today is identical to Senate Joint Resolution 142 which has been introduced in

the Senate by Senator CARL T. CURTIS and a number of his colleagues. I would certainly be remiss if I did not take this opportunity to commend Senator CURTIS for the splendid record he has compiled over his many years of public service on the issue of fiscal responsibility and for the valuable contribution he has made in developing this proposed constitutional amendment.

Mr. Speaker, I will ask unanimous consent to include in the RECORD at the conclusion of my remarks a copy of the resolution and an outline of its proposals. Stated very concisely, however, this amendment makes it mandatory upon the Congress to impose additional personal and corporate income taxes, in the form of a surtax, to pay for any deficit that occurs. It does this by providing for a thrice annual estimate of expenditures and income: one by the President at the time he proposes his budget for the succeeding fiscal year and two by the Congress. After each estimate, a surtax is imposed in the next tax year to make up any deficits which occur. In addition, at the end of the fiscal year, the President must make a determination of the actual deficit and, if previous surtaxes have been inadequate to cover it, an additional tax must be imposed in the next tax year to cover the remaining deficit. Such mandatory surtaxes can be avoided if Congress acts to reduce spending or finds other means of increasing revenues in order to balance the budget. Also Congress could suspend the mechanism by a formal declaration of war or a formally declared national emergency as determined by a three-fourths vote.

I suspect there are those who will express concern about incorporating into the Constitution so precise a mechanism for controlling spending and balancing the budget. We have become a people who eschew precision because it forces us to assume a greater measure of responsibility than we can comfortably accept. I think Alice Rivlin and Charles Schultze made an excellent point in this connection in a recent Washington Post article—September 9, 1973, page C1—when they noted:

Until a few years ago, after all, the piecemeal strategy appeared to favor liberal legislation. Major new programs—social security, Medicare, Great Society programs—could be enacted because they had small initial costs and it was not necessary to worry about how they would be financed in the future. Deep down, many liberals appeared to believe that if the problem of choosing among programs is explicitly faced—and if new social spending is seen to depend on cuts in other programs or on tax reform—the status quo will win. They are afraid that the only way to get social progress is to bring it in surreptitiously.

It may be equally true that many conservatives have permitted this piecemeal strategy to continue because it was easier to complain about excessive Federal spending than to face up to the task of reforming the procedures—easier to engage in rhetoric than to face up to the task of making the difficult decisions about spending priorities and have to explain to the voters why such and such a program had to be drastically cut or eliminated.

But I would remind those who may find my amendment too precise and detailed that the Founding Fathers saw a place for both general principles and precise formulas in the Constitution. The electoral college procedure for electing the President, the apportionment of the House of Representatives, the careful balancing of powers among three co-equal branches of Government, the mechanisms for declaring war and ratifying treaties, the enumeration of powers—all are precise and detailed. Some of them have been outgrown and have required amendment, but that has taken many years. Other "general principles" such as the commerce clause and the 14th amendment could have benefited from more precision, in view of the constant litigation which they have prompted and the broad scope of actions which have been undertaken under their vague authority. It is conceivable that at some point in the future the formula proposed in my amendment may require modification. For the foreseeable future, I believe it is not only workable but essential.

Other critics may feel that, by establishing the principle of mandatory taxes, I am, in effect, advocating not only balanced budgets but constantly escalating taxes. "Those Congressmen will never cut spending; they will simply go on spending and our taxes will go up and up and up," I can hear some folks saying to themselves. In fact, I am convinced the amendment will work quite to the contrary, and I would not offer it otherwise. We must keep in mind that a constitutional amendment, to take effect, not only must be passed by both Houses of Congress but also must be ratified by three-fourths of the State legislatures. If such an amendment is ultimately ratified, then it can hardly be construed as anything but a clear indication that the people are determined to effect a rational policy of Federal spending and balanced budgets. Any Member of Congress who, by his vote, made it necessary to impose the mandatory surtax permitted under the amendment, would surely be exposing himself as a target for a wrathful electorate. And under this mechanism, the electorate would know exactly where to go to find the culprit. Under the present fragmented procedure for authorizing programs and appropriating the money for them, everyone can blame someone else's vote or someone else's program for the fact that the budget is out of balance and the electorate has very little opportunity to assess where the responsibility for fiscal irresponsibility actually lies.

Let us assume for a moment, however, that I am wrong and that Congress did, indeed, go on spending more than the current tax structure provides in revenue and had the temerity to continue increasing taxes in order to pay for their spending schemes. When one looks at the record of inflation over the past several years, it must occur to him that what would happen under my amendment is not very different at all from what is actually happening today. The

only real difference is that the amendment would impose overt taxes, in the form of a surtax, rather than the hidden tax of inflation which constantly gnaws away at our earnings and savings today. The truth is then that if my amendment works, as I believe it will, the American people will have gained a mighty measure of control over spending. The greatest political pressure on Congress will then be exerted in behalf of cuts in spending and balancing the budget rather than, as at present, in behalf of increased spending and enlarged deficits.

Mr. Speaker, let me reemphasize in closing that I do not regard this amendment as a cure-all. There is a definite need for statutory reform of the procedures by which Congress authorizes programs and appropriates the revenues to finance them. There is a definite need for statutory reforms which will enable us to take a long-range view of Federal spending and to engage in meaningful debate and consideration of relative spending priorities. I see merit in the proposal which would make the fiscal year coincide with the calendar year; in the proposal which would provide for appropriations over at least a 2-year period so that authorizing legislation could be considered in one session of Congress and appropriations bills in the succeeding session; in the proposal which would accommodate the concept of zero budgeting; and in many other new concepts now under consideration. But we can only resolve the overall problem by undertaking a firm commitment to fiscal responsibility and by securing that commitment to the rock of the Constitution so that it will not be whipped to pieces in the winds of political expediency. We must go beyond a mere statement of policy and detail the mechanism whereby our commitment can be met with the least controversy and chaos. It is to that purpose, I repeat, that I have offered the resolution which follows.

I am pleased to point out that a number of my colleagues have joined me as cosponsors of the proposal and I take this opportunity to urge that the Rules Committee, which is already considering budget control legislation, and the Judiciary Committee, to which all constitutional amendments are assigned, engage in a coordinated effort so that we do not wind up with a piecemeal effort at resolving a problem which has resulted, at least in part, from our present piecemeal method of operating.

The material follows:

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO THE BALANCING OF THE BUDGET

*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 hereby 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 after its submission to the States for ratification:*



## "ARTICLE —

"SECTION 1. On or before the fifteenth day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth separately—

"(1) his estimate of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing;

"(2) his recommendations with respect to outlays to be made from funds other than trust funds during such ensuing fiscal year; and

"(3) if such recommendations exceed such estimate, a surtax rate which the President determines to be necessary to be applied with respect to the income tax of taxpayers to those portions of taxable years of taxpayers occurring during such fiscal year, so that such receipts will equal such outlays. Such surtax shall be effective and so applied to such fiscal year except as otherwise provided in section 2 of this article.

"Sec. 2. During the first quarter of each fiscal year, and during the third quarter of each fiscal year, the Speaker of the House of Representatives shall—

"(1) estimate the receipts of the Government, other than trust funds, during such fiscal year;

"(2) estimate outlays to be made from funds other than trust funds during such fiscal year; and

"(3) (A) if such estimate of outlays exceeds such estimate of receipts, determine a surtax rate which the Speaker considers necessary to be applied, with respect to the income tax of taxpayers, to those portions of taxable years of taxpayers remaining in such fiscal year, so that such receipts will equal such outlays; or

"(B) if such estimate of outlays equals such estimate of receipts, determine that no surtax rate is necessary to be applied.

Any such determination shall be effective, and so applied, with respect to the remainder of such fiscal year commencing on the first day of the first month commencing at least thirty days after such determination by the Speaker. The surtax rate determined by the President under section 1 of this article shall not thereafter be applied commencing with such effective date.

"Sec. 3. During the last month of each fiscal year, the President shall review whether the receipts of the Government, other than trust funds, for such year will be less than the outlays other than trust funds for that fiscal year. If he finds that such receipts are going to be less than such outlays, he shall determine a surtax rate which he considers necessary to be applied with respect to the income tax of taxpayers, so that taxes received by the Government from such surtax, when added to other receipts of the Government, will equal such outlays. Such surtax shall be effective, and so applied, as determined by the President only during the next succeeding fiscal year. The surtax effective and applied under this section is in addition to any other surtax that may be effective and applied under this article and may not be superseded or modified under section 1 or 2 of this article.

"Sec. 4. The provisions of sections 1, 2, and 3 of this article may be suspended in the case of a grave national emergency declared by Congress (including a state of war formally declared by Congress) by a concurrent resolution, agreed to by a rollcall vote of three-fourths of all the Members of each House of Congress, with each such resolution providing the period of time (not exceeding one year) during which those provisions are to be suspended.

"Sec. 5. This article shall take effect on the first day of the calendar year next following the ratification of this article.

"SEC. 6. The Congress shall have power to enforce this article by appropriate legislation."

## BASIC OUTLINE OF PROPOSED SPENCE AMENDMENT: A CONSTITUTIONAL AMENDMENT FOR BUDGET CONTROL

(1) When the President submits his budget at the beginning of each year (e.g., in January, 1974), he must include an estimate of the income surtax necessary to cover any deficit in the proposed budget (i.e., the budget for FY '75).

(a) If he submits a deficit budget, Congress must either

(i) find other ways of financing the deficit in that fiscal year, or

(ii) reduce expenditures, or

(iii) the surtax automatically goes into effect (for FY '75).

(2) Twice later, in the first and third quarters of the fiscal year for which the budget is effective (e.g., FY '75), the Speaker of the House must again estimate income, outlays and (if that estimate shows a deficit) the amount of surtax necessary to cover the deficit.

(a) Thus, if the President has miscalculated or if Congress has acted in such a way as to create or increase a deficit, then:

(i) Congress must enact some other method of raising the necessary revenue, or

(ii) Congress must reduce expenditures, or

(iii) Congress must impose an additional surtax which goes into effect automatically (for the remainder of FY '75), sufficient to cover the additional deficit.

(3) At the end of the fiscal year (i.e., FY '75), the President makes a final estimate of income and outlays and any necessary adjustment in the surtax to cover any actual deficit.

(a) Again the surtax is automatic, but this time it is imposed in the succeeding fiscal year (FY '76).

(b) This surtax is in addition to any surtax which may prove necessary to meet a deficit in the budget for the succeeding fiscal year (i.e., FY '76) as a result of a deficit budget proposed by the President (in January, 1975) or a deficit situation created by the Congress through the enactment of legislation.

(4) The automatic surtax can be rescinded in a deficit situation under only two circumstances:

(a) By a formal declaration of war by Congress, or

(b) By a national emergency, formally declared as such by the Congress by a three-fourths vote.

(5) Any declaration of war or national emergency is effective for only one year and, unless renewed annually by the prescribed vote of the Congress, the emergency lapses and any deficit is again required to be funded by the automatic surtax provisions unless otherwise accommodated by Congressional action increasing the revenue or reducing spending.

(6) Trust funds would not be considered a part of the regular budget, and surpluses in those trust accounts would not be applicable toward offsetting any deficit in the regular budget.

## CONGRESS BROUGHT ON SHIFT OF POWER TO PRESIDENCY

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. MOORHEAD of California. Mr. Speaker, most of us would agree that it

is the responsibility of each one of us to work toward a strong and responsible Congress. It is highly important, if we are to do this, that we pass legislation now before our committees which would reform our budgetmaking procedure. Surely, fiscal responsibility is one of the most important criteria of a responsible Congress.

The following editorial which ran on August 29, 1973 in The Burbank Daily Review points out the need for this kind of reform:

## CONGRESS BROUGHT ON SHIFT OF POWER TO PRESIDENCY

Sen. Mike Mansfield has taken issue with President Nixon's charge that the 93rd Congress has been so preoccupied with Watergate politics that it has failed to meet its legislative responsibilities during the first seven months of 1973.

Indeed, the leader of the Senate's Democrat majority declares that Watergate has had a beneficial effect on Congress, restoring power to the legislative branch of the federal government at a time when there has been concern about the accumulation of power over the years in the executive branch.

That judgment may be premature at best. Our reading of the current relationship between Congress and the executive suggests that Senator Mansfield has mistaken a momentary weakening of the presidency for a strengthening of Congress. There is a difference. It becomes apparent when we consider whether power has been flowing to the executive because presidents have been reaching for it or because a succession of congresses has been surrendering it.

The enormous Washington bureaucracy which represents the swollen executive was built by Congress, brick by brick, over a period of four decades and owes its continued existence to congressional appropriations. In fact, the main effort to control its growth or whittle it down right now is not coming from Congress but from the White House and the cabinet.

Throughout this year, with impoundment of funds and vetoes of "budget-busting" programs, President Nixon has been trying to keep federal spending within bounds that his economists regard as non-inflationary. The response by the Democrat leadership in Congress has been to seek to override such vetoes and to pass legislation that would force the President to spend impounded monies.

Meanwhile, Congress has authorized spending that exceeds the 1973-74 budget by \$1 billion, and bills that would reform its own slipshod budget-making procedure are on that long list of matters which it has not had the time or inclination to pursue.

This hardly conforms to any model of a strong and responsible Congress. The 93rd Congress has been handed more than enough issues on which it could assert its legislative prerogative—the energy crisis and the urgent need for new trade legislation to mention only two where its delinquency is threatening to hurt. It has been more concerned with raking over the past, in terms of Watergate or such issues as whether Mr. Nixon did or did not use his power as commander in chief properly in a bombing policy in a war which he now, happily, has put behind us.

So far, at least, this will not go down as an auspicious year for the President in terms of getting the cooperation of Congress in the passage of legislation that the country needs. However, it hardly promises to be any better from the standpoint of Congress acting to solve a problem in the distribution of governmental power which existed before Watergate and will be with us regardless of how the chips fall when that case is finally put to rest.

FRENZEL EXTENSION ON H.R. 6452—  
URBAN MASS TRANSPORTATION  
ASSISTANCE ACT OF 1973

## HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. FRENZEL. Mr. Speaker, as much as I believe that the Federal Government has an essential role to play in the development of modern public transit systems, this bill in my judgment turns transit spending priorities upside down. Furthermore, the most desirable features of this bill, namely the increase in the Federal Government's share of capital grants to 80 percent and the extension of capital grant authority, were incorporated into the highway bill already signed into law.

What we have left here is the provision for operating subsidies totaling \$400 million for each of the next 2 years. There are several reasons why I strongly feel that the Federal Government should stay away from operating subsidies at this time.

First, this is in my judgment really an "Obsolete-systems Protection Act." New York City's operating deficit alone totals more than one-third of the \$400 million contained in this bill. While system improvement incentives are given passing consideration in the distribution formula, four or five cities already carry the major proportion of transit riders nationally and would under this bill receive the lions share of the subsidies. Any formula including ridership as a part of its distribution is certain to favor a few big cities at the expense of the rest of the country.

Second, the Federal Government should use its fixed numbers of transit dollars for what it can do best. That is; we should continue to concentrate on transit research and development and capital grants. Every dollar we vote in operating subsidies is a dollar which is unavailable for development and deployment of new technology transit systems. It is these new systems which are our best hope for substantially increasing transit ridership. Operating subsidies will inevitably delay this regenerative processes.

Third, to the extent that operating subsidies are necessary, State and local governments should be asked to bear this burden. The vote in Denver this past Friday is just one more indication that the voter will tax himself for operating subsidies if, in the bargain, he receives a first rate transit system. Residents of the Minneapolis-St. Paul area already are being taxed to support our aggressive and imaginative efforts to upgrade transit service in the area. It is not at all clear to me why the residents of rural Montana should be taxed to support an inefficient system in Minneapolis, or worse, be taxed to subsidize the New York system.

Finally, I know of no way to administer equitably a Federal subsidy program. Transit operator wages differ substantially, as do fare structures and levels of service. Some areas already tax them-

selves to support their systems. Others do not. Some systems are reasonably efficient while others are grossly mismanaged. The mind of man is incapable of bringing equity to a situation of such diversity unless we give the administrator of UMTA authority to impose uniformly stringent controls on the hundreds of transit systems throughout the country. Nobody, least of all the administrator of UMTA, wants the Federal Government to exercise that kind of authority. I hope the House will not have to vote on this matter at all, but if so, then we should vote to reject operating subsidies. We should permit UMTA to continue the vital business of developing the kinds of transit systems which people will be anxious to ride.

## THE GREENING OF CHICAGO

### HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. MURPHY of Illinois. Mr. Speaker, one hears a lot these days about trash dumps, vacant lots, and rundown areas in our cities. Public officials and private citizens bemoan the fact that funds to correct these conditions are not available.

The city of Chicago stopped complaining about its inability to do something about these eyesores and put the ingenuity of its department of human resources to work. Local funds were provided to clear lots of rubble and prepare the soil for planting.

With a minimum of expense and effort and a maximum of energy and enthusiasm, the project got underway in June. The crop yield has been good considering the lateness of the planting. There are plans to expand the program next year and make arrangements for spring planting.

Chicago youths who might otherwise be without work were hired to supervise the planting and growing. Kids who had little prior contact with green grass and fresh vegetables were introduced to soil cultivation and the nurturing of young seedlings.

Residents might find the gardens give them something in common—a renewed pride in the appearance of their neighborhoods. A spot of color and greenery must be a welcome addition to an area which has an overabundance of concrete and congestion.

I am including a recent Christian Science Monitor article which reports on Chicago's garden experiment:

#### THE GREENING OF CHICAGO

(By Monty Hoyt)

CHICAGO.—Does your city have too many rubble-strewn lots? Too many unemployed teen-agers ripe for vandalism? A need for cheaper food?

And if you could do something about all three at the same time, wouldn't you? Chicago can—and is.

Last April, officials tried to think of productive ways to use the city's unsightly vacant lots. A quick inventory revealed that the city, as the major landlord, and the De-

partment of Urban Renewal owned nearly 1,600 such sites throughout Chicago.

As fast as it takes to gather a rake, a hoe, and some seeds, the Neighborhood Farms program was launched.

"It's the greatest thing that ever happened to us," says Mrs. Annie Hightower, a registered nurse and long-time resident of the city's South Side. "We've had little vegetable gardens for 15 years, but everything was haphazard. We didn't know how to plant things the way we do now. Now we do it scientifically."

"You've got to see it," she says, jumping up to show visitors how her tomatoes, corn, and mustard greens are doing.

City farms are not new. Boston's Fenway has provided eight acres of garden land since 1943, a holdover from the victory gardens of World War II. City fathers in Rockville, Md. (a Washington suburb), and Windsor, Conn., have set aside a parcel of land to rent out to would-be green thumbs.

But Chicago's new program takes the farms to the people by making available public land, free of charge, in their own neighborhood, stresses Dr. Deton J. Brooks Jr., commissioner of the Chicago Department of Human Resources (DHR), which is sponsoring the pilot project.

And not just land. The city has cleared the site of debris, roto tilled the earth, provided 1,100 packets of seeds, 1,300 seedling plants, gardening tools, fertilizer, water from nearby hydrants when necessary, and a PhD consultant on vegetable crops.

#### LATE-PLANTING CURTAILED

Twenty-one sites throughout the city—more than two acres—now have green vegetables ripening on the vine. There would have been many more sites, says project coordinator Richard S. Clewis, except for the late start. (Planting did not begin until mid-June.) Many sites had to be eliminated because of unsuitable soil, lack of nearby water sources, or lack of a local family or civic-group sponsor.

Rising food prices, however, prompted 140 families and 12 civic organizations citywide to try a hand in this greening of Chicago project. Firemen at more than 30 firehouses have joined in as well, planting and hoeing gardens of their own in their spare time.

#### TEACHING HOW TO WEED

"Some of the people are pulling vegetables when they think they're pulling weeds," says Dr. Clark Nicklow, the city's agricultural consultant. One of the drawbacks initially, he explains, is that many of the project's gardeners "have never worked with the soil before." But he rates the workers high on enthusiasm and predicts a "satisfactory" yield for their efforts.

The city is conducting workshops at some sites to instruct neighborhood youth on planting and weeding techniques and care of the gardens. In future years, the city plans to show families how to can and freeze vegetables.

The city's green-thumb effort has had several side benefits in the process: neighborhood beautification, jobs for 100 youths helping to prepare the sites through the Public Employment Program and Neighborhood Youth Corps, practical educational experience for children and adults alike, and activity that has brought neighbors together.

"I can't say we've saved too much money on our food bill this summer," says Victor R. Gonzalez, an old hand at gardening. "That's because we've given so much away to my children and grandchildren. But the city sure got rid of a lot of mosquitoes when they took out all the weeds next door."

#### SAVINGS FOUND

Other city-sponsored gardeners, however, are looking at fresh produce costs—tomatoes at 55-cents a pound, head lettuce at 54-cents



a pound—and have no difficulty totaling up sizable savings from their efforts.

"We're going to have a big feast and invite the neighbors over when everything's ready. I love green tomato pie," says Mrs. Hightower. Secretly, she says she has her eye on another empty lot down the block for next summer.

With a head start next year, DHR officials hope to expand the program to 300 or more sites. The rock-bottom budget so far for this greening project is \$2,500 for plants and equipment. The seeds were donated, as were the time and manpower from four city departments.

## PEANUT BUTTER AND MILK WEEK

### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. ZWACH. Mr. Speaker, each year in the month of February, Litchfield, Minn., a town of 5,500 population in my congressional district, celebrates the "international peanut butter and milk festival" a 4-day event that involves the urban as well as the rural citizenry. Representatives of peanut growing States like Alabama and Georgia come northward to share in our friendship and activities. In October of each year, we return the favor, and send reciprocal representatives to Alabama for their big national peanut festival.

This annual event in Litchfield is handled by the chamber of commerce and I must say they do an excellent job. I am looking forward to this year's activities—come bitter cold or drifting snow.

Mr. Speaker, I am today introducing a House Joint Resolution commemorating February 11 through February 17, 1974, as "National Peanut Butter and Milk Week," and authorizing the President to issue a proclamation calling upon the people of the United States and interested groups and organizations to observe that week with appropriate ceremonies.

Mr. Speaker, I have gathered together some interesting facts about milk and peanut butter, and would like to share them with my fellow Members.

#### FACTS ON MILK AND PEANUT BUTTER MILK

Total milk production in 1972 amounted to 120.3 billion pounds. Of this amount, 52.3 billion pounds went for fluid use, 22.9 billion pounds went into butter manufacture, 23.1 billion pounds was made into cheese, while 21.9 billion pounds were used in the production of other dairy products.

On January 1, 1973 there were 11,651,000 milk cows on farms in this country compared to 22 million in 1950. Production per cow has increased from 5,314 pounds of milk in 1950 to 10,271 pounds in 1972.

Farm income from the sale of milk and cream reached \$7,156 million in 1972—more than 11 percent of the total income from the sale of agricultural commodities by farmers. Off the farm, milk is processed for fluid use or manufactured into a variety of dairy products in more than 5,000 plants across the country. These plants have almost 300,000 employees with a payroll of well over \$2 billion annually.

Nutritionally, milk is generally considered by nutritionists to be "nature's most perfect food". In 1971, the U.S. Department of Agri-

culture estimated that dairy products, excluding butter, provided more than 11 percent of the total food energy, 22 percent of the protein, 76 percent of the calcium, 36 percent of the phosphorus, 11 percent of the Vitamin A value, 42 percent of the riboflavin, and 20 percent of the Vitamin B<sub>12</sub> in the American diet.

As a food buy, milk is a bargain. Measured in real terms, the price of milk has been declining in recent years. For example, it took 10.9 minutes of work to buy half gallon of milk at the grocery store in 1965, while in 1971 9.9 minutes of work was needed.

#### PEANUT BUTTER

The U.S. Department of Agriculture estimates that 550 million pounds of shelled peanuts are expected to be used for peanut butter in 1973, resulting in 525 million pounds of peanut butter.

Peanut butter is one of the most nutritionally valuable foods in daily use today by the American public.

Peanut butter is 26 percent pure protein, a percentage higher than eggs, dairy products and many cuts of meat and fish known as traditional protein foods.

More than 15 million pounds of peanut butter are furnished annually without cost to the schools under the National School Lunch Program.

Roughly two-thirds of all peanuts are used by the peanut butter industry, and are grown in at least a dozen Southern states.

Mr. Speaker, when it comes right down to it, it is pretty hard to beat the combination of a cold glass of milk and a peanut butter sandwich. Both are nutritious and economical. People of all ages can, and do enjoy them. Milk and peanut butter deserve to be celebrated, and I think the city of Litchfield, Minn., should be commended for doing so.

## OPENING PRISON DOORS

### HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. RAILSBACK. Mr. Speaker, as William Raspberry stated in this morning's Washington Post, "We waver between prison 'reform' and tough law enforcement." Clearly, none of us know the answer to our crime problem—particularly in the case of our young offenders—and his editorial poses some interesting questions for us to consider.

Mr. Speaker, under the leave to extend my remarks in the RECORD, I include "Opening Prison Doors" for the review of my colleagues:

#### OPENING PRISON DOORS

(By William Raspberry)

What should you do when you know that (1) what you're doing is worse than useless, (2) you don't know any better way, and (3) you don't dare do nothing?

Don't expect to find the answer here; it's all I can do to try to persuade you that the question makes sense. What brings all this on is a piece I've just read in the current issue of the magazine *Psychology Today*.

The editors seem to think that the heart of the report (largely a reshuffle of an article in the December, 1969, issue of *Prospectus: A Journal of Law Reform*) is its discovery that our images of juvenile delinquents are mostly wrong.

Bill Haney and Martin Gold, the authors,

point out, for instance, that our stereotype of the J.D. as a sullen, black teen-age member of the ghetto gang is far from the mark.

"The stereotype has emerged from the profile of youths who are caught and referred to court," they say "and the police, in turn, tend to catch and refer those who fit the stereotype. Everyone has assumed that detected delinquency accurately reflects undetected delinquent behavior. This assumption . . . is largely wrong."

That's very interesting, although many of us have suspected as much for a long time.

But the authors found something else that is vastly more interesting—and disturbing: that catching juvenile delinquents leads to more subsequent delinquent behavior than not catching them.

"The consequences of getting caught are contrary to societal interests," they conclude from their own and earlier findings. "Whatever it is that the authorities do once they have caught a youth, it seems to be worse than doing nothing at all, worse even than never apprehending the offender. Getting caught encourages rather than deters further delinquency."

Now, what do you do with that?

It may be worth pointing out that the Haney-Gold study is based on delinquency in Flint, Mich., not the slums of New York or Philadelphia, and it involves youngsters for whom apprehension does not mean near-automatic consignment to the juvenile institutions that largely have become training schools for crime.

They found out about delinquent acts, not by looking at records but by asking the juveniles themselves (with a good deal of care given to making sure that the responses were truthful).

A number of things became clear, among them that it is not possible to typify delinquents: They include all kinds of boys and girls, all kinds of offenses at all kinds of frequencies. The findings also indicate how few of those who commit delinquent acts are ever apprehended—on the order of 3 percent—and even then frequency rather than seriousness of offense is the most important factor in apprehension.

But the most troublesome finding is that once a child, by virtue of being caught, becomes an official delinquent, both he and society are likely to be worse off than if he hadn't been caught.

If this is true of juveniles, might it not be true of adult offenders as well? (Certainly there is little in the literature that indicates that adult offenders become more socially responsible as a result of arrest, conviction or imprisonment.)

But try translating this into social policy. Once you get beyond increased efforts at crime prevention, what, logically, do you do with the fact that it is more harmful than helpful to apprehend criminal offenders? Do you use police only for crime prevention? Do you not pursue a fleeing suspect? Do you not investigate criminal activities, and limit your official response to looking after victims of crime?

And what happens when juvenile delinquents (and adults) who used to be careful to avoid being caught discover that you're no longer interested in catching them? Do they commit more and bigger offenses? Wouldn't that plunge the society headlong into uncontrolled savagery?

If you think you know the answer to all these questions, it's likely you haven't spent enough time thinking.

For the truth is, most of the things we rely on most deeply—gut reaction, prejudice and common sense—desert us when we address the subject of crime and punishment.

Experts with no interest in maintaining prisons and jails tell us that you could unlock all the prison gates in the land without a noticeable increase in criminal activity. We must believe it, since we routinely release

prisoners who have "paid their debt" knowing full well that hardly any of them has been "rehabilitated."

We waver between prison "reform" and tough law enforcement, although we know neither of these produces anything useful. But we won't stop doing what we're doing, although we don't know any better thing to do, because we are afraid to risk doing nothing at all.

## HEATING OIL SHORTAGE IN THE NORTHEAST

**HON. FERNAND J. ST GERMAIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. ST GERMAIN. Mr. Speaker, the prospect of a severe heating oil shortage this winter in the Northeast looms large as a grim and likely possibility.

All statistics and studies point to shortage of alarming proportions. Estimates project the shortage to be as much as 40 percent in some areas.

This is more than a question of economics. Not just factories, but schools, hospitals, and homes are threatened to be without heat.

The residences of approximately 40 million persons in the nine northeast States are heated by oil. Thus, the health and safety of millions of people and the breakdown of public services is at stake.

It is imperative that steps be taken immediately to avert a shortage. A mandatory oil allocation program must be instituted. This will increase supply and will also prevent continued price increases.

Thus, I strongly favor congressional legislation to establish a mandatory allocation program that guarantees to independent wholesalers and retailers 100 percent of their base period supply of No. 2 heating oil. In view of the inaction by the administration, it is essential that the Congress enact legislation to this effect as soon as possible.

At this point I would like to include an editorial from the Providence Journal which comments on the discrimination at work in Federal policies with the result that New England is affected far more severely by the oil shortage than other regions of the country:

### FAIR PLAY ON OIL

Shortages of fuel oil are foreseen for the coming winter months, and federal officials are predicting the crunch will be worse than last year. The situation became so acute in the Midwest then that some schools had to shut down for days at a time.

New England has long suffered higher fuel-oil costs than the rest of the country because of short-sighted and discriminatory federal regulations. Now it may find itself not only paying more but unable to get as much oil as it needs at any price.

President Nixon's energy policy office is drafting a tentative rationing plan. Early reports indicate New England may wind up with 30 per cent less of a supply than it needs, as against a 10 to 15 per cent shortage nationally.

Any such plan to continue regional discrimination cannot go unchallenged. New Englanders expect no special treatment at the hands of the federal government, but they cannot be expected to sit quietly by

their cold furnaces playing Cinderella while their sister states enjoy preferred status. If state congressional delegations do not rise up in concerted protest against such discrimination, some may well find, come November 1974, that their electoral coach has turned into a political pumpkin.

Along with the requirement of fair play in rationing, a second aspect in the fuel shortage comes up for question. That is the requirement of clean air versus adequate fuel for home heating and power production. Clean air standards now in effect have ruled out the use of high sulphur content residual fuels. New England utility plants, deprived of this fuel source, have been turning to natural gas as a substitute. But now natural gas is itself in short supply, more so than last winter.

The use of natural gas during the summer months, when temperatures are high and natural ventilation over the land mass is poor, makes good sense. But the conditions that cause temperature inversions and stagnant air in summertime do not hold in the winter months, particularly along the Eastern coastal region. Would it not be feasible to lower sulphur emission standards for the winter months, allowing public utilities to burn the cheaper and more plentiful grades of residual oil, and leaving the higher grade fuel for home heating use?

Such a plan, of course, now endorsed in principle by President Nixon, should not be allowed to become an opening wedge toward making dirty air acceptable. If it were adopted, utility companies should still be required to keep pollution emissions to the lowest practical level, and use of the low-grade fuels should be limited strictly to such months and conditions as do not endanger human health.

## FARM PROFITS

**HON. JOHN B. ANDERSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, in this time of rising farm prices, we must remember that, for the first time in a long while, the farmer has an opportunity to realize a profit.

An article in the September 6, 1973, issue of the Christian Science Monitor describes the situation of Richard Walters who, with his brother, farms 1,600 acres in northeastern Illinois. Walters' net profits have ranged between a high of \$9,500 in 1972, to a net loss of \$5,000 in 1970. This year he expects his net profits to be greater than the 1972 level, allowing him to pay off his mortgage faster and to purchase new equipment—expensive equipment.

I believe this article to be well worth the attention of my colleagues and am, therefore, submitting it for their review:

KEY TO "FINANCIAL SUCCESS": MAKING THE MOST OF A GOOD FARM YEAR

(By David Mutch)

WOODSTOCK, ILL.—For farmer Richard Walters, this will be a good year.

Things have not always been so, and it has taken patience, good management, a lot of capital and a "friendly banker" to keep his farm going, Mr. Walters says.

He and his brother, Daniel, farm 1,600 acres here in McHenry County in northeastern Illinois. They raise corn, soybeans, hogs, and cattle.

Carrying loans of more than \$500,000, they are using the financial management methods of big business to operate big farming. It is a change almost everyone in agriculture agrees is necessary to be a financial success these days.

Census bureau figures have shown for years the trend toward big indebtedness. It has come because 25 years of inflation has continued to narrow profit margins—with the dramatic exception of this year—in which net farm income nationally is soaring from a 1972 figure of \$19.7 billion to \$25 billion—or 25 percent. And government policies have held down prices farmers receive. Farmers have had to gross more and more to keep their net up.

Mr. Walters has been in farming for 12 years. When still in high school he rented a small farm to launch his career. His father helped him get started.

He received the 1972 National Young Farmers and Ranchers Award and he is active in several state and county farm organizations.

Mr. Walters and his wife, Donna, and their four children—Janet, 11, Sandy, 9, Ken, 8, and Nancy, 6, eat their own pork and beef. Mrs. Walters puts up her own beans, corn, applesauce, strawberries, and three kinds of jelly—grape, raspberry, and strawberry. They live on less than 1 percent of their gross income so it can build for their future.

### "PAINTING THE HOUSE"

"This year I'm going to have to paint the house," Mr. Walters says, adding, "there are a few things Donna wants this year and has waited for."

The youngsters gave this reporter a good tour of the pig houses, where they have chores.

The magic word in the Walters vocabulary is "management." He says: "With good management you can grow in farming. But I know operators our size that have gone down in the past few years because they have not made the right decisions."

"It is different for every farm. I also know six small operations that closed last year because the owners took the good year as a chance to pay their debts and get out."

A small farmer who owned 250 acres in McHenry County—if it was prime land—could sell it for over \$300,000. Prudent investment could yield \$15,000 income from that principal. But farming 250 acres rarely yields a net of over \$8,000.

Mr. Walters says, however, that it is cheaper to rent land than buy it. He figures the annual cost of renting land is \$36 an acre, while it costs \$47 an acre to buy it.

He and his brother now own 750 acres—with mortgages varying from 20 to 30 years—and they rent an additional 850 acres. They bought their first property—240 acres—in 1962, and just last year they added their latest piece of land. In 1962 they paid \$390 an acre, and last year they paid well over \$1,000 an acre.

Could someone start up in farming now the way he did 12 years ago? "No," according to Mr. Walters. An aspiring young farmer today, given the proportionately higher costs of land, equipment, taxes, and so on, and the average lower net income yields, would have to start out with someone who is already in the business—a father or a brother. If 1973 farm prices hold up—and most farmers are skeptical—this picture could ease somewhat, although costs are rising fast, too.

He says the high profits this year are the exception rather than the rule. He and his brother expect to gross \$750,000 or over, a whopping increase over the \$450,000 he grossed in 1972. Last year he himself netted \$9,500 from the gross, he says, but he expects to jump considerably this year.

Mr. Walters does not want the public to think it is all gravy: "In 1971 I had only a \$3,500 net, and in 1970 I had a \$5,000 loss, which is why I say it takes a friendly banker. This year I'll get ahead maybe two years by



paying off the mortgages faster and buying equipment that makes us more efficient. If we can't get ahead this year we never will."

### DOING THEIR THING

#### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. LANDGREBE. Mr. Speaker, in this day and age, we hear a lot about freedom in America. What is not pointed out often enough, however, is the fact that freedom is not free. That freedom can only survive when linked with responsibility. This fact was made very well in an editorial in the Valparaiso, Ind., Vidette-Messenger on August 27, 1973. With our thanks to Vince Anderson, the general manager and Herb Steinbach, the managing editor, I submit that editorial for the RECORD and the close scrutiny of my colleagues:

#### DOING THEIR THING

How often have we heard in recent times that glib statement, "We want to do our own thing?"

Actually this challenging comment sounds acceptable to those who counter with the query: "Well, this is a free country, isn't it?"

Thankfully, we in America are still a free people—but those who loudly proclaim they want to do their own thing, forget the other side of the coin—that freedom must be linked with responsibility.

Politicians of both parties have frequently demonstrated their lack of concern for propriety when doing their thing. Businessmen aren't always ethical. Workers aren't always loyal to those for whom they work.

The need for responsibility is downplayed, and in fact often sneered at. So it should come as no great surprise that the sports world is following suit.

Certainly there have been a rash of shocking events involving athletes in very recent days. The most common excuse for these acts is that they are such exhibiting their frustrations. Others say they are just "doing their thing."

The Chicago Cubs' Fergie Jenkins is taken out of a ballgame by his manager and he hurls bats onto the field in a display of temper. He then says he wants to be traded because he doesn't like Chicago fans. The fact that he wangled a large chunk of salary money from his bosses, and is having a "sub-par" pitching year, he doesn't seem to take into consideration.

Jenkins is a fine athlete, and so is Duane Thomas, who stars on the football field. Currently, he's playing with the Washington Redskins, whom he has just joined. He too has been receiving publicity for "doing his thing."

Thomas and the 'Skins were in Buffalo for an exhibition game. He turned his back during the playing of the National Anthem. This embittered some of the fans in attendance, who taunted him. He later tried to climb a four-foot fence to get at some of his hecklers? Did Thomas show his freedom? He certainly did—but didn't he forget the other side of the coin—his responsibility?

Of course "doing their thing" has also extended to the international sports scene.

For example take the incident at Moscow during the World University Games. America's basketball team defeated a representative team from Cuba—but thrown into the action was a melee which included swinging of fists and flailing of chairs.

The Cuban players were reported to have

resorted to such back-alley tactics, while, it was said, our athletes showed admirable restraint. It was also noted that the Cubans had a prior history of such rough-house antics.

A sporting event—or a free-for-all? Certainly there was every indication that the Cubans were just "doing their thing."

Most shocking, however, was the example of someone exercising their freedom at the recent All-American Soap Box Derby in Akron.

While not strictly classified as a sports event—it has many elements of an athletic spectacle.

In this case, it's hard to assume that the driver, a 14-year-old youngster, was responsible for rigging his entry. Rather it must be assumed that some older eager-beaver was "doing his thing" in an effort to assure victory.

The entry from Boulder, Colo., was disqualified after winning first place, and a \$7,500 scholarship. This action was taken after it was discovered that this car had an illegal built-in electromagnetic system designed to help pull the racer at an accelerated pace in its get-away from the starting gate.

While it's bad enough for professional athletes to show a complete failure of responsibility in their personal quest for freedom, it seems to us that it's even worse for someone to involve a 14-year-old boy in such shenanigans.

During his investigation the Boulder County District Attorney commented in the case of the derby scandal, "When it comes to youngsters of the country, we have to be very concerned and conscientious that we don't guide them wrong."

We believe, however, that professional and amateur athletes also have an obligation not to guide their hero-worshiping youngsters wrong.

### SETTING A TIME LIMIT ON CERTAIN LEGAL DISCUSSIONS OF THE ALASKA PIPELINE

#### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. PICKLE. Mr. Speaker, I have reserved time today to present an idea that I feel will become more and more attractive as our complex technical society moves forward.

On August 2, I presented an amendment to the Alaskan pipeline bill which embodied this idea (H. 7304).

I do not want to rehash the debate over whether or not the Alaskan pipeline should be built. I stated clearly with my remarks and votes on August 2 that I strongly supported such a move.

Returning to my legislative concept, I propose that serious consideration be given to establishing, congressionally, a time specific for hearing certain cases by the judicial branch of the Government. Such action would be for extremely exceptional cases.

Now before there is an outcry that such a policy is unconstitutional as a violation of the "due process" clauses of our Constitution and is an undue interference by the legislative branch in the judicial process, I suggest a review of the proposed law. We start with the Constitution, article III, section 2, which states in part:

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in

which a State shall be a Party, the Supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make. (Italics added)

Combining this section with the fact that Congress can ordain and establish Federal courts other than the Supreme Court at its pleasure—United States Constitution, article III, section 1—one can make a very strong argument that Congress has total 100-percent plenary control over the jurisdiction of the Federal lower courts and the appellate jurisdiction of the Supreme Court.

If this theory is accepted—and many scholars do accept it—see "The Constitution of the United States of America—Analysis," pages 750-762, 1973—then there is no question that the idea that I propose for study is constitutional.

I would not rest my argument here, on its strongest basis—one, because this would weaken my position, and two, I really do not believe that the legislative branch can manipulate at will the jurisdiction of the courts.

The most instructive case to the point that there is a limit to the congressional power to manipulate jurisdiction is *United States v. Klein*, 13 Wall. (80 U.S. 128 (1871)).

The Klein case was an outgrowth of the monumental struggle between President Andrew Johnson and Congress over post-Civil War Reconstruction policies.

During the Civil War, the Congress had passed a number of acts providing for the confiscation of property of those in rebellion. In doing so the Congress had also enacted the constitutionally unnecessary act granting the President the authority to grant rebels pardons on such conditions that he, the President, deemed advisable.

In the Presidential proclamation setting out the procedures for pardons to rebels and the return of confiscated property was that former disloyal people take an oath of loyalty to the United States.

Some in President Johnson's administration strongly opposed his rather lenient pardon policies and challenged in the Court of Claims the right of those pardoned to recover their confiscated property.

The Supreme Court, of course, upheld the Presidential pardons. See *United States v. Padelford*, 9 Wall. (76 U.S.) 531 (1869).

The Congress did not agree with the Padelford decision.

It repealed the pardon statute and passed an act declaring that the Supreme Court would have no jurisdiction over any case when as a point of fact it was determined that a claimant who had participated in the rebellion against the United States had succeeded in recovering his confiscated property because of a Presidential pardon, and not because the claimant had met with certain requirements as set out by the Congress for pardon.

It is not necessary to discuss the constitutional questions raised on the Congress encroachment on the Presidential power to pardon at this time.

The Supreme Court responded to the congressional act in *Klein* by rejecting the notion that Congress could determine the outcome of a case by basing the jurisdiction of the courts on fact and legal conditions uncovered during the argument of the case.

The Court put the congressional intent succinctly when it stated:

It is evident . . . that the denial of jurisdiction to this court . . . is founded solely on the application of a rule of decision, causes pending, prescribed by Congress. The Court has jurisdiction to the cause to a given point; but when it ascertains that a certain state of things exist, its jurisdiction is to cease and it is required to dismiss the cause for want of jurisdiction.

It seems to us that this is not an exercise of the acknowledged power of Congress. . . . *Klein*, 145-146.

I would thus suggest that the *Klein* case gives us the clear limits of congressional plenary power over the jurisdiction of Federal courts.

Let us measure my proposal of August 2 against the findings of the *Klein* case, and then turn to the famous *Ex Parte McCardle*, 6 Wall. (74 U.S.) 506 (1868).

Put simply, I suggested that, if a lawsuit was brought against the issuance of permits for the construction of the trans-Alaskan pipeline under the National Environmental Protection Act of 1969, jurisdiction of the Federal courts over such a lawsuit would cease right at 6 months from the date of enactment of the trans-Alaskan pipeline bill.

The policy reasons for my approach are clear: First, I feel it is only right that the people who feel that the pipeline does not conform with NEPA be allowed to have this legal question decided in Court. Second, I feel that the construction of the pipeline is so important that it should not be put off 2 to 3 more years by delaying legal tactics by lawyers.

But the question here is, "Was this suggestion constitutional?"

I admit that my proposal could result in the withdrawal of the Supreme Court right in the middle of the case if the 6 months tolled.

I do not admit, however, that my proposal is a manipulation of jurisdiction to satisfy a rule of decision, or outcome, as ruled invalid in *Klein*.

A decision rendered under my proposal of August 2 could have gone either way. In fact, I allowed for two exceptions under my amendment to make it clear the Federal court would retain jurisdiction to insure fair play for both parties in case the Court ruled NEPA had not been conformed to by the Executive branch.

Exception No. 1 was that if the decision was an injunction against the construction of the pipeline, then the Court would have jurisdiction for all time to enforce the injunction. As unlikely as it might seem, I did not want anyone in the executive branch to ignore a court order without the threat of contempt of court.

This exception does not really restate a partial NEPA jurisdiction for the Court, as I feel it is accepted that an inherent power of a court is jurisdiction to enforce its equity orders.

Any proceeding after the 6-month period under this first exception would thus be only if someone disobeyed a court order.

The second exception would be that if an injunction is issued saying the Government has not conformed to NEPA and it is clear from the opinion what could be done to bring the Government into compliance with NEPA. In this case, then the Government could bring suit after the 6-month period to have the injunction lifted when conforming steps, in line with the Court's decision had been taken.

The scenario would be this: The Court enjoins the Government for failure to comply with NEPA on actions A, B, and C. The Government gets busy and conforms with A, B, and C. The Court also enjoined the Government because it had done D and E wrongly; the Government goes back and does D and E differently.

Now the Government has followed the Court's position on A, B, C, D, and E. The Government should be able to go back to court and have the injunction lifted.

Some would say that this is a restoration of the Court's jurisdiction under NEPA and that new NEPA arguments would be brought up.

I would think that any court would realize the purpose of my proposal and not allow the NEPA issues to be relitigated on new ingenious legal theories the second time around.

The Court would look upon this second exception as another inherent extension of its power over its own equity orders.

The Court is free to mold its equity remedies.

For example, if the Court's injunction held that by the forces of nature the pipeline could never conform with NEPA, then the Government could not go back into court pleading conformance with NEPA.

On the other hand, the Court could order the Government to do things specific to comply with NEPA. If it did, surely the Government could get the injunction lifted when it had conformed to the Court's instructions.

I have gone into this rather elaborate exception hypothesizing to show that no jurisdictional manipulation was proposed by me.

Instead, I wanted to place a simple time limit on the jurisdiction of the Federal Court. How the Court would decide the issue in the time period was obviously something I did not want to control.

In discussing my idea with various people, this problem with Congress performing the judicial function, as in *Klein*, has not been the most discussed point.

Instead, most complain that setting up a system whereby jurisdiction could be withdrawn right in the middle of court proceedings would be a violation of due process, and thus unconstitutional.

I would posit that *Ex parte McCardle* (6 Wall. (74 U.S.) 506 (1868)) teaches us that my proposal would be constitutional on this point.

McCardle was being held by military authorities in 1867. He sought a writ of habeas corpus to effect his release under the act of 1867, which expanded and ex-

tended the Federal judicial power to issue such writs.

His application for a writ was denied in the lower Federal courts, and he appealed to the Supreme Court.

After arguments had been heard, but before the Court rendered a decision on McCardle's application, the Congress repealed the provision of the 1867 act authorizing an appeal from the Circuit Court to the Supreme Court. The congressional action was taken over a Presidential veto.

What did the Court do? It dismissed forthwith McCardle's appeal, even though the case was in the middle of proceedings before that Court. The Court said:

Without jurisdiction the Court cannot proceed at all in any cause. Jurisdiction is power to declare the law and when it ceases to exist, the only function remaining to the Court is that of announcing the fact and dismissing the cause. *Supra*, 515

If to dismiss a case in midstream on jurisdictional grounds would violate fifth amendment due process, one would have assumed that the Court would have decided McCardle and refrain taking jurisdiction over future cases arising under the 1867 act.

It is also important to point out that it is accepted jurisprudence that a court can always examine the jurisdictional question no matter what stages the proceedings are in.

Some would say McCardle is bad law; this remains to be seen.

But even if McCardle is bad law, I still do not think my proposal violates due process.

What is the main message of due process? It is according a fundamental element of fair play to the parties involved.

Would it have been basically unfair to require the litigants and the courts to handle NEPA questions concerning the trans-Alaskan pipeline within 6 months time? I do not think so.

Let us look at the facts: The NEPA questions on the pipeline had been presented fully to a District Court and to the Court of Appeals. Lawyer briefs had been written and research on the facts completed.

In the time between the D.C. Court of Appeals' decision on the right-of-way and the enactment of the pipeline bill, no new facts or issues under NEPA, per se, had surfaced at least to the public's knowledge.

Thus it would have been very easy for all parties concerned to have presented a full case on the Trans-Alaskan pipeline and NEPA within 6 months.

It is true that putting time limits on jurisdiction for new laws, or for instances where the issues and facts had not developed, would be basically unfair.

But in the Alaskan pipeline case this was not the situation; and my proposal would have violated no one's due process, whether McCardle is good law or not.

Thus in concluding, Mr. Speaker, I would implore my colleagues to give serious consideration to my proposal that the legislative branch put a timeframe on court litigation in certain rare instances such as in the pipeline case.

These rare instances would be when two laudable and necessary national



goals are on a collision course and when the conflicts as to fact and issues between the two goals have been fully developed. We should not establish or approve any policy that denies people their day in court.

Mr. Speaker, the question about the constitutionality of my proposal to put a time-certain on the jurisdiction of the Federal courts is twofold. One, was my proposal an unconstitutional legislative manipulation of the courts' jurisdiction? I have tried to demonstrate that Klein teaches us that the answer is no. Two, would my proposal be a violation of due process? I have tried to explain that this is not so measured against a sense of fair play and against the teachings of Ex Parte McCordle.

In short, there can be circumstances and events in which there is no violation of the Constitution if, or when, the Congress sets a reasonable time limitation to settle a well-defined pending issue, and if not settled in that time period the Federal courts lose jurisdiction over the case.

This may be a new or controversial approach to the concept of due process, and the power of Congress to control jurisdiction of the courts; but I think that the concept is sound—and this may be a breeze in the wind that takes hold.

#### BILLS INTRODUCED TO INSURE FARMERS' GRAIN DEPOSITS

#### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. FINDLEY. Mr. Speaker, a farmer's deposit of grain in an elevator or warehouse should be just as safe as a deposit of money in a bank. Now, in some cases, it is not.

Under traditional business practices, a title to it, sell the grain at an agreed price but defer receipt of payment, or sell with price agreement deferred to a later date. In each circumstance, he loses custody of his grain but does not receive immediate payment. The purpose of this bill is to insure the value of his grain up to \$25,000 until he gets paid.

Some States have no laws whatsoever to protect grain deposits. Some have legislation on the books but in times of crisis these laws have been insufficient to protect the farmer.

During the past few years, over 20 grain warehouses and elevators have closed their doors, gone into bankruptcy or lost their licenses for other reasons. These closings have resulted in more than \$2 million losses to farmers. Even the best bonding protection is only partial.

Today, the gentleman from Washington (Mr. FOLEY) and I are introducing a bill that would create a Federal Grain Insurance Corporation that would provide each farmer with full protection against any such loss up to \$25,000.

After the initial expense of setting it up, the corporation would be self-financing with fees charged to members suffi-

cient to cover all expenses, including administrative. It would be administered by the Secretary of Agriculture.

The corporation would provide insurance in the following manner:

Grain warehouses, elevators and other dealers could become corporation members on a voluntary basis. Membership requirements would be set by the Secretary of Agriculture.

Membership fee would undoubtedly be recovered by a nominal fee paid by farmers. Membership requirements would promote sound business management, so it is reasonable to anticipate that losses to the corporation would be small. The cost to farmers would probably be a tenth of a cent or less for each bushel they store. This would mean not more than \$25 for the maximum \$25,000 coverage.

Not only would the insurance protect farmers, it would also strengthen the warehouse and elevator business. Federal Deposit Insurance has been used effectively by banks to promote and stabilize the banking industry. Federal Grain Insurance could do the same for the grain industry.

I am particularly honored to have Mr. FOLEY join me in sponsoring this legislation. As chairman of the House Subcommittee on Livestock and Grains, he has proven time and time again that his legislative skills are great. He has championed many great causes concerning agriculture as well as other important areas. His interest in the problem that this bill could solve will add greatly in reaching our goal.

The text of the Federal Grain Insurance Act follows:

#### FEDERAL GRAIN INSURANCE ACT

An act to provide safeguards to producers in the storing and selling of grain; and to establish the Federal Grain Insurance Corporation.

SECTION 1. Short Title—This Act may be cited as the "Federal Grain Insurance Act."

SEC. 2. It is the purpose of this Act to promote the national welfare by improving the economic stability of agriculture through a sound system for the storing, selling, and insuring payment for producer originated grain.

#### SEC. 3. Definitions.

(a) Meaning of words. Words used in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

(b) Terms defined. The definitions of terms contained in the Act shall apply to such terms when used in any regulations issued thereunder. In addition, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

1. "Act" means the Federal Grain Insurance Act, as amended and supplemented.

2. "Department" means the United States Department of Agriculture.

3. "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

4. "Producer" means a landowner, landlord or tenant involved in the originating of the grain to be insured.

5. "Grain" means all products commonly classed as grain such as, wheat, corn, oats, barley, rice, rye, soybeans, flaxseed, grain sorghums, dry edible beans, sunflower seed and such other agricultural products merchandised at or stored in a Member's facilities.

SEC. 4. Creation of the Corporation. To carry out the insurance purpose of the Act,

(a) There is hereby created as an agency of and within the Department of Agriculture a "Federal Grain Insurance Corporation" (hereinafter called the "Corporation"). The principal place of business of the Corporation shall be the District of Columbia, but there may be established agencies elsewhere in the United States under rules and regulations prescribed by the Board of Directors.

(b) The Corporation shall have a capital stock of \$50,000,000 subscribed by the United States of America, payment of which shall, with the approval of the Secretary of Agriculture, be subject to call in whole or in part by the Board of Directors of the Corporation.

(c) There is hereby authorized to be appropriated such sums as are necessary for the purposes of subscribing to the capital stock of the Corporation.

(d) Receipts for payments by the United States of America for and on account of such stock shall be issued by the Corporation to the Secretary of Treasury, and shall be evidence of the stock ownership by the United States of America.

#### (e) Management of Corporation.

(1) The management of the Corporation shall be vested in a Board of Directors (hereinafter called the "Board") subject to the general supervision of the Secretary of Agriculture. The Board shall consist of the Manager of the Corporation, two other persons employed in the Department of Agriculture, and two persons experienced in the grain and insurance business who are not otherwise employed by the Government. The Board shall be appointed by, and hold office at the pleasure of the Secretary of Agriculture, who shall not, himself, be a member of the Board.

(2) Vacancies in the Board so long as there shall be three members in office shall not impair the powers of the Board to execute the functions of the Corporation, and three of the members in office shall constitute a quorum for the transaction of the business of the Board.

(3) The Directors of the Corporation who are employed in the Department of Agriculture shall receive no additional compensation for their services as such Directors, but may be allowed necessary traveling and subsistence expenses when engaged in business of the Corporation, outside of the District of Columbia. The members of the Board who are not employed by the Government shall be paid such compensation for their services as Directors as the Secretary of Agriculture shall determine.

(4) The manager of the Corporation shall be its chief executive officer with such power and authority as may be conferred upon him by the Board. He shall be appointed by, and hold office at the pleasure of, the Secretary of Agriculture.

#### (f) The Corporation—

(1) Shall have succession in its corporate name.

(2) May adopt, alter, and use a corporate seal, which shall be judicially noticed.

(3) May make contracts and purchase or lease and hold such real and personal property as it deems necessary or convenient in the transaction of its business, and may dispose of such property held by it upon such terms as it deems appropriate.

(4) Subject to the provisions of the Act, may sue and be sued in its corporate name in any court of record of a State having general jurisdiction, or in any United States district court, and jurisdiction is hereby conferred upon such district court to determine such controversies without regard to the amount in controversy: *Provided*, that no attachment, injunction, garnishment or other similar process, mesne or final, shall be issued against the Corporation or its property.

(5) May adopt, amend, and repeal by-laws, rules, and regulations governing the manner in which its business may be conducted and

the powers granted to it by law may be exercised and enjoyed.

(6) Shall be entitled to the free use of the United States mails in the same manner as the other executive agencies of the Government.

(7) With the consent of any board, commission, independent establishment, or executive department of State or Federal Government, including any field service thereof, may avail itself of the use of information, services, facilities, officials, and employees thereof in carrying out the provisions of this title.

(8) May conduct researches, surveys, and investigations relating to insuring payment for producer originated grain and shall assemble data for the purpose of establishing sound basis for such insurance.

(9) Shall determine the character and necessity for its expenditures under this Act and the manner in which they shall be incurred, allowed, and paid, without regard to the provisions of any other laws governing the expenditure of public funds and such determinations shall be final and conclusive upon all other officers of the Government; and

(10) Shall be empowered to issue subpoenas and subpoenas duces tecum, as authorized by law, and to revoke, quash or modify any such subpoena.

(11) Shall have such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the Corporation and all such incidental powers as are customary in corporations generally.

#### (g) Personnel

(1) The Secretary shall appoint such officers and employees as may be necessary for the transaction of the business of the Corporation pursuant to civil service laws and regulations.

#### (h) Monies of the Corporation

(1) Monies of the Corporation not otherwise employed shall be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States.

(2) The banking or checking accounts of the Corporation shall be kept with the Treasurer of the United States.

(3) The Corporation is authorized to borrow from the Treasury, and the Secretary of Treasury is authorized to loan to the Corporation on such terms as may be fixed by the Secretary of Treasury and the Corporation, such funds as in the judgment of the Corporation's Board of Directors is needed for insurance purposes not exceeding in the aggregate \$200 million provided that the rate of interest shall not be less than the average rate on outstanding marketable and non-marketable obligations as of the last day of the month preceding the making of such loan.

(4) The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary of Agriculture a complete report as to the business of the Corporation. The financial transactions of the Corporation shall be audited at least once each year by the General Accounting Office for the sole purpose of making a report to Congress, together with such recommendations as the Comptroller General of the United States may deem advisable: *Provided*, That such report shall not be made until the Corporation shall have had reasonable opportunity to examine the exceptions and criticisms of the Comptroller General or the General Accounting Office, to point out errors therein, explain or answer the same, and to file a statement which shall be submitted by the Comptroller General with his report.

(5) The Corporation, including its franchise, its capital, reserves, and surplus, and its income and property, shall be exempt from all taxation now or hereafter imposed by the United States or by any Territory, de-

pendency, or possession thereof, or by any State, county, municipality, or local taxing authority.

(1) The Corporation shall establish a *Grain Insurance Fund* of \$50 million to be held by the Corporation for the payment of valid claims for producer originated grain insured under the Act. Such payments shall be restricted to a limit of \$25,000 for any one producer with any one Member.

(j) A member is any party approved for the purpose by the Secretary of Agriculture under provisions of the Federal Grain Insurance Act and producer patrons of a Member are eligible for insurance benefits.

(k) Producer patrons are insured under the Act for payment for producer originated grain up to the limit prescribed in (i) above and valid claims will be paid whenever the Secretary determines that a Member has failed to meet the demands of his producer patrons.

#### Sec. 5. Administration.

(a) The Secretary shall administer the Act.

(b) That the Secretary or his designated representative is authorized, upon application to him, to issue to any party a Certificate of Membership in the Corporation in accordance with this Act and such rules and regulations as may be made hereunder. Such Certificate shall be prominently displayed in the Member's place of business.

Sec. 6. Insurance Benefits.—To carry out the purposes of the Act—

(a) Commencing with May 1, of the year following passage of the Act, the Corporation is authorized and empowered to insure producers of grain dealing with a Member of the Corporation against loss due to the failure of such Member to make proper payment for such grain.

(b) Insured grain shall be that grain to which the producer has retained continuous legal title.

(c) The insured price of grain shall be:

(1) The insured price shall be that price agreed upon, if any, at time of sale between the producer and the Member.

(2) or as determined by the method of pricing agreed upon, if any, at time of sale between the producer and the Member,

(3) or in the absence of any such agreed price, the price shall be full market value less Member's usual trading margin at the Member's location as of the date the Secretary determines demand was made on the Member by the producer and the Member failed to make payment;

(4) or if a receivership develops and no prior demand has been made the price shall be as determined by the receiver.

(5) and such prices shall be reduced by any unpaid liens against the grain.

(d) The quantity shall be that evidenced by original source documents less any quantities for which settlement has been made, and less any quantities required to offset conditioning authorized by the producer.

(e) The Corporation may withhold payment of such portion of the insurance payment of any producer as may be required to provide for the payment of any liability of such producer to the Member.

(f) Upon payment of any insurance claims hereunder the Secretary shall be subrogated to all rights of the beneficiary of such claims to the extent of such payment.

(g) Such insurance is limited to the persons and dollar restriction prescribed in Section 4, paragraphs (i), (j) and (k), and claimants for losses must comply with regulations issued hereunder.

#### Sec. 7. Eligibility Requirements.

Parties making application for Membership in the Corporation shall—

(1) Legally be in the business of buying and/or storing grain and have suitable fixed facilities for the receiving and handling of grain.

(2) Shall have and maintain at all times a financial condition at least equivalent to that required for the issuance of a Certificate

of Membership; the failure to maintain such a condition will render the Certificate subject to suspension or revocation.

(3) Have reputable, experienced and competent management.

(4) Have a bond or bonds to secure the faithful performance of his obligations as a storer and/or buyer of grain in such amount as may be determined by the Secretary.

(5) Keep such accounts, records, and memoranda as fully and correctly disclose all transactions involving his business, including the true ownership of such business by stockholding or otherwise; whenever the Secretary finds that the accounts, records and memoranda of any such Member do not fully and correctly disclose all transactions involved in his business the Secretary may prescribe the manner in which they shall be kept.

(6) Every Member shall make reports to the Secretary concerning such Member's business in such form and at such times as the Secretary may require.

(7) Be licensed, if required, and faithfully observe all requirements under any license to store or buy grain held under any applicable State or Federal law.

(8) Observe sound warehousing and merchandising practices.

(9) Have and maintain such insurance and fidelity bond coverage as the Secretary may deem necessary.

(10) Observe any other requirements the Secretary may deem necessary.

#### Sec. 8. Examinations.

The Secretary is authorized to cause examinations to be made of any applicant, or Member's business including facilities, grain stocks, books, records, papers and accounts.

#### Sec. 9. Termination of Membership.

(a) A Member may terminate his status as an insured Member by giving Notice in writing of Intent to terminate.

(b) The Secretary may, after opportunity for hearing has been afforded to the Member concerned, suspend or revoke any Certificate of Membership for any violation of or failure to comply with any provisions of this Act or of the rules and regulations made hereunder. Pending investigation, the Secretary, whenever he deems necessary, may suspend a Member temporarily without hearing.

#### Sec. 10. Cooperation with States.

In the discretion of the Secretary, he is authorized to cooperate with State officials charged with enforcement of State laws relating to storing, and/or buying of grain; but the power, jurisdiction and authority conferred upon the Secretary under the Act shall be exclusive with respect to all persons securing a Certificate of Membership hereunder so long as said Membership remains in effect.

#### Sec. 11. Fees.

The Secretary may charge, assess and cause to be collected a reasonable fee for every examination, Certificate of Membership, and assessment for insurance (as determined by the Corporation) under the provisions of this Act and the regulations thereunder. All such fees collected, shall be deposited with the Secretary of Treasury for the account of the Corporation.

#### Sec. 12. Action on Insolvency.

Notwithstanding any other provisions of law, if the report of an examination discloses that the obligations of a Member to other parties has been jeopardized by an insufficiency or deterioration of assets, the Secretary may take possession of the Member's business and his assets, shall cause an audit to be made, and if the audit discloses insolvency the Corporation shall be appointed Receiver.

#### Sec. 13. Criminal Penalties.

(a) Whosoever falsely advertises, represents, publishes, or displays any sign reasonably calculated to convey the impression that a non-member has insurance under this Act, shall be punished as follows: A Corporation, association, partnership, business trust or



other business entity by a fine of not more than \$1,000; an officer or member thereof participating or knowingly acquiescing in such violation or an individual violating this Section, by a fine of not to exceed \$1,000 or imprisonment for not more than one year, or both.

(b) Whosoever knowingly conceals, removes, disposes of, or converts to his own use or that of another, any assets used by a Member to influence the Secretary in granting of a Certificate of Membership or continuation thereof shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction, be fined not more than \$5,000 or imprisoned not more than five years, or both; but if the value of such assets does not exceed \$100, he shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

(c) Whosoever shall willfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this Act, or who shall willfully make, or cause to be made, any false entry in any account, record, or memorandum kept by any Member subject to this Act, or who shall willfully neglect or fail to make, or to cause to be made, full, true, and correct entries in such accounts, records, or memoranda, of all facts and transactions appertaining to the business of such member, or who shall willfully remove out of the jurisdiction of the United States, or willfully mutilate, alter, or by any other means falsify any documentary evidence of such Member, or who shall willfully refuse to submit to the Secretary or to any of his authorized agents, for the purpose of inspection and taking copies, any documentary evidence of such Member in his possession or within his control, shall be deemed guilty of an offense against the United States, and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not less than \$1,000 nor more than \$5,000, or to imprisonment for a term of not more than three years, or to both such fine and imprisonment.

#### SEC. 14. Separability.

The Sections of this Act and the subdivisions of sections are hereby declared to be separable, and in the event any one or more sections or parts of same of this Act are held to be unconstitutional, the same shall not affect the validity of other sections or parts of sections of this Act.

#### SEC. 15. Appropriations and Regulations.

(a) There are hereby authorized to be appropriated such sums, not in excess of \$5 million for each of the first five fiscal years beginning with the fiscal year during which enactment occurs to cover the operating and administrative costs of the Corporation in such amounts and at such times as the Secretary may determine.

(b) The Secretary and the Corporation, respectively, are authorized to issue regulations as may be necessary to carry out the provisions of this Act.

#### SEC. 16. Right to Amend.

The right to alter, amend or repeal this Act is hereby reserved.

### BUFFALO CIVIC LEADER HONORED

#### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. DULSKI. Mr. Speaker, many years ago I had the privilege of serving on the Buffalo Common Council under the able leadership of Council President Elmer F. Lux, and we developed a firm and lasting friendship.

Elmer Lux has played an important role in Buffalo, not only in political circles, but through his many civic and charitable endeavors.

His active efforts on behalf of his fellow man received just recognition this week, when a newly refurbished residence-rehabilitation facility for cerebral palsy patients was dedicated as the "Elmer Lux Hostel." Local, regional, State, and national leaders paid tribute to him during the ribbon-cutting ceremony, but perhaps the essence of Elmer F. Lux is best summed up in his own words:

Be loyal to the place you call home and to the people who live in it. And try as hard as you can to be of service to that place and to your neighbors. This is the good life, and that's what everyone is seeking.

He does know the good life, and his home and neighbors know the benefits of it.

As part of my remarks I would like to insert two recent articles from the Buffalo Courier-Express:

#### MANY INTERESTS OF ELMER LUX ALL ADD UP TO BOOSTING BUFFALO

(By Grace Goddard)

Elmer L. Lux of Linwood Ave. often sports a tie emblazoned with a buffalo. And on him it looks good.

For this ultraneighboring man in the City of Good Neighbors has been a Buffalo booster all of his life.

Mr. Lux is most appreciative of the blending of the customs, cultures and cuisines of other lands that lends color and variety to this city's life.

And despite his own busy way of life, Mr. Lux has never been too busy to reach out to the area's sick, disabled and disadvantaged.

At 11 Tuesday morning the United Cerebral Palsy Assn. of Western New York and the United Cerebral Palsy Assn. of New York State will dedicate a new facility in Halbert St. as the "Elmer Lux Hostel for the Development Disabled."

This new concept in rehabilitative service aimed at the social rehabilitation of cerebral palsy patients is adjacent to the Niagara Frontier Vocational Rehabilitation Center at 100 Leroy which Mr. Lux helped establish six years ago.

"Our budget that first year, with the help of the United Fund, was \$85,000 and we planned to serve from 50 to 75 persons. This year it's over \$1 million, serving 450" said Mr. Lux. The center now receives federal assistance.

Mr. Lux's latest project is to help incorporate the International Heritage Center proposed for statelty old Post Office building, Washington St. The center would serve as a showplace for what Mr. Lux terms "the many ingredients that go into the melting pot we call America."

Mr. Lux is joined by Horace A. Giola and Edward Poslusny in the task of incorporating and for filing to secure the building for that purpose.

"Heritage" is the name selected, rather than "ethnic," because Mr. Lux says, the latter tends to set people apart, while the former doesn't.

Mr. Lux envisions compartmentalized offices on the first, second and third floor balconies of the buildings—each devoted to the background of a different nationality.

The main floor concourse would be used for performance of music, songs and dances of the lands from which Americans have come.

Mr. Lux, son of Mr. and Mrs. Frank Luksch, was reared in Buffalo's Kensington section in a modest home in Olympic Ave.

The late Mr. Luksch operated a barber shop in Bailey Ave. which was a mecca for

voters and politicians alike since Mr. Luksch was active in politics.

Mr. Lux's lifelong interest and participation in politics—he's a former president of the Buffalo Common Council—most probably was influenced by his father. Mr. Lux is a Republican.

He remembers that old neighborhood as "the greatest place, where nobody ever locked doors, where nobody was rich but everybody was generous and a place where first, second and third generation Americans from various 'old countries' opened their hearts and homes by sharing traditions."

Mr. Lux's antecedents are German, but he recalls that his growing up years were enriched by the Chamberlains and Johnsons from England, the Reids from Scotland, the Kumlanders from Norway, the Scotch-Irish MacKays, the Coppolas from Italy, the Jan-kowskis from Poland and the Zornicks from Hungary.

"You name it and we had it in that neighborhood, and we all were friends—great friends," said Mr. Lux who for many years has escorted his widowed mother to German Day celebrations in Genesee Park.

Mr. Lux is currently extremely busy as chairman of New York State's Division for Servicemen's Voting which furnished absentee ballots to men and women in military service. This is a year-round operation which takes Mr. Lux weekly to Albany from his office in the State Building in Court St.

Mr. Lux attended Masten Park High School when the school's principal was the late, great Frank A. "Pop" Fosdick. After his graduation Mr. Lux rose in rank from errand boy to executive in the motion picture industry. He was upstate sales manager for RKO Radio Pictures Inc. and later served as president of Darnell-Elmatt Theaters—a chain of 21 motion picture houses in New York, Ohio, Kentucky and Virginia. During this time he took courses at the University of Buffalo.

Mr. Lux was president of the Buffalo Redevelopment Foundation when it brought together business, industry and government to establish a workable program of urban renewal.

Booth Memorial Hospital of the Salvation Army has been another main interest of this man who also helped set up Buffalo's first Telethon for Muscular Dystrophy.

At 65 Mr. Lux shows no signs of slowing down. He's an active volunteer worker at Roswell Park Memorial Institute. He is president of the United Cerebral Palsy Assn. of New York State, a board member of the Niagara Frontier Vocational Rehabilitation Center, chairman of the advisory board of the Sisters of Social Service, a board member of the area Salvation Army.

He is past president of Tent 7, Variety Clubs International; past vice president of the American Ordnance Assn.; past president United States Army Assn.; past president of the National Defense Transportation Assn.

He is senior co-chairman of the National Council of Christians and Jews Brotherhood Week.

He's a local member of the Boy Scouts of America and a member of the Advisory Committee of United Fund. He sings with the Male Choir Bavaria and the United German Singers.

Mr. Lux and his wife, the former Nina Belle Wilson, have a daughter, Mrs. Robert Kallet of Oneida. They also have three grandsons. Michael Kallet, 23, attends the Berkeley School of Music, Boston, Mass. Steven Kallet, 21, is enrolled in Syracuse University's School of Journalism, and Douglas Kallet, 19, is studying for a career in dentistry at the University of Arizona.

Mr. Lux offers encouragement whenever he can to young people interested in a political career, and in participating in community service.

"When I was 40, Nina and I spent a few weeks in New Orleans where a sidewalk ar-

tist offered to sketch my picture," he said. "I asked him instead to try to sketch it as I would appear at age 60."

"The resemblance on my 60th birthday was absolutely uncanny and I said to myself 'Now here's an experienced old gent who's at an age when he can offer advice to the young.'"

"This is the best and only advice I can give: Be loyal to the place you call home and to the people who live in it."

"And try as hard as you can to be of service to that place and to your neighbors. This is the good life, and that's what everyone is seeking."

#### ELMER LUX TO BE HONORED

(By Anne McIlhenney Matthews)

Many years ago Elmer F. Lux and his charming wife, Nina, counted their blessing of a whole and normal girl-child and decided that because that seemed to be the end of the road in their progeny that they would take as their "family" those who so badly needed helping hands—the afflicted of cerebral palsy.

On Tuesday at the corner of Halbert and Brewster Sts., a refurbished two-story building will be officially named the "Elmer Lux Hostel." It will be a residence-rehabilitation center, hopefully transitional for all who are admitted, so that they can be trained for more independence.

It is naturally a tribute to Elmer and his years of vision and endeavor for these people, baby to adult, a spiraling program of care, education, training and diagnostic and therapeutic services. It is an enterprise that has secured a legion of supporters and much selfless endeavor on the part of people from all economic and social strata. But the Board of the United Cerebral Palsy Assn. of Western New York Inc., decided at a meeting held last Thursday that the new building should bear the name of one of them who has worked tirelessly in getting money and volunteers for the enterprise.

The Lux Hostel was formerly called Halbert House and a part of the Cerebral Palsy and Frontier Rehabilitation Centers complex in the LeRoy Avenue area. It is now completely set aside as a private hotel for the handicapped. It is being renovated to accommodate 20 persons in private rooms. It also has a dining room, living room, game room, laundry and kitchen.

There are entry ramps and some ramps to downstairs areas. All bathrooms have bars in showers and along walls and there are railings along all walls and extra wide doors to facilitate wheel chairs, etc.

"The idea of the hostel is to make it completely individualistic," says Edward I. Dale, program director of the Hostel.

"A strong emphasis will be made on social rehabilitation so that residents can become as independent as possible and move out into private or public housing and, possibly, free from being public charges," said Edgar J. Schiller, executive director of the Cerebral Palsy Rehabilitation Center.

Elmer Lux phrased it briefly and aptly. He said:

"It is to keep people out of institutions and to take them out of them."

All members of the Western New York Cerebral Palsy Association's Board will attend the naming and ribbon-cutting ceremony next Tuesday. A group from the state association also will be on hand headed by Alan Miller, commissioner of the New York State Department of Mental Hygiene. Also James Warde, commissioner of mental health for Erie County; Erie County Executive Edward V. Regan; Robert Nitsch, president of the United Cerebral Palsy Assn.; Social Services Commissioner George Sipprell and several other legislators on committees of the State Mental Health Dept. will attend.

Lux is President of the Cerebral Palsy Assn. of the state and has been a member of the executive committee for many years. He is chairman of the Booth Memorial Hospital Advisory Council and is a former president of the Buffalo City Council and currently director of the New York State Military Ballot Commission. He has been a sales executive consultant, a public relation consultant, and former head of RKO Pictures in Buffalo.

"I can't tell you how pleased I am of the honor," said Lux. "It is another step in our long road and I hope it will focus the attention of the great community on our many needs."

"The United Cerebral Palsy Assn. is very proud of their contribution to the community and particularly to the families served. There is, however, a growing awareness of need, that these services are neither complete nor are they available to the numbers of people in the community who could well use them."

"The quality and quantity of services available to the handicapped must be increased to provide the comprehensive program necessary to meet the multiplicity of problems in a family with a handicapped member. If the problem which arises in a family with a severely handicapped member was a singular one, and if it could be easily diagnosed, a single treatment could be devised to meet that need. There is, however, no single formula to provide for the needs of such a family," Lux said.

"Our goal is towards total service. If total service is invested early in a handicapped child's life there is every indication that the effect on the individual and his family, and the community can be minimized," he said.

"The United Cerebral Palsy Assn. of Western New York, in the total service plan, would like to see the handicapped individual receive services on a continuous basis, as services are needed from the time it is recognized that the individual has a handicap. These services would range from infancy, and pre-school, through pre-vocational, vocational, job placement, and social integration into the community in which he lives."

"Approximately half of the children and adults with cerebral palsy have speech defects, 20 per cent have faulty hearing, more than a third suffer from visual defects, and nearly two-thirds suffer from varying degrees of mental retardation. Most frequently two or more of these impairing conditions may affect one individual," Lux said.

#### DOMESTIC INFLATION AND THE DOLLAR

#### HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. ZABLOCKI. Mr. Speaker, it is becoming more and more evident, based on my own personal observation and conversations with my constituents during the August recess, as well as conversations with my fellow colleagues this last week, that inflation, higher interest rates, and seemingly unending increases in the price of food and other consumer goods are cause of much concern and frustration to the American people.

At the same time, while there is a general consensus that inflation is our No. 1 national problem there is substantial disagreement and confusion as to how to proceed to solve this admittedly complex problem.

As you know, Mr. Speaker, a scholarly article on this subject by our friend and fellow colleague Representative HENRY S. REUSS entitled "Dollar Woes" appeared in the August 26 issue of the Washington Star-News.

As an internationally known and respected authority in the area of international economics and monetary affairs, I am sure that our colleagues, the administration, and the general public will find Representative REUSS' article a constructive and penetrating analysis of some of the major steps needed to solve our domestic and international economic problems.

With the thought that some of our colleagues may have missed Representative REUSS' article as they visited their respective home districts during the August recess, I include the text of his article at this point:

DOLLAR WOES: MAJOR CAUSES INCLUDE: WATERTIGHT, AND THE LOSS OF CONFIDENCE IN THE WAY WE ARE HANDLING OUR DOMESTIC POLICIES

(By HENRY S. REUSS)

Throughout the late 1960s, the dollar was clearly overvalued against the other leading currencies. The world was stuck with fixed international exchange rates, and with the over-valued dollar as the leading reserve currency. That meant that the United States couldn't change the external value of the dollar, and the other countries wouldn't change it, because they were enjoying a booming export business with the United States.

The result of the over-valued dollar was that American consumers were able to buy imported motor cars, color television sets and almost everything else at bargain prices. For a while, before the bubble finally burst, it looked as if Japan and the United States would each be manufacturing what it could most efficiently manufacture: the Japanese all the goods the United States wanted, and the United States the one thing it was good at—printing greenbacks which shortly wound up in the Japanese Central Bank!

American investors abroad, mainly our multinationals, were likewise finding they could buy up foreign factories and equipment at a huge discount. Why build a plant in Milwaukee when you can build one in Spain or Taiwan or Mexico for a fraction of the price? This extra incentive to invest abroad played a large role in turning American labor, worried at the prospect of lost jobs, from free-traders into protectionists in a few years' time.

Likewise, American tourists went abroad in unparalleled numbers, lured by the prospect of Europe on \$5 a day. And American generals found that our over-valued dollar enabled them to conduct foreign military adventures on the cheap.

Then the bubble burst. On August 15, 1971, in the face of the danger that our foreign creditors might demand gold in exchange for their dollar holdings, the United States slammed shut the gold window and let the dollar float downward. The devaluation of December, 1971, at the Smithsonian soon proved inadequate. It was followed by the even more severe devaluation of February-March 1973. Since then the dollar has floated down and down against the other leading foreign currencies.

After two devaluations and a depreciation, the dollar is no longer over-valued but under valued. And why is the dollar selling at such bargain prices, of close to 30 percent in the last two years? The financial people of the world tell us that their disdain for the true value of the dollar derives from two causes:



Watergate, and the loss of confidence in the way we are handling our domestic economic policies.

Phase II price-wage controls, which were working very well, were abandoned last January apparently for the reason that they were working very well. Businessmen have been investing in plants and equipment, and consumers have been buying on credit, at record-breaking rates—in large part because people have become afraid of inflation and want to spend before prices go even higher. The overall budget, far from showing the surplus which is necessary at a time of inflation like the present, still exhibits a deficit. Because of the failure to obtain additional tax revenues, the Federal Reserve is called upon to do most of the inflation-fighting, and exorbitant interest rates are the consequence.

The dollar's under-valuation produces additional complications. The rest of the world, needing feed grains, soybeans, scrap metals and lumber, takes advantage of our artificially low prices to buy in record amounts. The Nixon administration is then panicked into export controls. These serve to alienate the Europeans and the Japanese, to whom we have always promised free access to American products. Worse, foreign holders of dollars become even more panicky when they get the message that the United States is reducing the value of their dollar by telling them what they can and what they cannot buy.

So, despite the attempt by the Federal Reserve and other central banks to rig the market by artificially forcing the dollar's prices upwards, confidence in the dollar remains low.

What is to be done? If the problems are the Watergate and the domestic economic mess, as they are, the solution would seem to be for the President to come clean on the Watergate, and for the government to clean up the economic mess.

Specifically, the inflationary boom in plant and equipment could be tuned down by modifying the present investment tax credit, as Federal Reserve Board Chairman Arthur Burns wisely advocates. Consumers could be restrained from borrowing too much from the future by reinstituting controls over the amount of the down payment and length of the term of installment credit.

The budgetary situation should be rescued by the prompt tightening of the minimum tax. First enacted in 1969 to compel wealthy tax-avoiders to pay at least a pittance to the Treasury, it itself is so full of loopholes as to be relatively valueless. A sensible tightening of the minimum tax, as advocated by the Brookings Institution, could yield an additional \$4.5 billion a year. This would enable us not only to bring the budget into surplus, but to embark upon a necessary program of public service employment to make sure that the rate of joblessness improved, rather than deteriorated, during the transition period that lies ahead.

As for price-wage policy, the administration would do well to return to an improved version of Phase II, concentrating on those cost-push areas of the economy such as steel, automobiles, aluminum, heavy chemicals.

Such a program—fumigating our political institutions, and getting hold of our economic institutions—is the only way I see to get the dollar off its back and into the international monetary ring once again. When it does, foreign pressures on our scarce goods will subside for the simple reason that they will cease to be such irresistible bargains.

With the dollar thus in equilibrium for the first time in a decade, with the wild swings between over-valuation and under-valuation moderated, we can once again earn the respect, the friendship, and the economic cooperation of the rest of the world. It is a long road, but the sooner we start on it the better.

## NATIONAL LAND USE POLICY AND LOCAL RESPONSIBILITY

### HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. STEIGER of Arizona. Mr. Speaker, I would like to call to my colleagues' attention an article by Senator CLIFFORD HANSEN that appeared in the August 30 edition of *Public Utilities Fortnightly*. This article, entitled "National Land Use Policy and Local Responsibility," addresses a number of the provisions in S. 268, the bill recently passed by the Senate dealing with land use planning.

Since the House will have to come to grips with this measure, I urge the Members of this body to give careful consideration to Senator HANSEN's remarks:

#### NATIONAL LAND USE POLICY AND LOCAL RESPONSIBILITY

(By Hon. CLIFFORD P. HANSEN, U.S. Senator From Wyoming)

It has been my experience with federal legislation that if the intent of the Congress is not written into new law, the intent of the Congress will, inevitably, be misinterpreted in many areas. More often than we like to recognize, the intent of Congress is misinterpreted when it is written into the law.

This was a major reason the Senators who supported minority views of the Senate Interior Committee version of the Land Use Policy and Planning Assistance Act (S. 268) made the effort to get as much clarification as we could written into this bill, both in committee sessions and during the Senate floor debate. There was more accomplished by the minority in the former than the latter. But there were several notable accomplishments in the Senate chamber.

Most visible, of course, was the defeat of the cross-over sanctions floor amendment offered by the committee chairman (Senator Henry Jackson, Democrat, Washington). The chairman preferred to call this "incentives" rather than "sanctions," during some phases of its consideration. The action by the National Governors' Conference earlier in June, registering their unanimous opposition to cross-over sanctions in federal land-use legislation was no insignificant help in influencing the 52-to-44 Senate vote that prevented the imposition of sanctions.

The Congress should have the wisdom to heed the advice of our nation's governors, especially in matters that have to do with the traditional rights of state and local governments, and on federal legislation that requires a high degree of co-ordination between state and federal government if it is to be workable. Because the governors did favor enactment of land-use legislation at the federal level, there was some misunderstanding among Senators early in the debate on the issue of cross-over sanctions and the position of the governors of the states on that specific issue.

Actually, the governors' position, unanimously opposing sanctions, scarcely could have been clearer. Their policy position stated:

"The national land-use policy should refrain from the imposition of economic sanctions against states which are unable to comply with federal land-use policy requirements. Because of the highly sensitive nature of land-use control, major accommodations will have to be made between state and local governments before such controls

can be exercised equitably and judiciously. Furthermore, sanctions generally have proved an ineffective tool in bringing about desired change. In this instance, they would be even less likely to be effective, since they focus on the governor alone, when it is the equal responsibility of state legislatures and local governmental officials to develop the joint relationships necessary for exercising land-use control."

The Senate, in 1972, rejected the sanctions provision in the land-use legislation (S. 632) of the 92nd Congress, and the House, of course, failed to act on the bill last year. The House is expected to act on land-use legislation this year, and we can speculate that, in general, the Senate pattern will be followed, excluding sanctions.

One particular matter we sought to establish in the legislative history of the land-use act was to prevent any conclusion that action on the bill would resolve the shortage of petroleum in the United States, or resolve the failure of states to site any refineries.

The committee chairman cleared this up in the debate when he stated:

"We face an emergency in connection with the refining problem and some other land-use aspects of the energy problem, so we are dealing with the problem on a special basis in the energy facilities siting bills so we can get action without delay. But S. 268 looks down the road and asks the states to assume the responsibility to identify these areas in advance so that they can crank it into their land-use program, well in advance of need."

"That is the distinction: One is an emergency in which we are holding hearings separately so that we can deal with the specific problem, for we find ourselves curiously in a situation, even with all the petroleum coming in (when the Alaskan pipeline is in operation), where we would not be able to handle it; that is, refine it, and make it available to the fellow who wonders why he does not have gasoline at his local station. So we have that problem to deal with separately from S. 268. That is what we have done."

"I hope that clarifies the record."

But the actual language of the bill in its definitions pointed out that provision is made for the identification of major facilities on nonfederal land for the development, generation, and transmission of energy.

While it would be unrealistic for me, engaged as I am in private life in agriculture, to claim exceptional knowledge in the energy field, my interest in it is understandable. Wyoming is one of the major energy storehouses of the United States. We rank fifth in the order of states in production of oil and gas, and probably first in coal reserves, which is why we share with the nation's power users and producers keen interest in the surface mining bill (S. 425), which was reported by the committee in early July.

Wyoming is at least second in known uranium reserves and production, and with Colorado and Utah, shares the major oil shale reserves of the nation. In addition, any member of the Congress who does not attempt to understand the remedies for the nation's energy shortage is not doing his duty, and if he does not understand that the energy shortage poses a threat to the American way of life, it must be suspected that he is not capable of doing his duty.

There was never very much question as to whether the Senate would pass a land-use planning bill. If you talk about farming, land-use planning, or doing away with crime, if you are for motherhood, or whatever subject it is, each person in his own mind likes to think what he believes that particular phrase or act or idea embodies. It is easy to say, "yes, we are for land-use planning," because we are frustrated with the fact that we get into a traffic bottleneck and it takes an hour and a half to get to work.

Another person's idea of land-use planning may have to do with his not liking the building going in next door to his home. It could be what still another person thinks about conditions which obtain in the neighborhood that militate against the financial success of his business. All of these are understandable concerns and interests that people have, and we would be hard pressed to find a sizable number of citizens who do not hold an opinion on land-use planning, whatever that title may conjure up in a mind. The very word "planning" for most of us connotes a reasoned approach, and no one really likes to be labeled as against "planning." There always is a bit of psychology involved in the titling of a bill.

One of the other accomplishments during the floor debate, which may seem rather simple to those who were unable to follow the committee sessions on the bill, was in getting a definition for adjacent lands. A major section of the bill dealt with federal-state coordination and co-operation in the planning and management of federal and adjacent nonfederal lands.

Without definition, there apparently were no limits to application of the legislation. The federal government owns in Wyoming, for example, 48 per cent of the land. The federal government owns even more in several other states. But in Wyoming, if a factor of only one mile were used by the Secretary of the Interior in his categorization of "adjacent lands," the federal government's scope of control in that state would be increased to 73 per cent. The definition finally agreed to was that adjacent lands are only those "which are in the immediate geographic proximity of and border . . ."

Some Americans—those who had their children home from school last winter because there was not fuel to heat the institutions, who were laid off from work because there was not fuel to run the factories, or who have stopped at service stations this spring and summer only to be told, "We are out of gas"—may have cause to wonder at the priorities of the Senate which put land-use planning legislation ahead of legislation that would deal directly with the energy crisis such as Alaskan pipeline and refinery building. There is a particular urgency about our energy supply situation, and the American people are going to have to let their representatives in the Senate and House know of their concern. When we contemplate blackouts, the closing of schools and factories, the stoppage of transportation system, and the possible threat to our national security that could result if the military were unable to perform its duty, the energy crisis transcends the importance of the national land-use plan.

The laws of supply and demand are incontrovertible. Yet, while many Americans would be astounded to find it happening among people who have experienced the benefits of life in our free society, there are some in our country and even some in the Congress who apparently have slight regard for the free enterprise system that has helped to make this nation the greatest in the world.

A former Director of the U. S. Geological Survey and subsequently Under Secretary of the Interior, the late Dr. William T. Pecora, whose veracity and integrity stand unchallenged, barely more than a year ago said that the oil and gas waiting to be discovered in this country and the outer continental shelf probably would equal 100 times the quantities consumed by the United States in 1971.

Senator Bill Brock of Tennessee elaborated on this bit of irony in some well-chosen remarks to the Senate on June 18th:

"And yet (despite these great stores of energy), exploratory drilling for new supplies has declined from a peak of more than 15,000 wells annually in 1955 to fewer than 7,000 wells in 1971. Why? Simply because it is no longer very profitable to drill an exploratory well.

"I think that fact is a remarkable representation of just how far afield we have gone from the free enterprise system that Republicans and Democrats alike take as the basis of their economic beliefs. Imagine, in a time of critical shortage and immense demand, it not being worth anyone's while to increase the supply. But that is what has happened. The government has so overregulated and stifled private initiative that what should be boom-time conditions look more like an era of over-supply.

"Taxes, management errors, inflation, and restrictive pricing policies and poorly drawn environmental regulations all played a role in doing what the prospect of 25,000 feet of hard rock could not—they have caused the oil man to decide not to drill."

We wonder what kind of nation we would have today had the concept of a fair profit been alien to its development. We can only guess by looking at the standard of living in some of the communist countries. There are not many Americans, nor have there ever been many, who do not expect to receive fair returns from their endeavor, whether it involves capital investment, scholarly pursuits, or manual labor.

In the United States, private ownership of land has been a major stimulus for man's initiative and incentive. It has helped make the standard of living in America the envy of all the world. The marketplace historically has dictated the highest and best use of land.

But, as proposed at start of the Senate debate, S. 268 could have discouraged private ownership of vast areas of the nation's land. When the use of land is tightly restricted, its productivity can be lost, along with its value.

Despite the efforts of some extreme social planners who wanted to expand the police powers of the state with this bill by modification of the constitutional amendments which protect the rights of private property owners, we were successful in getting the language in the bill to protect those rights, and were successful in spelling it out in the legislative history. Senator Hubert Humphrey and I sought to establish in the legislative history during floor debate that the land-use bill would not pose a threat to the traditional and constitutional rights of private land ownership. The critical issue was how far the use of property can be restricted without compensating the property owner for diminution of value. A definition of when a restriction becomes a "taking" was sought, keeping in mind that the Fifth and Fourteenth amendments to the Constitution of the United States provide that private property shall not be taken for public use, without just compensation.

The pertinent passage from the *Congressional Record* follows:

"HANSEN. I gather from what the Senator from Minnesota has said that it is not the intent of this amendment to reduce, minimize, or qualify the rights of private property owners.

"HUMPHREY. That is correct. That is why I asked the question of the floor leader of the bill, to make sure that this bill, in any of its provisions, does not reduce those rights."

Senator Humphrey had stated previously, and received confirmation from the bill's floor leader, his understanding that "nothing in S. 268 would reduce, in any way, the traditional property rights of individuals, including the right to compensation for property taken by the government for public purposes."

I am in full agreement that some legislation concerning a national policy for land use should be enacted.

But such legislation must preserve local and state prerogatives for primary responsibility in land-use planning. As passed by the Senate, S. 268 vests too much of this power

in the hands of the Secretary of the Interior. I subscribe wholeheartedly to the decision by the Congress that is implicit in the revenue sharing concept, that local people, who live with and confront local problems, can make the best judgments in arriving at local solutions.

Hopefully, the U.S. House of Representatives will be able to improve further upon this Senate-passed legislation.

## SANTA CLARA COUNTY-SAN JOSE CITY JOINT ACTION ON DEVELOPING LAKE CUNNINGHAM REGIONAL PARK

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. EDWARDS of California. Mr. Speaker, I wish to take this opportunity to inform my colleagues of a very good example of intergovernmental cooperation between two local governments in my district. There exists a vacant parcel of land in San Jose that is the future site of Lake Cunningham Regional Park. In large part due to the diligent and creative efforts of Velma Million, development of this land was prevented and instead the land will become a major recreation facility in the metropolitan area.

Both the Santa Clara County Board of Supervisors and the San Jose City Council agreed to evenly split the cost of purchasing the land, with the city's money coming from revenue-sharing funds. With this pooling of resources, an important and needed recreation area can come into being now. I insert the text of an editorial from the San Jose Mercury News entitled "Sharing Resources," that will describe in more detail this cooperation and the benefits that will result from it:

#### SHARING RESOURCES

Santa Clara County supervisors have agreed to join with San Jose in the development of a man-made Lake Cunningham in the East Valley. The project will provide all county residents with a major, water-oriented recreational center. It is, in the best sense, an example of the dividends to be derived from intergovernmental cooperation and the pooling of financial resources.

The supervisors have agreed to pay half the estimated \$4 million cost of acquiring 300 acres for the proposed park and lake between Cunningham Road and Capitol Expressway.

San Jose's City Council previously set aside \$2 million of revenue-sharing funds to aid in the land acquisition."

The only similar facility in Santa Clara County is Lake Vasona in Las Gatos, a beautiful recreational complex that is so popular it frequently is filled to capacity. One such facility obviously is not enough to serve local residents.

Thanks to city-county cooperation, then, another big need is closer to being filled.

The fact that two local governmental agencies working together and sharing expenses can provide services and facilities that they could not provide alone is worth underlining.

The approach is too little used. Greater use of it could be and should be made in Santa Clara County—not simply between San Jose and the county, but among all cities and the county.



## WELFARE PROBLEM

## HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. WALDIE. Mr. Speaker the implementation of new welfare payment levels in California is currently a topic of controversy between the legislature and executive branch. An editorial printed in the Los Angeles Times, September 7, sums up the situation quite well. I include the editorial for my colleagues' review at this time.

## COLLISION COURSE ON WELFARE

Once again the Reagan Administration and the Legislature appear on a collision course.

Only a short time ago a deadlock saddled Californians with an unneeded and unwanted penny increase in the sales tax for three months. Now it is the needy blind, disabled and elderly who are caught in the middle.

Under new federal law, the basic federal aid grant will be set at \$130 for an individual starting Jan. 1, and states will be required to adopt plans for supplemental help. The average grant in California is now \$212 for an individual and \$377 for a couple, and the state cost amounts to roughly \$500 million a year.

Democratic leaders, in the Assembly at least, have been insisting on far higher grants. One Assembly bill originally proposed equalizing all grants at \$255 for an individual and \$460 for a couple. The added first-year cost to the state was estimated at \$277 million by the legislative analyst office, and at more than \$375 million by some in the Administration.

The Senate rejected a bill originating in that house that would also have provided substantial grant increases. It then followed by stripping the Assembly bill of virtually everything but its title, and sent it back to the lower house as the basis for a compromise. The measure has already been sent to a two-house conference committee to see what can be worked out.

But the Administration thus far has been holding out for maintenance of the status quo, with no appreciable added state costs. And it is dead set against repeal of the "responsible relatives" clause that requires children who live in California to contribute to the support of parents on welfare. That clause was in both measures, and the governor has vetoed similar repeal proposals twice in the past.

Unless agreement can be reached between the executive and legislative branches, it is conceivable that welfare grants could drop to the federal level Jan. 1 and, as a penalty, the federal government would cut off \$600 million in Medi-Cal payments now coming into the state.

Gov. Reagan has pledged that will not happen, that recipients' checks will not be reduced. His aides are attempting to determine how current payments can be maintained.

It is obvious that there is going to have to be some give and take on both sides. Perhaps some categories of aid should be increased. Possibly extra consideration should be given cases of special need where extra costs are involved.

California already pays among the highest welfare grants in the nation. The burden of proof for further increases in those welfare checks thus rests with the legislative proponents. If they can make a case, the Administration should be willing to recognize it.

It will serve no purpose if an Administration spokesman continues to charge the law-

makers with playing "Russian roulette," and if legislators accuse the governor of "playing a callous game of chicken which threatens the livelihood of our most needy citizens."

We've already had too much rhetoric. What is needed now is prompt resolution of the impasse.

## NATIONAL NEWSPAPER WEEK AND NEWSPAPER CARRIER DAY RESOLUTION

## HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. BROWN of Ohio. Mr. Speaker, National Newspaper Week will have its observance this year the week of October 7-13, with Newspaper Carrier Day observed Saturday, October 13.

For many years these two occasions have been observed by Presidential proclamation following the passage of a joint resolution by the Congress. I am today introducing a joint resolution designating "Newspaper Week" and "Newspaper Carrier Day," and hope that it will see expeditious action by the Congress in order that these two occasions can be appropriately observed by Americans.

Mr. Speaker, I would like to note that America's newspapers constitute one of the most significant factors in the many elements that make up our lifeblood of democracy. They are read for their news content, for the advertising that supports our free enterprise system, for their opinions and for entertainment. The American public is served by more than 1,600 daily newspapers with a combined circulation of more than 62 million daily copies. In addition, there are more than 7,500 weekly newspapers, with a combined circulation of nearly 32 million copies to American homes each week. These figures, representing the full opportunity for Americans to keep informed by a free, uncensored press, are truly representative of our democracy.

Most Americans receive their newspapers—especially their daily papers—on their doorstep each morning or afternoon through the effort of their local newspaper carrier boy. These boys number approximately 1 million at any given time. They travel an average of 1 million miles per day on their delivery routes, and they earn an estimated \$600 million per year in this free enterprise exercise.

In making their rounds, they are often up before sunrise and on their afternoon rounds they are willing to forgo the free time that other youngsters have to make sure that the reader has his newspaper on time. They are out in all types of weather and their bundles of papers often seem bigger than they are, but they do the job and do it well. It is fitting that they have their day of observance once each year by their fellow Americans.

Mr. Speaker, I take pleasure in introducing this resolution honoring America's newspapers and newspaper carriers. I urge its early passage in order to facilitate their appropriate observances this year.

## WHY WATERGATE IS IMPORTANT

## HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. BROWN of California. Mr. Speaker, as you know, part of the President's defense strategy during his current crisis has been to shift the focus of the American people's attention away from the various sordid activities committed in his name by his handpicked assistants. Claiming complete ignorance of the various crimes being conducted under his nose, while at the same time refusing to comply with a court order to turn over evidence which could prove him innocent or guilty, Mr. Nixon has attempted to divert the public's attention to various other subjects. In a speech last month, grasping for straws, Mr. Nixon told a nationwide radio and television audience that all of this attention on Watergate has meant that Congress has not been doing its job; that we are all, supposedly, just sitting around here talking about Watergate, watching the recent hearings in the Senate, and generally ignoring our legislative business.

This is, as you know, nothing more than the desperate tactics of a desperate man. Richard Nixon knows full well that, aside from the one select Senate committee which is looking into last year's election, very few Members of Congress are spending any appreciable time on activities related to the Watergate affair. We are too busy. During the months prior to the August recess the 93d Congress enacted 865 items of legislation. Despite the time devoted to the Watergate hearings by a few of our colleagues in the other body in July, the Senate conducted 349 rollcall votes prior to the recess, an all-time record for that period of time. Congress certainly need not apologize for its record so far this year, by any means.

But behind these attempts to distract attention from the Watergate affair lies a basic premise that the Watergate affair itself is of minimal importance, certainly not worth all the attention it has been getting. Mr. Speaker, I believe we must not allow Mr. Nixon to sell such a story to the American people. On July 22, in the weekly Intelligence Report feature which Lloyd Shearer prepares for Parade magazine, an item appeared under the heading "Why Watergate Is Important." I submit the article for inclusion in the RECORD at this point:

## WHY WATERGATE IS IMPORTANT

(By Lloyd Shearer)

Last month, after polling the American public on its reaction to Watergate, the Gallup organization revealed the following: (1) Two out of every three Americans believe that President Nixon was involved in the scandal to at least some degree. (2) Approximately half the people polled (46 percent) dismiss the Watergate affair as "just politics—the kind of things that both parties engage in," although an increasing number believe it is a "very serious matter," indicative of corruption throughout the Nixon Administration.

The Watergate subversion was far more than "just politics." It was a sinister attempt by arrogant, unprincipled and ambitious men to destroy gradually the two-party system and the democratic processes as we have established them in this country over a period of almost 200 years.

One man who perceived that drift very early in his investigation of Watergate was the junior U.S. Senator from Connecticut, a Republican, Lowell Weicker.

On the opening day of the Ervin committee hearings, Weicker tellingly described the Watergate participants as men "who almost stole America." And they almost did.

It was some of the President's most trusted aides who established a Department of Dirty Tricks. It was they who hired stupid lackeys, supervised by a former CIA agent of idiot morality, to burgle, break in and bug. It was they who taught clean-cut, handsome younger men to equate dissent with treachery, to despise the press, to treat the opposition party as "the enemy."

It was they who substituted hate and vindictiveness for competition and fair play in the 1972 Presidential campaign. To accuse one candidate of being a homosexual, to accuse another of consorting with a prostitute in the back of a car, to steal mail, to compromise the FBI and the CIA, to besmirch the hard-earned reputations of such men as L. Patrick Gray and Richard Helms by pressuring them to commit or approve deeds of dubious legality—these are the tactics of a police state, and their practitioners are the possessors of a fascist mentality, whether they know it or not.

How much President Nixon had to do with all this—only he knows. What he is guilty of at least is incredibly poor personnel judgment. He surrounded himself in part with abrasive men of ill will, and they in turn, hired others in their own image.

Surely there is room in this country for honest dissent by men of honest conscience. There is no room in any American administration for a Department of Dirty Tricks. That bag belongs to political tyrants who have no faith in the values and traditions of the country they seek to subvert.

Mr. Speaker, we will very shortly be celebrating the 200th anniversary of the founding of this Nation. The great patriots who wrote our constitution provided an example which all the world has admired ever since. If we can hope to celebrate, not only a 200th anniversary, but still more decades and centuries of democratic government under our constitution, we must heed the famous words of Thomas Jefferson, "The price of liberty is eternal vigilance." And therefore, we must not shut our eyes to Watergate.

#### A QUOTATION FROM CHOU EN-LAI

**HON. O. C. FISHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. FISHER. Mr. Speaker, in the September 17 issue of U.S. News & World Report is found the following news item:

In Peking, reporting to the Communist Party Congress in his role as No. 2 to Chairman Mao, Chou En-lai had such plain talk as this: "Relaxation (of tensions with non-Communist states) is a temporary and superficial phenomenon and great disorder will continue. Such great disorder is a good thing for the people, not a bad thing. It throws the enemies into confusion and causes division among them . . ." This is

favorable to Communists and "unfavorable to imperialism (U.S. and Russia), modern revisionism (Russia) and all reaction."

#### OSHA AND THE SMALL BUSINESSMAN

**HON. JOE L. EVINS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the publication Human Events, in its current issue, contains an article concerning the impact of the enforcement of the Occupational Health and Safety Act under guidelines and regulations established by the Department of Labor on American small businesses.

The thrust of the article is that the regulations are too stringent and extreme and are driving many smaller companies out of business. I should like to point out that the Subcommittee on Environmental Problems Affecting Small Business of the House Small Business Committee held hearings on this matter, and further that the members of the committee are greatly concerned over the application of this act and its effect on small businesses throughout the country—many complaints have been received by our committee.

Because of the interest of my colleagues and small businessmen in this matter, I place excerpts from the article in Human Events in the Record herewith.

The excerpts follow:

[Excerpts from an Article in Human Events, Sept. 15, 1973]

#### OSHA AND THE SMALL BUSINESSMAN

(By Karen C. O'Hara)

The Occupational Safety and Health Act, commonly known as OSHA, is another example of the crippling effect on private enterprise caused by hastily conceived federal regulations. The net result of the OSHA regulations has been to push up costs and to drive many smaller companies out of business. To thousands of America's small businessmen it is perhaps the most burdensome in a growing list of federal efforts to patch the garment of free enterprise with the cloth of socialism.

Many working people, whom the Act is designed to protect, feel the same way, as they see the layoffs and the business closings which are resulting from enforcement of OSHA.

"After all," said one employee who lost his job because the employer could not afford to make the changes required by OSHA, "is it better to have a job where there are some minor risks of injury—or no job at all? Even though my employer would have been required to make substantial modifications in our facilities to meet the standards, we never had an on-the-job injury in all the time I worked there."

No one questions the need to reduce the level of work-related illness and injury. To the vast majority of businessmen, however, federal regulation through OSHA is perhaps the worst possible way of achieving that result. What began as an effort to insure adequate standards for on-the-job safety has turned into an example of administrative lack of foresight and outright federal oppressiveness.

What's wrong with OSHA? The most frequent complaints concern regulations pro-

mulgated by the Department of Labor, and the way the Act has been administered. It is impossible to enumerate all the various types of complaints lodged against the Act; however, the following list of the most serious and oft-cited complaints will afford some indication of the scope of the problem.

The Act is punitive in its approach where it should be remedial.

Standards promulgated were originally developed by national consensus organizations and cannot readily be applied on an indiscriminate industry-wide basis.

There is no way for the businessman to readily determine which of the standards apply to him.

Procedures for adopting the standards are of questionable constitutionality.

Let's take a closer look at the Occupational Safety and Health Act. OSHA establishes procedures whereby the Secretary of Labor promulgates federal standards for on-the-job health and safety. It provides that as soon as practicable during the two-year period following the effective date, the Secretary of Labor must promulgate national consensus standards as interim national occupational safety and health standards. The Act provides that the standards should be issued without regard to the rule-making procedures required under the Administrative Procedure Act.

In addition to setting and promulgating standards, the Secretary of Labor is also made responsible for the enforcement of those standards; the power to investigate and inspect are provided by the Act. These inspections are typically conducted without advance notice to the employer. In fact, the Act provides that anyone who gives such advance notice without authority to do so may be subject to a maximum fine of \$1,000 and six months' imprisonment.

The restriction against providing advance notice is indicative of the punitive approach of the Act. Businessmen rightly complain that the drafters of the OSHA legislation have treated them as "criminals"—that they apparently feel the employers cannot be depended upon to comply voluntarily with the OSHA guidelines, and must be "sneaked up on" and caught in the act.

Yet when businessmen contact the Department of Labor to request assistance in complying with the Act, they are told that if the department were to send an inspector to the employer's place of business, he would be obligated to issue a citation for any alleged violation found during the visit. In other words, no on-site consultation may be provided concerning how to comply with the law in advance of an official inspection.

The policy of unannounced inspection visits has given rise to some unanticipated side effects: The latest rackets include men posing as OSHA inspectors who in reality are industrial spies, potential thieves looking over security measures, and con men talking the employer into offering a bribe not to impose heavy "fines."

At an official inspection, the federal OSHA inspector issues a citation and proposes penalties for each violation, including the most minor non-conformity. If the employer does not contest the finding within 15 working days, it becomes a final order and cannot subsequently be appealed.

This time period of 15 working days has frequently been called totally inadequate. As an example, the case of an electrical contractor was cited in testimony before the Environmental Problems Subcommittee of the House Permanent Select Committee on Small Business. After citing the contractor for alleged violations of OSHA, the inspector admitted that an error had been made and that there were no violations after all. The only way to correct the error, however, was to contest the citation; the contractor informed the Department of Labor that this was his intention. In response, the department sent



him a package of highly technical material. When the contractor wrote requesting clarification of the material, the response was that the period of 15 working days in which to contest the citation had expired, and he was liable for the fine assessed.

In the event the employer does contest the citation within the 15-day period, the issue is heard by an examiner at the Occupational Safety and Health Review Commission. According to the Commission, 1,610 such cases were reviewed at this level during calendar year 1972; almost an equal number were reviewed during the first half of 1973. The approximate time from receipt of a case to issuance of a judge's order is 220 days (including 50 days waiting time for transcript and briefs). This in turn becomes a final order within 30 days, unless one of the three commissioners directs that it should be reviewed. (This occurs in about 10 per cent of the cases, and takes about 240 additional days.)

Only after completing the foregoing procedure can an employer take the matter into court. Even then, however, the provision for judicial review is sharply limited. No trial by jury is provided; the court does not conduct a trial *de novo* but confines itself to the record of the Review Commission. No objection can be raised which has not been raised before the Commission (except in extraordinary circumstances) and Commission findings of fact are ordinarily conclusive.

Another category of frequent complaint concerns the inapplicability of many of the standards. The Act provided for promulgation of national consensus standards and established federal standards. The term "national consensus standards" refers to those for which interested parties have reached substantial agreement after taking into account divergent views. However, since these standards were developed by private organizations in which the small businessman had little representation, there was virtually no input by the small businessman in their development.

Furthermore, many of the standards were promoted by special interests more concerned with the safety of property than with the health and safety of workers, and were developed as minimum industry standards for equipment and systems in which the member organizations had a monetary interest. When they were drafted, they were never intended to be applied to all business and industry alike on a nationwide scale.

To aid the employer in determining which of the provisions apply to him, it has been suggested that for each major segment of industry a separate publication should be issued containing just the standards applying to that segment. This would eliminate the necessity for reading through all the volumes of adopted standards in an attempt to determine just which ones apply. A few such compilations have been prepared, but OSHA still has a long way to go before such "targeted" compilations are available for all major segments of industry.

Questions have been raised regarding the constitutionality of procedures authorized under the Act. Employers urge that the Act should be ruled void for vagueness, charging that its provisions are so ambiguous that employers have no adequate notice of what conduct is proscribed. They are concerned, too, that the Act apparently permits unlimited searches of the employer's premises, and allows the searches to be made without a show of probable cause and without a warrant. These concerns were aptly expressed by a Pennsylvania manufacturer who wrote, "The Act is vague and imposes penalties without a hearing. It places the burden of proof upon an employer. The employer has no right to a hearing except under arbitrary rules of the Commission. The employer has no right to a jury trial. The procedure for

enforcement of the Act denies due process."

Apparently the government is reluctant to test the constitutionality issue in court. Rather than meet the issue squarely the government has tended either to dismiss or greatly reduce the penalties shortly before trial. This reluctance tends to substantiate the claim that the government is waiting for a case with highly charged emotional overtones before allowing the constitutionality issue to be tested in a court of law.

It appears that there is more support in the Congress for the amendment of OSHA than for its repeal at this time. Over 50 bills have been introduced to revise the Act, while only one would repeal it entirely.

That the Occupational Safety and Health Act needs revision is beyond question. Even leading union figures have suggested that it is unworkable in its present form. Debate last year over exemption amendments offered to the Labor-HEW appropriations bill found even some of the strongest advocates of the Act admitting certain deficiencies.

Numerous bills have been introduced in the House and in the Senate to accomplish needed revisions. Sen. Curtis has introduced a revised version of the comprehensive amendments that he and Rep. Charles Thone (R.-Nebr.) proposed in the last Congress. A less comprehensive proposal has been introduced by Sen. Peter Dominick (R.-Colo.) to deal with only those changes which the senator feels are absolutely necessary to make the Act work.

On the House side, a large number of bills have been introduced which seek to amend a single aspect of the Act, or which provide an across-the-board exemption to small businessmen. Rep. Ancher Nelson (R.-Minn.) introduced a comprehensive bill which is the Curtis-Thone bill of last year, unrevised. Rep. Steve Symms (R.-Idaho) is the author of the measure to repeal the Act completely.

The most comprehensive of the bills make major alterations in the due process procedures of the Act: Under the redrafted Curtis version, the federal OSHA inspectors would no longer function in the dual role of administrator-prosecutor; the prosecuting function would be in the office of the U.S. attorney general. Where suit is warranted, the attorney general would institute proceedings in the appropriate U.S. District Court, which would conduct a trial *de novo* to determine facts and assess penalties.

Additional provisions would eliminate much of the Act's penal approach by allowing pre-inspection and on-site consultation for small businessmen. To further assist the employer in complying, the Secretary of Labor would be required to distinguish between classes of employers, and to determine to which class(es) each regulation should apply.

There is widespread support for revising the oppressive provisions of OSHA, as evidenced by concern from such organizations as the Southern States Industrial Council, the National Association of Wholesaler-Distributors, the National Electrical Contractors Association, the National Small Business Association, and the Associated General Contractors of America, Inc.

However, unless the support which does exist quickly directs its views toward Congress, the effort at revision is likely to fail. There is already a strong possibility that the efforts at revision will die in committee.

Congress has been dilatory in acting on the OSHA amendments proposed this year. No hearings have yet been scheduled on any of the more than 50 bills that have been introduced, although the appropriate Senate and House subcommittees have indicated that consideration may be given sometime during this winter. It is imperative then to waste no time in informing your senators and congressmen of your views concerning the debilitating effect of the Act and the urgent need for revision.

## ADMINISTRATION'S INEPTITUDE HANDLING OF ENERGY CRISIS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, the brinkmanship being practiced by the Nixon administration in dealing with the energy crisis has brought us to the point of a first great jump into disaster.

That this country is in the midst of an energy crisis that is both real and tangible should not be news to anyone.

Last winter, homes in the Midwest went without heat. Many of last year's crops were lost or spoiled, due to the lack of propane for drying ovens. This past summer saw filling stations being put on short rations of gasoline and then closing down when their allotment ran out. And as early as last winter, we were all discussing the possibility of a fuel shortage this winter.

While I cannot argue that the administration has not recognized the fact that we are experiencing a fuel shortage, I do believe it has demonstrated an unforgivable lack of foresight. Why did not the President and his esteemed advisors anticipate the degree of our present fuel crisis and provide a way to deal with it?

The recent actions of the Energy Policy Office, under the leadership of Gov. John Love, have strengthened my conviction that the administration's handling of the energy deficiency has been far from adequate.

This past Wednesday, September 5, the Energy Policy Office announced in the Federal Register that, due to the critical shortage of propane, a mandatory allocation program has been established and 1 day of public hearings would be held on September 7. The total ignorance of pressing and continuing need for propane fuel shown in the proposed priorities is shocking.

This obscure notice of 48 hours was hardly enough time for propane users and suppliers to prepare statements and arrive in Washington to appear at the hearing, even though health, safety, jobs, and production schedules in several of this Nation's vital industries will be pushed aside without consideration if the proposed executive regulations are put into effect. It is not possible that any bureaucrat, even minimally informed as to the possible consequences to industry and business now using most of the propane needed in this country, could proceed in this cavalier and irresponsible way.

Why, when the August 9 statement of the EPO revealed that a severe problem exists with propane supplies, did the Office wait until September 5 to announce a hearing for September 7 on the mandatory allocation program? Although Governor Love defends the short notice with claims that he is acting under emergency provisions, why was the announcement not made in the early part of August, when they were first aware of the propane crisis?

But my objections are not only limited

to the extremely short notice of the hearing. I also dispute the proposed priority system which excludes industrial users of propane from consideration and have made my objections known in the form of a telegram to Governor Love.

I think it essential that the EPO reconsider its priorities. Curtailing the availability of propane to industries will cause factory shutdowns all over the country. General contractors will be forced to discontinue winter construction projects because of a lack of heating. But most importantly, I believe that a lack of propane will force many industries to violate major provisions of the Occupational Safety and Health Act.

While I understand that the EPO has extended by a week its acceptance period for comments on the propane allocation system, it must also consider a reordering of priority users. I call on my colleagues in the Congress to support these efforts and to work to prevent another hastily devised and announced energy conservation policy.

#### CONSUMER VOICES MUST BE HEARD

#### HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. RONCALLO of New York. Mr. Speaker, it would be appreciated if the attached statement of Councilman John S. DaVanzo, of the town of North Hempstead, to the Cost of Living Council may be inserted in the CONGRESSIONAL RECORD so that I may share these thoughts with my colleagues.

The statement follows:

STATEMENT OF COUNCILMAN JOHN S. DAVANZO  
TO THE COST OF LIVING COUNCIL

The time has come, and indeed is long past for the voices of our consumers to be heard. We in town government have said time and again that the abrupt skyrocketing of the cost of food and now many other items, is unconscionable. For years, the American housewife has had to contend with rising prices, but never in recent memory has the suffering been so unequal or so great. We vigorously protest this uncontrolled spiral and must demand some affirmative action from your body.

We, in local government, have always tried to help all the people in our communities solve the problems which afflict them. This is not a partisan concern . . . It is a concern for the health and welfare of all our residents. It is indeed unfortunate that we must use this final forum to express the mounting frustration of our residents trying to live within their incomes. The people in our communities must feed and clothe their families, and these abrupt spurts in the cost of living are far outpacing the ability of our wage-earners to keep up.

The inescapable conclusion is that these increases in the cost of living are no longer simply a manifestation of the rising cost of doing business. The American people are being taken advantage of, and gentlemen, you are the ones who can stop it. I appeal to you to do so . . . and do so quickly.

As if these steep rises in the cost of food weren't enough, we on Long Island now find that winter will be cold indeed, principally

through the action of major oil companies, which have sharply reduced the supply of home heating oil allotted to both industrial and residential users. The only way to avoid this situation is through prompt and effective action. We must appeal to you to look closely at this situation. We have been told that this is the direct result of economic controls. Surely we are not seeking any action which will raise the price of anything, but regulations must apply equally, and if that is where the problem lies, the council must see to it that our residents are not frozen out of their homes this winter.

#### IMMEDIATE SOCIAL SECURITY INCREASE NEEDED

#### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. YOUNG of Florida. Mr. Speaker, I have today sponsored legislation to put into effect immediately the social security cost-of-living increase originally scheduled for July 1, 1974. America's 21 million senior citizens need our help now, not next year.

In July, the House approved a 5.9-percent increase in benefits to make up for the inflation of the past fiscal year. At that time, I favored making the increase effective right away—after all, a “catch-up” increase which does not catch up until a year later is not much good.

However, proponents of the delay argued that it was necessary to avoid a budgetary drain and also to give time for the social security tax to be increased to pay for the new outlays. A majority of the Members of Congress agreed and the effective date of the payment increase was thus delayed.

Such a delay is no longer supportable. The Department of Agriculture is now predicting that food prices alone will increase at least 20 percent this year. Medical costs and prescription drug prices continue to soar—and medicare does not come close to covering all these costs for our senior citizens. For some of my constituents, it has become a harrowing choice between food or medicine. This is a choice that no American should have to make.

Nearly three out of four Americans over the age of 65 have annual incomes below \$3,000, including 2.5 million persons with no income at all. The 5.9-percent increase which is pending represents about \$9 a month for the individual retired worker, raising his monthly benefits to \$176. I see nothing inflationary about giving these persons an extra \$9 a month, especially when it means they may be able to eat decent meals again.

Mr. Speaker, 85 of my colleagues have joined with me in calling for an immediate social security increase. Yesterday the Senate approved an amendment presented by the distinguished Republican Senator from Florida, EDWARD GURNEY, to make the increase effective now. In the name of humanity toward our senior citizens, I urge the House to take similar swift action.

#### CHARISMA

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. DERWINSKI. Mr. Speaker, my attention was directed to a very interesting and thoughtful column by Dennis Wheeler, editor of the Star-Tribune publication which serves south suburban Cook County in Illinois.

In his column, which appeared in the Star-Tribune of August 23, Mr. Wheeler very intriguingly covered the subject of “Charisma.”

The article follows:

AN EDITORIAL—CHARISMA

(By Dennis Wheeler)

Sometime back there during the 60's the word “charisma” got to be a big thing.

According to Webster, charisma means “a quality of extraordinary spiritual power attributed to a person or office capable of eliciting popular support in the direction of human affairs.”

Possibly it's simpler than that. Like: a person has charisma if he possesses enough personal magnetism that people fall back in awe or rush forward in tribute when that person appears in public.

I got to wondering the other day about who, of the people I've seen or met, had charisma. I further pondered what it was about them that endowed them with charisma.

I finally decided that in my life I've seen only three people close up who really had it. Others were exciting to meet, but they didn't have real charisma. When I was 12, for example, I got Stan Musial's autograph at Wrigley field, and wandered on a cloud for awhile, but Musial didn't have charisma. Neither did Bobby Kennedy when I shook his hand in 1961. He was too young and too much in his brother's shadow to have the charisma he reportedly developed later.

Ted Williams didn't have it, and neither does Hank Aaron, although I certainly hope he breaks Babe Ruth's (the Babe had it in spades, they say) home run record.

Richard Nixon has no charisma, and neither did Harry Truman, while it is reported that Franklin Roosevelt, Dwight Eisenhower, and Lyndon Johnson had lots of it.

But in my experience—only three.

The three are President John F. Kennedy, Chicago machine boss and mayor, Richard J. Daley, and golfing millionaire Arnold Palmer.

I saw Kennedy in person only once. It was September, 1960, in Cadillac Square, the State and Madison of Detroit. Kennedy was there to kick off his campaign for President in the traditional Democratic party way by making a speech to the holidaying workers on Labor Day.

More than 100,000 people were packed into the square. Suddenly waves of motion in the crowd began to eddy around a coterie of men pushing their way toward a raised speaker's platform. In an instant you could pick out Kennedy in the middle. Tailored brown suit. Shock of youthful brown hair. Mahogany tan. Big smile. Nodding his head at and pushing to meet individual handshakers.

His speech was no big deal. But the crowd was captured by the candidate's charisma, and it would not have mattered if he had given his talk in Swahili.

I met Mayor Daley in his office while I was in college. The occasion was a journalism class field trip to Chicago city hall, during which Daley had agreed to hold a press con-



ference in his office for the college journalists.

We waited for him in his austere but magnificently appointed office. Suddenly, a door burst open and Daley strode briskly into the room, followed by several hurrying men. Very short and stocky. Looking up at each of us and making warm eye contact as he shook our hands. Jowls shaking slightly as he talked in almost funeral tones to each young man or woman. So quiet you had to strain to hear. Deep tan. Strikingly well-fitting business suit.

I remember not a thing discussed in the press conference—the issues were mundane. But I remember the hypnotism wielded over those in the room by the short, stocky machine politician who said "dere" for "there" and "doze" for "those."

In June of this year, we sat behind the fourth green at Midlothian country club watching threesomes of professional golfers play through. Then up at the dogleg there appeared this giant throng of people, marching down along the restraining ropes toward the hole. With them, but slightly in front, came a strapping, sportshirted individual striding purposefully up the fairway.

He stalked past where his last shot had come to rest some 20 yards from the green and walked up to study the green and where he intended to land his next shot. Brow furrowed in concentration. Easy talk with a few members of the gallery. Slight smile gnawing at the corners of his mouth as he recognized someone he knew in the crowd. Barely controlled patience while he waited for his playing partners to lag up to the green.

And then a sweeping motion of triumph as he knocked in a long putt after chipping to the green. Modest acknowledgement of the giant swell of sound erupting from his "army" as the putt dropped.

Everyone within hearing distance knew without asking that Arnold Palmer had just played Number Four.

So what we have is a President of the United States, born into a kind of American royalty. A Harvard graduate who traveled the world. Scholarly and witty and the most powerful man in the world during the early 1960's.

And we have a back of the yards Irishman who struggled up through Chicago's tough Democratic machine ranks with only the barest talent in speaking the English language. One of the most controversial leaders in America.

And there is the man who became so famous and wealthy playing golf that he owns companies, land, and a Lear jet.

What common denominators can be divided into these three widely divergent personalities?

What in short, gave them charisma?

I think the most important factor is intensity. All three, whether in laughter or in anger, were very intense people, deeply involved in living. None appeared capable of truly relaxing. All seemed extremely anxious to get on with things.

Another trait common to the three was their openness toward people. None were guarded, suspicious, or withdrawn. All seemed anxious to meet people on a personal level, not just for ceremony. When a crowd was around—whether the crowd was 100,000 people in Detroit's Cadillac Square or 10 young writers in Chicago's city hall—the men strode forward eagerly to meet that crowd.

All three looked you in the eye and seemed to be trying to remember you for the future. You had the feeling that if you met them in five years, they might recognize you.

Finally, charisma is definable in terms of success. Unsuccessful people don't have charisma, and it is probably also true that people with charisma are almost always successful.

The success comes, I think, because people

with charisma seize life and try to take control of it. I think they are convinced they are in control of it most of the time.

When they show anger, as Daley did during the Democratic Convention of 1968, it's because control has been temporarily lost. When they show sorrow, as Kennedy did when his son died after only a few days of life, they shake it and continue to meet life head-on. When they show frustration, as Palmer does over his putting almost every time he plays, it's a frustration he throws off in his haste to get to the next tee to smash one 300 yards.

Since we all wish we could react to life in these ways, we fall willingly into the ranks of the followers of such people.

So it is that Webster is right when he says someone with charisma is "capable of eliciting popular support in the direction of human affairs."

## INDIA INDEPENDENCE DAY

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. BIAGGI. Mr. Speaker, on August 15, the great nation of India celebrated her 26th anniversary as a free democratic public. In memory of the occasion there was a special Indian gathering in New York City to celebrate with song, food, and dance. A copy of the program will be included at the end of these remarks.

This nation, the largest democratic republic in Asia, and the seventh largest in the world, deserves a tribute from all Americans for her great courage and diligence in her fight for freedom, not only in terms of independence from British colonialism, but also in terms of assuring every Indian citizenship in a democratic society. India's revolutionary leaders stand high in world history, their work no less revered than that of our own great leaders.

Let us here in America hail India's anniversary as the Indians themselves do—with the hope of future strength and growth as well as the knowledge that Indian democracy shines as one of the finest in the world today.

The program follows:

#### INDIA'S 26TH INDEPENDENCE DAY CELEBRATIONS

About 10,000 of New York's 100,000 Indians will celebrate the 26th Anniversary of India's Independence. The celebration will take place on Sunday, August 12, 1973 at 12:00 Noon in Public School 139, 93-06 63rd Drive (at Wetherol Street, 3 blocks south of Queens Blvd. at Alexander's) Rego Park, Queens. The celebration will be graced by the presence of the Honorable A. K. Ray, Consul General of India.

Part of the celebration will be screening of "Bhuvan Shome" (Bha-von-shom), the winner of the President's Gold Medal for the Best Feature Film of 1969. Music will be performed by ancient temple instruments including the shehnai, sitar, and veena. Paintings by Indian artists will be on exhibition. Four or five stalls will serve Indian culinary delicacies such as samosa (Sa-mo-sa), rasgulla (Russ-goo-la), rasmalia (Rus-mul-li), and tea.

India became independent from Great Britain on August 15, 1947. Its greatest freedom fighter, Mohandas K. Gandhi, spearheaded the independence movement by using

a new form of resistance called "non-violence disobedience". This program included non-payment of taxes, refusing to go to British schools and courts and sometimes defying British rule by sitting in the streets. Today India is the largest democratic country in Asia. It is the 7th largest country in the world having a population greater than that of all the people of Africa and South America put together. Indians speak 14 major languages and over 700 dialects. For hundreds of years India meant mystery, wealth and excitement to the people of the Western World. Exotic names like Delhi, Bombay, Madras and Calcutta have conjured up visions of saris and the Taj Mahal. On August 12th, America's Indian Indians will share the fruits of their ancient culture with other Americans at their Independence Day Celebrations.

## OHIO VALLEY SUMMER THEATER PLAYS TO SOUTHEASTERN OHIOANS

### HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. MILLER. Mr. Speaker, while in southeastern Ohio recently, I had occasion to meet with the directors and a number of supporters of the Ohio Valley Summer Theater OVST—which is based at Athens and draws greatly from the talents and cooperation of Ohio University.

What began 23 years ago as a summer production group offering Athens area residents and Ohio University students adaptations of popular plays and Broadway musicals, has since expanded to the point that this past summer OVST journeyed beyond Athens to present its first musical drama—Sing Out Sweet Land—to grateful audiences in 20 southeastern Ohio communities. The production was also presented to the visitors of five area State parks as well as to various State correctional and mental health institutions throughout the Ohio Valley.

The expanded summer production was made possible in part with assistance from the Ohio Arts Council and several State agencies. However, having talked at length with the persons responsible for the success of OVST and having briefly acquainted myself with the history of the theater, it has become obvious to me that its success can be directly attributed to its many imaginative pioneers, past and present, who have brought the best in dramatic arts and theater to southeastern Ohio.

The first offering of OVST in 1951 was George Bernard Shaw's commemorative festival. The season included "Androcles and the Lion," "Candida," "Fanny's First Play," and "The Devil's Disciple." Two Shaw movies were incorporated into the season, "Pygmalion" and "Major Barbara." A special bonus play, "Two Blind Mice," was given by university theater students at the end of the season.

That first OVST season generated such enthusiasm locally that venturing into yet another year was a certainty.

Since that first season, thousands have enjoyed the theater's productions. Judging from the warm response the cast re-

ceived from southeastern Ohioans witnessing American history being recaptured through song and dance of "Sing Out Sweet Land" this past summer, the theater is bound for continued success. The fact is, the means for such cultural input and entertainment has been seriously lacking in southeastern Ohio for decades. OVST has recognized the need for a regional theater and it is now putting the concept into effect.

I am confident that I speak for all those who have seen the productions of OVST this past summer in saying that future offerings are anxiously awaited. We are presently in the process of assisting the group with plans to come to Washington for a performance and I would like to take this opportunity to encourage my colleagues in both the U.S. House of Representatives and U.S. Senate to join with me in saluting this fine organization and wishing them continued success.

#### CONNECTICUT FAIRS

### HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mrs. GRASSO. Mr. Speaker, Connecticut fairs celebrate Connecticut life. Activities at fairgrounds across the State provide a variety of styles and interests matched only by those of Connecticut, itself.

Our people love their yearly fairs, and yearly they combine to make their town's annual offering the State's best. Some help with the food or the drink; others with the arts or crafts, the fruits or vegetables on sale in the fair's pavilion. Still others take tickets, park cars, or aid in hoisting the tents.

Often, fairs harken back to a time when life was simpler in Connecticut, when the oxen held his place before the plow. Intense competition fills the air with a tension, as judges slowly circle prize beefers, or oxen owners urge their huge horned beasts to pull harder, harder.

Added to these agricultural goings-on are the mechanical treats in store for the strong of mind and stomach. Whirring coasters, twisters, and loop-a-loops of every description guarantee to teach a child the value of fasting from cotton candy before the rides.

Connecticut fairs bring people together. In times past, no doubt, they were places to see a friend from the year before, who lived two or three farms over, and managed to take time off from milking, haying, or the like only once a year. Nowadays, with automobiles, electronic milkers, and automatic balers, fairs are more likely to be reunions between farm and city folk, than farm folk alone.

Mostly, though, Connecticut fairs are meant for enjoyment. What better way to spend a weekend afternoon, than browsing through a sun-drenched field, meeting old friends and making new ones, partaking of the foods, watching the feats of strength in the oxen ring, or

considering lazily whether this or that painting, or leather piece, is worth the asking price.

Mark Van Doren loved Connecticut, and seeing Connecticut through the eyes of the poet, chronicled the comings and goings of our State's people. His words on the Goshen Fair catch the spirit and the feeling that have captivated generations of fairgoers in Connecticut.

For the interest of my colleagues I am inserting the following poem written by Mark Van Doren and entitled "Goshen Fair." The poem appeared for the first time in print in the August 30 edition of the Lakeville Journal:

GOSHEN FAIR

(By Mark Van Doren)

September, and the sleeping field  
We passed all summer is full of folk:  
The same ones, I think, for nothing  
Changes; even the sheep, the chickens,  
Even the great horses, even  
The resting cows that children doze with,  
Weary against their sides, even  
The small boys high up on tractors,  
Steering, even the band blaring—  
Nothing is new, nor should be; I  
Too am the same, and would not alter,  
While I live, the heat of this day,  
The din, the dust, and the smell of mustard  
Where the hot dogs are made, or the whirling  
Horrors beyond the merry-go-round,  
The exhibits, the pulling oxen, the lost  
Children—surely these are the same,  
Surely all of us are—surely  
The meadow at last has opened its eyes,  
The spell is broken, surely the long  
Year's nap is over and done with now.

AMERICA—LAND OF THE BRAVE  
AND HOME OF THE FREE,  
WHETHER LIBERAL OR CONSERVATIVE

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. BROWN of California. Mr. Speaker, after my remarks yesterday in which I commented upon what I considered to be a relatively uncommon wholehearted agreement between the editors of the Ontario, Calif. Daily Report and me, a member of my staff brought to my attention another Daily Report editorial, 2 months old, which I had earlier missed. And it appears that we were in complete agreement on this issue also, namely, the toleration of dissent and respect for individual liberties which have made this Nation so unusual and put America in the moral leadership role that we have enjoyed since our beginnings 200 years ago. This is an issue upon which free men and women of both conservative and liberal political persuasions must unite if we are to remain free from the grasp of tyrants and monarchists who would play upon the temporary unpopularity of various groups and opinions for their own purposes. Although this item appeared on July 3, I do not believe that a single thought contained in the editorial is out of date, and I would like to call it to the attention of every one of our colleagues. The editorial follows:

#### SOW DANGEROUS SEEDS

It was a minor incident and no far-reaching conclusions should be drawn from the unfortunate experience of a demonstrator during a presidential visit to Pekin, Ill.

First, police and Secret Service agents made the man take his "Impeach Nixon" sign off its pole, then ordered him to remove it from its plywood backing.

When he gave them an argument, they arrested him and, according to a wire service report, hustled him around a corner where an officer clamped metal keys over his mouth, jerking his head back and forcing him to his knees. Then he was handcuffed.

If it was a case of "police brutality," or just the use of somewhat more physical force than might have been necessary, it is not the first time it has happened in this country, or anywhere else, and won't be the last. And after all, presidents have been known to be assassinated during public appearances.

Even if we grant this, however, and even if we dismiss the demonstrator as some sort of kook or a troublemaker, there was also the unpleasant sight of a policeman with a rifle shouting from the top of a nearby building: "No pictures!"

What would he have done if some news photographer had taken a picture—shot him?

Yes, the demonstrator in Pekin may have been a kook, just as drug pushers may be "the very vermin of humanity," as Myles J. Ambrose, a federal drug abuse official, said recently in defense of lawmen who have mistakenly broken into homes of innocent citizens and terrorized them on more than one occasion.

But we could do worse than recall a statement attributed to an anti-Nazi martyr whose name at one time was well-known in America:

"In Germany they first came for the Communists, and I didn't speak up because I wasn't a Communist. Then they came for the Jews and I didn't speak up because I wasn't a Jew. Then they came for the trade unionists, and I didn't speak up because I wasn't a trade unionist. Then they came for the Catholics, and I didn't speak up because I was a Protestant. Then they came for me—and by that time no one was left to speak up."

For Communists or Jews or trade unionists, substitute kooks or demonstrators or "vermin" and Pastor Martin Niemöller's words strike uncomfortably close to home today.

#### SPECIAL ACTION REPORT FROM CONGRESSMAN BOB PRICE

### HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. PRICE of Texas. Mr. Speaker, it is my policy to publish a periodic report at my own expense to keep my constituents advised of my activities in their behalf. The following is the text of my latest action report:

COMMONSENSE, NOT CONTROLS, ANSWER TO INFLATION SAYS CONGRESSMAN PRICE

PRICE URGES COST OF LIVING COUNCIL ACTION

In various meetings and conversations with Cost of Living Council officials as well as in legislation I have introduced in the House, I have worked for the repeal of price freeze regulations which threaten to cause serious shortages in agricultural products and financial ruin for producers.



My office has been working with and assisting individual citizens and businessmen who have been encountering problems related to price control regulations. I strongly urge producers to directly contact the Cost of Living Council, 2000 M St. N.W., Washington, D.C. 20508, which is prepared to handle individual requests for relief and exemptions from provisions which have created great hardship or loss. I welcome hearing from any citizen facing such problems if my office can be of assistance in any way.

On January 3 of this year, the first day of the 93rd Congress, I reintroduced a Constitutional Amendment to require the Federal Government to balance expenditures with revenues and to dry up the sea of red ink spending which has cut into the buying power of every working American. I believe the people are fed up with rising taxes and government spending. If our economy is to remain in the long run, controls cannot substitute for a free economy nor can they take the place of self-discipline in fiscal and monetary policy.

In addition to my Constitutional Amendment, as part of an overall effort to control inflation and wasteful government spending, I have thus far this year taken the following actions:

Wrote to the President to oppose any increase in salaries for Members of Congress or other government officials;

Successfully supported legislation to prohibit costly food stamps to strikers engaged in a labor dispute and an "escalator clause" for food stamp benefits;

Secured approval of my amendment to prohibit any foreign aid to North Vietnam under the Food for Peace program;

Voted against any increase in the national debt ceiling; and

Opposed legislation to increase the minimum wage to \$2.20 per hour.

#### BUSINESSMEN-FEDERAL PROCUREMENT CONFERENCES HELD

#### GOAL: BUSINESS OPPORTUNITIES AND MORE JOBS

This year I again sponsored with the assistance of local business and civic leaders and the U.S. Departments of Commerce and Defense two conferences for area businessmen to discuss opportunities for selling their products and services to the Federal Government, the world's largest consumer.

The all-day conferences held August 13 at the Holiday Inn West in Amarillo and August 15 at Midwestern University brought together local citizens and experts from over a dozen different Federal agencies and several large private prime contractor corporations to explore new marketing and job opportunities for the people of the 13th District.

#### PRICE SERVES ON TWO MAJOR COMMITTEES

Because of my seniority in the 93rd Congress, I have been appointed to serve on two instead of one major House Committees—Agriculture and Armed Services. As a lifelong rancher myself and in light of the important role of agriculture in our District, I felt it necessary to retain my seat on the Agriculture Committee. And as a Veteran jet fighter pilot and firm advocate of a strong national defense my presence on the powerful Armed Services Committee will assure that the people of the 13th District will have a voice on this important issue, including decisions affecting Sheppard Air Force Base at Wichita Falls.

#### PERRYTON YOUTH NAMED INTERN

Debbie Rylee, daughter of Mr. and Mrs. Ray Gene Rylee of Perryton, has been appointed by Congressman Price to serve in his office this summer as a Congressional Intern. Miss Rylee is a graduate of Perryton High School and second year student at Southwestern State College in Weatherford, Oklahoma.

13th District residents enrolled as full time

college students this fall who are interested in the 1974 Congressional Intern program are invited to write Congressman Price early next year.

#### ENERGY CRISIS COULD HAVE BEEN AVERTED, PRICE SAYS

Ever since first being elected to the Congress nearly eight years ago, I have warned of an impending energy crisis. That crisis is now upon us and has reached the farm gate affecting the planting and harvesting operations of those who furnish our basic food and fiber supply. I have worked closely with the Office of Oil and Gas and Department of Agriculture to alleviate immediate fuel shortages as they have occurred, but to provide a long term solution, the time has come for the Congress to enact bills I have introduced to provide tax credits and incentives for the development of new oil and gas reserves, to deregulate the price of natural gas at the well head, to construct the trans-Alaska pipeline, and to create a Council on Energy Policy.

#### YOU HAVE FOUR FULL-TIME OFFICES AT YOUR SERVICE

If you are having a problem involving the federal government, or if you think I can assist you in any way, please feel free to write or call my office:

Congressman Bob Price, 430 Cannon Building, Washington, D.C. 20515. Phone (202) 225-3706.

Or for your convenience, you may prefer to contact my closest district office:

310 Post Office Bldg., Amarillo, Texas 79105. (806) 376-5151, Ext. 2381.

208 Post Office Bldg., Wichita Falls, Texas 76301. (817) 767-0541.

Rm. 7 Post Office Bldg., Pampa, Texas 79065. (806) 665-2351.

#### ZACK FISHER JOINS STAFF

To better assist me in serving the sprawling new 13th District, I have appointed Zack B. Fisher to head my Wichita Falls office. As a farmer-rancher and businessman from Memphis and Gruver and former agricultural advisor to Senator Tower, Zack is familiar with the problems and concerns of our area, and will travel periodically throughout the District to hold Town Hall meetings and bring my office closer to you and your neighbors. Zack is married and the father of two children.

#### THANKS

DEAR FRIEND: Just a brief note to thank each of you for the many cards and letters which I received as a result of my illness earlier this year.

My recovery has been excellent and I am again working full time on the issues and problems facing our District and our Nation. I look forward to keeping in touch with you in the weeks and months ahead and appreciate your continued interest in my work in the Congress. It is a real privilege to serve you.

Sincerely,

BOB PRICE,  
Member of Congress.

#### QUOTE WORTH QUOTING

"We have a great deal to be thankful for as Americans. We are the best-clothed, best-fed, best-housed people in the world; we are the envy of every nation in that respect. This year, for the first time in 12 years, we are at peace in Vietnam and our courageous prisoners of war have returned to their homes. This year, for the first time in a generation, no American is being drafted into the armed forces. This year, we find our prospects brighter than at any time in the modern era for a lasting peace and for the abundant prosperity such a peace can make possible."—President Nixon

JUNE 13, 1973.

#### FINANCIAL AID AVAILABLE FOR STUDENTS

This year first year post-secondary students with a proven financial need who are

enrolled full time at an approved college, vocational school, technical institution, or hospital school of nursing will be eligible for financial assistance through the newly enacted Basic Educational Opportunity Grant program.

Information and application forms can be obtained at local high school counseling offices, state employment offices, county agricultural extension offices; or write directly to: Basic Grant Program, Box G, Iowa City, Iowa 52240.

#### INVESTIGATION OF CHILEAN COUP

#### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. MOAKLEY. Mr. Speaker, I am today introducing legislation to create a select committee to conduct a study concerning possible American involvement in the overthrow of the Chilean Government of President Salvador Allende as well as the President's death.

Those who know me, are certainly aware that I have never been particularly enthusiastic about President Allende's politics but we are dealing here with a moral question which goes far beyond labels such as "left" or "right."

We are dealing with the death of a chief of state and, with it, the death of South America's most stable democracy. And we are dealing with the suspicion that none of us here can truly escape that this violent episode could have been financed by unscrupulous private interests in this country.

It is a matter of public record, in congressional testimony, that ITT offered funds to the Central Intelligence Agency to finance the overthrow of the Allende government. In light of this I think we have a responsibility to our own country and our neighbors in this hemisphere to determine how strongly the shadow of American involvement falls today upon the bloodied streets of Santiago.

The text of the resolution I am introducing follows:

#### H. RES. 542

Resolution creating a Select Committee to conduct a study concerning possible American involvement in the overthrow of the Chilean government of President Salvador Allende in September, 1973, and in the death of President Allende

*Resolved*, That there is hereby created a select committee to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Not more than five members shall be appointed from the same political party. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of the possible involvement of the Central Intelligence Agency, any other executive agency (as defined in section 105 of title 5 of the United States Code), and any corporation incorporated in any State of the United States (1) in the overthrow of the government of Chile under President Salvador Allende in September, 1973, and (2) in the death of President Allende.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary (including the production of any matter required by statute or executive order to be kept secret in the interest of the national defense or foreign policy). Subpoenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

#### MAGNETISM AS A POWER SOURCE

##### HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, my constituent, Mr. John W. Ecklin of Arlington, Va., has invented a small, simple-to-build device, which he believes may lead to the use of magnetism as a source of power.

A letter from Mr. Ecklin to the editor of the *Rosslyn Review*, printed on August 16, 1973, entitled "Magnetism as a Power Source," explains his theory, as does a letter he wrote on August 16 to the editor, "The Physics Teacher."

As I believe Mr. Ecklin's theory will be of interest to many who are now engaged in attempts to solve the problem of power shortages, I insert both letters at this point in the RECORD:

#### LETTER TO EDITOR

ARLINGTON, VA., August 10, 1973.

Mr. JOHN JACOBS,  
Editor, *Rosslyn Review*  
Arlington, Va.

DEAR MR. JACOBS: When I picked up your Aug. 9 issue I was really amazed that you printed my letter of July 20, 1973 and Attention Physicists and Engineers!!!! Please Read This.

Someday the whole world will thank you as I have not been able to get any of the mass media interested and this includes technical publications.

Your headline was very perceptive as engineers, once they build the simple model, will solve all of the problems associated with the shields, using known technology.

I believe this is too long to get into the Congressional Record. If you could print the enclosed, and this letter, then Congressman Joel T. Broyhill could enter it so the whole country would know.

There is an optimum engineering design and the more people thinking on this problem the sooner it will be solved.

Sincerely,

JOHN W. ECKLIN.

P.S.—Not only is the enclosed much shorter and simpler but it gives a better description of how to build a small model.

#### MAGNETISM AS A POWER SOURCE

There is plenty of energy in each (PM) permanent magnet's field and we can tap it. If you can't comprehend this description of this new scientific principle, then for 8 cents and some scrounging you can build a device that demonstrates this new discovery which will provide the solution to our energy, pollution, dollar and Middle East Crises.

Once you see the scientific basis of the device, there are thousands of ways to mechanize it, using variations of well-known technology. Herein lies the problem: There is an optimum design and we need to find the best design in the shortest time. Thus the more people who know, the sooner we get the best solution, so I will ask Representative Joel T. Broyhill to print this letter in the Congressional Record so all Americans can be informed and help in a timely solution.

Cut a 1" square from an iron (tin) can for a shield and put thin cardboard on each side of the shield; find a 7/16" diameter ball bearing, get two 1/2" diameter by 3/16" thick PMs, part #40820 at 4 cents from Edmund Scientific, Barrington, N.J. 08007. Tape the PMs to cardboard 1" apart. Place bearing between PMs. Slide shield between bearing and PM and bearing will be attracted to other PM. If not, put more cardboard on the shield. Repeat. Back and forth motion is easily converted to circular motion. To automate shields, have bearing compress springs before shield is inserted so you can store extra energy to automate shields. Magnets repel much further than they attract (try this before taping). Iron gathers magnetic lines of force tightly together so little, if any, of a PM's field gets beyond a shield. Shields and bearing are (TM) temporary magnets which can only be attracted. Bearing is attracted almost as much as another PM.  $F = m'm/ur$ ,  $m' = TM$  and  $m = PM$ .  $F$  equals  $m'm/ur$ ,  $m$  equals PM and  $m'$  equals TM. The (PE) potential energy of  $m'$  is CHANGED when shield is inserted and changes (u) permeability of the air between the TM and PM. ANY CHANGE in PE means work has or can be done. Since a 15 lb. PM attracts 350 lbs. and this device has 4 times the power stroke of a 4-cycle engine, car engines of the future will be smaller and lighter and use no fuel.

These same prime movers can turn a generator to heat your home, light your lights and run your power appliances. We thus also get rid of light poles and leaky gas lines.

The scientific basis of these prime movers is very simple if we but pause and think. It is so simple that it has been overlooked.

Magnetism can be induced in magnetic material in two ways to make temporary magnets out of this material:

1. The material is within the field of a permanent magnet.
2. The material is near a straight wire or within a coiled wire which is conducting current.

An induced temporary magnet of the first type can only be attracted.

Two permanent magnets on both sides of a shield always stick to a shield but a temporary magnet NEED NOT.

ARLINGTON, VA.,  
August 16, 1973.

The Editor,

*The Physics Teacher*, Physics Department,  
SUNY, Stony Brook, N.Y.

LETTER TO THE EDITOR: Because a basic law of physics can be proven wrong with a device that can be built in 10 minutes for 25¢ I challenge every instructor and professor to build one and discuss it in class or every student to take one to class as textbooks can not be rewritten soon enough to be of value to this year's students.

Cut a 1" square from an iron (tin) can for a shield and put thin cardboard on each side of the shield. Get a 7/16" diameter ball bearing. Get two 1/2" diameter by 3/16" thick (PM) permanent magnets, part #40820 at 4¢ each from Edmund Scientific, Barrington, NJ 08007.

Magnets repel much further than they attract either vertically or horizontally. Bearing is attracted almost as much as another PM. Two PMs on each side of a shield, regardless of polarity, stick to the shield. Substitute a (TM) temporary magnet for a PM and it sticks much less.

Tap the PMs to cardboard 1" apart. Place bearing between PMs. Slide shield between bearing and PM and bearing will be attracted to other PM, if not, put more cardboard on shield. Repeat at other PM. Back and forth motion is easily converted to circular motion. To automate shields compress springs before shield is inserted so you can store extra energy to automate the shields. Iron gathers magnetic lines of force tightly together so little, if any, of a PM's field gets beyond a shield. Shields and bearings are TMs which can only be attracted.

$F = m'm/ur$ ,  $m' = TM$  and  $m = PM$ . The (PE) potential energy of  $m'$  is changed when the shield is inserted and changes (u) permeability of the air between the TM and PM. Any change in PE means work has or can be done. A 15 lb PM attracts 350 lbs and this device has 4 times the power strokes of a 4 cycle engine so car, generator and other prime movers of the future will be smaller and lighter and use no fuel.

After you build or see the 25¢ device so you believe the scientific basis of a PM prime mover you will ask, why should automating the shields require very little energy? The shields can be on a common arm or shaft, each magnet must be alternately shielded so pulling a shield from one is aided by the other magnet attracting a shield in front of it. The magnetic forces are normal to the reciprocating mass and at right angles to the shields which means the shields operate with conservative or no work forces. If the magnets are equal we should only have to make up for friction losses to rotate the shields if we believe in Newtonian mechanics.

Sincerely,

JOHN W. ECKLIN.

#### INTRODUCTION OF A CONCURRENT RESOLUTION ON GUAM'S POLITICAL STATUS

##### HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. WON PAT. Mr. Speaker, I am introducing today a concurrent resolution which asks the support of Congress for Guam's efforts to review its present political status through a duly constituted Constitutional Convention which will present its finding to the Congress for appropriate action.

At stake are the political aspirations of the American people of Guam and their efforts to solidify their ties with their fellow Americans in the States. As Americans, we are simply seeking congressional recognition of our efforts to improve our political status, an action which is in keeping with the American system and the statutory obligations of the United States to the people of Guam.



If passed, this measure would impose no other obligation on the Congress, nor would passage of my resolution infer that the territory is asking for statehood.

During the 75 years since Guam came under the American flag in 1898, it has been our unswerving goal to develop closer ties with this great Nation. Congress, in 1950, granted us an Organic Act which established Guam as an unincorporated territory of the United States, brought into being the American tripartite governmental structure for the island, and bestowed upon the people of Guam the cherished privilege of American citizenship. Since that time, Congress has also approved an elective Governor position for the territory and, last year, passed legislation authorizing Guam to elect its own nonvoting Delegate to the House of Representatives.

For its historically unparalleled willingness to extend the principles of democracy to the inhabitants of an island 6,500 miles from the shores of mainland America, this country has earned the heartfelt devotion and loyalty of the people of Guam, and the frank admiration of our fellow islanders in other parts of the Pacific.

In 1969, Guam held a Constitutional Convention to explore our future political goals. Although we learned many things from that exercise, the Convention, unfortunately, lacked the sanction of Congress.

More recent developments, such as the current status talks between the United States and the residents of the Pacific Trust Territory, have again brought to the fore the matter of Guam's future political status. This, coupled with the continued allegations by the United Nations Subcommittee on Decolonization that the United States is failing to promote and encourage the political development of Guam, has led the 12th Guam Legislature and the Governor of Guam to establish within their own branches, several months ago, a political status unit. The Commission is charged with reviewing all matters which have a bearing on the present and future relations between the Federal Government and the people of Guam.

Whatever the results of these findings, I assure all of my colleagues that Guam will continue to cherish its close ties with our fellow Americans.

We, the American citizens of Guam, do not seek a path which would alienate us from the relationship we have labored so hard and long to develop. Rather, we seek to establish our own goals with regard to our internal affairs and our continuing relations with the Federal Government, within the framework of the Federal Constitution.

Accordingly, I now submit to this body a concurrent resolution asking that Congress support the wishes of the people of Guam by agreeing to give its serious consideration to the future recommendations of a duly constituted Guam Constitutional Convention, which shall be ratified by popular vote.

## QUESTIONNAIRE FROM THE SEVENTH CONGRESSIONAL DISTRICT OF WISCONSIN

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. OBEY. Mr. Speaker, during August, as I have done many times in the past, I distributed a questionnaire on matters facing the Congress to every home in Wisconsin's Seventh Congressional District.

Although a few of these questionnaires are still being returned to my office daily, my staff has tabulated the results of more than 15,000 responses. I think these results may be of interest to other Members of the House of Representatives.

In summary, the residents of the Seventh Congressional District who responded indicated overwhelming support for shifting the emphasis on the spending of Federal dollars from space, foreign aid, and the defense budget to programs filling domestic needs; 62 percent wanted more dollars for health, 54 percent wanted more for law enforcement, 52 percent asked for more energy research, and 50 percent wanted more for social security, 86 percent wanted less spent on foreign aid, 78 percent less on space programs, and 62 percent less on defense. Only 6 percent wanted more for defense.

Concerning Watergate, 54 percent of the respondents said they thought that the President knew about or participated in the planning of the episodes that led to the Watergate scandal and 71 percent indicated that they believe the President knew about or participated in the coverup of the various Watergate episodes. Forty-two percent indicated support for impeachment of President Nixon and another 17 percent said a congressional resolution to censure is justified. Twenty percent said no congressional action is justified and 21 percent said it is still too early to tell.

While 18 percent listed "Watergate and Government corruption" as the Government problem bothering them the most—a number that placed second only to "taxes" at 19 percent—a combination of economic problems was mentioned by far the most in this category, 47 percent mentioned economic issues such as inflation, medical and food costs, Federal spending and unemployment as their "No. 1" concern.

Overall, 72 percent considered the President's handling of the economy "poor," 17 percent termed it "average," 8 percent "good" and only 3 percent "excellent."

Resumption of the bombing in Cambodia was strongly opposed; 72 percent said Congress should not give the President authority to resume the bombing if he asked for it, 14 percent said "Yes" and 14 percent were unsure.

The complete results of the August questionnaire are as follows:

(1) In trying to strike the best balance in the way the government spends your money, on which of the following do you feel we should be spending more money, less money or about the same?

[In percent]

	More	Less	Same
Defense.....	6	62	32
Education.....	38	12	50
Energy.....	52	10	38
Farm.....	38	33	29
Foreign aid.....	2	86	12
Health.....	62	2	36
Law enforcement.....	54	6	40
Pollution.....	47	8	45
Poverty.....	35	30	35
Social security.....	50	9	41
Space.....	2	78	20
Transportation.....	39	21	40

(2) Congress has passed and the President has signed a law cutting off all funds for bombing Cambodia as of August 15, 1973. If the President asks for an extension of that deadline, should Congress give it to him? Yes 14%; no 72%; unsure 14%.

(3) Which of the following factors do you feel are responsible for causing shortages of energy?

[In percent]

	Yes	No	Unsure
Too few tax incentives to major oil companies?	15	59	26
Lack of real competition between major oil companies?	63	18	19
Too much pressure from environmentalists?	26	37	37
Too little concern for energy conservation?	69	9	22
A quota system which has restricted oil imports?	44	19	37
Insufficient funds for research on solar, geothermal, and other alternative sources of energy?	40	24	36

(4) Do you favor: (check one)

Construction of the trans-Alaskan pipeline which would pipe oil to Southern Alaska for shipment to the West coast by tanker? 43%

A six-month study to determine the possibility of piping oil to the Midwest by constructing a cross-Canadian pipeline? 57%

(5) Polls have been conducted to determine national public opinion on Watergate. This could be a very serious question facing me if an impeachment resolution is eventually filed in the House, and I would like to have the specific opinions of the people I represent in Northern Wisconsin on the Watergate scandal.

Do you think the President knew about or participated in the planning of any of the episodes that led to the Watergate Scandal? Yes 54%, No 34%, unsure 12%.

Do you think that the President knew about or participated in the coverup of the various Watergate episodes? Yes 71%, no 16%, unsure 13%.

Based upon the opinions you expressed above, do you believe: (check one)

	Percent
Impeachment is justified?.....	42
A resolution to censure is justified?.....	17
No Congressional action is justified?.....	20
It is too early to tell?.....	21

Which of the following 2 statements do you believe is true?

Watergate is more serious and more widespread than scandals involving previous Administrations? 68%

Watergate is no more serious or widespread than activities engaged in by other Administrations? 32%

(6) How much influence do you feel each of the following groups has on the decisions made in Washington?

[In percent]

	Great deal	Only some	Hardly any	Not sure
Large corporations.....	97	3	1	4
Large financial institutions.....	77	8	1	14
Organized labor.....	50	38	3	9
The press.....	22	57	7	14
Ralph Nader.....	9	47	23	21
Environmentalists.....	10	52	21	17
Farmers.....	7	24	54	15
Women's rights groups.....	3	21	55	21
Senior citizens.....	0	24	66	10
Average citizen.....	1	15	71	13

(7) If you live on a farm or in a community of less than 7,500 people, what is the worst problem facing your community?

Percent

Farm Income.....	13
Transportation.....	5
Quality of Education.....	2
Taxes.....	36
Inadequate Housing.....	1
Inadequate Health Care.....	2
Inadequate Employment Opportunities.....	36
Others.....	5

If you live in a community of more than 7,500 people, what is the worst problem facing your community?

Percent

Urban Renewal.....	1
Transportation.....	3
Quality of Education.....	3
Taxes.....	60
Inadequate Housing.....	8
Inadequate Health Care.....	6
Inadequate Employment Opportunities.....	13
Others.....	6

(8) Overall, how would you rank the President's handling of the economy? (circle one)

Percent

Excellent.....	3
Good.....	8
Average.....	17
Poor.....	72

(9) Please rank 1-2-3 the government problems that are bothering you the most.

Percent

Street crime.....	4
Drug abuse.....	3
Energy shortages.....	1
Taxes.....	19
Abortion.....	1
Inflation.....	13
Medical costs.....	11
Unemployment.....	1
The war.....	4
Federal spending.....	11
Food prices.....	11
Retirement problems.....	3
Watergate and Government corruption.....	18

(10) As you know, we hold office hours in each of the 17 counties in the 7th District on a monthly basis so that citizens can personally tell us about the problems they might have with the government. Do you think this service is worth continuing?

Yes, 66%; no, 7%; unsure, 27%.

Mr. Speaker, in the questionnaire I also asked constituents to tell me how I could best improve my representation of the district. The responses ranged from "You're doing an OK job now" to "I wish you'd resign, immediately."

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## THE REQUIREMENTS OF DÉTENTE

### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. VANIK. Mr. Speaker, the month of August was a particularly terrible month for those in the Soviet Union concerned about the democratization and liberalization of their nation. It was a terrible and depressing month for us in the Western nations who favor a détente with the Soviet Union. While there have been numerous signs of increasing contact and friendliness between the Soviet Union and the West in recent years, within the Soviet Union, there seem to be growing signs of a deterioration in human concerns.

Increasingly, we in the West who favor an opening of doors to the East have had to ask ourselves to what kind of government we are extending our hand of friendship.

A few days ago, Andrei Sakharov, one of the leading scientists, intellectuals, and civil libertarians in the Soviet Union, said that the West should be on guard about extending further trade and credit advantages to the Soviet Union as long as that society remained a closed and repressive society.

Today's newspapers carry accounts of a curious letter sent to the Nobel Prize Committee by Alexander Solzhenitsyn. The wire stories on the letter indicate that this world-famous Soviet writer has criticized one of our Nation's two political parties and the preoccupation with Watergate matters. But if one reads the whole story carefully, it appears that the letter may well be a disguised warning to the United States not to be taken in by some Communist regimes. The Nobel Prize winner, Solzhenitsyn, whose life may be on the line already, has once again pointed out—as clearly as he dared—that men are tortured and made to sign ridiculous confessions under some Communist regimes. For the first time in years, the West has just been treated to the circus spectacle of such a trial and "public confession" process. Solzhenitsyn himself may be brought to such a trial. It will not be his first experience with his country's prison system. Lest we forget what is possible, we should all reread Solzhenitsyn's novel of prison life, "The First Circle." The title of this book is an allusion to Dante's first circle of hell—a type of prison hell in which so many of Solzhenitsyn's countrymen passed through during the Stalinist era. It is the fear of movement back to this first circle that concerns the Soviet intellectuals and those of us in the West who desire true and meaningful détente.

These recent events raise the most serious questions about what the West should expect from détente. We cannot settle for just more trade, more profits, better balances of payment, and business as usual. Our decisions and actions in the next few weeks may be decisive concerning the future direction of the West and

of the Soviet Government. As Sakharov has stated, the "Freedom of Emigration Amendment" to the trade bill, being offered by Chairman MILLS and myself and by Senator JACKSON in the other Chamber, should be accepted.

Mr. Speaker, I would like to enter in the RECORD at this point an editorial from this morning's Washington Post entitled "The Requirements of Détente." This is a thoughtful editorial on the need for us in the United States to see some "reasonable amount of evidence of positive changes."

The editorial follows:

#### THE REQUIREMENTS OF DÉTENTE

The very difficult question of what is to be the substance of Soviet-American "détente" is passing from a debating phase to a political phase. A significant number of Americans now appear to believe it is neither desirable, possible nor safe to improve relations with the Soviet Union unless the Kremlin liberalizes some of its domestic policies. So the National Academy of Sciences has just conditioned its support of further scientific exchanges on an end to Kremlin harassment of physicist-libertarian Andrei Sakharov. House Ways and Means Chairman Wilbur Mills (D-Ark.) says he will resist expanded East-West trade "if the price is to be paid in the martyrdom" of Sakharov, Nobel laureate Alexander Solzhenitsyn and other noted dissenters. Congressional consent for expanded trade has already been linked to Soviet consent for freer emigration, especially emigration of Jews.

As the excitement of summitry wore off, people were bound to start examining the staff of détente, the more so as the inflationary impact of last year's Soviet grain purchases came to be felt. Distracted perhaps by Watergate, Mr. Nixon has given no evidence that he has coped with the issue himself, as he should have. For it is a plain fact that, although he made his first-term breakthroughs largely alone and in secret, their consolidation requires public support. He needs the support of scientists to expand exchange, and of Congress to broaden trade. Meanwhile, the situation on the Soviet side has not been static. The Soviet government, eager to reap the benefits of détente without cost to its domestic grip, has intensified its crackdown on dissenters; they in turn have reached out for foreign support. The sharper the foreign protests, the more determined some in the Kremlin become to ignore them. Those Soviet leaders who had doubts about détente all along are no doubt arguing now that the current American "interference" in Soviet affairs proves their original point.

The attitudes of American critics require closer scanning. Some Americans who now speak for Soviet human rights may well do so because they never "trusted the Russians." Others may be making political hay. Still others, particularly American Jews, see an opportunity and feel an obligation to help their co-religionists. Scientists and intellectuals have an interest in their Soviet counterparts. Whether or not one sympathizes with any of these attitudes, the fact remains that there is a substantial and growing constituency which expects political and economic progress to be accompanied by progress in opening up Soviet society. It is a fundamental American tenet to equate trustworthiness and openness. It is deeply disturbing that the Kremlin is not subject to the same checks on the arbitrary use of power that operate on democratic governments, however imperfectly. It is offensive to find the Soviet state denying human values and



it cannot avoid raising doubts about how reliable a partner it will be in joint political and economic enterprises. A form of "interference" in Soviet affairs is a natural consequence of this concern. But our own self-interest is involved as well. And that is what makes the problem so difficult for us.

Secretary of State-designate Henry Kissinger last Friday pronounced himself personally "disappointed" and "dismayed" by the recent reports of oppression from Russia. "Yet," he went on, "we have as a country to ask ourselves the question of whether it should be the principal goal of American foreign policy to transform the domestic structure of societies with which we deal or whether the principal exercise of our foreign policy should be toward affecting the foreign policy of those societies." This way of posing the issue is entirely consistent with Dr. Kissinger's view that foreign policy is essentially global strategy and that domestic considerations and pressures should not be allowed to impinge on it. Moreover, he is surely well positioned to understand the never-absent risk that the Kremlin majority currently supporting a detente policy could crumble.

The appropriate approach to the issue he poses, however, is not merely to caution those concerned with human rights. That is not only questionable politics but questionable diplomacy. The appropriate approach is to go on to caution the Soviet leadership that it is simply not possible to mold the necessary public support for a detente policy in the United States while the Kremlin continues acting as it does with respect to human rights. The real problem, we suspect, is not so much that the Soviet Union practices domestic policies repugnant to many Americans. The problem is that at a time of East-West promise when many Americans had expected a softening effect on Soviet internal policies, the Kremlin seems to be going backwards. It is this sense of disappointment, of betrayal, which energizes many critics of Soviet performance on human rights. The remedy, then, is not a "transformation of the Soviet domestic structure" but some reasonable amount of evidence of positive changes—some movement in the right direction, rather than the other way around. Such evidence would almost certainly loosen the knot now tightening around certain aspects of Soviet-American detente. President Nixon has no more compelling piece of international business than to set the Soviet leadership straight on what, as a practical political matter as well as a question of principle, detente requires if it is to achieve a necessary measure of support in this country.

#### DISCRIMINATION AGAINST GASOLINE STATION OPERATORS

**HON. WILLIAM S. BROOMFIELD**  
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. BROOMFIELD. Mr. Speaker, the time is ripe for Congress to do something to assist the more than 160,000 gasoline station operators in this country who have been forced to the brink of bankruptcy as a result of the arbitrary and discriminatory actions of the Cost of Living Council.

Phase IV regulations allow the major oil companies to pass through any cost increases in domestic crude oil to the gasoline station owner. The major oil companies who have watched their first half earnings reach record heights are now in a position to dictate economic life or death for these small businessmen.

Only last week several of the major firms increased per gallon cost to the dealers by 1 cent. For an industry that already operates on a very slim profit margin this is bad enough but, on top of what the Cost of Living Council had already done, this was the final straw.

Phase IV stipulates that service stations are restricted to the per gallon profit they received as of January 10, 1973.

It so happens, Mr. Speaker, that many viewers, especially those in Michigan, were engaged in a price war at that time. Profit margins were ridiculously low. It is estimated that average profit to stay in business is at least 8 cents a gallon. A fair return in order to operate efficiently and effectively is 9 to 11 cents depending upon location and volume of sales.

In Michigan, on January 10 profits were as low as 7 cents per gallon. Furthermore since retailers can no longer pass through price increases from suppliers, last week's crude oil increase reduced profits to an unrealistic 6 cents a gallon.

I have urged, and the Michigan congressional delegation has joined me in this, that the Cost of Living Council straighten this mess out by giving owners a chance to receive a fair and reasonable per gallon profit. Our appeal has unfortunately fallen upon deaf ears.

The courts have been petitioned for relief and they respond that we, the Congress, should and must take action.

Mr. Speaker, unless we act soon we are going to have a handful of major oil companies operating all the gasoline stations in this country. There is no telling how high the price of gas will go without the competition which 160,000 service station operators provide for this industry.

All these small businessmen want is a fair shake and the opportunity to stay in business. They have already had to cut back service and payrolls to the bare bone. Their backs are up against the wall and once they fall you can be sure it will be the American public who will suffer the most.

If anyone should be prevented from passing on costs it should be the major oil companies who tally up their profits in billions instead of the small operator who has to fight and scrape just to get by.

#### THIRTY-FIRST DISTRICT QUESTIONNAIRE RESULTS

**HON. CHARLES H. WILSON**  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. CHARLES H. WILSON of California. Mr. Speaker, in July of this year I mailed out an opinion poll to the residents of my 31st Congressional District. Since this questionnaire covers a wide range of topics that are of concern to the Congress, I would like to share the results with my colleagues:

##### RESULTS OF QUESTIONNAIRE

On aid to Vietnam:  
58.8% oppose aid to both South and North Vietnam.

24.4% favor aid only to South Vietnam.  
15.7% favor aid to both South and North Vietnam.

1.1% favor aid only to North Vietnam.  
On amnesty for draft deserters:  
45.9% feel draft evaders should face trial.  
34.7% would grant deserters amnesty in return for 2 or more years of public service.  
13% favor unconditional amnesty.  
6.4% suggest other alternatives, primarily "let them stay where they are."

On expanding non-military trade with the Soviet Union and mainland China:  
65.5% are in favor.  
26.3% oppose.  
(8.2% no opinion.)

On wage and price controls:  
37.5% would expand controls on wages and prices.  
24.8% would eliminate all controls.  
15.5% would place controls on prices only.  
11.4% favor voluntary controls, except for health, construction, and food costs.  
10.8% cite alternate economic policies such as tax reform.

On the performance of the U.S. postal service:  
55.4% feel service has deteriorated in the past two years.  
37.6% feel service has remained the same.  
7% feel service has improved.

In closing voting places throughout the Nation simultaneously during national elections:  
51.8% support.  
31% oppose.  
(17.2% no opinion.)  
On confidence in President Nixon:  
56.9% have less confidence than they did in 1972.  
32.9% have the same degree of confidence.  
10.2% have more confidence.

On abortion:  
52.7% favor the Supreme Court decision to allow abortions up to 90 days after conception.  
28% would allow abortions for specific medical reasons only.  
11.2% would return power to set abortion laws to the States.  
8.1% would outlaw all abortion by Constitutional Amendment.

On federally-sponsored research on live aborted human fetuses:  
47.4% oppose such research.  
38.3% favor.  
(14.3% no opinion.)  
On construction of the Alaskan oil pipeline:

72.2% favor.  
21.1% oppose.  
(6.7% no opinion.)  
On requiring the President to attain congressional approval before committing U.S. troops abroad:  
72.4% favor.  
24.9% oppose.  
(2.7% no opinion.)

On health insurance:  
62.4% would have the Federal Government establish a program of health care for all Americans.  
31.2% would continue the present system of having private companies provide health insurance.  
6.4% would establish a health insurance program covering only the poor.

On gun control:  
66.1% support registering and licensing handguns in the same manner as automobiles and drivers.  
30.7% oppose.  
(2.2% no opinion.)

On rationing gasoline if necessary to comply with Federal air quality standards:  
65.3% are opposed.  
30.4% favor.  
(4.3% no opinion.)

On a Federal "shield law" to protect news reporters from being forced to disclose sources of confidential information:

64.9% favor.  
27.1% oppose.  
(8% no opinion.)

# BUSING PROGRAM IS LIBERAL RACISM

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HUBER. Mr. Speaker, we hear much these days about the renewed determination of the legislative branch to reassert its rightful constitutional place in the American framework of government in relation to the executive branch. For too long, we are told, the executive has grown increasingly powerful, in the process usurping the prerogatives of the Congress, and subordinating the legislative will before the executive will.

Yet at the same time these selective constitutionalists are strangely silent when the topic turns to encroachments by the third coequal branch of government—the judiciary—upon the Congress. Despite repeated efforts by this body and the Senate to make clear their opposition to the mindless forced busing of public school students away from neighborhood schools in order to equalize racial balances, the Federal courts, including the U.S. Supreme Court, have continued without pause to mandate this upon hundreds of local school districts. They have done this both through misconstruction of laws, and through totally ignoring the considered judgment of this body, the elected representatives of the people.

I am constantly being asked why we in Congress are not doing more to end the folly of busing than we have done. After all, polls have consistently shown overwhelming opposition by 75 to 95 percent of our people to forced school busing, as well as opposition by the President of the United States. My response has been, and must continue to be that Federal court decisions have so strait-jacketed our legitimate legislative discretion that no one here knows what type of effective measures can be taken which will not be summarily overruled by our superlegislative judiciary.

M. Stanton Evans, editor of the Indianapolis Star, has expressed the thoughts of many of us on this subject very well in the following article from Human Events:

## BUSING PROGRAM IS LIBERAL RACISM (By M. Stanton Evans)

As somebody or other was remarking about six months ago before the Watergate scandal engulfed the known world and blotted all other issues from the human consciousness, it might be a good idea if the U.S. Congress got off its tall and did something effective to halt the busing of America's school children.

The notion of getting the busing stopped was commendable when first suggested and it is equally plausible today. Nothing much has changed in the interim—except for the worse. The courts have continued to rule on the matter exactly as they please, handing down "racial balance" orders which on their face are blatant reversals of statutory law

intended to prohibit busing. The Congress has responded by lying low and permitting the usurpation without a fight, with the result that throughout America the buses are revving up once more to haul their human cargo all over the map. It is a spectacle as curious as it is appalling.

If there were ever an issue on which the American people have spoken as one, busing would appear to be it. Polls have shown the public by votes of 70 to 80 percent is opposed to busing and wants to maintain the neighborhood school. President Nixon has said he is opposed to busing, as have countless members of Congress. All across the land state officials and school boards have vowed their hostility to the practice, and those who waffle may find themselves removed from office. Just about everyone, it seems, is opposed to busing. So the question is this: How come we have busing?

The standard answer of federal bureaucrats and liberal interest groups who have promoted busing is that practices of this nature are required to overcome the effects of historic discrimination and to bring about authentic "integration," allegedly mandated by the U.S. Constitution and the nation's civil rights laws. It is in supposed service to these legal requirements that the courts keep ordering "racial balance" mixes, cross-county transfers, and avoidance of racial tipping-points.

Yet in point of fact such racial balance busing is directly contrary to the law of the land as previously stated by the U.S. Congress.

The Civil Rights Act of 1964, which allegedly gives federal judges jurisdiction in such cases, says that "de-segregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance. And it further states that "... nothing herein shall empower an official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance." (Italics added.)

Busing forces prefer to ignore this language if at all possible, but when called upon to recognize it, say it was meant to forestall busing only in cases of *de facto* segregation, not in cases where segregation has been accomplished by law. In the latter instance, it is argued, the courts may order the discriminatory evil. This explanation explains nothing, however, since the author of the language in question, former Rep. William Cramer of Florida, explicitly noted that its goal was to prevent "any balancing of school attendance by moving students across school district lines to level off percentages where one race outweighs the other." (Italics added.) To prevent, in sum, exactly what has been ordered by federal courts all over America.

Nor is the '64 Civil Rights Act the only such manifestation of congressional intent. Over the past eight years Congress has expressed its wish that the busing cease and desist, that federal funds should not be used to promote busing, and that a moratorium be imposed on court-ordered busing plans. The judicial busers have treated these enactments with impartial contempt, and gone right ahead to cram the practice of busing down the unwilling throats of the American people. Our supposedly resurgent national legislature has met the challenge by looking the other way, gawking over Watergate, and attending to the serious matter of doing in Cambodia.

If the "law of the land" does not compel busing, what does? The answer may be discerned in the more esoteric literature of the educationist fraternity, some aspects of which have been rehearsed in previous contributions to this space. It may in particular

be discerned in two pivotal documents which emerged from the Johnson Administration back in 1966 and 1967—the Coleman Report on equality of educational opportunity, and a report of the U.S. Civil Rights Commission called *Racial Isolation in the Schools*. Between them these studies provide the Orwellian rationale for busing.

The Coleman Report is an exhaustive study of educational "inputs" which concluded, to the surprise of all and sundry, that differences in expenditure, pupil-teacher ratios, and physical facilities have almost no correlation to the quality of educational achievement. In particular, the survey found, there seemed no observable nexus between physical measures of "quality" schooling and the classroom performance of Negro pupils who entered school with educational deficits and got further behind in succeeding years.

The conclusion reached was that the Negro child was losing the "good" effects of his expert schooling when he returned to his disadvantaged home and neighborhood. What is therefore required, on Coleman's analysis, is "a more intense reconstruction of the child's own environment" which goes beyond the matter of non-discriminatory school assignment. In particular: "For these children whose family and neighborhood are educationally disadvantaged, it is important to replace this family environment as much as possible by an educational environment—by starting school at an early age, and by having a school which begins very early in the day and ends very late."

In the report of the Civil Rights Commission, a further point is added, making it clear that legal segregation is not in fact the issue—that *de facto* separation of the races by reason of circumstance is just as objectionable as *de jure* separation created by law. The commission asserted that both should be eliminated because "Negro children suffer serious harm when their education takes place in public schools which are racially segregated, whatever the source of such segregation may be." (Italics added.) The commission therefore recommended that no school have higher than 50 per cent black enrollment—thereby preventing it from becoming predominantly black in character.

In sum, the educationists have convinced themselves and apparently some of our federal judges that Negro children must be taken out of their homes and neighborhoods and placed in an "artificial environment" created by government, where they will be immersed as fully as possible in an altogether different culture. The objects is to break into the Negro family and culture pattern and remold black children according to guidelines preferred by middle-class (and predominantly white) social planners who think they have a commission to tinker around with the psychic makeup of the human species.

Busing is essential to this enterprise. It involves long periods of transportation which maximize the amount of time a child is away from his home and parents, and it takes him to a distant school where his parents in many cases can have little knowledge of what is occurring, can exert zero influence in the school's official performance and would feel constrained from doing so even if they could physically reach the school. At the same time the busing is required to shuffle the students around so that no school becomes predominantly Negro—which would re-immers the student in the self-same culture he is supposed to be escaping.

Against that background it is apparent that nearly all the discussion which surrounds this issue is off the point. All that argument about *de jure* and *de facto* segregation is essentially phony, since the object is to prevent the schools from becoming black in character for whatever reason.



The busers are not in fact trying to enforce the mandate of the Constitution, uphold the laws of Congress, or even to provide non-discriminatory schooling. What they are trying to do is manufacture black children into imitation white children by steeping them in white society, and in pursuit of that obsession they have set themselves to evade the intent of Congress when and wherever they can.

Congress has the necessary tools with which to combat this obsession if it will use them: A bill to remove the subject of schooling from the appellate jurisdiction of the federal courts, and a constitutional amendment to forbid assignment of pupils to one school or another on the basis of their race.

If our liberal brethren who have been talking about the integrity of the legislature really mean it, they can prove the point by reasserting the will of Congress and bringing this social engineering horror to a halt.

## SNOWBALL AND STUMP

**HON. LARRY WINN, JR.**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. WINN. Mr. Speaker, the Watergate incident has led to a great many revelations about our political and governmental processes. The subsequent investigations have uncovered a great deal of dirt and wrong-doing, but I think the comments and questions posed by Eric Meyer, a student at the University of Kansas, deserve attention from all Members of Congress.

I submit the following article from the University Daily Kansan, the student newspaper at Kansas University, to my colleagues for consideration:

### SNOWBALL AND STUMP

(By Eric Meyer)

"Did Gordon's boss really tell him to do that? Or was it those two suspicious Krauts, Bob and John? And how much did kindly old Papa Dick know about the affair? Tune in next week for the exciting continuing story of . . ."

The Watergate hearings replaced television's soap operas in more than one way. The hearings became a national pastime—a cross between "Secret Storm" and "Perry Mason," not to mention "To Tell the Truth," "I've Got a Secret," "Who Do You Trust" and others.

Now, the Watergate hearings are in recess. And, hopefully, America will reflect on the events of the past year.

No one can deny that Watergate has had great impact on the nation. But the nation should remember exactly what it's all about.

The whole investigation centers on a two-bit burglary and fruitless eavesdropping attempt by a handful of minor bureaucrats and their friends. The administration did not okay the plan. Someone, however, did try to hide the burglary.

What resulted was a snowball. When a minor official lied, his superiors, in absence of truth or in fear of consequences, consciously or otherwise told more lies to cover the first one.

As the snowball rolled, it grew larger and larger. Each layer covered the one beneath it. Finally the snowball reached such enormous proportions that several high-ranking officials were crushed beneath it. And the President himself is now scurrying for cover.

The Senate hearings may be the stump in the snowball's path—the obstacle that will

crack the monster, stop the rolling and reveal the snowball's small, dirty core.

Proving the President innocent would be the opposite of what the investigators are seeking. The senators who initiated the televised hearings sought them as a "Get Nixon" tool. Much of the committee's questioning has revealed this.

Although the senators are giving such witnesses as John Dean the exact question they want in order to have revenge on the man who fired them, the senators might be doing the President a favor.

The hearings have revealed nothing except the extent to which partisan and ideological politics can go.

The hearings have no legal function. In fact, they jeopardize the judicial system's fairness, and thus its ability to bring justice.

The hearings are grandstanding, masterfully led by the prototype pompous senator, Sam Ervin, with able assistance from such screamers as Lowell Weicker.

Some people are deceived. Some people believe John Dean to be a brave, truthful man. But he is, by his own admission, a liar, thief and self-seeker. His testimony, including such "expert" statements as "I could tell by the tone of his voice . . ." "I thought he would have known since I told Ehrlichman to tell Haldeman to tell him . . ." and "I heard a rumor that . . ." are useless.

While some are amazed or think little about the witnesses' on-the-stand memory, the remembering of such exact, minute details as are testified to leads others to believe the stories are well-rehearsed lies.

In short, the American people see two things. First, politics is dirty, with Joe McCarthy-like witch hunts crammed down the nation's collective throat by the electronic media. Second, with lying, cheating people like John Dean in government, it is no wonder Watergate develops.

It is clear that the American people must choose who they will believe.

Will they believe the only witness against the President? Will they believe this fired young lawyer who, after he broke many laws, pleaded like a coward for immunity? Will they believe this man who obviously is working in conjunction with the political opponents of the President?

Or will they believe the man who ended the war in Vietnam, the man who brought East and West together?

More importantly, will Watergate paralyze our government? America cannot enjoy the luxury of political sniping by Ervin and his gang in this time of foreign and domestic crises.

## A PROFESSOR'S VIEWS ON NATIONAL AND INTERNATIONAL AFFAIRS

**HON. HENRY HELSTOSKI**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HELSTOSKI. Mr. Speaker, I always find it enlightening to read the views of a distinguished professor of national and international affairs.

Prof. Nasrollah S. Fatemi, dean of the Graduate Institute of International Studies at Fairleigh Dickinson University in New Jersey, does not confine himself to academic research and teaching. On many occasions, Dr. Fatemi shares his scholarly knowledge with the public by writing articles or editorials for the Bergen Record, the Jersey Journal, as well as other publications.

On April 5 of this year, Professor Fa-

temi wrote a guest editorial in the Jersey Journal on why phase III of the administration's economic program was a flop. This editorial was followed by another one on August 16 on "The Fourth Flop." By juxtaposing these two articles, one can gain a better appreciation of why the administration's economic policies have failed and will continue to fail so long as the symptoms of inflation are treated rather than the causes.

In another article written for the Bergen Record on August 10, Dr. Fatemi discussed United States-Japan relations. Quite appropriately, he argues that the United States has spent close to \$100 billion on military, economic, financial aid, and investment in Japan for the past 20 years, and Japan should assume her own defense burden to help the United States in her present economic difficulties. At the present time, Japan has more reserves than the United States, so there is no question that our Asian ally can assume her own defense burden. The same holds true for West Germany, which currently holds reserves almost three times greater than the United States.

Mr. Speaker, the three excellent articles by Professor Fatemi follow:

[From the Jersey Journal, April 5, 1973]

### PHASE III A FLOP

(By Nasrollah S. Fatemi)

(NOTE.—In keeping with its policy of presenting all sides of public questions, The Jersey Journal from time to time prints visiting editorials written by qualified persons on specific subjects. Today's editorial is by Dr. Nasrollah S. Fatemi, director of the Graduate Institute of International Studies at Fairleigh Dickinson University.)

On Jan. 17, 1973, it was stated here that the end of price and wage controls was "the wrong step at the wrong time."

Now, three months after the end of Phase II, President Nixon is forced to freeze the price of meat, and three months hence, he will be compelled to declare a total freeze on all prices and wages. Unfortunately, as usual, this step is too little and too late. During the past three months the prices of meat, fish, and fowl, has increased close to 20 per cent.

This half-hearted policy is responsible for the pessimism on the United States' economic prospects as reflected in the stock market and the international monetary system. A study by Manufacturers Hanover Trust finds fear and mistrust throughout the country in the midst of one of the strongest periods of economic expansion in the history of any nation.

What are these fears and how valid is the reasoning underlying them?

1—The most important cause of this concern is a renaissance of inflation. Since then the Administration's policy of abandonment of controls has created an unprecedented rise in food prices and demands for higher wages, causing the stock selloff.

Whatever the intentions of the policy-makers and planners in Washington have been, the end of Phase II has caused considerable damage. The 12 per cent annual rate of increase for industrial commodities prices in the February wholesale price index no doubt reflected in a large part the assumption that the Administration has lost its way against inflation.

Furthermore, the much publicized "club" never left the closet. This lack of attention emboldened the farmers and wholesale dealers, the oil companies, landlords, and the banks, to raise their prices and interests as much as the traffic would bear.

2—The second largest trade deficit in Feb-

ruary reminds us that, despite two devaluations of the dollar and many promises and press releases, we are still suffering from a great disadvantage vis-a-vis Japan and Western Europe.

3—The American public pays no attention to the problems of the balance of payments. A good example is travel: The total United States' payment to foreigners for international travel passenger fares was more than \$9 billion, while receipts totaled about \$6.2 billion. If the 6 million overseas travelers had used American airlines and services they could have contributed more than \$3 billion to our balance of payments.

4—Probably as important as fear of inflation, is the fear of "credit crunch" and an increase in the interest rate.

5—High government spending abroad has shown that the administration has not learned any lesson from its past mistakes. We are still spending \$2.2 billion in Indo-China and more than \$10 billion on our military and foreign aid expenditures all over the world.

These factors have created a belief at home and abroad that the political and economic planners in Washington are incapable of putting their internal and external accounts into order.

[From the Jersey Journal, August 16, 1973]

#### THE FOURTH FLOP

(By Nasrollah S. Fatemi)

(NOTE.—In keeping with its policy of presenting all sides of public questions, The Jersey Journal from time to time prints visiting editorials written by qualified persons on specific subjects. Today's editorial is by Dr. Nasrollah S. Fatemi, director of the Graduate Institute of International Studies at Fairleigh Dickinson University.)

For approximately four years the Nixon Administration has been experiencing a steady acceleration in inflation. During the election of 1968, President Nixon stated that the most important issues of his administration would be control of inflation without recession. Unfortunately, so far, we have had an extreme dose of both.

Why? Because the different measures introduced by the administration to counter this inflationary trend have been half-hearted and based on political rather than economic conceptions. They also have been at odds with the goals set and have been applied at the wrong times and in the wrong dosages.

The first step of the administration in 1969 was a "numbers game" hoping that through high interest, credit crunch and unemployment, they could stabilize or cool down the economy. The results were recession and more inflation.

Realizing absolute failure, on August 15, 1971, the administration produced the 90-day freeze. This was followed by Phase II which, despite its shortcomings, exerted positive effects in the stock market and brought about a temporary cooling off of inflation. By the end of 1972 inflation was within 4 per cent. But suddenly the unpredictable administration came up with the wrong step at the wrong time, Phase III.

Phase III pleased nobody and created an unprecedented inflation: food prices went up 23 per cent, gasoline and oil products, 13 per cent, the average rise in the cost of living so far has been 10 per cent.

Furthermore, Phase III, had a great reverse effect on the stock market. At no time in history, has a strong, prosperous, and viable economy been plagued so much by confusion and lack of confidence in the ability and integrity of the Washington bureaucrats.

Reaction to this flop has been credit crunch and high interest. In fighting inflation, too much importance has been attached to monetary and credit policy. This theory, which died with the depression of 1929, is resurrected by the administrators.

They believe that by introducing the highest interest rate inflation could be stopped. To the contrary, high interest rates cause more expenses for the producers and higher prices for the consumers. Monetary pressure has become "the girl Friday" of Mr. Burns from which he demands performance which cannot deliver under the present circumstances.

Washington does not understand that Phase IV is a hodgepodge of half-controlled, half-free and cryptic regulations which will produce more runaway inflation. Furthermore, it is devoid of any plan for a purposeful economic policy based on harmony between private domestic consumption, government spending, as well as foreign demand with production capacity.

After four years the administration has not been able to produce a plan, taking into consideration inter-relationships among national financial markets, government spending at home and abroad, the high level of liquidity, national priorities, employment factors, productivity, wages and a fair and equitable tax system.

These errors of the past have hurt the health strength and growth of the American economy. Now the country has reached a crossroads in respect to economic stabilization. We must decide either to go down the path of leaving the economy alone and let the market decide—or introduce regulations and guidance which would help, not hinder, the economic growth, producers and the consumer.

[From the Bergen (N.J.) Record, Aug. 10, 1973]

#### JAPAN, REBUILT, MUST NOW HELP UNITED STATES

(By Nasrollah S. Fatemi)

Japanese Prime Minister Tanaka, after visiting President Nixon, remarked that the United States was no longer able to solve the problems of the world alone and that other nations should not expect us to do so.

This is a welcome statement, and the Administration should ask the Japanese first to share the burden of their own defense and then to accept a reciprocal trade arrangement so that American exports enjoy the same advantages that Japanese imports receive in this country.

Close to \$500 of every American's taxes go for defense expenditures in Japan and Germany. The Japanese citizen spends only \$15 on the defense of his own country. Last year one third of total Japanese exports were to the United States. For 20 years the United States has spent close to \$100 billion on military, economic, and financial aid, and investment in Japan.

America arrived in Tokyo Bay in 1945 as conquerors. Thanks to General MacArthur and a number of devoted and experienced American civil and military officials, the United States never lost sight of the goal of making Japan an independent and viable democracy. The United States record in Japan has been one of the most effective and statesmanlike attitudes of conqueror to conquered in history.

The day Japan surrendered it was a defeated, devastated, and bankrupt state. Its industry had been destroyed; its cities demolished; its farms abandoned, and hunger and desperation were abroad in the land.

Fortunately, the Japanese found themselves to their surprise so well treated by their victors that in less than 25 years they became the third largest industrial nation in the world. The story of a Japanese farmer who, asked by a reporter for his opinion of Americans, replied: "The Emperor could have not chosen better servants," is an excellent testimony to the American approach to the rebuilding of Japan.

The land reform, planned and implemented by MacArthur, freed Japan from a

ruthless feudalism. Japanese scholars and statesmen admit that no Japanese government, caught in the web of feudal families and vested interests, could have achieved the present state short of a bloody revolution.

The Americans brought to Japan technology, efficient administration, and new machinery. Unfortunately, the United States did not loosen its apron strings in Japan early enough. This resulted in a trade and monetary crisis for the United States, and has created problems for the future relations of Japan with her neighbors and the United States. Japan has had rapid internal modernization, now has great economic power, but has no independent foreign policy or participation in the defense of Asia.

Ideally, we should have asked Japan to become a partner in our policy in Asia and pay for her own defense. This would have prevented our carrying the burden of the defense and military expenditures, and our trade with Japan would have been based on reciprocal arrangements.

If Washington had let go the reins in Japan, the thrust of the United States intervention in Vietnam might have been blunted by overt opposition from one of its key Asian partners.

To everybody's sorrow our misadventure in Indochina alienated many of our friends in Asia and perpetuated a sense of resentment and frustration in Japan. Now the wheel has come full circle. The United States, it is hoped, will be out of Indochina by August 15 and there may be Asian solutions for Asian problems. Japan, as one of the four great powers in Asia, must undertake an important role. So far, unfortunately, Japan's partnership has been economic. This has been very profitable for her alone. Now the question of partnership must be extended to defense and support of the military expenditures of the United States. It is impossible for this country to carry on the burden of \$5 billion for the defense of Japan and other Asian nations.

The first postwar quarter-century of United States-Japan relations has been a remarkable testament of America's generosity and wisdom. Our purpose was to create a strong, viable Japan, and a friend and partner. This achieved, it is hoped Japan will act as a responsible partner, sharing economic and political power, and in the meantime be ready to pay the price which goes with this partnership.

#### THE NEED FOR WORLDWIDE INTEREST RATE DISARMAMENT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HANNA. Mr. Speaker, the Banking and Currency Committee is currently engaged in holding crucial hearings on high interest rates and the current credit crunch. These hearings are properly focused on the domestic causes of our tight money situation and what reforms are needed in our own institutions to correct the problem.

Nevertheless, Mr. Speaker, on a broader level, it is important to understand that at least part of our domestic problem has causes which are international in nature. We are currently in the midst of an international interest rate boom. Spurred by the shortsighted desire to retain currency surpluses, rates have been raised to attract "hot" money and to serve as an artificial stimulus to cur-



rency flows which otherwise might not occur. Once one country starts the cycle, other countries raise their interest rates in progression in an attempt to neutralize the international effects of the initial rate increase. Like an upward spiral in the arms race, the only net result is economic dislocation. Just as the one leads to a chilling balance of terror, the other leads to a precipitous balance of economic peril.

Mr. Speaker, it is time to disarm this interest rate arsenal. The international economic effects of interest rate brinkmanship are clearly disruptive; the domestic effects are disastrous. Mortgage rates, for example, have climbed as high as 10 percent plus points, and housing starts are threatened with a dramatic decline.

The meeting of the International Monetary Fund at Nairobi later this month provides the international community with the opportunity to remedy this situation. To be sure, the items presently on the IMF agenda are critical and important problems; but none is more pressing than this international interest rate spiral, and the delegates would be well advised to negotiate an interest decrease which would be to the advantage of all countries.

I commend to my colleagues' attention a recent article in the *Economist* which discusses the causes and cures of the international interest rate spiral. I join with it in stating that now is the time to "defuse the interest rate bomb."

The article follows:

#### DEFUSE THE INTEREST RATE BOMB

The time has come to call a truce in international interest rates, and it is important to understand why. The world is now repeating, on an international scale, the mistake that the Bank of England and other central banks made on a national scale all through the trade cycles of the nineteenth century; the familiar mistake, which Keynes called "the most dangerous technique for the maintenance of equilibrium which can possibly be imagined", of thumping up interest rates in order to counter a boom just after it has begun to turn down.

We are all now riding the roller-coaster of the interest and trade cycle. Restricting demand in several countries in 1970-71 generally led to greater unemployment than had been intended, and nowhere led to any toning down of inflation whatsoever. By the summer of 1971 everybody was therefore re-inflating demand again, and by this past winter of 1972-73 the industrial world had gone into its biggest boom ever. In the seven largest free world industrial countries the average annual rate of expansion in real gnp last winter was over 8 per cent and in industrial output over 12 per cent; this sent commodity and then consumer prices soaring.

At this point, some time around April, the boom tailed off. This has not yet been recognised by those who are still looking at previous wrong forecasts, generally made by themselves. But in the United States real gnp, which rose at an annual rate of 8.7 per cent in January-March is believed to have risen at less than a third of that rate in April-June; in Britain preliminary estimates show a similar fall from an annual 6½ to about 3 per cent; other countries will show slowdowns when their figures come in. Those who foresaw this also thought, wrongly, that there might logically be an early turndown in commodity prices and interest rates too.

Both have gone on soaring. Some of the

rise was a matter of time lags, some of a run of natural disasters, but much arose out of the indefensible economic policy followed by West Germany. Frightened by an 8 per cent inflation rate at a time of huge trade surplus, Herr Brandt's government introduced a soak-the-rich budget (hitting especially at savers) and a tighter money policy (which temporarily sent day-to-day interest rates to astronomical heights) while still trying to keep the D-mark within the European snake by ineffective controls against a capital inflow.

It would have been impossible to devise a policy more certain than this to cause speculative one-way option flights out of the deficit currencies (dollars and sterling) into the D-mark via commodities on the way; to force the dollar and sterling thus to fall just when commodity prices were temporarily going further up; therefore to force America and Britain to raise interest rates; and then to prove once again that rate rises in these two big money market countries serve to put up interest rates in progression round the world.

What remedies? The logical recommendations are easy. The first priority at the meeting of the International Monetary Fund at Nairobi later this month should be to negotiate international disarmament of interest rates by 3 per cent all round. To the argument that some countries need high interest rates as a weapon against excessive demand, the sensible answer is that anybody who looks to the most likely forward prospect for demand between now and mid-1974 should not be expecting undue inflation of it. The tactful answer is that a country which wants to regain control over its internal demand needs to control money supply rather than interest rates. Money supply is controlled by selling sufficient government bonds to the public, which cannot be done when everybody suspects that international competition is going to force interest rates up still more, and so the future selling prices of government bonds down.

Although this sort of agreement—a semi-secret deal to edge rates down—at Nairobi would be sensible, and would cause all the other talk there about committee of 20 reforms to be recognized as the irrelevance it largely is, the sensible is not going to be achieved. Interest rates will remain too high for a while; they are unlikely to precipitate the world economic slowdown into a real recession because governments in control of fiscal policies will be too sensible for that. But they will cause the slowdown to be sharper than it should be. This will probably make steeper the drop in commodity prices between now and the end of next year and the eventual but delayed drop in interest rates. . . .

(T)he most obvious recommendation is . . . to speak loudly in favor of international interest rate disarmament. At the moment this is not being discussed by the finance ministers and central banks of the world, partly because the analogy between their present mistakes and those frequent nineteenth century howlers simply has not occurred to them.

#### LEE HAMILTON'S SEPTEMBER 12 WASHINGTON REPORT ENTITLED "MEDICAL RESEARCH FUNDING"

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include my September 12,

1973, Washington Report entitled "Medical Research Funding."

#### MEDICAL RESEARCH FUNDING

Proposed Administration cutbacks in federal funding for medical research have become a concern of scientists, the health care community and the Congress. One Nobel Prize-winning scientist commented a few months ago that, "Today lights are going out in laboratories all over America."

Since World War II the United States has developed the greatest biomedical research capacity in the world. Advances in medical science have lowered infant mortality, extended life expectancy and led to significant victories over disease, discomfort and death. Once-dread diseases, such as tuberculosis, diphtheria, polio, rheumatic fever and others have been tamed.

The scientific community and the federal government have formed an effective partnership to combat menacing diseases. One-third of all medical students receive federal assistance, federal funds pay for about one-half of all medical school expenditures, and a major proportion of the nation's graduate students in medical and biosciences receive federal aid for their training.

The President plans basic surgery for the 1974 budget that would greatly reduce the priority for medical research and training. Funding of new research would drop 40 percent from last year, with increased funding targeted on a few specific projects.

The President's proposed budget cuts for medical research would have a major impact in the following areas:

#### HEART DISEASE

A recent Administration study recommends a \$46-million increase above the President's budget for research at the National Heart and Lung Institute as the first step in a 5-year, \$2.6-billion campaign against heart disease, the nation's number-one killer. Although chances of surviving a heart attack have increased markedly during the past years, much remains to be learned about heart disease, which accounts for 54 percent of all deaths in the U.S. (killing two Americans every minute) and affects 28 million Americans.

#### CANCER

Cancer, public health enemy number-two, which causes the deaths of 350,000 Americans every year, has been allotted much less federal research aid than the director of the National Cancer Institute feels is necessary. The Institute requested \$640 million, but is scheduled to receive \$500 million, a cut which will cancel or curtail 19 key research programs which could save thousands of lives.

#### OTHER DISEASES

The Administration adopted the philosophy that medical research should be concentrated on diseases where there may be a direct payoff, rather than funding basic research (e.g. in genetics or on the nature of cells) which, according to scientists, must be done if real breakthroughs are to be achieved. Funds for research on diseases other than cancer and heart disease were cut in the 1974 budget, and the President's plan to target research on specific diseases is drawing fire from scientists.

#### RESEARCH TRAINING

Under the Administration's new budget, "market forces," rather than federal training grants, fellowships, and aid to research institutions, will have to supply sufficient researchers for national research efforts. As a result of these program cuts and phase-outs, medical schools face the prospect of laying off faculty members, reducing class sizes, curtailing needed expansion, and having 40 percent fewer research trainees.

It should not be surprising, then, that a struggle between the President and the Congress has developed over medical research funding. The Congress is unwilling to accept

the cutbacks and has voted to reinstate the programs and provide funding at last year's levels. Three days after the House overwhelmingly rejected the President's proposals, the Department of HEW decided to review its plans to phase out training grants and fellowships, which may signal that the President might not veto the Congress' appropriations for medical research.

With all the work to be done, and the gains in human health to be realized, I do not believe the government should allow the lights to go out in the nation's medical laboratories, and I shall continue to support federal medical research programs at previous levels.

#### AMERICA AND THE DOLLAR CRISIS

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. CRANE. Mr. Speaker, during the past year Americans have been more concerned about the state of our economy than about any other single issue.

They have witnessed the devaluation of the dollar, a mounting inflation, a shortage of meat, difficulty in obtaining mortgage money, and a host of other difficulties.

They have also seen that policies such as compulsory wage and price controls have done little to solve our problems. In many instances, they have seen that such policies have compounded problems which already existed.

Hopefully, our present economic situation will cause an increasing number of Americans to ask themselves some very basic questions about our economy, and about the real causes of inflation. Unless we understand what causes inflation, we are unlikely to cure it.

Fortunately, there are many informed and articulate men and women who are prepared to teach the Nation a much-needed course in basic economics. One of these men is Dr. G. C. Wiegand, professor of economics at Southern Illinois University in Carbondale, Ill.

Writing in the March 22, 1973, issue of the *Commercial and Financial Chronicle*, Dr. Wiegand writes that, in spite of our economic situation—

Congress wants to continue deficit spending, union leaders demand wage increases far in excess of increases in productivity, and welfare recipients demand even higher payments. It is this complete disregard of economic rationality which has spread around the globe . . .

Inflation, Dr. Wiegand points out, is a result of the excess demand created by the Federal Reserve Board. He notes that—

The vast deficits since 1971 would not have been possible, if the Federal Reserve had not acquired \$10 billion of additional government securities. No doubt, a refusal of the Federal Reserve to finance the federal deficit would have resulted in a major political, if not constitutional crisis, and might have ended the pseudo-independence of the Federal Reserve, but it might also have been the "shock therapy" needed to awaken Congress and the American people to the danger of the situation.

It is time that we end the deficit spending which is itself the major cause of the

inflation we have witnessed in this period. It is, similarly, the major cause of the devaluation of the dollar. All economic plans, such as wage and price controls, which do not deal with the real causes of inflation can hardly be expected to contain the real solution.

I wish to share with my colleagues the thoughtful article, "America and the Dollar Crisis," by Dr. G. C. Wiegand, and insert it into the *Record* at this time.

The article follows:

#### AMERICA AND THE DOLLAR CRISIS

(By G. C. Wiegand, Ph. D.)

Since the middle of February, the world's monetary markets have been in a state of growing chaos and paralysis. "Two devaluations in 14 months have shaken the confidence and the people are looking for harbors of safety," Dr. Arthur F. Burns told Congress. But where is such a harbor? There is no doubt about "the urgency of the task" of creating a new international monetary system, but fundamental differences of opinion divide the experts within the United States and throughout the world. What are the causes of the collapse of the Bretton Woods system which served the world so well for a quarter of a century? How can a more stable international monetary system be created?

The approximately \$45 billion of monetary gold held by the central banks and international monetary institutions are in effect immobilized, since the central banks cannot buy gold at the official price of \$42 as long as the market price is between \$70 and \$80, and they would be foolish to sell at the official price. The \$80-90 billion of inconvertible dollar claims held by foreigners which, under the Bretton Woods agreement, were "as good as gold," and which, for the past 25 years, had been freely accepted in place of gold, are no longer freely accepted. And the same is true of the \$9.3 billion Supplementary Drawing Rights, the "paper-gold" issued by the International Monetary Fund.

The world is rapidly approaching the point of having no more universally acceptable international medium of exchange to finance international trade and financial transactions, a situation obviously far more dangerous than the American public is led to believe.

Since the second devaluation of the dollar, the initiative seems to have shifted to the surplus nations, i.e. western Europe and Japan, who speak with many tongues. When Treasury Secretary George P. Shultz, upon his arrival in Paris, was asked about the seeming impasse, he replied: "I am here to listen I have no plan." From a diplomatic psychological point of view, this may be a change for the better since the days when Treasury Secretary Connally attempted to dictate the terms of a new international monetary system, which the surplus nations were to accept pronto—but didn't! But in the meantime, the situation has become far more dangerous, and the world is no closer to a solution than it was in August 1971, when Washington "closed the gold window," thus making the dollar inconvertible, or at the Smithsonian meeting, when the dollar was devalued for the first time. Under Secretary of the Treasury Paul A. Volcker, who for all practical purposes seems to determine American monetary policy, still clings to his preconceived notion that gold must be completely eliminated from the international monetary system, while the surplus nations seem equally determined not to base the new monetary system on another form of inconvertible paper SDR's in place of inconvertible dollars—with no adequate controls over the quantity to be issued.

#### WARNINGS IGNORED

Yet nobody seems prepared to spell out in clear terms that no international monetary

system will work in the end as long as the leading trading nation, i.e. the United States, suffers from a basic internal disequilibrium. The world would love to use convertible dollars in reasonable quantities, but it refuses to be drowned in a flood of inconvertible paper dollars.

As far back as 1959, Professor Robert Triffin, one of the world's great experts on international finance, warned the Joint Economic Committee of Congress, that "the evolution of the past ten years (i.e. the 1950's) has now brought us to a point where (international monetary policy and domestic economic policies) have become inextricably tangled with one another, and where we can no longer afford to ignore the impact of our internal policies upon our external position, and vice versa." A few months later, the same warning was repeated even more emphatically by the eminent French economist Jacques Rueff in a series of three articles which appeared in "Fortune".

But nothing happened!

Since then, the American balance of payments deficit has grown tenfold from \$1.5 to \$15 billion; the gold holdings have declined from \$19 to a little over \$10 billion (at the old gold price); and the nation's short term dollar obligations have skyrocketed from \$20 to almost \$90 billion. Obviously, the dollar is at present no longer "as good as gold", which was one of the fundamental assumptions on which the Bretton Woods gold exchange standard system was built. But it is not merely a question of an excessive amount of dollars held abroad. Even today, the ratio of American gold reserves to foreign dollar holdings is almost twice as high as the gold backing of the pound before the first World War, and the dollar dilemma has not seriously impaired America's huge economic potential. But before 1914, the world had confidence in the pound; at present it lacks confidence in the dollar, and this for the simple reason that for more than twenty years, the United States has pursued economic policies at home and abroad which may or may not have been politically expedient and socially desirable but which undermined the belief of the world in America's willingness to face the reality, that America was printing more dollars than we produced goods and services.

#### DOMESTIC REFORM COMES FIRST

All the schemes now being discussed to develop a new international monetary system will be futile unless the basic disequilibrium in the United States between supply and demand has been greatly reduced. This will not be an easy task—either from a political or a social point of view—and it involves major economic risks. The greatest difficulty, however, lies in the fact that neither Congress nor the general public seem aware of the problem, as the newspaper headlines illustrate only too clearly. "Dollar Plummets, Gold Price Soars"—"Unions to Ignore Wage Guidelines"—"Meany Suggests 7½ per cent Wage Increases"—"Senate Votes 2 per cent REA Loans"—"Albert Says Congress Will Fight Cutbacks". Add to this the announcement a few days earlier that the Federal Reserve had forced several banks to rescind a minor increase in the prime rate, at a time when the minimum lending rate of the Bank of England was 50 per cent higher than the prime rate in New York, thus inviting the out-migration of short-term funds.

The collapse of the Bretton Woods system is overwhelmingly due to the fact that for more than twenty years, the United States has produced more dollars, relatively speaking, than goods and services, and has taken the attitude that it is none of the business of any foreigner—whether he holds billions of inconvertible paper dollars or not—to question domestic American policies. The artificially created excess demand produced on the one hand chronic inflation at home, and



on the other a steady outflow of surplus dollars in exchange for goods and foreign assets.

In other words, America has lived above her means at least since 1950. The nation's international liquidity—not allowing for the tremendous growth of long term foreign assets—has declined by \$90-\$100 billion since 1950, and probably even more important—throughout the economy, we are confronted by chronic inadequate capital formation and "deferred maintenance". We no longer have the fuel and the power we need and we have no idea how we shall pay for the oil we shall have to import from the Arab countries during the next 5-10 years. The railroads, the postal service and the inner cities are in a deplorable state. In the late 1950's, America was the largest steel exporter; today we are the largest steel importer in the world. Less than ten years ago, America had an export surplus of more than \$6 billion; 1972 closed with a deficit of over \$6 billion. For twenty years, we have consumed too much, in the private and in the public sector, and have saved and invested too little, until today the competitive position of large segments of the American economy is seriously threatened. This is the ultimate cause of the dollar crisis.

Since 1950, the number of public employees has risen from six to more than 13 million, and while the American economy can theoretically support 13 million bureaucrats and an increasing standard of living for the 25 million not fully productive—or unproductive—Americans who are officially classified as "poor", this would require either a substantial increase in production—which in turn would call for a much higher rate of capital formation—or a reduction of the standard of living of the great American middle class, which accounts for 60-70 percent of the electorate, and which is not prepared to sacrifice its affluence.

Even though few politicians will admit the fact, it is the middle class—the \$8,000 to \$35,000 a year families—who pays for the bureaucracy and the welfare state, and since the middle class refuses to reduce its standard of living, the steady growth of taxes and the chronic inflation are offset by increased consumer borrowing and continued inadequate capital formation.

#### THE MIDDLE CLASS PAYS FOR BOTH RICH AND POOR

While the Japanese during the past 25 years saved between 22 per cent and 25 per cent of their Disposable Income, and the Germans 12-15 per cent, we regard 8 per cent as excessive. The results are obvious. We have developed a fantastically high standard of living for the "rich" and "poor" alike; we are supporting a wasteful public sector; but we have neglected to maintain our productive capacity on which the country's strength rests. In doing so, we have followed the road which Britain took after the war. Instead of concentrating on the rehabilitation of the country's industrial capacity, post-war Britain built a huge and costly welfare state. Germany, on the other hand, starting virtually from scratch, lived at a miserably low level for many years, but saved and invested. This is, to a large extent, the explanation for the "German economic miracle" and the chronic difficulties of the pound.

#### PINPOINTING WHEN WE WENT WRONG

The first dollar crisis occurred in 1960 during the presidential campaign—and partly because of the wild charges and promises made by both sides. The gold price in London rose briefly to \$42, corresponding to a depreciation of the dollar of 20 per cent. It was an obvious danger signal, and at that time, America was still strong enough to end the 10-year-old record of balance of payments deficits without serious dislocations at home and abroad. But instead of balancing the budget and curbing the excess credit creation, the country went on the wildest infla-

tionary spree in the nation's history. While the output of goods and services—the GNP in real terms—rose by 67 per cent between 1960 and 1972, the money supply, using M-2 as a basis, increased by 110 per cent, about 50 per cent faster than the supply of goods and services. Federal Reserve credit, the basis of the inflationary boom, jumped from \$29 to \$78 billion; consumer loans increased by \$100 billion (abt. 180 per cent), home mortgages by \$200 billion (140 per cent), and the federal debt by \$160 billion (well over 50 per cent), not to mention the vast increase in the corporate debt, and the debt of state and local governments.

For more than a decade, the country financed the growth of the bureaucracy, the affluence of the middle class, the rising standard of living of the "poor"—not to mention the cold war—by printing and swapping IOU's. That we did not have a much higher rate of inflation was due to the fact that out of \$270 billion of newly created money, about \$70 billion flowed abroad in payment of goods, services and assets, and to protect our position as the leading power of the western world.

#### WE ARE ALL GUILTY

How could this continue for more than a decade?

Fearing a collapse of the worldwide boom from which they, too, greatly benefited, the surplus nations "cooperated" with the deficit nations in developing ever new emergency measures: the London gold pool; the de facto "stillhalte agreement" of the surplus nations (which did not convert their dollars into gold), swap arrangements; and various camouflaged foreign exchange restrictions on the part of the United States. The two main surplus nations, Germany and Japan, in particular, felt politically and psychologically compelled to support the inflationary policies of the American government. Within the United States, politicians and union leaders clearly benefited from the "prosperity"; the middle class attained a level of affluence which would have seemed almost impossible during the 1950's. Between 1965 and 1972 per capita Disposable Income rose by 62 per cent, and between January 1970 and January 1973, i.e. the period of the growing dollar crisis, retail sales rose from \$30 to \$40 billion. The "poor" and the Black, meanwhile, received ever larger subsidies—financed through more credit.

#### THE "MORNING AFTER" IS TODAY

Now the Mardi Gras is over. Lent is upon us. The world has grown reluctant to accept more of the paper dollars we have printed so freely in recent years. America now faces the after-Mardi Gras hangover; but few people are aware of the fact. The nation has become so accustomed to living above its means, that it will be difficult for the individual families, for the bureaucracy, and for business to consume no more than the nation produces. This will involve serious political and social problems. Politicians will not find it easy—or palatable—to convince their constituents that the federal government—and ultimately the taxpayer—are not a bottomless barrel from which one can draw at will. The loud cries of governors and mayors, the screaming mobs in the streets, and the steady pressure of the bureaucracy and of special groups seem far more real and immediate problems than the future of the dollar. Nor should one underestimate the economic dangers. The American economy has grown accustomed for more than twenty years to a steady increase in credit-created demand, and a progressive lowering of the debt burden through chronic inflation. The life of a businessman is relatively easy, as long as aggregate demand exceeds supply, and he can count on having to pay back only part of his debts; the inflation takes care of the rest. It will not be easy for the consumer and the government to live within their means, but it will be equally difficult for business to operate under quite

different conditions of cost and demand. There is no assurance that the American people, after twenty years of a credit-financed fool's paradise, will have the will and the strength, individually and collectively, to face the task. Yet the future of the country, and to a large extent of the free world, will be partly determined by the attitude of the American people during the next year or two.

How could a nation so resourceful, so intelligent as the American people, have permitted itself to slide into a way of life which must ultimately destroy the nation's strength and the well-being of the great majority of the people?

#### WHY IT HAPPENED

Most of the American people had no idea, of course, what was happening. Those who asked questions were reassured by "the experts" that Washington had learned to "fine-tune" the economy. Besides, the experts provided a seemingly logical justification for the inflationary policies.

We inherited from the 1930's an economic doctrine which was eminently true and practical when it was first presented in 1936, in the depth of the depression, namely that the world's ills were the result of inadequate consumption and the accumulation of idle savings. But somehow, the experts, the politicians and the great mass of the people failed to see that what was true in 1936, ceased to be true on September 1, 1939, when the second World War began. Even before Pearl Harbor, the free reserves of the American banking system—the "idle savings"—had declined by 40 per cent, and ever since, the world has suffered not from underconsumption but from excessive demand—to pay for the hot and cold wars, the growing world-wide affluence, the welfare schemes, and the rapid population growth and high expectations of the developing countries. All these goals were financed in part through a tremendous world-wide increase in production, and for the rest by growing reliance on the printing press. In a little over 30 years, the purchasing power of all the paper money in the world on an average has declined by 70-75 per cent. The dollar alone has lost about two thirds of its domestic value since Pearl Harbor. Never in the history of mankind has there been such a widespread and rapid depreciation of money.

#### WASHINGTON'S DILEMMA—THE WRONG DECADE FOR THE RIGHT CURE

Yet Washington still acts as if we are living in a depression caused by inadequate demand. The Full Employment Budget, for instance, assumes that if the government creates additional purchasing power through deficit spending, more people will spend more money, which will call for more employment, and will thus produce greater total income and taxes, until the budget is balanced at the full employment level. This "self-fulfilling" dream—a largely theoretical brainstorm of "under-consumptionist" minded economists rests largely on a false picture of the economy. At least fifty and probably seventy per cent of the unemployment in the United States is due to a variety of institutional, social and political factors which have nothing to do with inadequate demand. In fact, there is a shortage of skilled and unskilled labor. There are not enough skilled and reliable workers—and probably not enough are trained—while many of the unskilled find it more advantageous to stay on relief. The more than \$60 billion deficit during the past 2½ years, designed to eliminate unemployment, has obviously not done so, but it has greatly increased the inflationary pressure, and because of the wage-price stops at home much of the surplus spending power spilled over into world markets.

#### NOTHING HAS CHANGED—EXCEPT OUR CIRCUMSTANCES

Yet Congress wants to continue deficit spending, union leaders demand wage in-

creases far in excess of increases in productivity, and welfare recipients demand even higher payments. It is this complete disregard of economic rationality which was spread around the globe in fat headlines since Congress reconvened in January—rather than doubts regarding the effectiveness of Phase 3—which produced the latest dollar crisis. To be sure, Dr. Burns, in his Toronto address in December 1972, called for a "shock therapy", a possible freeze or near-freeze of all additional federal spending, and in February, he warned Congress: I can't emphasize too much that as far as I am concerned, this is the last devaluation. That ought to be our national policy... There is no room for complacency.

But in the end, who else but the Federal Reserve has created the excess demand? The vast deficits since 1971 would not have been possible, if the Federal Reserve had not acquired \$10 billion of additional government securities. No doubt, a refusal of the Federal Reserve to finance the federal deficit would have resulted in a major political, if not constitutional crisis, and might have ended the pseudo-independence of the Federal Reserve, but it might also have been the "shock therapy" needed to awaken Congress and the American people to the danger of the situation.

As the "Economist" remarked: "Like childbirth, devaluation is less painful and quicker the second time." In fact, to judge by the experiences of some of the Latin American countries, devaluations can become an almost painless way of life! And the "Economist" is probably largely correct that the "United States continues to be one of the few countries in which just about everyone of importance thinks that a devaluation is lovely"; at least, it appears to most Americans as a convenient and painless way out.

#### DEVALUATION AND MORALITY

"The stigma of devaluation is a thing of the past." Yet, on the same page, the "Economist" pointed out that the 1971 devaluation caused a shrinkage in the value of the monetary reserves of the developing countries by about a billion dollars. It is undoubtedly "old-fashioned" to argue that the devaluation of a key currency—i.e. the partial repudiation of a large nation's obligations—involves not only economic and political, but moral aspects. Back in the 14th century, a period of great social and economic upheaval, three French writers—Pierre Bois, Jean Buridan and, best-known, Nicole Oresme—condemned the policy of the French King to reduce progressively the metal content of the coin, as a form of theft, contrary to moral law! As recently as 1935, four Justices of the United States Supreme Court, protesting against the repudiation of the gold clause in private contracts, and the fact that the Federal Government "gained" \$2.8 billion through the increase of the gold price, warned: "Loss of reputation for honorable dealing will bring as unending humiliation; the impending legal and moral chaos is appalling." The "Economist" may be correct that in our modern world, devaluation has lost its stigma, but there is no doubt that the probably unnecessary devaluation of the pound in 1931 represented an important milestone in decline in Britain's position in the world.

#### THE TIME FOR DECISION IS NOW

Yet no politician and no news commentator has pointed out to the American people, that the two devaluations of the dollar within 14 months, while the country continues to live above its means, involves not only serious economic and political consequences, but also important moral aspects.

If a man sees large cracks appearing in his house, he can have the cracks filled and painted over. But new cracks will appear, as the foundations of the house continue to shift. In the end, the man will be faced with the alternative of either rebuilding the founda-

tions—i.e., a drastic change in the allocation of resources in the American economy—or of seeing his house collapse.

America is confronted with some of the most serious and far-reaching alternatives in its 200 years' history.

#### JUSTICE FOR AMERICA'S ELDERLY

### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. ROSENTHAL. Mr. Speaker, I am today introducing legislation to put into effect immediately a social security increase originally scheduled for July 1, 1974. Joining me as cosponsors are 95 of our colleagues.

Just prior to last month's recess, the Congress enacted a 5.9-percent increase in social security benefits to meet the increase in the cost of living for the year ending June 1973 but delayed payment for a year.

Social security recipients should not have to wait until next year to meet last year's inflation. Especially in light of the soaring increase in the cost of living and the worst inflation in our history, America's 21 million elderly citizens need our help now, not a year from now.

During the recent recess, I had an opportunity to go back to my district and talk to thousands of constituents; in addition I have been receiving hundreds of letters from around the country. It is abundantly clear to me that most Americans are in a desperate plight because of drastically higher prices for food and other essential items. Shoppers have had their incomes practically drained because of rapidly accelerating rises in the cost of living.

While the administration has been lax in its restrictions on the big firms which are showing tremendous profits—the Cost of Living Council just gave the go-ahead to raise the prices of steel, cars, and many other items—its misguided economic policies have forced the elderly into a precarious position which has become intolerable.

The Agriculture Department predicts food prices alone will rise at least 20 percent this year and wholesale prices have already reached their highest level in history. Those hit hardest by such developments are the poor and the elderly, persons who traditionally live on small, fixed incomes and spend 30 percent of their disposable income on food.

There is nothing inflationary about giving these persons an extra \$9 a month. This bill will raise the average monthly benefit for a retired individual from \$167 to \$176, and for an aged couple it will be increased from \$278 to \$294.

Nearly three out of every four Americans over the age of 65 have annual incomes below \$3,000, including 2.5 million persons with no income at all. The chart below shows the number of people age 65 and over in each of the indicated income categories:

Persons 65 and over with income <sup>1</sup>	
In dollars	
1 to 999, or less	4,266,028
1,000 to 1,999	5,435,950

2,000 to 2,999	2,780,074
3,000 to 3,999	1,634,283
4,000 to 4,999	974,348
5,000 to 5,999	880,037
6,000 to 6,999	501,082
7,000 to 7,999	372,530
8,000 to 9,999	481,185
10,000 to 14,999	521,442
15,000 or more	434,971

Total, all categories----- 18,309,910

<sup>1</sup> Income is reported for individuals, male and female, only. This does not imply it is the only support an individual and his family may have.

Source: U.S. Bureau of the Census, Census of Population: 1970, Detailed Characteristics, Final Report PC(1)-D1, U.S. Summary, table 245.

In all fairness, Mr. Speaker, this increase should be a lot more than just 5.9 percent. Living costs have continued to soar since we enacted Public Law 93-66 in June to provide the added benefits.

As you know, the Senate yesterday passed an identical measure as an amendment to S. 1866, a bill to increase Federal annuities. The vote there was 57 to 32.

The following is a list of cosponsors of the legislation I am introducing today:

#### LIST OF COSPONSORS

Bella Abzug, Joseph Addabbo, Bill Alexander, Glenn Anderson, Thomas Ashley, Herman Badillo, Bob Bergland, Tom Bevill, Jonathan Bingham, John Blatnik.

John Brademas, Frank Brasco, George Brown (Calif.), Charles Carney, Shirley Chisholm, Cardiss Collins (Ill.), John Conyers, Silvio Conte, James Corman, John Culver.

Dominick Daniels, Mendel Davis, Ron Delums, Ron de Lugo, Frank Denholm, John Dent, Robert Drinan, Don Edwards (Calif.), Joshua Eilberg, Dante Fascell.

Daniel Flood, Thomas Foley, Don Fraser, Joseph Gaydos, Ella Grasso, William J. Green (Pa.), Gilbert Gude, Bill Gunter, Tennyson Guyer, Michael Harrington.

Augustus Hawkins, Ken Hechler (W. Va.), Margaret Heckler, Henry Helstoski, Elizabeth Holtzman, Frank Horton, Jim Howard, Barbara Jordan, Ed Koch, Robert Leggett.

William Lehman, Norman Lent, Paul McCloskey, Mike McCormack, John McFall, John Melcher, Edward Mezvinsky, Joe Moakley, Robert Mollohan, William Moorhead (Pa.).

John Moss, John Murphy (N.Y.), Robert Nix, James O'Hara, Wayne Owens, Claude Pepper, Bertram Podell, Melvin Price, Charles Rangel, Henry Reuss.

Donald Riegle, Matthew Rinaldo, Peter Rodino, Robert Roe, Teno Roncalio, J. Edward Roush, William Roy, Ed Roybal, Paul Sarbanes, Pat Schroeder, John Seiberling.

George Shipley, Dick Shoup, James Stanton (Ohio), Gerry Studds, James Symington, Frank Thompson (N.J.), Charles Thone, Ray Thornton, Robert Tiernan, Joseph Vigorito, Charles Wilson (Calif.), Antonio Wron Pat, John Wylder, Bill Young (Fla.).

#### ON H.R. 10160 TO AMEND THE ECONOMIC STABILIZATION ACT

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. HARRINGTON. Mr. Speaker, for more than 4 years, the administration has sought to control the rampant inflation which continues to plague every



American consumer, worker, and businessman.

The President and his advisers have adopted and canceled many programs to reduce the rate of inflation, none of which have worked. After five game plans, two freezes, and four and a half phases, inflation continues unabated.

Last April, the Congress voted to extend the Economic Stabilization Act of 1970 under the Conference Committee Report S. 398, without major provisions requiring mandatory controls. Although I was disappointed, I voted in favor of the simple extension—and later for final passage—because it was the only measure which could be passed promptly to prevent a vacuum of authority with regard to inflation.

Now, although the administration has authority, it has failed miserably to exercise that authority in a constructive manner. Believing that controls will not work, the administration promised to dismantle them as soon as possible. They did not enforce them strictly. The result is that businessmen, consumers, and working people have little confidence that strict controls will be enforced. And the ultimate result of this situation is that the entire control program has failed. In fact, it appears that it may have encouraged inflation. With that type of mentality guiding the program, it cannot work unless Congress imposes strong, mandatory, automatic controls. That is what I propose today.

I have introduced H.R. 10160 to amend the Economic Stabilization Act of 1970. The major provision of the bill would be to establish automatic, mandatory price controls on all businesses in any sector whose prices rise by more than 3 percent on an annual basis—three-fourths percent per month—in any consecutive 3-month period. This is essentially the same position recommended last April by the Banking and Currency Committee, but rejected by the House in favor of a straight extension of the President's authority. I hope that the House will now reverse its position, and recognize its responsibility to enact strict, mandatory wage and price controls in the absence of administration action.

Mr. Speaker, I urge each of my colleagues to consider the consequences of not acting, and of not adopting a credible program with real teeth in it. I hope that when they consider this, they will support my proposal.

A section-by-section analysis of H.R. 10160 follows:

#### SUMMARY OF H.R. 10160

##### SECTION 1: AMENDMENTS TO THE ECONOMIC STABILIZATION ACT OF 1970

Para. 204 imposes a ceiling on all prices and interest rates at levels prevailing on September 12, 1973. The President is directed to immediately carry out a plan to roll back prices and interest rates below levels prevailing on September 12, 1973, ceiling and to report to Congress within 60 days on his progress including justification for exemptions from the ceiling compliance.

This section also establishes an automatic mechanism to control inflation by requiring the President to impose mandatory controls on all sectors of the economy whenever the annual rate of inflation exceeds 3 percent for

any three consecutive months, or 2.5 percent for any 12 consecutive months.

In addition, the President is directed to make all data publicly available and information used to formulate any standards issued by the President or his agencies under this resolution also available.

Para. 205 stabilizes all rents at September 12, 1973, levels, except to the extent that State and local rent controls are more stringent. The President may allow some increases when State or local taxes, or service charges, or capital improvements are made during the period of occupancy.

Para. 206 permits the Secretary of Agriculture to regulate credit margins on commodity futures contracts. This provision is designed to regulate excessive speculation in commodity futures trading which has the effect of inflating consumer prices and industrial costs.

Para. 207 establishes the Office of Consumer Counselor within the legislative branch of government to represent consumer interests in wage price decision. The Consumer Counselor is authorized to investigate official actions taken by the President, Cost of Living Council, and/or other Federal officials in controlling the economy. The Counselor may examine all records and other information relating to the rulemaking and adjudications of those bodies authorized by the President to carry out economic stabilization policies. The Consumer Counselor may also require a public hearing by the Cost of Living Council on any wage or price decisions.

Para. 208 authorizes the Comptroller General of the United States to review all reports concerning prices, profits, wages and salaries, and interest rates submitted by any person or company to the President or the Cost of Living Council. It further directs the Comptroller General to promptly inform Congress of any actions taken by anyone in violation of the standards established under this Act.

##### SECTION 2: REPORTS

This section directs the President to submit quarterly reports to the Congress describing changes in productivity, consumer prices, wholesale prices corporate earnings, interest rates, wage earner rates, and employment and unemployment on an industry basis. He is also required to submit monthly reports to the Congress describing his actions taken under this Act and his assessment of the status of his programs.

##### SECTION 3: ALLOCATION OF PETROLEUM PRODUCTS

This section authorizes the President to establish priorities for the use and allocation of petroleum products. It is designed to give the President flexibility to meet the energy needs of various sections of the United States and to prevent anti-competitive effects resulting from shortages of petroleum products.

##### SECTION 4: DEFINITION OF SUBSTANDARD EARNINGS

Under this provision, substandard earnings are defined as \$3.50 per hour or less, and grants such substandard wage earners exemption from controls under this Act.

##### SECTION 5: DEFINITION OF WAGES AND SALARIES

This section amends the definition of wages and salaries in the Economic Stabilization Act of 1970 to insure that employer contributions to pension and other fringe benefit plans are not included in wages and salaries.

##### SECTION 6: ADMINISTRATIVE PROCEDURES

This section provides that no order may be issued under this Act which has the effect of reducing wages or salaries in an appropriate employee unit unless such order is made on the record after opportunity for a hearing and a statement of explanation is

made within 30 days after issuance of the order to the affected parties and the public.

##### SECTION 7: HEALTH INSURANCE PRICES

This section directs the President to submit quarterly reports to the Congress explaining price changes for hospital and physician services, health insurance premiums, and changes in health insurance administrative costs. The President is also required to report his actions to stabilize health insurance prices and to make recommendations for appropriate congressional action.

##### SECTION 8: GENERAL ACCOUNTING OFFICE STUDY

This section directs the GAO to study the relationship between consumer food prices and commodity exchanges. The GAO is further required to submit its findings to the Congress within four months of the enactment of the section, with recommendations for Congressional or other Federal action.

##### SECTION 9: AMENDMENTS TO THE EXPORT ADMINISTRATION ACT OF 1969

Under this provision, the Export Administration Act of 1969 is amended to improve controls on exports when there is a threat of domestic inflation or short supply.

The Secretary of Commerce is directed to investigate what materials or commodities should be subject to export controls due to current or prospective domestic inflationary impact or domestic supply shortages in the absence of controls. The Secretary of Commerce is further directed to develop forecast indices of supply and domestic demand for certain materials and commodities to determine their availability to domestic consumers at stable prices.

In addition, this section imposes export controls on softwood logs and lumber unless within 30 days of enactment, the Secretary of Agriculture certifies that at least 11.8 billion board feet of softwood lumber from national forests will be on the market in 1973. No timber may be sold for export from federal lands west of the Rocky Mountains until the President has certified that an adequate supply of lumber is available for domestic use at reasonable prices.

## HOW WILL HISTORY VIEW NIXON NOW?

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 1973

Mr. MICHEL. Mr. Speaker, there has been a good deal of comment and speculation in the media and elsewhere as to what effect the Watergate incident will have on President Nixon's place in history.

In that regard, I noticed an article written by M. C. Forbes, Jr., vice president of Forbes magazine appearing in the September 15, 1973, edition of that widely read and highly respected publication, entitled "How Will History View Nixon Now?"

Mr. Forbes refers to previous Presidents who were faced with problems and difficulties during their administrations which at the time threatened to diminish their respective places in history, however, their positive achievements in larger areas of responsibility eventually overshadowed the negative aspects of their years in the White House and their place in history was assured. Mr. Forbes

suggests that President Nixon will fare equally as well and I am inclined to agree with that observation. I ask that the article be placed in the RECORD at this point.

HOW WILL HISTORY VIEW NIXON NOW?

(By M. S. Forbes, Jr.)

Few if any U.S. Presidents have faced a scandal on the scale of Watergate. How will the Watergate affair affect Richard Nixon's historical reputation?

Surprisingly, not as much as one might think.

Sordid as it is, Watergate is unlikely, in the eyes of future historians, to compare in importance with the Nixon initiatives, achievements in foreign affairs.

What will overshadow Watergate in the years ahead will be the working relationships

Nixon (and Henry Kissinger) established with adversaries Russia and China. Thanks to these, the possibilities of a general war involving major powers are less today than at any time since the years following the 1815 Congress of Vienna.

Nixon has done here what hundreds of presidents, prime ministers, foreign secretaries, diplomats, Nobel Prize winners have failed to do in this century—he has brought peace for his time.

Imagine, instead of vilifying the U.S., Russia and China are, for all practical purposes, competing for our favor.

Regional conflicts like the Middle East and Southeast Asia may continue. But the chances of those escalating into a Great War have lessened significantly.

And that's the stuff history is made of.

When looking at the past, it is the basic

issues of peace, war, prosperity, depression that mostly capture the historian's attention.

Abraham Lincoln is more remembered for preserving the Union than for taking extraordinary liberties with civil liberties. History is more concerned with Franklin Roosevelt's leadership during the Great Depression and the Second World War than with his coziness with corrupt big city bosses or black-hating Southerners. Harry Truman's historical reputation will rise or fall on the issues of the atomic bomb, the Marshall Plan and the Korean War—not on the fact that some of his cronies had their hands in the till.

Domestically, President Nixon is not so naked either. Despite inflation, the economy has never been so strong and prosperous.

Nixon's Gallup with future historians will easily outdistance his Gallup today.

## SENATE—Thursday, September 13, 1973

The Senate met at 9:45 a.m. and was called to order by Hon. WILLIAM PROXMIER, a Senator from the State of Wisconsin.

### PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, in whose almighty hand the future lies, we trust in Thee. Give us understanding minds, patient hearts, and determined wills that through us the patterns of Thy kingdom may be formed in this Nation. Remove from us all that obstructs the clear leading of Thy spirit. May pettiness or prejudice never rob us of our highest and best achievements. Give us greatness of spirit to match the great needs of the day. As we pray for ourselves, we pray for the whole Nation that a new spirit of penitence and patience, humility and common purpose may come upon us, so that under Thy rulership and by Thy grace, we may set forward the destiny Thou hast for that Nation whose God is the Father of our Lord and Saviour, in whose name we make our prayer. 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 second legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., September 13, 1973.  
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. WILLIAM PROXMIER, a Senator from the State of Wisconsin, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

Mr. PROXMIER thereupon took the chair as Acting President pro tempore.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its

reading clerks, announced that the House of Representatives having proceeded to reconsider the bill (S. 504) to amend the Public Health Service Act to authorize assistance for planning, development and initial operation, research, and training projects for systems for the effective provision of health care services under emergency conditions, returned by the President of the United States with his objections, to the Senate, in which it originated, and passed by the Senate on reconsideration of the same, it was resolved that the said bill do not pass, two-thirds of the House of Representatives present not having voted in the affirmative.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 12, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. SCOTT of Pennsylvania. Mr. President, I yield back my time.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from New York (Mr. JAVITS) is recognized at this time for not to exceed 15 minutes.

(The remarks Senator JAVITS made at this point on the introduction of S. 2411, the Export Priorities Act of 1973, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

### TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes.

### S. 2410, A BILL TO AMEND THE PUBLIC HEALTH SERVICE ACT

The ACTING PRESIDENT pro tempore. The Chair now lays before the Senate S. 2410 for a second reading.

The second assistant legislative clerk read as follows:

To amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems.

Mr. GRIFFIN. Mr. President, is there any action contemplated on this measure?

The ACTING PRESIDENT pro tempore. Does the Senator from California (Mr. CRANSTON) contemplate taking any action on this measure?

Mr. CRANSTON. Mr. President, I object to further proceedings on the bill at this time under rule XIV, paragraph 4.

The ACTING PRESIDENT pro tempore. Objection having been heard under rule XIV, paragraph 4, the bill will be placed on the calendar.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that S. 2410, which had its second reading earlier today and was placed on the calendar under rule XIV, be taken off the calendar and referred to the appropriate committee which, in this instance, I believe, is the Committee on Labor and Public Welfare.

The ACTING PRESIDENT pro tempore. The Senator is correct, and without objection, it is so ordered.

### VETO OF MINIMUM WAGE BILL

Mr. TAFT. Mr. President, I noted with considerable interest the recent statements made by many distinguished labor leaders and Members of the Congress criticizing the President for vetoing the minimum wage bill. While I can under-