

tolla Kazemini; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 10534. A bill for the relief of Mr. and Mrs. Philip Alaras; to the Committee on the Judiciary.

By Mr. TOWELL of Nevada:

H.R. 10535. A bill for the relief of Lt. Col. Franklin D. Ott; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

286. By the SPEAKER: Petition of the State

EXTENSIONS OF REMARKS

of Tennessee, Junior Order United American Mechanics, Knoxville, Tenn., relative to the achievement of peace in Vietnam; to the Committee on Foreign Affairs.

287. Also, petition of Esther H. Foxworth, East Northport, N.Y., and others, relative to recycling of metal, glass, plastic, and paper products; to the Committee on Interstate and Foreign Commerce.

288. Also, petition of the Chicago Bar Association, Chicago, Ill., relative to the proposed new bankruptcy rules and official forms; to the Committee on the Judiciary.

289. Also, petition of John E. Thomas, Park Ridge, N.J., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

290. Also, petition of Eleanor B. Glowe, Chi-

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cago, Ill., and others, relative to impeachment of the President; to the Committee on the Judiciary.

291. Also, petition of the Italian American War Veterans of the United States, Inc., Hartford, Conn., relative to the issuance of a commemorative postage stamp honoring the veterans of the Spanish-American War; to the Committee on Post Office and Civil Service.

292. Also, petition of the King County Council, Wash., relative to amending the Federal Water Pollution Control Act; to the Committee on Public Works.

293. Also, petition of the city council, Mayfield Heights, Ohio, relative to Federal taxes on gasoline; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

DR. BENJAMIN W. WATKINS SPEAKS OUT ON THE HEALTH CRISIS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RANGEL. Mr. Speaker, Dr. Benjamin W. Watkins, the mayor of Harlem, is a leading spokesman in the fight for quality health care for black Americans. Through his long experience in community activities, as well as through his professional work, Dr. Watkins is acutely aware of the health crisis poor people face in this Nation.

I am pleased to share with my colleagues in Congress Dr. Watkins' proposals for dealing with this critical situation. His article appeared in the September 15, 1973, issue of the Amsterdam News as part of the newspaper's series, "Blacks in America":

BLACKS CONTINUE TO SUFFER

(By Benjamin W. Watkins, M.D.)

The rather bizarre misconception fostered by the recent report, "Black Progress and Liberal Rhetoric" is generally detrimental to the Black community, particularly in the area of medicine and health care.

The now controversial study by Ben J. Wattenberg and Richard M. Scammon, which has since been rejected by most thinkers in the Black community, appeared in the April issue of *Commentary* magazine.

Among other things, the article said: "A remarkable development has taken place over the last dozen years: for the first time in the history of the republic, truly large and growing numbers of American Blacks have been moving into the middle-class, so that by now these numbers can be reasonably said to add up to a majority of Black Americans."

BLACKS STILL SUFFERING

Nonsense! While it is true to some extent that a small percentage of Blacks have become successful, the overwhelming majority of Blacks continue to suffer under a system of government and private enterprise that is, to say the least, racist.

And, based on my own research of data and statistics, of government and private records, health care and medicine are no exceptions to this rule. In many instances Blacks are worse off, for the truth of the matter is that it is almost a health hazard to be Black.

This is true because a Black has twice the chance of a white dying from hypertension, a disease afflicting one of every four Blacks,

and killing more than 13,500 Blacks each year. Let's move on to strokes.

By being Black, you stand almost twice the chance of being killed by a stroke, which is considered the country's third biggest killer.

What about cancer? There is an 8 percent greater chance of a Black dying than a white. And the situation has gone from the frying pan to the fire; only 20 years ago a Black had a cancer mortality rate about 20 percent lower than the white population. Not so anymore.

LIFE EXPECTANCY OF 61 YEARS

If you are Black, you are twice as prone to nephritis and chronic kidney disease, and you have four times the chance of dying if you are a Black woman giving birth, and three times if you are a Black baby being born.

Tuberculosis, nutritional anemia, rheumatic fever are other killers which strike more Blacks than whites. And what about the life expectancy of Blacks. If you are Black, you are doing good if you make it to 61, if you are white you will easily make it to 71 years.

Apparently Messrs. Scammon and Wattenberg forgot to check these figures, or did they forget to do it deliberately? They should know that we, by the virtual color of our skin alone, have been subjected to three and one-half centuries of blatant discrimination, and today's times are no different.

And maybe these propagandists should also check out the Black medical manpower and educational situations. Of the 108 medical colleges in the country, only two are Black, Howard and Meharry, and there are reports that a substantial number of their students are white.

With only about 6,000 Black doctors in the country, there is only one Black doctor for each 2,500 Blacks, compared to one white doctor for each 650 whites. And rather than recruit more Black doctors, many hospitals in the city and elsewhere are permitting foreign doctors to come into Black areas to replace potential Black physicians.

SOLVING THE PROBLEM

What can be done about these problems? The first thing would be to sue men like Wattenberg and Scammon for issuing false information or distorting statistics. Such information, if taken into serious consideration by foundations, legislators and others who are in the position to assist and help Blacks, could cut off vitally needed funds and support.

Secondly, the Black community must begin to use its legislators the way the lily-white American Medical Association does. The AMA has quite a few politicians in its pocket, and certainly there is no reason why we should not utilize the Black Congressional Caucus and others likewise.

There are many other approaches, but another major approach would be for us to set up our own medical colleges, do our own research, and become independent in general. We have a gross national product in excess of \$50-billion, and we can do it.

Why are we waiting, especially with people around like Scammon and Wattenberg—enemies of Black people in the first order?

CONTINUING APPROPRIATIONS RESOLUTION

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RAILSBACK. Mr. Speaker, I am in complete agreement with my colleague from Illinois that all service station owners must be treated alike. The Cost of Living Council should in no way discriminate among petroleum marketers in establishing prices for petroleum producers. The Council's decision to freeze the margins that independent service stations may charge to the January 10, 1973, level while permitting stations owned by major oil companies to the May 15 level seems to be arbitrary and clearly unfair.

The amendment before us this afternoon states the Council may not use any of the funds provided by the continuing appropriations resolution to perpetuate such discriminatory policies. Enactment of this amendment will put the Congress on record as supporting fair play and competition in this vital area. At a time when our Nation is suffering a fuel shortage, it is unwise as well as unfair to in any way adversely affect service stations who are making every effort to supply their customers.

My office as well as other congressional offices has been flooded by numerous complaints, both from consumers who cannot obtain fuel supplies and from independent stations who cannot cover their expenses. On their behalves, I urge immediate enactment of this amendment.

OUR NATION SALUTES THE BOROUGH OF TOTOWA OF THE STATE OF NEW JERSEY, ON ITS DIAMOND JUBILEE, CELEBRATING ITS 75TH ANNIVERSARY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ROE. Mr. Speaker, it is indeed my privilege and honor to call to the attention of you and our colleagues a most historic event that is being celebrated in my Eighth Congressional District, State of New Jersey: The diamond jubilee anniversary of the borough of Totowa. In 1898, the borough of Totowa was incorporated under chapter 56 of the Laws of the State of New Jersey. I know you will want to join with me in observing and commemorating the 75th anniversary of this most outstanding all-American community, which is my singular great honor to represent here in the Congress, with a special salute to the Honorable Sam Cherba, the distinguished mayor of Totowa, and to the Honorable Dominic Trouse, general chairman of the anniversary celebration. I also respectfully request that you join with me in extending our heartiest congratulations and best wishes to all of the good people of Totowa who throughout this past three-quarters of a century have sought and achieved a quality of excellence in their hometown which bespeaks the pioneering efforts of our forefathers and the traditions of a freedom-loving people dedicated to the American principles of democracy and a good family life for themselves and future generations to enjoy.

In commemorating this three-quarters of a century of progress in America's history the elected representatives of the borough of Totowa have indeed earned our respect and esteem and I wholeheartedly commend them to you for their outstanding public service and administration of a thriving suburban community of America in the interest of all of our citizens. The current members of the governing body are as follows:

The Honorable:

Samuel Cherba, Mayor.
Salvatore DeIveccio, Councilman.
Paul Curcio, Councilman.
Jack Whitney, Councilman.
Thomas Hogan, Councilman.
Joseph F. Palumbo, Councilman.
George B. Cipolletti, Councilman.
Amos Saunders, Borough Attorney.

The first elected officials of the borough were:

The Honorable:
William Van Houten, Mayor.
John Powers, Councilman.
Luke Oldham, Jr., Councilman.
William D. Wilson, Councilman.
Robert Boyle, Councilman.
Charles Scrivens, Councilman.
John Van Houten, Councilman.
William Nelson, Attorney.

The borough of Totowa is richly endowed with America's historic beginnings and the activities of America's great men of destiny including such distinguished patriots as Generals Wayne, Knox, Lord

EXTENSIONS OF REMARKS

Stirling, Huntington, Glover, St. Clair, Howe, Greene, Hand, and LaFayette; also, Baron von Steuben and Col. Alexander Hamilton who met on Totowa soil where they planned America's strategy with the father of our country, Gen. George Washington. Even today, if you could but tour this area of our Nation where people, purpose, and progress have gracefully intertwined to form a nucleus of achievement in family community living, you will see the names of these great Americans reminiscently interspersed at various landmarks among Totowa's complex of homes, schools, parks, business, and industry.

Mr. Speaker, during this week which is being celebrated by the citizens of the borough of Totowa as anniversary week, an outstanding program has been planned comprised of commemorative events and festivities in tribute to this 75th anniversary observance manifesting the great civic pride that the Totowa residents have in their community and, rightfully so, in view of the great heritage that they and their families before them have fostered and nurtured with strength and vitality of purpose these many years. May I also commend to you each and every member of Totowa's 75th anniversary committee who have been diligently pursuing a full citizens participation and observance for this diamond jubilee in our Nation's history. The members of this committee are representative of the ideal citizens of an ideal American community. Executive committee officers are as follows:

The Honorable:
Mayor Samuel Cherba, Honorary Chairman.
Dominic Trouse, General Chairman.
Edward Barnett, Co-Chairman and Parade Chairman.
Herman Diebler, Co-Chairman and Souvenir Book Chairman.
Ruth E. Accadia, Publicity Chairman.
Charles Willer, Events Chairman.
Marcella Trouse, Dance Chairman.
Hubert Vickerilla, Refreshment Chairman.
William Shipley, Decorations Chairman.
Frank Jurato, Souvenirs Chairman.
Mamie Wieda, Ecumenical Prayer Service Co-Chairman.
Nellie Van Way, Ecumenical Prayer Service Co-Chairman.
Mary Amato, Secretary.
Shirley Gerhardt, Secretary.
Robert Coyle, Researcher.
Carolyn A. Guzik, Researcher.

It was a pleasure to review the history of Totowa provided me by the chairman of the Totowa anniversary celebration, the Honorable Dominic Trouse, and with your permission I would like to submit at this point in the record several excerpts from the history and highlights of the Borough of Totowa which provide an understanding of the land area known as Totowa insofar as it relates to its origin and the extraordinary evolution that has taken place over its early characteristics, as follows:

In 1699, George Willocks, a shrewd Scottish land speculator, acquired most of modern day Totowa Borough in a tract of land known as the Willock's Patent. The description of that tract is a classic piece of legal language of the day. The passage is 142 words, all in one sentence which states: "All that tract of land situate lying and being

upon the Passaic River in the County of Essex and the Province of East New Jersey aforesaid called by the Indians Totoa beginning at a great stone above the turne of the river oposite to the mouth of a brook on the south side of the said river from thence running Northwest and by North forty chaenes (a chain was 66 ft.) thence Northeast one degree and fifteen minutes more northerly two hundred and sixtie one cheanes thence Southeast and by south to the said Passaic River, thence up the stream of the said Passaic River to where it begun Together with all manner of rivers, rivolettes, streams feeding paster (pastures) woods under woods trees waters water courses water falls ponds pooles pits easements provits comodities hereditament fishings flowlings hawkings huntins Mines minerals Quarries Royalties unto the same belonging."

The land was resold in 1710 to Anthony Brockholt, Helmigh Roelofse (Van Houten) and Roelef Helmeghse (Van Houten). It was called the Totowa Patent, most of which came into the hands of the Van Houten family. One of the earliest settlers in Totowa is said to be Roelof Van Houten, who was baptized on June 11, 1677. He married Aagtje Vreeland in 1701 and purchased land in Totowa from Anthony Brockholt in 1715. It is thought that this tract was in the area of present day Crews Street and Totowa Road. This old home, now owned by the Hollis family, is the oldest house still standing in Totowa. It has the characteristics of Dutch farm houses built about 1760 but sections of the house may be much older. This was the early homestead of ancestors of the Van Houten, Van Allen and Garrison (Gerritson) families.

In the early 1700's Totowa was in the wilderness; it was the western frontier of civilization and record keeping was not quite as important as staying alive. Early records, even of deeds, are few and incomplete, but most historians believe that Totowa was settled about 1720 by the Van Houten family. We know that by 1750 Totowa, which included much of present Paterson, was a thriving Jersey Dutch farm community . . .

Dutch scholars translated Totowa or Totowa, as it appears in some early records, as "where you begin." This was a reference to Totowa's position on the edge of the frontier or wilderness. Hackewelder refers to Totowa Falls and interprets the name as "to sink or be forced down under water by weight". He mentions the Indian term Totauewi meaning "to dive and reappear". Dr. Brinton in "The Lenape and Their Legends" says, "The name is certainly the Delaware Indian word 'Tetauwi' meaning 'it is be-tween' (referring to the land between the river and the mountains). William Nelson concurs in his book 'The Indians of New Jersey' but suggests 'it is between' refers to Totowa as the neutral ground between the Hackensacks and the Pomptons (sub-tribes of the Minis). Other interpretations are that Totowa means 'heavy, falling weight of waters' or 'God's Token'. The Lenni Lenape had no alphabet, so we must depend upon translations of the lost language of a lost people. Perhaps a combination of interpretation would be in order, something like, "The land between the river and the mountains, near the heavy falling water where you begin." That's enough to start an Indian uprising. Of one thing there is no doubt, this area was called Totowa by the Indians and by the early Dutch settlers as well . . .

At the end of World War II, Totowa's growth was given new vitality by the returning veterans, their subsequent marriages and new families. New families meant new homes as people turned from crowded cities to the open land of the nearby suburbs. Homes began to mushroom in the lower sections of the Borough and gradually began to

EXTENSIONS OF REMARKS

creep up the slopes of the mountain ridges. Most of these homes were modest structures on smaller lots. This attracted the fine young families who are the lifeblood of a community. Blending harmoniously, new and older residents formed the population that will see Totowa through the latter half of the 20th century . . .

A population which doubled in a decade, meant new schools, new sewer plants and new services. New sources of tax revenue had to be found. Fortunately, industries located in the older cities were experiencing problems of their own . . . and need for expansion pushed industry out of the cities and into the open suburban lands beyond. A partnership was formed between the home owners of Totowa and these expanding industries . . .

The view of these industries nestled comfortably in their small town surroundings, yet having all modern municipal services, attracted a host of other firms. Totowa's name began to appear on product labels throughout the world and the variety of products and services grew as well, reaching almost every major area of industry . . .

The Borough, through the years, has successfully attracted business and industry, and with the completion of one of New Jersey's major highways, Route 80, the Borough has become a vital center of activity in the hub of the metropolitan area . . .

I quote these excerpts to you, Mr. Speaker, because they express, in some measure, the historic significance and happenings of Totowa during these past 75 years. The quality of life in the Borough of Totowa we are commemorating today is stored up well within the heart and memory of our most distinguished elder citizen of Totowa, Mrs. Elizabeth "Libby" Wilson Raupp, who was born and resided in Totowa throughout her lifetime. She was a teenager at the time of Totowa's birth as a borough and we are all indeed proud of her and her family's contribution in the mainstream of the daily happenings of family living and historic record of achievements in the borough of Totowa.

Mr. Speaker, as we reflect in thanks-giving to all of the citizens of Totowa, I also commend to you the following esteemed mayors of Totowa who, throughout this diamond jubilee period served our country well at the helm of the governing body of the borough of Totowa:

The Honorable:

William Van Houten—April 18, 1898—March 1900.
Charles Scrivens—March 1900 until death 12-27-1900.
Robert Boyle—Presided until March 18, 1901.
William Wilson—March 18, 1901—March 1904.

Henry R. Crews—March 1904—Jan. 1909.
William J. Acorn—Jan. 1909—Jan. 1911.
Walter R. Hudson—Jan. 1911—Jan. 1917.
Fred S. Dodd—Jan. 1917—Jan. 1919.
John W. Sutton—Jan. 1919—Jan. 1923.
Francis M. Milne—Jan. 1923—Jan. 1925.
Elmer E. Miller—Jan. 1925—Jan. 1929.
J. Roy Sixx—Jan. 1929—Jan. 1931.
John Ulrich—Jan. 1931—Jan. 1933.
Joseph Boyle, Sr.—Jan. 1933—Jan. 1943.
Harry A. Stratton—Jan. 1943—Jan. 1949.
Joseph A. Stewart—Jan. 1949—Jan. 1955.
Joseph L. Ryan—Jan. 1955—Jan. 1959.
Felix Liberti—Jan. 1959—Jan. 1961.
Samuel Cherba—Jan. 1961 to present.

The history of Totowa would not be complete if we did not also offer a moment of silent prayer in memory of the young men of the borough who lost their lives in service to our country. I com-

mend to you the following deceased servicemen of Totowa:

Thomas Birchall.
Charles Campbell.
Harold J. Davidson.
Frank A. Durning.
Ernst G. Graf.
Austin Loran.
Frank P. McCourt.
Walter J. McMann.
G. Elliot Morrell.
John J. Netzer.
Donald P. Oxley.
Antonio Pezzano.
Gerard B. Quigley.
William Romeo.
Thomas J. Stainton.
John Thaler.
Melvin Van Houten.
John H. Winschuh.
Chester Wortman.
Francis Yost.
John P. Zeliff.

Plaudits and deep appreciation are also extended to the following "Roll of Honor" of community organizations who have helped to attain citizens participation in civic endeavors and providing outstanding public service to the residents of Totowa:

Volunteer Fire Company No. 1.
Lincoln Fire Company.
Riverview Park Fire Company.
C.D. Fire Rescue.
Exempt Firemen's Association.
American Legion Post 227 and Auxiliaries.
Veterans of Foreign Wars Post No. 10104 & Auxiliaries.
First Aid Ambulance Squad.
Totowa Police Athletic League & Auxiliary.
Totowa Woman's Club.
Totowa Junior Woman's Club.
Chamber of Commerce.
Totowa Senior Citizen's Club.
Italian-American Independent Club.
Borough of Totowa Parent-Teachers Association.
Societies of St. James R.C. Church.
Societies of Totowa United Methodist Church.
Societies of Christ Episcopal Church.
Women's Society of Christian Service.
Scouting Units of Totowa Borough.
Totowa Kiwanis Club.
Totowa Lions Club.
Totowa Education Association.
Passaic Valley Elks and Auxiliaries.
Republican Club.
Democratic Club.
Deborah Society, Totowa Chapter.
Paterson Lodge No. 76 Order of Shepherds of Bethlehem.
Patrolmen's Benevolent Association.
4-H Club.
Naval Brigade.
Totowa Fire Belles.

Mr. Speaker, the magnificence of the borough of Totowa is well expressed by the explorer, seaman, and writer, David Pieterszoon DeVries who, during the 1640's, in recounting his personal observations and impressions of his visit to Totowa and its environs, stated:

It is a pleasant and charming country if only it were well peopled by our nation.

As the history of Totowa is well documented in the reality of his observations, his words are so true. The people of Totowa have made the difference in achieving a pleasant and charming community and I am pleased and privileged to seek this national recognition of all of their good works. We do indeed salute the citizens of Totowa in commemorating and celebrating this diamond jubilee anniversary of the borough of Totowa.

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NEW IBERIA TROOPER SELECTED AS TOP OFFICER

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. TREEN. Mr. Speaker, I would like to take this opportunity to publicly congratulate Mr. Louis Ackal, Jr., of New Iberia, La., for his selection as the Outstanding Lawman of the Year by the Kiwanis Clubs of Louisiana, Mississippi, and western Tennessee. Mr. Ackal is a lieutenant with the Louisiana State Police and has compiled an outstanding service record. In this respect I submit the following article from the Daily Iberian:

TROOPER SELECTED AS TOP OFFICER IN THREE-STATE AREA

The New Iberia Kiwanis Club nominee for "Outstanding Lawman of the Year," Louis Ackal Jr. of New Iberia was selected as the top law enforcement officer over 117 other nominees submitted by clubs in Louisiana, Mississippi and Western Tennessee.

Ackal is a lieutenant with the Louisiana State Police and served in the detective-criminal division at the time of his nomination by the New Iberia club.

The lawman was recognized at the annual Kiwanis Convention held in Shreveport last week and received a plaque in honor of his selection. He was accompanied by his wife.

Ackal first joined the state police in 1966 and after completing basic training he was assigned to the now defunct Troop C in Franklin. In 1969 he began full time work in an undercover capacity to investigate narcotics. At a special training course for such agents he was elected president of his class.

During 1970 he worked full time as a narcotics agent and spent weeks and months without contact with his family. According to a deposition attesting to his work "most of his assignments involved 'hippie' groups and he was not allowed to cut his hair or shave in order to live with these people."

"These investigations not only involved the 'hippie type doper' but involved the 12-year-old marijuana user and salesman, the heroin addicts and the unsuspected clean citizen of a community," the Kiwanis statement reported. He was responsible for over 100 arrests.

The following is a list of his accomplishments:

In July of 1970, he completed an investigation which led to the arrest of over 30 people for the sales of marijuana and LSD in one community. Ages of these arrested ranged from 13 to 40.

He broke up an auto theft ring which operated from Dallas, Texas, through this area down to St. Petersburg, Fla. He recovered about 30 cars.

He broke up a boat theft ring out of Fort Worth, Dallas and down to Baton Rouge, Louisiana, and recovered 20 to 25 boats. This was in conjunction with the Texas Rangers and Baton Rouge City Police.

He was instrumental in breaking up a drug ring operating from New Orleans to Monroe, Louisiana.

He broke a dope case in North Louisiana, spending 5 days in jail to do it. He also spent time in jail in South Louisiana to break up a theft ring.

He broke up a Razzal Dazzal game near a Lafayette Club where tourists were being bilked out of money from \$300 to \$900.

He requested that he be allowed to give up his undercover duties in August of 1970. He has since been promoted to the rank of lieutenant.

He is presently assigned to security for

dignitaries visiting Louisiana, such as the President, Vice President of the United States and celebrities such as Bob Hope, as King of Bacchus.

He did find time to save a neighbor's life one night by giving artificial resuscitation.

FEDERAL EMPLOYEE PAY RAISE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. WALDIE. Mr. Speaker, I am introducing today a resolution disapproving the President's alternative plan for pay adjustments for Federal employees as submitted to Congress on August 31, 1973.

For the third time in 3 years, now, the President has come up with an alternative plan to what Federal employees need in the way of pay raises—and deserve under the law. When Congress passed the Federal Pay Comparability Act, it surely did not foresee that a President would systematically try to cheat Federal employees out of a few months of increased pay—or grant them less than economic statistics indicate they deserve.

But, at least, under the provisions of that legislation, either House of Congress can disapprove of the President's action. After discussing the continued circumvention of the Comparability Act with Federal employee groups and associations, it was decided that a disapproval resolution should be introduced in each body, but with the realization that the Senate clearly offered the better opportunity for early and favorable action. Indeed, I understand that the Senate may act as soon as this week on its disapproval resolution.

But, Mr. Speaker, even if the disapproval resolution is passed the problem of a President being continually able to subvert the intention of the Pay Comparability Act will remain. For this reason, my Subcommittee on Employee Benefits will hold hearings in early October to consider needed changes in the current law.

For instance, even if the Congress forces the President to grant a pay raise on October 1 rather than December 1 of this year, the President would still appear to have discretion over what percentage that raise would be. Indeed, the President evidently has until the very day before the effective date of the salary increase to announce the adjustment figures.

In any case, it is now time that the Congress reevaluate the Pay Comparability Act in light of its obvious inadequacies to prevent the President from dealing inequitably with Federal employees.

Mr. Speaker, the text of the disapproval resolution follows:

Resolved, That the House of Representatives disapproves the alternative plan for pay adjustments for Federal employees under statutory pay systems recommended and submitted by the President to Congress on August 31, 1973, under section 5305(c) of title 5, United States Code.

EXTENSIONS OF REMARKS

REPUBLICAN LEADER PRAISED

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, I think all of my colleagues, but especially those on the Republican side of the aisle, will be interested in an article which appeared in the September 24 Baltimore Sun. The subject of the article is our distinguished Republican leader, GERRY FORD. Its theme is that effective party leadership is possible in the House without resort to the kind of strong-arm tactics often associated with forceful party leaders in the past.

I found the article illuminating and a much deserved tribute to one who has served the Republican Party, the House of Representatives, and the American people faithfully and effectively for a quarter century. I ask unanimous consent that the article be included at this point in the RECORD:

FORD GETS THINGS DONE IN HOUSE, SAVES NIXON VETOES, LEADS GENTLY

(By Albert Schlesinger, Jr.)

WASHINGTON.—There is not much for Republicans to cheer about in this year of Watergate, but if they need a hero now, Gerald Rudolph Ford, Jr., might qualify.

Mr. Ford is a Republican leader of the House of Representatives, and while he lacks the "star" quality of a man like the late Senator Everett McKinley Dirksen, he is getting the job done.

The job at the moment consists in large measure of sustaining a series of presidential vetoes of controversial legislation. Mr. Ford with some help from the Democratic side of the aisle, has managed to muster enough votes this year to sustain four presidential vetoes in the House. (A fifth was upheld in the Senate.)

NIXON OBJECTION

Last Wednesday, the 60-year-old congressman from Grand Rapids, Mich., turned in his best performance to date as he led the GOP forces to victory in sustaining Mr. Nixon's veto of an emergency medical services bill.

Mr. Ford's performance was noteworthy because the bill, only one step removed from "motherhood" legislation, simply authorized a modest amount of money, \$185 million over three years, to do something almost everybody thought was a good idea.

The money would have been used to help cities bring faster aid to accident victims and to those struck down by heart attacks or stricken by other sudden medical catastrophes.

President Nixon had objected to the bill because it was another example of the federal government becoming involved in local matters and because the measure forbade the closing of eight Public Health Service hospitals, including one in Baltimore, which the chief executive said had "outlived their usefulness."

Despite the popularity of the bill, Mr. Ford prevailed, though by a narrow margin. The veto was sustained by the House 144 to 273. The 273 votes cast in favor of overriding the veto were only five fewer than the two-thirds majority required by the Constitution.

The Senate had overridden the veto in a landslide, 77 to 16.

Mr. Ford gets the job done by dint of hard work and kindness in the opinion of Representative Lawrence J. Hogan (R., 5th).

"He never cajoles," said Mr. Hogan who

voted last Wednesday to override the veto. "He is persuasive. He works hard."

"He's the kind of guy who when he comes up to you, you listen," Representative Hogan said.

Representative Ford was coming up to people last Wednesday as he patrolled the Republican side of the House like a football coach on the sidelines during a tight game.

One person the GOP leader encountered was Representative Paul N. McCloskey, Jr., of California, who became well known nationally when he opposed President Nixon for the Republican presidential nomination.

"How do you feel?" Mr. Ford said he asked Mr. McCloskey, inquiring not about his health but about the way he was going to vote.

There were only 2 minutes remaining in the 15 minute voting period and it was apparent from the House's electronic scoreboard that the final outcome would be close.

"I haven't made up my mind," Mr. McCloskey replied.

Mr. Ford recalled that he and the Californian had "always had a good relationship," though they had voted differently on some issues. The minority leader said he explained the bill to Mr. McCloskey. Mr. McCloskey listened but walked away without saying what he would do.

A minute later, he came back to Mr. Ford and said: "I voted with you."

That helped.

The McCloskey anecdote does not summon up an image of a congressional leader in the tradition of a Lyndon B. Johnson, when he held sway in the Senate, but Mr. Ford is not in that mold.

This point was made by Representative Gilbert Gude (R., 8th) who observed however, that "leadership is a hard thing to define."

Mr. Gude said he has been accused by his own political opponent of lacking leadership, or the established criteria of leadership, and he seemed to think Mr. Ford might be in the same category.

However, the Marylander said, "the proof is in the pudding," and he mentioned sustaining the four vetoes.

The pudding is not easy to prepare.

GATHERING VOTES

Mr. Ford was asked last week how he gathered enough votes on each occasion to sustain the vetoes.

"First" he said, "we know in advance if a bill will be vetoed."

That is important because it gives the Republican leadership an opportunity to "protect" the GOP members against voting for a bill when it first comes to the floor and then reversing themselves later to sustain a veto, he said.

After a veto, he continued, the leadership makes a "whip check" in which Republicans from each state are asked how they would vote to sustain—yes, no, or undecided.

Then the leadership goes to work on the undecided members, working closely with the White House.

AGAINST ARM-TWISTING

White House lobbying against the medical bill was intense, according to Representative Carl Albert (D., Okla.), speaker of the House, who said after Wednesday's vote that it was all right for the President to be against the bill "but to put on the pressure that some Republicans have told me about is almost unbelievable when a spirit of co-operation is supposed to be in the air."

However, Mr. Ford said he is against arm-twisting tactics, such as threatening to block a public works project in a congressman's district if he does not vote with the party.

"If you did, you would destroy your relationship forever," the Republican leader said. "That might win you one vote, but in the long run it undermines your relationship."

Mr. Ford discussed these matters sitting behind his desk in the GOP leader's office in the Capitol. From the window there is an impressive view of the mall, extending up to the Washington Monument and beyond to the Lincoln Memorial.

He speaks to a visitor simply and directly in a style devoid of sweeping observations or witty asides that some educated politicians affect.

Growing to manhood in the Depression, Mr. Ford worked his way through the University of Michigan washing dishes and giving blood, at \$25 a pint, to make expenses.

Young Ford also found time to play football and was named Michigan's most valuable player in 1934. He played center.

WENT TO YALE

He entered Yale Law School, despite the misgivings of the school because he was working full-time as an assistant football coach and freshman boxing coach. He was reminded that he would be entering the law course with a class of 125 that included 88 Phi Beta Kappa's.

Always able to get by on five or six hours sleep, Mr. Ford made it; was graduated from the Yale Law School in 1941 and admitted to the Michigan state bar the same year.

He also became interested in politics and worked for a reform group back home that was trying to oust a local boss who also was powerful in the state.

The reform group eventually won but by then Mr. Ford was in the Navy where he remained for 47 months, taking part in aircraft carrier operations in the Pacific.

After the war, he rejoined the reform group and tried to get somebody to oppose the resident congressman, Bartell J. Jonkman, whom Mr. Ford called an "extreme isolationist." Mr. Ford failed to find a candidate, ran against Mr. Jonkman himself and beat him 2 to 1.

Re-elected regularly, he became senior Republican on the important House Appropriations Committee.

CHALLENGED HALLECK

The 1964 elections (Johnson-Goldwater) were a debacle for House Republicans who lost 40 seats and were very unhappy. Mr. Ford challenged the Republican leader, Charles A. Halleck of Indiana, and won 73 to 67.

Asked if he thought he would ever become speaker of the House, he said "the odds are a little against us."

There are only 192 Republicans in the House now, compared to 243 Democrats and the GOP has not had a majority there since the first administration of President Dwight D. Eisenhower.

However, Mr. Ford speculated, if the House were divided philosophically—with Republicans and Southern Democrats together—it would be a different story.

Further, he noted, the GOP was making inroads in the South, picking up some seats long held by conservative Democrats.

But all that is pretty far down the road.

The next order of business for Mr. Ford comes up Wednesday when the House votes to sustain or override President Nixon's veto of the minimum wage bill.

He will be patrolling the aisles again looking for every possible vote.

NORTH VIETNAM TRIES TO DUCK ON MIA ISSUE

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. HUBER. Mr. Speaker, the vexing problem of accounting for our missing in action in Southeast Asia continues to bother many of us here in the Congress.

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Progress on the matter is not apparent and, in fact, the North Vietnamese are attempting to muddy the waters in that respect. A UPI story over this last weekend that appeared in the Washington Star-News reported that the North Vietnamese now demand that all political prisoners still held by South Vietnam be released before they will abide by the accords they signed. This is a typical Communist delaying tactic. There was nothing in the agreements we signed tying accounting for the missing in action to the political prisoner issue. The United States might just as well ask North Vietnam to return every South Vietnamese citizen they kidnaped first. This might be a fair exchange. The article follows:

[From the Washington Star-News, Sept. 23, 1973]

HANOI SHUNS SEARCHING FOR U.S. DEAD

SAIGON.—Vietnamese Communists yesterday said they could not help in the search for more than 2,000 dead and missing Americans in Indochina while political prisoners remain in South Vietnamese jails.

"How can the Vietnamese people enthusiastically get information about the U.S. missing in action while their relatives are still detained in the prisoners of that (South Vietnam) side?" asked North Vietnamese Maj. Pham Phu Binh, spokesman for the Hanoi delegation to the four-party joint military team.

Binh's restatement of a Communist tactic apparently meant another halt in the search for 2,400 Americans still officially unaccounted for.

There was no immediate comment from U.S. officials.

On the battlefield, fighting in the highlands north of Saigon and the Mekong Delta to the south killed 151 Communists and 23 government soldiers between dawn Friday and noon yesterday, the government high command said.

In the two worst battles reported, 39 Communist and six government infantrymen were killed Friday near Kontum in the central highlands, 260 miles north of Saigon, and 35 Communists and seven government troops were killed the same day near Cai Lay, 50 miles southwest of Saigon.

TRIBUTE TO BUCK OWENS

HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. KETCHUM. Mr. Speaker, I am honored today to call to the attention of the Congress a man whose accomplishments as a musician and humanitarian are unsurpassed, Mr. Buck Owens.

Buck Owens is recognized throughout the Nation as being a pillar in the musical world, a man who probably more than any other has made country music the universally popular form of musical expression that it is today. Country music, particularly such as that of Buck Owens, is in my mind the true soul music of America.

Mr. Owens has traveled throughout the United States bringing his music and message to millions of fans in every State of the Union. Equally important, he has taken with him country musicians of exceptional talent and presented them in a showcase of America's finest music capabilities. The many entertainers, now

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stars, who have been helped by Buck Owens, as well as the many people who enjoy their music, owe much to him for this interest in advancing the message of this popular medium.

But perhaps more significant than what Buck Owens has done for the country music world is what he has done for the hundreds of thousands of our citizens afflicted with a wide variety of tragic maladies. For more than 10 years, Buck Owens has dedicated his talents in an immensely humanitarian effort to those who are underprivileged, handicapped, mentally retarded, mentally ill, or disabled by cancer or heart disease. He has done so by donating his services to the many groups and associations directly involved in the battle against such afflictions.

Touched more than once through his family with the tragedy of cancer, Buck Owens established in 1971 the Buck Owens Health and Research Organization to advance the research on and cure of cancer and heart disease. This organization, in which his sister, Dorothy Owens, plays a prominent role, is recognized as being among the finest of such associations, and the completion of the Nation's fifth cancer research center, the Kern Radiation and Oncology Center, will soon be reality. This center is one of the few such centers in the United States, and will be a source of hope and comfort to many Californians.

Each year Buck Owens has sponsored the Buck Owens Celebrity Invitational Golf Tournament in Bakersfield, Calif., to raise money for this massive undertaking, and for the American Cancer Society. A memorial to his brother Mel, who died of cancer, the tournament raises thousands of dollars and enjoys the loyal support of celebrities, actors and athletes from all over the Nation.

I greatly admire Buck Owens as a great entertainer, great humanitarian and personal friend. Truly men of his stature and sensitivity do not come along every day.

THE CRISIS FACING AMERICAN STEEL INDUSTRY

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ROONEY of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article which I referred to earlier in my speech "The Crisis Facing the American Steel Industry."

[From the American Metal Market, Sept. 20, 1973]

BUREAUCRATS NEED BOARD EXPERIENCE

Last week's decision by the Cost of Living Council to grant some steel price increases in dribs and drabs and deny others at least up until December may have been politically expedient, but it lacked courage.

What it really all adds up to is that the traditional economic theory of supply and demand, a cornerstone of most economics courses have gone by the wayside.

CLC's ruling and other related actions over the past 18 months have effectively

proved one point—the economics textbook is out the window and it has been replaced by something else—political influence or interference.

Many of Washington's current politico-economic policies have been promulgated at the expense of industry—not in its interest. We don't have to look any further than this nation's manufacturing industry to prove that despite the fact we are in an economic boom period right now there are fewer people employed in manufacturing than there were in 1969.

Right in the steel industry, quotas to curb imports have been largely ineffective for one reason—they have been formulated by people who for the most part are not directly involved in steel, and these people have not yet recognized the fact that foreign industry—a partnership of big business and government—has proven it needs no classic supply-demand situation or even profit motive to sell steel in a given market.

There is a startling paradox in this current confrontation between steel and government in this country.

The government by its supersensitive reaction toward steel has once again proclaimed that it is the industry on which this nation's economy is based. And yet it seems to be doing many things to insure that it becomes less efficient, less productive and less prosperous.

The experts say this nation's steel industry will need about 25 million brand new tons of steel capacity by 1980 to meet projected world demand, plus an additional 23 to 25 million tons of capacity to replace facilities that will have been outmoded by that time.

These same experts say this addition to capacity translates into \$18 billion in capital expenditures. Where is this money going to come from?

It'll have to come from steel, but it won't come from an industry plagued with production problems, reeling from imports, and hampered by lack of any meaningful form of capital recovery.

Perhaps the answer is in putting the bureaucrats in the hot seat? It might be interesting to elect some of the Cost of Living Council members who voted down steel's increase to some of the boards of directors of our steel firms.

We wonder how comfortable they'd be agonizing over authorization of that kind of capital spending. Perhaps the perspective they'd gain would make it a worthwhile experiment?

GOVERNMENT'S REVOLVING DOOR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. DERWINSKI. Mr. Speaker, Mr. Arch Patton, director of McKinsey & Co., is widely regarded as an expert in diagnosing and solving management problems, both in government and private industry. He served as chairman of the President's Commission on Executive, Legislative, and Judicial Salaries, which Commission report will serve as the basis for the President's executive salary recommendations next January. Mr. Patton has written an article, published in the September 22 issue of *Business Week*, entitled "Government's Revolving Door," which deals with the issue of tenure—or rather lack of tenure—of key Government executives. I commend Mr. Patton's comments to anyone who is interested in the operation of the Federal Govern-

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ment and the problems we face in making it work better:

GOVERNMENT'S REVOLVING DOOR

The 11 departments of the federal government have a normal complement of approximately 90 secretaries, undersecretaries, and assistant secretaries. The individuals appointed by the President to these positions provide top management guidance to some 1.7-million federal employees and supervise a \$22-billion payroll. By any criteria, these men and women have an awesome responsibility for the well-being of our country.

Yet turnover among these key executives of our government is extremely high, which means on-the-job experience is low. The most common estimate heard in Washington is that the average undersecretary and assistant secretary keeps his official post for only 22 months. When asked what he would do if his own publicly owned company was limited to 22-month top executive tenure, one chief executive of a big company responded: "I'd sell every share of stock I own as fast as possible."

The official attitude in Washington toward such short tenure among federal executives seems to be that it is not all bad, for much of the turnover represents the early elimination of hiring mistakes. Some comfort is also taken that the two-year job tenure average could be worse. And finally, the general attitude is: "It has always been this way."

Having had reason to review the tenure of appointees as secretary, undersecretary, and assistant secretary in several recent Administrations, I wonder if the 22-month average so widely regarded as "par" in government circles is not a dangerously simplistic figure. For example, the tenure of the 563 secretaries, undersecretaries, and assistant secretaries in the first Administration of the three most recent Presidents—Kennedy, Johnson, and Nixon—broke down as follows:

	Months on the job		
	Less than 12	12 to 24	Over 24
Secretaries.....	16	25	59
Undersecretaries.....	16	35	49
Assistant secretaries.....	22	32	46

Thus, when the generally accepted 22-month average tenure is analyzed, we see that a sizable number of officials held their jobs less than a year. Furthermore, more than half of the undersecretaries and assistant secretaries left their posts in less than two years.

These figures, of course, represent the average for all government departments. In the Commerce Dept., for instance, approximately one-third of its officials quit in less than 12 months, and nearly 40% left some time in their second year. The huge Defense Dept. had a somewhat better record: Only 10% of the undersecretaries and assistant secretaries left the first year, but nearly half of them quit in the second year.

Many top government officials question the ability of undersecretaries and assistant secretaries with less than a year of tenure to make a real contribution to their jobs. It takes longer than that, they argue, to understand the decision-making process, "how things are done around here." Former Commerce Secretary Maurice Stans says: "A business executive needs at least two years to become effective in government, to understand the intricacies of his programs, and to make beneficial changes."

A survey of the expectations of top executives in industry, on the other hand, indicates that when an individual is promoted to either a function or a business that is new to him, at least two years will pass before he is even held fully accountable for his de-

cisions. As a top executive in a big company put it: "There are three levels of executive job learning: The superficial or 'talking' level may take six to nine months, understanding the economics-of-the-business level may take 12 to 18 months, but the 'instinctive' decision-making level will take at least one and perhaps two complete cycles of boom and recession—and this may encompass six to eight years." In other words, in the competitive world of business, the job-learning process is expected to take time, and the individual rises or falls on his ability to handle a job once the learning period is behind him.

POLITICAL NOVICES

A large proportion of the newly appointed undersecretaries and assistant secretaries, of course, accept jobs that are entirely new to them. Furthermore, most of them are entering the political arena for the first time, which must add a new—and difficult—dimension to the job-learning process. However, the political appointee does not expect to make a career of his job, so the penalty for failure is transferred from the individual—as in industry—to the employer, the government.

Looked at from the standpoint of job tenure alone, therefore, the executive branch of the federal government has a problem that would be disastrous for most industrial companies.

But there is another side to the tenure coin, one that I have rarely heard mentioned in Washington: the time a boss and his subordinate work together. The enormous importance of the working relationship between an individual and his superior stems from the need of the boss to size up the strengths and weaknesses of an individual he is counting on to discharge some of his own responsibilities.

Almost to the man, senior business executives contacted in the tenure survey believed it took longer for the boss to form a solid judgment of a subordinate's ability to do a job than it took for the man to learn the job. In other words, if it takes 18 months for a man to get a reasonable grasp of his job, it is likely to take his superior up to 50% longer to reach a balanced judgment of his ability to do the job adequately.

When the tenure of the government superior working with his subordinates in these same Presidential first terms is examined, the gravity of the management problem becomes clear. The following table shows the time span of the working relationships of the same secretary and the same reporting undersecretaries, as well as the same assistant secretaries working for the same undersecretaries, in these three first Presidential Administrations:

	Boss-subordinate relationship months		
	Under 12	12 to 24	Over 24
Undersecretaries to secretary.....	29	34	37
Assistant secretary to under-secretary.....	39	38	23

Note: In 1 department, the assistant secretaries report to the secretary and the relationships vary only moderately from these averages.

The fact that 29% of the undersecretaries and 39% of the assistant secretaries in these Presidential first terms worked less than a full year with their superiors must be close to the disaster level. When it is then realized that almost two-thirds of the undersecretaries worked for less than two years with the same boss, and more than three-quarters of the assistant secretaries fell into this category, the mind simply boggles.

The figures in some of the major departments are equally shattering to a taxpayer's

equanimity. In the Defense Dept., for example, more than 40% of the assistant secretaries had a boss-subordinate relationship of less than 12 months, and more than 80% had less than two years. Even in the relatively conservative Treasury Dept., more than one-third of its undersecretaries and assistant secretaries had a superior-subordinate relationship of less than a year. The Commerce Dept. seems to be in a class by itself: 60% of its undersecretaries and assistant secretaries had a boss-subordinate relationship of less than 12 months.

THE CIVIL SERVICE

Any serious consideration of the boss-subordinate relationship in the executive branch, it seems to me, must raise at least two questions. The first, of course, is whether these men learn enough in their brief sojourn to make the decisions expected of them. If the answer is "no" as the facts suggest in all too many instances, then who does make them?

The answer to this second question may well offer one solution to the turnover problem. There is some evidence to suggest that many decisions presumably reserved to officials of the executive branch are in fact made by civil service executives in the so-called supergrades working under them. This, in its turn, suggests the possibility of eliminating the practice of making political appointees assistant secretaries and instead filling these positions from the ranks of civil service. Assuming qualified men can be found for these jobs in the supergrades, this would have the double advantage of providing one more promotion level at the top of the civil service structure, and vastly improving job tenure, which means more experienced decision-making at the assistant secretary level of the government departments.

England seems to have found this to be a workable approach. It is worth serious consideration in the U.S. The facts at hand suggest that almost anything reducing turnover will improve the decisions made in the executive branch, given the same quality of manpower.

It is also possible, of course, that the recruitment of better qualified secretaries, undersecretaries, and assistant secretaries would result in reduced turnover. The highly qualified individual is likely to feel comfortable in his new position more quickly, hence inspire greater confidence on the part of both superiors and subordinates. This, in turn, should result in greater *esprit* within the organization, thereby eliminating some of the causes of turnover.

YOUNGER APPOINTEES

However, this solution presupposes that government service carries a considerably higher prestige value among businessmen of proven ability than appears to exist today. One very obvious trend during the past decade has been that undersecretaries and assistant secretaries—particularly the latter—have been getting younger and younger. Many of the more recent appointees are in their early 30s.

This implies that more senior executives have been approached—for any administrator would prefer to appoint a man with an established reputation—and have turned down the offer. But the necessity of appointing younger men has the effect of further diminishing the prestige of these positions, for the 45-year-old executive who is close to the top shies away from working at the same level with men 10 years his junior. There is a sort of Gresham's Law controlling the prestige associated with a position. If the inexperienced young are acceptable, their experienced seniors find reasons for being unavailable.

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THE TRAGEDY OF CRIB DEATH

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. WHITE. Mr. Speaker, on September 10, I introduced legislation in the House of Representatives providing financial assistance for research activities for the study of sudden infant death syndrome.

During my remarks before the House, I noted that serious and tragic injustices often occur because parents of SIDS victims are falsely accused of child abuse. The bill I introduced provides the means by which research may begin, and a protective device for those parents who are falsely accused of neglect because of the public's lack of knowledge and awareness of SIDS.

The Senate has once again begun hearings on SIDS, and the witnesses appearing before the joint session of the Subcommittee on Children and Youth and the Subcommittee on Health have brought to light new and more tragic injustices.

Mr. Colman McCarthy has stated well many of the injustices uncovered during those hearings, and I submit for the RECORD the contents of Mr. McCarthy's article which appeared on the editorial page of the Washington Post on Friday, September 19.

The article follows:

THE TRAGEDY OF CRIB DEATH

(By Colman McCarthy)

Earlier this year in a small California town near San Diego, John and Patricia Smiley went into the bedroom of their four week old infant. The child healthy the day before, lay dead. The couple, frantic with sudden shock, immediately called the local sheriff's office to ask for an ambulance. As Smiley remembers it, the voice at the other end replied that if the child was dead, why was an ambulance needed.

So began the post-death ordeal of the Smileys. The young and poor couple was charged on suspicion of involuntary manslaughter and jailed for three days. The charges were eventually dropped but not before the couple had been harassed to the point that they left town. The Smileys were in Washington yesterday, testifying before a joint session of the Senate subcommittee on children and youth and the subcommittee on health. "There are just so many bad memories to the whole situation and I would like to forget," Smiley told the senators, "but I know that I will never be able to forget . . . I hope that it never happens to anyone else like it happened to us. The death of a child is bad enough. It's the harassment and lack of knowledge, lack of understanding and lack of compassion that hurts more than anything else."

The tragedy of the Smileys would pass unnoticed—another hard luck case in a world full of them—except that it is part of a national pattern. Their child died from sudden infant death syndrome, a disease that kills an estimated 10,000 infants a year, at a ratio of one in 350. SIDS (crib death) is neither predictable nor preventable. Perhaps because of this, interest in its research has been limited, from medical schools to the federal government; current federal primary money for SIDS research grants is \$262,000, less

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than the cost of remodeling the President's jet; primary research contracts are \$340,000. What is especially strange about the disease is not its mystery but that little is done for the surviving parents, even though much is known about their anguish. Couples are not usually jailed as the Smileys were, but nearly all are imprisoned within some kind of emotional torment from which release is painful and perhaps impossible.

Many who are concerned about SIDS learned long ago not to look to the Federal government for leadership, much less to local health officials. Instead, several private groups are at work. Among them are the Guild for Infant Survival (Baltimore) and the National Foundation for Sudden Infant death (New York). In testimony yesterday, Dr. Abraham Bergman, a Seattle pediatrician and the foundation's president, said that the parents' post-death anguish "is all so unnecessary. By the expenditure of a small amount of funds (such as proposed in legislation now before the Senate), and just the semblance of some action on the part of HEW, the human aspects of SIDS which causes an enormous toll of mental illness could be solved within two years."

In other years, Bergman has come to Washington with mostly general statements on the degree of neglect. The response was small. This time, he is presenting specific details from 158 American communities on what action coroners, medical examiners, health officials and parents take when infants die suddenly and unexpectedly. The report, with a few bright parts, is generally bleak. A coroner in Alabama called a SIDS death suffocation because "blacks do not know how to care for their children properly." An Idaho coroner called it "partial neglect and pneumonia." Only half of some 400 parents were told their children died of SIDS. Only 27 percent of the communities had pathologists to certify the cause of death; in 43 percent of the communities it was not even a physician who performed this service, but often an undertaker, ambulance driver or sheriff. More than a third of the families had to wait between a week and many months before the autopsy results were provided; 9 percent were never told by anyone why their infants died.

Not surprisingly, Bergman's study found racial and class discrimination in the management of SIDS. "Half as many blacks as whites were given SIDS as an explanation for death; four times as many blacks were told that their baby suffocated; and three times more blacks than whites were never told why their baby died. Some 75 percent of upper class families had heard of SIDS before their baby died, and 92 percent received information afterwards. Only 48 percent of lower class families had heard of SIDS before their baby died and only 40 percent received information about SIDS after their baby died. The people who needed the help most were least apt to receive it."

The loss of an infant causes an anguish that only the surviving parents can feel. Even when a parent is familiar with the disease, the trauma can be intense. A Seattle pediatrician working in the hospital with the world's largest SIDS research project said that her knowledge that SIDS is neither predictable nor preventable "did not protect me from painful guilt feelings and depression. I was a human being and a mother who needed help at a critical time." She was visiting in Los Angeles when her infant son died and the help was not provided. More than two months passed before she even knew that an autopsy had been performed. "I keep thinking," the woman has written, "if a physician's family, which has some understanding of SIDS, is treated in this way in Los Angeles, what happens to other families

who don't have similar resources? Why can't parents who lose treasured infants be treated with dignity and compassion?

It is a fair question. One possible answer is the lack of leadership among public health officials. Why should a local sheriff's office be expected to show sensitivity if no example is given by the supposedly alert doctors in many state and federal agencies? At the last Senate hearings on SIDS, a HEW doctor in charge of SIDS research issued the inevitable promise to take action, but he's gone from the agency now. His successor has renewed the promise. "I don't know what happens to people when they come back here to the banks of the Potomac," Bergman said. "Maybe it's the heat or maybe it's the smog. Government officials here in Washington are always busy, busy, busy with *big problems*. HEW always seems to have some reorganization cooking. Global health strategy is being devised, or else 'we're new in our job, just give us time.' Senator Magnuson says that, what with all the job changes, the busiest people in this town are the sign painters down at HEW.

If we were told this morning that in the next year a dreadful plague would kill 10,000 of America's children, it is likely the nation's medical community would command the front pages of newspapers to announce plans to meet the threat. The sign painters at HEW would be idle because no official would dare leave his post in this emergency. Every local community, including Alabama coroners, would be on the alert. Such a plague is not coming, of course, at least not the Black Death kind of threat. But a year from now, another 10,000 infants will have been found dead in their cribs. Afterward, their parents will die repeated emotional deaths in private anguish. The research to prevent SIDS may be far off, but ways to prevent the abuse of surviving parents is well known. Perhaps the largest mystery involving SIDS is that we are not acting on facts already available.

THE DEATH OF THE REVEREND URBAN J. VEHR

HON. DONALD G. BROTMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BROTMAN. Mr. Speaker, last Thursday I was saddened to learn of the death of the Most Reverend Urban J. Vehr, the retired Roman Catholic archbishop of Denver.

Archbishop Vehr retired in 1967 after having served as a religious leader in the Denver community for 36 years. Originally from Ohio, Archbishop Vehr was named Bishop of Denver in 1931. He had been ordained a priest in 1915 and had immediately begun his full life of serving people. Prior to coming to Denver, he served as both a pastor and educator.

In 1941 Denver was raised to an archdiocese and Monsignor Vehr was elevated to archbishop at the age of 50. That made him one of the youngest archbishops in the country. During his tenure, Archbishop Vehr greatly expanded the number of Catholic parishes and churches in Colorado. He was a strong supporter of the Catholic press, having assisted in the formation of the Denver Register as a national Catholic newspaper.

On two occasions, Archbishop Vehr

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was recognized by the Pope for his efforts, he was named a knight commander of the Holy Sepulchre and an assistant to the pontifical throne.

Perhaps Archbishop Vehr will most be remembered for his efforts in the religious development of youth. Under his leadership the number of students receiving Catholic religious instruction increased by more than four-fold between 1946 and 1965.

In 1969 Archbishop Vehr received Regis College's highest honor, a *Civis Princeps* award as First Citizen of Religion.

Mr. Speaker, the entire Denver community is better for Archbishop Vehr's having been there. We will miss him, but we are thankful that he served us so well for so long.

UNICO NATIONAL SUPPORTS INCORPORATION PROPOSAL FOR ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ROE. Mr. Speaker, as a nation comprised of people of all nationalities and origins from throughout the world—each singularly, and rightfully so, proud of his individual heritage and united in common endeavor of freedom, justice, and a good life for all, I find it most rewarding as a Member of Congress to be able to participate in the legislative process of our Nation in helping to preserve the endowment and traditions of our forebearers which are truly the strength of our Nation's foundation and the sphere of America's heritage. Our representative democracy has been nourished and secured by the cultural standards of excellence that all nationalities have contributed to America's greatness.

It was, therefore, a privilege and honor to learn from the Honorable Alphonse A. Miele, executive secretary of UNICO National, the nationwide service clubs of community leaders dedicated to the preservation of the Italian culture and heritage, that the board of directors of UNICO National had unanimously adopted a resolution wholeheartedly supporting and endorsing H.R. 8038 to incorporate the Italian American War Veterans of the United States.

In addition to my sponsoring this legislation, it has also been sponsored and endorsed by the distinguished chairman of the House Judiciary Committee, the Honorable PETER W. RODINO, Jr. of New Jersey; the Honorable FRANK ANNUNZIO of Illinois; the Honorable CARLETON J. KING of New York; and the Honorable MARIO BIAGGI of New York. This measure is presently being considered by the House Committee on the Judiciary.

For your information and guidance, I submit to you and our colleagues here in the Congress a copy of the resolution adopted by the board of directors of UNICO National at their national con-

vention held in Chicago, Ill., on August 18, 1973, which reads as follows:

RESOLUTION OF THE BOARD OF DIRECTORS OF UNICO NATIONAL

Whereas, Unico National is a national service organization whose goals, aims and objectives are to foster, encourage and promote the Italian culture and heritage as a creative force in the United States; and

Whereas, Unico National is dedicated to the support and encouragement of many civic and social causes for the betterment of all mankind including the cause of national Mental Health; and

Whereas, Unico National recognizes the contributions made by Americans of Italian descent to this Country in all fields of human endeavor; and

Whereas, Unico National further recognizes the contributions made by Americans of Italian extraction who have rallied the cause of National Service in all branches of the Armed Forces of the United States distinguishing themselves in all conflicts which the United States has engaged in support of freedom and the cause of free peoples throughout the world; and

Whereas, many Americans of Italian descent have valiantly given their lives or suffered severe injuries in this cause of freedom; and

Whereas, Unico National recognizes the need for a national organization to encourage, foster and promote the needs, aims and ideals of all Italian American War Veterans for the perpetuation of patriotism in the minds of all Americans, allegiance to the United States of America and fidelity to its Constitution; and

Now therefore be it resolved by Unico National here in Convention assembled in Chicago, Illinois this 18th day of August, 1973, do wholeheartedly support and endorse the House of Representatives Bill 8038 which calls for the establishment of the Italian American War Veterans of the United States, Incorporated, and will cause this resolution to be sent and distributed to all members of the Congress of the United States as an expression of our support.

Mr. Speaker, in response to this resolution of UNICO National, I would respectfully urge all of my other colleagues here in the House to join with us in cosponsoring and to vigorously support the promulgation and enactment of this legislation into law at the earliest possible date.

Mr. Speaker, it is my esteemed privilege to have the opportunity to seek national recognition of all of the good works of UNICO National and join with all Americans in saluting our Italian-American war veterans. We can, indeed, share the great pride of our Italian Americans in the outstanding contributions that the people of Italian heritage have made to the quality of our way of life here in America.

GERTRUDE MAY, R.I.P.

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. SCHERLE. Mr. Speaker, last month Shenandoah, Iowa, lost one of its best and best-loved citizens. Mrs. Earl May's life was such an eloquent tribute to the power of individuals to influence

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their communities, however, that it can serve as an example to the whole Nation.

Born 81 years ago in the same town where she died, Gertrude May contributed to the civic, business, charitable, and religious life of Shenandoah in ways almost too numerous to mention. Some philanthropists are generous with money; others donate their time and talents to the causes they espouse. Gertrude May gave freely of everything she had to all who wanted and needed her.

She served as chairman of the board of her husband's seed and nursery company and filled the same role in the May Broadcasting Co., parent of Shenandoah's KMA radio station and Omaha's KMTV television station. Her influence on these important public enterprises was paramount. In addition to these obligations, Mrs. May found time for an amazing roster of civic and charitable activities. She is perhaps best remembered, however, for her 25 years' association with the Hand Community Hospital.

If every community were fortunate enough to its own Gertrude May, America would be immeasurably richer and happier. Those that do understand our gratitude and our grief.

THE BOROUGH PRESIDENT OF MANHATTAN REACTS TO THE PRESIDENT'S HOUSING MESSAGE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RANGEL. Mr. Speaker, the housing message released by President Nixon last week has caused many of us grave concern. Those of us who represent inner cities with housing needs of crisis proportion are severely disappointed with the content of the President's message.

We have been suffering for 9 months from the effect of this administration's moratorium on Federal subsidized housing. The new housing desperately needed by the city of New York for our low and moderate income citizens has been stopped by this clogging of the Federal pipeline. We were told to wait for the completion of a comprehensive study of Federal programs and the announcement of new programs which would replace the old and prove more effective in meeting the needs of poor and moderate income citizens. Our hopes have been dashed instead of proposing new programs to increase the supply of low and moderate income housing, the President proposes the end of subsidized housing for the construction of new housing and the substitution of a program of housing allowances. It is elementary economics that if you increase the amount of money people have to purchase housing and do nothing to stimulate an increase in the housing stock, you are likely to simply drive the prices of existing housing even higher than its present level and thus further out of the reach of low and moderate income citizens.

Manhattan Borough president Percy Sutton, who has long fought as a private citizen, the State legislator and as the borough president of Manhattan for

more low- and moderate-income housing eloquently set forth the basic problem with the President's proposal in a statement released by his office on Thursday, September 20, 1973. I want to share Mr. Sutton's reaction with my colleagues and urge them to consider it carefully as we critically examine the President's housing message.

The message follows:

SUTTON CALLS NIXON MESSAGE A "TRAGEDY FOR NEW YORK CITY"

The housing message released yesterday by President Nixon to Congress is a tragedy for all people in New York City who need decent housing.

The most destructive part of the Nixon proposal is his plan to end subsidies for the construction of new housing and to substitute a program of housing allowances.

The housing allowance program, very simply, will not help the poor get decent housing. It is a program that will "put the slum landlord on welfare."

The housing allowance program gives low income families money to spend in getting a roof over their heads—but the amount of money given will not be enough to purchase new housing; only old, tired and worn out housing will be available to the poor under the President's housing allowance program.

The housing allowance plan does nothing to increase the available supply of decent housing. The law of supply and demand makes the outcome very predictable. The result of the Nixon housing allowance program will be that the rent levels of existing worn out housing will go, and the only federally subsidized housing will be for the other-than-poor.

Poor people will continue to live in the same dilapidated housing, but they will be paying a higher price as the rent gougers learn that the poor are not going to be able to use their small rent subsidies to afford getting into new housing, and are confined to old housing.

The Nixon housing allowance program is good for the slumlord, but bad for the tenant.

Finally, it ought to be known that the housing allowance program is unsound. It is unsound because it does not provide for new housing and new housing is the needed answer for the millions of citizens across this country who now live in seriously dilapidated housing and cry out for a change of their conditions.

The Nixon housing allowance program is unsound because there is no way to implement it short of a federal commitment to improve the housing that people are now living. I, like others, view the President as cynical, and believe that if the Nixon administration had a real commitment to house the poor of America, he would never have brought forth the housing allowance program.

I urge the Congress, the New York City delegation and all the members of the Congress, to reject the Nixon housing allowance program as the latest chapter of the continuing saga of the arrogance and contempt in which Mr. Nixon holds the poor and middle class working people of America.

PHASE IV—AN EMPTY PROMISE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. CRANE. Mr. Speaker, Americans are being forced to learn economics the hard way. Perhaps the recent shortage of beef, and the dramatic rise in food prices of all kinds, will convince those

who have advocated wage and price controls and other forms of Government intervention in the economy to rethink their position. It is clear that such controls have not only failed, but have made the situation far worse.

Discussing the prospects for the phase IV program, Dr. Beryl W. Sprinkel, senior vice president and economist for the Harris Trust and Savings Bank in Chicago, notes that:

Phase IV promises much but will deliver little, except shortages, supply disruptions, reduced output and ultimately higher inflation.

Writing in the Los Angeles Times of August 5, 1973, Dr. Sprinkel points out that—

History teaches us the lesson at lesser costs. Throughout recorded history countries have tried various forms of the current experiment and have inevitably been forced to abandon controls after failure and at great sacrifice of economic efficiency.

In the long run, Dr. Sprinkel believes, we have the option of returning to a system of free enterprise. He declares that—

Prudent Federal spending control and less monetary growth can bring our inflation under better control. However, the lags between tighter budgets and less money are exasperatingly long. . . . There is no better time to start than now.

I wish to share Dr. Sprinkel's remarks with my colleagues and at this time insert his article from the Los Angeles Times of August 5, 1973 into the RECORD.

The article follows:

PHASE IV—AN EMPTY PROMISE

(By Dr. Beryl W. Sprinkel)

Phase IV promises much but will deliver little, except shortages, supply disruptions, reduced output and ultimately higher inflation. The objective of the new program is clear, understandable and hopes to achieve an end that all citizens, be they producers, consumers or government officials, ardently desire. The program will attempt to slow inflation over the months ahead while minimizing supply disruptions characteristic of Freeze II. Yet to the extent it achieves reduced inflation by suppressing market forces, it will create perverse incentives, shortages, production cutbacks and, if long continued, will lead to black markets and ultimately rationing.

But such a dire prediction smacks of crying wolf! Haven't we all been taught by Freeze I and Phase II that price and wage controls need not lead to such difficulties? Certainly Freeze I and the early part of Phase II appeared to lower inflation expectations, as well as reported inflation, without serious distortions. Unfortunately, the state of the economy is now much different. Then excess capacity existed in the labor force and most industries, and the rate of inflation had been declining nearly 1½ years in response to tight monetary-fiscal policies applied in 1969 and early 1970. Today the economy suffers from excess demand in most markets, capacity for increasing output is severely limited, price increases have been rising for nearly 1½ years, and inflation is much worse than in August 1971 when controls were first imposed. The public learned the wrong lesson and is only now feeling the effects of controls in an economy of excess demand.

But history teaches us the lesson at lesser costs. Throughout recorded history countries have tried various forms of the current experiment and have inevitably been forced to abandon controls after failure and at great sacrifice of economic efficiency. The reason is not difficult to ascertain.

The U.S. economy is the most wealthy and efficient in the world. How could a shortage

develop in this land of plenty? Many conceive of a shortage as strictly a physical phenomenon resulting perhaps from exhausted resources, depressing poverty or natural disasters such as fires, floods or poor crop weather. However, the shortages we are facing are different. In our economy the price of a product performs the critical role of balancing supply with demand. If demand increases, the price rises; profits increase encouraging more production and as the price goes up some potential buyers decide that the price is too high and shift their spending elsewhere. No shortage develops because output increases and unit purchases subside. But what happens when price rises are prohibited by direct controls? First, the price cannot rise, production incentives are blunted and consumption is encouraged because of the low price. Presto, a shortage develops. Producers can be prevented from rising prices but they cannot be forced to produce at a loss or unattractive return. Neither can consumers be prevented from attempting to buy except by some form of rationing or ultimately black markets. Price and profit changes play a star role in determining production priorities in line with consumer demands. The information system is short circuited by controls and supply disruptions and shortages inevitably occur. The rules of Phase IV are complicated and varied by industry, but concentrate upon regulating price changes by cost increases, not market demand. Inevitably a growing list of intermediate and final products will develop short relative supply and output will be sacrificed, thereby exacerbating the basic inflation problem.

Nor will reduced production be the only cost of Phase IV. As consumers and producers, we will all lose a little precious freedom; producers because the Cost of Living Council will make many of their decisions and consumers because we will not be able to buy goods that are unavailable. The added cost of producers complying with complicated and ever changing rules is enormous. We all share in the cost of paying for 1,200 new controllers which will bring the Government staff to about 5,000. Can 5,000 Washington regulators run an enormous production machine efficiently? I think not.

Is there a viable alternative? In the short run our choice is simply open or suppressed inflation. The inflationary ingredients are already here and cannot be removed. Of the two unhappy choices, I prefer the first even though it means a price spurt because supply disruptions, shortages and black markets would be avoided. Phase IV opts for suppressed inflation with all the attendant penalties while battling symptoms and ignoring the cause.

In the longer run we have a more pleasant option. Continued large budget deficits and excessive monetary growth, especially the latter, will make serious inflation inevitable. But prudent Federal spending control and less monetary growth can bring our inflation under better control. However, the lags between tighter budgets and less money are exasperatingly long—on the order of two years. There is no better time to start than now. Phase IV concentration on symptoms will surely prove counter-productive.

U.S. POLICY TOWARD THE PERSIAN GULF

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. HAMILTON. Mr. Speaker, I think that most Members of Congress are increasingly realizing that our national energy strategy must include a coherent

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and thorough U.S. policy strategy toward the Persian Gulf.

On June 21 in a statement on the House floor, I expressed some concerns over what we are and are not doing in the Persian Gulf. During the August recess the State Department wrote a thoughtful reply dealing with some issues raised in my statement.

The State Department in its letter did acknowledge that the United States can do more to foster stronger political, economic, and cultural ties with the states of the Persian Gulf and that there was a need for more progress toward resolution of some outstanding territorial and other disputes in the area and for more cooperation among the states in the region.

The energy predicament of the United States has recently received much attention here in Congress and in the executive branch even if that attention has been uneven and, at times, unorganized and unproductive. Unfortunately, to date, the lack of a coherent national energy strategy and substantive plans for this winter and the next suggests that not all people involved are sufficiently imbued with a sense of urgency on this issue of major national and international importance. U.S. policy in the Persian Gulf is only one small aspect of a national strategy so badly needed, and needed yesterday.

There follows for the interest of my colleagues my statement of June 21, 1973 and the State Department's reply of August 17, 1973:

U. S. POLICY TOWARD THE PERSIAN GULF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 5 minutes.

Mr. HAMILTON. Mr. Speaker, this past month there has been considerable discussion in the press and in Congress about extensive arms sales the United States is making or contemplating with certain Persian Gulf states.

FOCI OF RECENT DEBATE

Three factors have served to make this subject a matter of major public interest and scrutiny in recent weeks.

First, an Iraqi-Kuwaiti border clash with temporary occupation by Iraq of a small piece of Kuwaiti territory and persistent Iraqi territorial demands on Kuwait—presumably in order to protect its naval base at Umm Qasr which is being built with some Soviet aid—has caused anxiety in Kuwait, a small but wealthy state which has friendly ties with the west, England and the United States in particular. Kuwait was prompted to make a sudden appeal and request to the United States for a deterrent strength that would be sufficient to make the costs for Iraq of attacking, occupying or conquering Kuwait in the future too high for Iraq to consider seriously. The United States answered that appeal affirmatively, and a more than \$500 million deal may follow.

A second cause of the recent discussion of this issue was the probability that sophisticated weaponry, including the versatile Phantom Jet, would be available to Persian Gulf states in limited quantities if they desired them. In the turbulent Middle East area where there is no peace yet in sight in the Arab-Israeli conflict, it seemed as though another large trigger or fuse was being added in the Persian Gulf region. The real concern here should not center on any speculation that these arms, sold to countries in the Persian Gulf, might be used in an Arab-Israeli military confrontation.

Indeed, these arms might likely have no significant impact on the military balance in the Middle East for the foreseeable future and nobody can guarantee that arms sold will not be used in a general Middle East war. The appropriate area of justifiable concerns is in the general policy of pouring lots of sophisticated arms in an extremely volatile portion of the Middle East, known, not for exemplary regional cooperation, but instead for a plethora of territorial, ethnic, familial and political disputes over the last several hundred years.

A third major cause of the debate over our arms supply policy in the Persian Gulf has been the magnitude of the sales envisaged. The two primary deals will be with Iran and Saudi Arabia, two states with close ties with the United States but not exactly a history of close cooperation with each other. In deals starting a couple of years ago and spanning almost a decade, we will be selling these two states billions of dollars worth of arms—\$2.5 billion alone to Iran and something that may eventually approximate that figure to Saudi Arabia. And on the horizon may be requests from some of the smaller Gulf states for arms deals, perhaps led by Oman, the only state in Arabia currently confronting an organized internal insurrection in which the rebels control part of the country.

These amounts suggest that the United States might be selling as much as five times more hardware to Persian Gulf states in the coming years than the Soviet Union has supplied to Iraq and the People's Democratic Republic of Yemen in recent years. Soviet aid to those states is estimated at a little more than \$1 billion over the last several years.

REASONS FOR CONCERN OVER POLICY

My reservations over this evolving military supply policy center on the lack of a clearly enunciated rationale for the policy, the magnitude of the sales envisaged, the seemingly dominant military focus of our Persian Gulf policy and the relative absence of any priority for diplomacy as a means to prevent a conflict or arms race in this vitally important area. As I think most of my colleagues are aware, close and good relations with Saudi Arabia and Iran, in particular, will be an extremely important national interest for the United States for the next several years. That fact, in itself, demands careful attention to policy formulation.

Various rationales have been offered for our military arms deals in the Persian Gulf. Some are:

The military and political threat of Soviet-backed Iraq and South Yemen, with their operational Mig-21's, to the security of the more conservative states of the region and the corresponding need of other states to meet this threat. Assistant Secretary of State Joseph Sisco, in testimony before the subcommittee on the Near East and South Asia, emphasized this rationale.

If we do not sell arms, others, including our allies, will.

These sales are beneficial to our balance of payments.

These sales will create an important interrelationship between the United States and these oil-rich states and will, partially because of their need for spare parts in the future, give the United States some useful leverage in our dealings with these states.

The sale of Phantoms to Saudi Arabia and Kuwait, as Deputy Secretary of Defense William Clements suggested in a recent interview, can be seen also as a symbolic gesture to maintain excellent relations with the oil-producing states. Referring to the good qualities of the Phantom, he said Saudi Arabia and Kuwait would "like to have the best." The implication is that their desire to have this weapon is sufficient reason for selling it.

Mr. Speaker, some of these reasons given for our arms supply policy have merit and others, frankly, have little appeal, but all

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have been offered, suggesting to me, at least, that a clear rationale for the course we are following may be evolving only slowly and, at that, after the fact of confirmed deals in some cases.

OUR PERSIAN GULF POLICY

My major concern with this policy lies in its implications for the totality of what we are and are not doing in the Persian Gulf. It is curious that in an area where our pronounced policy puts such a heavy emphasis on regional cooperation and regional solutions to mutual problems of defense and security that there appears to have been little priority for diplomacy, coordination, and discussions prior to these arms deals. In fact the main evidence of regional cooperation in the Persian Gulf today is negative, rather than positive: disputes have not led to violence but close ties have not been built between states on the basis of sovereign equality. The one concrete example of regional cooperation to which I can point is Iranian, Saudi Arabian, Jordanian and Abu Dhabi participation in that nasty little Dhofar Rebellion in Oman. But that has an air of monarchies seeking merely to protect their own flanks.

Regional cooperation rather than regional domination or regional competition will be something we will have to work hard for over many years. It is my impression that the arms deals we are now making in the area are no harbingers of great cooperative schemes. Every state appears to be in the arms buying business for itself, and for some of the states, close ties with the United States are a political liability rather than an asset. That fact, it would seem, strengthens the desire to "go it alone," militarily and politically. And down the road a few years, this current policy might make a sham out of the argument sometimes heard that these Arab States need the United States as much as the United States may need them for petroleum.

Mr. Speaker, the policy of increased military supply of arms and equipment in the absence of strong political, economic, and cultural policy components is, in my opinion, an unwise path to follow. Simply to curry favor with these governments by selling arms they want can never be an adequate reason for a policy. If the threat to these governments from Soviet-backed South Yemen or Iraq is perceived by us to be great or if our arms sales policies were buttressed by a political and economic policy that emphasized social and economic development for all the peoples of the gulf, then the sale of adequate amounts of arms, even Phantoms, could be properly seen as part of a coherent gulf policy.

Unfortunately, the United States does not seem to be focusing enough attention on our future economic relations with these states, including the downstream investment idea proposed by the Saudis, or on the urgent need to help bring negotiations and peace to the Middle East. A successful Persian Gulf policy will depend as much on these facets of our Mideast policy as it will on any military supply relationship.

In short, it appears to be high time for us to address the larger, more difficult issues of our political and economic relations with the gulf states rather than rely so much on the short-term benefits of the military supply policy.

DEPARTMENT OF STATE,

Washington, D.C., August 17, 1973.

Hon. LEE H. HAMILTON,
Chairman, Subcommittee on the Near East,
Committee on Foreign Affairs, Washington, D.C.

DEAR MR. CHAIRMAN: I have read with considerable interest your remarks to the House of Representatives on June 21 regarding U.S. policy toward the Persian Gulf. I believe that your remarks highlight several important

points. The following comments are submitted in the spirit of the continuing and constructive exchange on Persian Gulf and other Middle East matters between the Department and the members of your Subcommittee.

In your statement you expressed concern that our arms supply policy in the Persian Gulf seems to lack a clear rationale and that the policy appears to be evolving after the fact of confirmed deals in some cases. You may recall that in my appearances before the Near East Subcommittee on August 8, 1972, and again on June 6, 1973, I discussed our arms sales policies in this area, stressing the long history of our military advisory and supply role in developing and modernizing the armed forces of Iran and Saudi Arabia. In doing so I emphasized the importance which we attach to encouraging these two countries, along with other friendly states of the region, to assume increasing responsibility for their own security and for that of the region as a whole. In our discussions with these governments we have not attempted to define for them the threats which may exist to their security and to stability of the region nor have we tried to dictate what arms are appropriate for their use. We have, however, given them our best advice and judgment in this regard and have maintained an open and continuing dialogue with them on ways in which their security needs can best be accomplished. In responding to requests from Iran and Saudi Arabia for aircraft and other weaponry, we have looked carefully at the impact which such sales would have on overall political and economic progress in these states. We have also reviewed carefully how our decisions to provide such arms as they request and in the quantities desired would affect the overall military balance in the area.

I would like to reiterate that our decisions to sell military equipment to Iran, Saudi Arabia and Kuwait are not knee-jerk reactions to the so-called energy crisis or to minor border incidents. For example, Saudi naval requests were carefully studied by us over a period of 3½ years before agreement on the scope of our cooperation in Saudi naval development was reached. The decision that the U.S. would assist in modernization of a part of the Saudi Arabian National Guard followed over a year of discussions with Saudi authorities. We have had a continuing dialogue with the Saudis as well as with Iran on their other military plans and programs for which U.S. support has been sought. In the case of Kuwait, discussions on its government's requests for improved defensive capabilities began well over a year before the March 1973 border incident with Iraq and have not yet been concluded. In many of these cases the programs that have been agreed upon will require many years before all equipment is delivered and local personnel have been trained in its use and maintenance. A large portion of the program costs, especially in Saudi Arabia, involve construction not only of structures directly related to equipment purchases but of such infrastructure as administration buildings and dependents' housing. In many instances equipment sales represent only a modest portion of the estimated total program costs.

I think, Mr. Chairman, that we would both agree there is no one exclusive rationale for our arms sales policies in the Persian Gulf. Political and economic ramifications are carefully examined as are military and strategic considerations. Obviously, such sales have economic as well as political benefits for the U.S. Nevertheless, the chief determinant in our decisions on arms sales to these states has always been whether such sales will enable these countries to deter or repulse outside attack so that in those cases, such as Iran, where we have specific security arrangements, it would not be necessary for U.S. forces to intervene. An Iran

and Saudi Arabia which not only are but feel themselves to be secure are essential prerequisites to a policy based on their roles of assuming primary responsibility for maintenance of stability in the area. Naturally, we remain alert to ensure that only those arms which the recipients can reasonably be expected to operate and maintain are sold. We have in many cases withheld approval from companies desiring to promote the sale of certain equipment to Gulf countries when we have felt that these criteria could not be met. In agreeing to sell Phantom aircraft to Saudi Arabia, for example, we are insisting that the number of these aircraft and the timing of their delivery be closely linked to development by the Royal Saudi Air Force of the capacity to absorb them. A thorough review of Saudi Arabian manpower requirements, not only for the Air Force but for the other services, is therefore a requisite task. We have offered, and the Saudis have accepted, the services of U.S. military experts in reviewing these manpower requirements.

In your remarks you noted that regional cooperation rather than regional domination or regional competition will be something that the U.S. will have to work hard for over many years. I fully agree. *We, too, wish there had been more progress toward resolution of outstanding territorial and other disputes that have hampered development of close and effective cooperation among some states of the region.* I also agree that arms deals alone cannot bring about such cooperation. Much must be done if states which have not had the habit of cooperation in the past are to develop this habit in the future.

We do see in recent developments in the area hopeful signs that these states are beginning to give greater attention to how regional cooperation can best be accomplished. Early last month the Iranian Foreign Minister visited Saudi Arabia for what we have been told was a friendly and frank exchange of views on matters of mutual interest. At a banquet in honor of the Iranian guests Saudi Arabian Minister of State for Foreign Affairs Saggaf said: "I want to assure the Iranian Foreign Minister that the Saudi Arabian Government and especially His Majesty King Faisal is greatly interested in strengthening and expanding relations with the Imperial Iranian Government. I think that the Shah and other Iranian officials share this feeling. It is obvious that sometimes differences are created but fortunately the existence of such differences does not affect the relations between the two countries or the lofty goals they have in mind." Subsequently, in a July 14 speech to graduating cadets of the Saudi Air Force and visiting military commanders from Kuwait, Bahrain, Qatar, and Oman, Saudi Minister of Defense Prince Sultan announced that the armed forces of Saudi Arabia were available for the defense of all the Gulf states. In addition there has been over the last several months a significant increase in diplomatic activity among the Arabian states of the Gulf including the signature of several bilateral agreements intended to strengthen relations among them in a variety of areas. I cannot pretend that these speeches or these agreements in and of themselves will assure that regional cooperation rather than competition will be the dominant feature of relations among these states in the future. However, these and other developments point very clearly, in my opinion, toward a healthy and favorable trend toward closer working relations among friendly states of the region. We, for our part, will do all that we appropriately can to encourage these initiatives without, however, seeking to dictate the pace or the form of cooperation which states agree among themselves best serves their needs.

Mr. Chairman, we too consider that the U.S. can and should do more to foster stronger political, economic, and cultural ties with

the governments and peoples of this region. However, the publicity given to recent arms sales agreements between ourselves and several states of the region overlook the important and developing relationships already established and the progress being made in other areas. Our arms arrangements are but a part of our larger policy.

In Iran, we have close ties covering the whole nexus of foreign relations which go far beyond our military cooperation in support of the regional security role Iran is performing. We regularly exchange views on a wide range of international, regional and bilateral issues of political importance and have active exchanges on programs in a number of areas—narcotics control, educational and cultural exchange, information and language training. In the economic sphere we derive substantial benefits from our relations. Iran is the second largest exporter of petroleum (Saudi Arabia is the first) and has an essential role to play in assuring stability to world energy supplies. We believe Iran will continue to do so as the long term sales contract recently negotiated with the consortium of major oil companies in Iran and the joint venture in the United States with Ashland oil illustrate. Iran and Saudi Arabia are also the largest and fastest growing markets the United States has in the Middle East with our exports to them of consumer and capital goods alone expected to reach nearly 1 billion dollars in 1973. Both countries are also hospitable sites for important levels of private investment by U.S. firms.

Other examples are the Peace Corps programs in the area. In Iran, the Peace Corps continues to make a valuable contribution. In Yemen, Bahrain and Oman, Peace Corps programs are scheduled to begin this fall. Although aid to Iran ended some years ago, we still have useful programs of technical cooperation now paid for entirely by Iran. For Saudi Arabia, we are presently reviewing within the Executive Branch a proposal to the Saudi Arabian Government for an "umbrella agreement" under which the services of American technicians and consultants would be available readily and on a reimbursable basis to Saudi government agencies. This would replace *ad hoc* arrangements we have made to supply the Saudis for short term services in such fields as air traffic control, planning, census administration, radio broadcasting, and social security administration. In the Lower Gulf and Oman, where there is growing interest in American technicians and a few contracted for, we believe our efforts will be facilitated if Congress gives us "topping off" authority to make the cost of their services more attractive and more competitive with those of technicians from Western Europe. In this connection we are deeply grateful for the strong support and encouragement given such legislation by members of the Near East Subcommittee, and especially Congressman Bingham who served as one of its sponsors.

We are currently giving very serious and high-level consideration to our future economic relations with Saudi Arabia and other oil producing states in this region. We have had a continuing dialogue with Saudi Oil Minister Yamani and other officials of his government on oil and the related problems of investing Saudi Arabia's surplus capital. In addition to exploring what can be done on a government-to-government basis, we are also encouraging American private interests to give serious attention to possible joint ventures with Saudi Arabia and other oil producing states of the Gulf to develop their resources, especially flared gas. Over the long run we believe that such privately arranged commercial activities will more than anything that we do as a government strengthen the ties between these countries and ourselves and further the social and economic development of all the peoples in the Gulf region.

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Lastly, Mr. Chairman, I wish to express my complete agreement with you on the urgent need to achieve a negotiated settlement that will bring peace to the Middle East. I believe history will show that our decision recently to veto in the Security Council a resolution which we regarded as one-sided and unhelpful has kept open the opportunity for progress toward a peaceful settlement. I hope history will also show that this opportunity for peace in the Middle East is not missed as so many have been before. We continue, however, to be ready to be helpful in whatever way we can. UN Secretary General Waldheim's proposed visit to the area to consult with the parties offers an early opportunity for progress. The Secretary General has our full support in his efforts and we are asking the parties to give him their complete and imaginative cooperation.

Sincerely,

JOSEPH J. SISCO,
Assistant Secretary for Near Eastern and
South Asian Affairs.

NEBRASKA, AN AGRICULTURAL STATE

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. THONE. Mr. Speaker, agriculture is the basic industry of my home State of Nebraska. When the farmer does well in Nebraska, the economy of the Corn-husker State is good. Agriculture, with its roots in the family farm, is once again recognized as the No. 1 mainstay in the U.S. economy.

Forty-nine percent of those employed in Nebraska are engaged in agriculture or farm related industries, compared to 20 percent nationally. The percentage of people who actually work on farms and ranches in Nebraska is four times the national average.

I am most proud of the fact that I was born and raised on a northeast Nebraska farm which I now own with my two brothers. Since I came to Congress 2½ years ago, I have worked hard to increase net income for farmers. I will continue in these efforts as long as I am in Washington. It is good to know that farmers realized net income this year in America will approach \$24 billions, up from the record \$19.2 billions set last year.

The new 4 year farm act needs to be fully understood by all of agriculture.

Following is a brief summary of major features of the Agriculture and Consumer Protection Act as I see them. This is an informal, nonlegal description. Any producer having specific questions concerning interpretation of the act should discuss them with the local ASCS office.

THE NEW FARM LAW

The new farm act recognizes a change in the world food situation. For years, the market situation has been such that the Federal Government has given agriculture incentives for holding back production. Now, there is a worldwide demand for more food.

The new farm act encourages full production with payment in the market

place, but it provides a floor on prices in case of a glut. The act provides target price guarantee of \$1.38 per bushel on corn, \$1.31 for grain sorghum—\$2.34 per CWT, \$2.05 on wheat, and \$1.13 for barley. These target price guarantees will be in effect for crop years 1974 and 1975, with an important cost of production escalator in effect for 1976 and 1977 crops.

Yields will be computed on a 5-year basis, with authorization for excluding 1 year if it was abnormally low due to natural disaster, drought, or flood.

If farmers can receive more in the marketplace than the target prices, the Government would pay nothing. If farmers receive less, the Government would make up the difference between what was received in the market and the target prices. Prices received by farmers would be determined by taking the average price received all over the Nation during the first 5 months of the marketing year.

USDA can require farmers to set aside some acres to be eligible for both CCC loans and target price protection, but for 1974 USDA is asking no set-asides for corn or wheat.

Although a farmer can plant as much corn and wheat as he likes in 1974, his target price protection will only be on his allotment. For corn, there is a new corn acreage allotment, which works out to be about 68 percent of the old corn base. Protection for wheat is geared to the long-established wheat allotment—the full allotment, not just the domestic allotment.

The act sets a limit of \$20,000 that can be paid in a year to a farmer under the target price program. Excluded would be loans, purchases, resource adjustment payments and public access for recreation payments.

The loan rates under the act are \$1.10 per bushel for corn and \$1.37 for wheat.

The act provides a formula for payment to farmers who are prevented from planting a crop or harvesting less than two-thirds of the farm acreage allotment because of natural disasters.

In the dairy field, milk prices will be supported at not less than 80 percent of parity until March 31, 1975. Then, the previous law would go back into effect, which requires support from 75 percent to 90 percent of parity.

The current wool program is extended through 1977, with wool supported at 72 cents.

The beekeeper indemnity program is extended through 1977.

The new act continues Public Law 480, the food for peace program.

The 1973 act provides for a new rural environmental conservation program. The new REAP also replaces the water bank and Great Plains conservation programs. This is intended to carry out most of the same purposes of the REAP program, except that the Government will only support conservation work done under a contract covering 3 or more years. One of the objections to REAP was that in some parts of the country it had been used to support annual production stimulants. The new program provides for Federal cost sharing of not less than 50 percent nor more than 75 percent.

EL GRITO DE LARES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RANGEL. Mr. Speaker, on September 23, 1868, in the mountain town of Lares, revolutionary forces surrounded the town and attacked the Spanish strongholds in the town. It is estimated that 700 people marched, men, women, slaves, and children. Armed with whatever they could find, sticks, knives, hatchets, and bottles, they marched together with their leader Ramon Emeterio Betances in hopes to abolish slavery and declare independence for their island, Puerto Rico.

The battle was won, the Republic of Puerto Rico was formed and the people were at peace. Their peace was short-lived, the Spanish army marched into Lares and killed and jailed innocent and guilty parties alike. Ever since, the people of Lares and other town in Puerto Rico come together in Lares and commemorate the holiday and pay homage to the great leaders whose lives were lost for this cause.

This celebration of freedom strikes a responsive chord in the hearts of all of us who know what it is to struggle against the oppressor for the right of self-determination and fulfillment of our destinies.

El Grito de Lares symbolizes the eternal quest for freedom and thus is an important day to be commemorated by freedom-loving people wherever they live.

On Sunday, September 23, the people of Puerto Rico and the people in Puerto Rican communities in New York joined together in remembering this day.

An explanation of the origin and meaning of El Grito de Lares appears in the current issue of the newsletter Puerto Rico Libre. I submit this article for the RECORD for the information of my colleagues:

EL GRITO DE LARES: BIRTH CRY OF A NATION

El Grito de Lares was an anti-colonial uprising that took place in the town of Lares, in the western part of Puerto Rico, after almost four centuries of Spanish rule. It was the occasion for the declaration of the slave-free, democratic Republic of Puerto Rico—a republic which lived only a few hours, but whose birth-cry is still heard echoing in the independence movement today. Although the event itself only immediately involved some 150 men and women it constitutes the first articulate expression of Puerto Rico's awareness of itself as a separate nation.

Still laboring under a feudal-imperial relationship, Spain and her colonies were particularly barren ground for the great humanist ideas of the 18th century but as the 19th century progressed, when property owners in other parts of the world had already taken their political destinies into their own hands and were prospering, the small land-owners and businessmen of the Spanish colonies began to take notice that their interests were not best served by an imperial monarchy. They began to seek various compromises between their developing economies and the imperial "mother" country's control. In Puerto Rico, this liberal current manifested itself mainly in the autonomists who tried to win concessions from Spain, while remaining essentially within a colonial framework.

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The repeated failures to persuade those in power to voluntarily surrender some of their wealth and privilege eventually convinced those of the more far-sighted liberals in 1867 to join forces with the small existing group of "independentistas" who sought complete separation from Spain.

The immediate antecedents leading up to the particular rebellion at Lares were as follows: one of the autonomist projects was the creation in 1867 of a Committee on Information, which published a number of forceful documents urging the abolition of slavery, and the right of the Puerto Rican people to self-determination. This was going too far and many of these reform liberals were arrested, imprisoned or exiled. Some of them escaped to New York, where they came into contact with the Republican Society of Cuba and Puerto Rico, an expatriate group of professionals and businessmen who had decided that "autonomy" was not viable and were dedicated in independence through armed struggle.

Ramon Emeterio Betances, a brilliant doctor from Cabo Rojo who had been educated and lived a good part of his life in Paris, was among the members of the Committee on Information who fled to New York. Betances was to become the moving spirit—guiding both in inspiration and organization—of the Puerto Rican abolitionist and independence movements. By now thoroughly committed to armed revolution as the only viable means of achieving national independence, Betances returned to the Caribbean and spent the next year tirelessly organizing, agitating, teaching, writing, conspiring and arming.

He managed to contact the existing abolitionist and independence groups on the island (of necessity underground organizations) as well as many exiles, and also established through his ceaseless dedication similar groups in many places, and put them in contact with one another. He issued a popular program, embodied in his "Ten Commandments of Man", which was received with tremendous enthusiasm by the population of the island. A declaration of human rights in the humanist tradition, these Commandments attacked the oppressive political, economic and social injustices of colonial rule.

He had to keep continually on the move. The plan was for various groups of armed men, totaling over 10,000, to land on the island at various points on the day of the slaves' festival of St. Michael: the 29th of September. There they would find the local underground organizations already armed and ready to join them.

In preparation for this Betances issued various explicit proclamations, in the name of the "Revolutionary Committee", outlining grievances and principles in a noble, philosophical style not unlike Jefferson's Declaration of Independence. They had also prepared a Constitution for the new republic. But at the last minute, someone passed basic information to the authorities and the plan was discovered. In an emergency decision, the underground in Puerto Rico decided to push ahead their coordinated action to the 23rd—six days earlier, Betances himself was prevented from landing.

Manuel Rojas, a Venezuelan, and Matias Bruckman (or Brugman), a North American, knowing they would not receive reinforcements, gathered their forces of some 150 people armed mostly with knives and machetes, and rode into the nearby town of Lares, under the insignia "Liberty or Death" on a white flag, to the cry of Viva Puerto Rico Libre. They took the town hall, proclaimed the Republic, read the new democratic Constitution aloud, forced the parish priest to celebrate a Te Deum in honor of the new Republic, and marched off to defeat and death in their confrontation with the vastly superior Spanish forces in a neighboring town.

So the Puerto Rican Republic lived only a

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few hours. But only one month after the Cry of Lares came the Cry of Yara, a similar event in the town of Yara, Cuba, marking the beginning of 30 years of almost uninterrupted wars for Cuban independence, which were to culminate in the final victorious rout of the Spaniards in 1898. Betances and the others devoted their energies to the Cuban wars as they had to their own; raising money, arms and support.

The 23rd of September has become a national birthdate, celebrated yearly by tens of thousands of Puerto Ricans. Although a military failure, El Grito de Lares was the first active living cry of a movement and a nation at the moment of its birth; both that movement and that nation have continued to grow and develop and are now reaching maturity.

JUVENILES IN JAIL

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RAILSBACK. Mr. Speaker, recently I ran across an interesting article in the Christian Science Monitor which points out that the jailhouse blues is a sad song our Nation still sings. As a member of the House Judiciary Subcommittee which handles juvenile delinquency and crime legislation and as one who has testified before the Senate subcommittee on the seriousness of this issue, I am hopeful we can enact some responsive and responsible legislation.

Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article, "Juveniles in Jail" for the review of my colleagues:

JUVENILES IN JAIL: THE UNITED STATES IGNORES A NATIONAL PROBLEM—BAYH COMMITTEE SEEKS WAY TO REFORM SYSTEM

(By Robert P. Hey)

WASHINGTON.—Another effort is being made to break an all-too-familiar pattern: too much talk and too little action.

The subject in this case is juvenile facilities that hold the estimated three-quarters of a million American juveniles who get into trouble each year and are picked up by law-enforcement authorities.

Despite improvements in a number of localities and the progressive step of abolishing large juvenile facilities in Massachusetts, say the specialists, over the decades very little has been done nationally to improve the situation. That is what Sen. Birch Bayh's subcommittee on juvenile delinquency is learning.

Senator Bayh (D) of Indiana hopes the outgrowth of his hearings will be to alert the public and the nation's lawmakers to the necessity of reforming a system that further alienates troubled youth rather than reforms them.

By listening to the defects of today's system and spotlighting the successes of experimental alternatives, Senator Bayh hopes to get Congress and state and local officials to adopt some of the recommendations expert witnesses are making in his subcommittee hearings.

Most recently the hearings have been in Washington; the next round will be in various parts of the United States, where the subcommittee will visit promising alternative juvenile facilities and learn why they are succeeding.

But the first step is alerting the nation to the dimension of the problem.

Experts say the most appalling problem

in the jailing of juveniles with adults—a process roundly condemned for years yet in many communities still followed.

Dr. Rosemary C. Sarri of the National Assessment of Juvenile Corrections of the University of Michigan, says the practice "is destructive for the child who is incarcerated and dangerous for the community that permits youth to be handled in clearly harmful ways."

She says that "despite frequent and tragic stories of suicide, rape, and abuse of youth, the placement of juveniles in jail has not abated in recent years. She notes that the "overuse of jails for adults and juveniles" has been denounced by experts for years and cites studies from 1916 to support her case.

"But this criticism has not produced any significant change in the vast majority of states," she says, adding "there is . . . no reason to be optimistic today about reductions in the jailing of children unless dramatic efforts are made and legislation is implemented that will require significant changes in current practices." This is where Senator Bayh hopes Congress can be persuaded to step in.

Dr. Sarri estimates that between 200,000 and 300,000 children probably will be put in local jails this year in the United States.

Further, many of these children will not even have been convicted of a crime. A 1970 Department of Justice survey of 7,800 juveniles jailed on a specific day that year found that 66 percent were awaiting trial.

RECOMMENDATIONS OFFERED

Witnesses before the Bayh subcommittee offer numerous recommendations, including:

Give children the same legal rights and protections as adults, recommends Judge Lois G. Forer. "I find it incredible and shocking that children do not have as many legal rights as adults," she said. "A moment's reflection would indicate that children are the most vulnerable members of society and least able to protect themselves, but under the law they are afforded fewer protections than adults."

Detain children in small facilities "in their home community," not in huge state institutions, urges Kenneth L. Preadmore, sheriff of Ingham County, Mich. Most state institutions, he charges, are "nothing more than warehouses where those who are incarcerated have very little chance of rehabilitation."

Pass national or state laws requiring mandatory training "for all custodial personnel employed in prisons, jails, detention homes, mental hospitals, and state training homes for boys and girls," says Sheriff Preadmore. He says "the lack of trained personnel is the most serious problem throughout the correctional system in the United States."

By law "prohibit the commitment of juveniles to jail [where adult offenders also are kept] under any circumstances," insists Dr. Sarri.

Set forth explicit criteria for detaining juveniles and limit them "solely to acts which would be criminal felonies if committed by adults," says Dr. Sarri. She notes that one study of the jailing of juveniles found that "judges report explicit choice of jails for juveniles in order to teach them a lesson."

Give high priority to "rapid development of alternatives to incarceration of juveniles," urges Dr. Sarri. "Foster and shelter homes can provide alternative 24-hour supervision but of equal or greater importance is home detention with supervision and consultation to parents," she notes.

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SUPPORT OF FEDERAL FUNDS FOR SUDDEN INFANT DEATH SYNDROME RESEARCH

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. EDWARDS of California. Mr. Speaker, I wish to take this opportunity to insert my statement on "Sudden Infant Death Syndrome" made before the joint hearings of the Subcommittee on Children and Youth. In addition, I would like to say that I have recently sponsored legislation to provide Federal funds for SIDS research and that such funds need to be provided quickly to eliminate all the tragedy produced by SIDS.

The statement follows:

STATEMENT OF CONGRESSMAN DON EDWARDS

Mr. Chairman, I wish to thank you both for giving me the opportunity to speak at these hearings on the issue of Sudden Infant Death Syndrome. It is in large part due to your efforts along with those of private organizations involved in this matter, including one in my district, The International Guild For Infant Survival of California, Inc., that this most important problem has come to the forefront of public concern and remedial action is beginning.

Sudden Infant Death Syndrome is now the leading cause of death for infants between the ages of one month and one year. It is estimated that this dreaded disease claims around 10,000 lives annually in our country. The disease knows no economic or social boundaries and strikes infants of all types throughout America.

However, the tragedy of SIDS does not end here though. Since there is no known cause or cure of this disease and since the disease strikes without warning to produce instant death, parents oftentimes feel that their infant's death was a result of some negligence on their part. This trauma felt by the parents is not mitigated too when so many states do not list SIDS as a cause of death and instead list the cause of death as "unexplainable." Almost two years ago, the State of California became the first state to designate "Sudden Infant Death Syndrome" as the nomenclature to be used on death certificates under certain circumstances. Unfortunately, not all the states have followed this example.

The few studies that have been made on SIDS have not been thorough enough to fully examine the problem. Because of the nature of the disease, the most productive studies possible have to occur after death during an autopsy. However, autopsies are rarely performed in these instances as the parents are already in such a state of shock and confusion. Therefore, we still find ourselves in the dark on what exactly produces the disease and what can be done to prevent it.

Once again, I would like to commend the members of both subcommittees and involved private citizens for the tremendous amount of work done in this area. The nation is indebted to you for bringing this issue to the public's attention and for pressing for corrective action. The bills now before both of your subcommittees that authorize money for SIDS research, including the one I recently introduced, constitute an excellent start in the fight against SIDS and deserve prompt action by Congress.

ASSISTANCE TO THE AGED AND MIDDLE AGED

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. WALDIE. Mr. Speaker, one major test of any government, or of any people, is how it treats its aged citizens. In the United States today, the aged comprise too large a percentage and too much of an integral part of our society to be abandoned and ignored by this Government. In a youth-oriented society such as ours, senior citizens have an extremely difficult time maintaining a meaningful existence. It is up to this Government to provide needed assistance for these people whenever possible.

To this end, I am introducing today a package of four bills which would provide a wide range of Federal assistance to the elderly. This legislation is not designed simply to increase assistance to senior citizens, but also to provide them the opportunity to continue to lead meaningful and productive lives.

Mr. Speaker, the people who most deserve aid from the Government are those who are least able to fend for themselves. This includes those who are disabled, some of the very young, the sick, and the aged. There can be no justification for a national economy which drastically reduces programs geared to help these groups of people, while the Government condones tax loopholes for the rich and skyrocketing giveaway programs for the able-bodied.

The bills can be summarized as follows:

The first bill would amend the Internal Revenue Code to permit the deduction of all expenses for medical care of a taxpayer and his spouse if either of them attained age 65, and to provide for a credit or refund of social security taxes withheld from the wages of certain individuals who have attained the age of 65 and a corresponding reduction in the tax on the self-employment income of such individuals.

The second bill authorizes appropriation of \$5 million for the fiscal year ending June 30, 1974, and \$10 million for each of the next 3 fiscal years, to enable the Secretary of Health, Education, and Welfare to make grants to any public or nonprofit private agency, institution, or organization to cover all or any part of the cost of projects for the development or demonstration of progress designed to rehabilitate aged inpatients of long-term health care facilities or to assist such patients to attain self-support or self-care.

The third bill includes two major titles: The first would establish a comprehensive midcareer development service program, to be administered by the Manpower Administration in the Department of Labor, to assist middle-aged and older workers to find employment by providing training, counseling, and special supportive services to such workers. It further authorizes the Secretary of Labor through the Manpower Administration to make loans and grants to public and

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private nonprofit agencies, institutions, and organizations and to individuals for training, including on-the-job, institutional, residential, and other training, designed to upgrade the work skills and capabilities of older and middle-aged persons who are at least 45 years of age.

The bill also authorizes the Secretary to develop and carry out a program to train an adequate number of people to understand the learning processes of middle-aged and older persons. It provides for making personnel available to localities where such persons are unemployed as a result of plant closings or large scale reductions in work force.

The second major title of the bill would direct the Secretary to undertake either directly or by way of grant or contract, a thorough study of manpower programs authorized by provisions of Federal law other than this act, and other federally assisted training programs to determine whether such programs are responsive to the needs of persons who are at least 45 years of age. It requires the Secretary to report the findings and recommendations of this study, and his own recommendations with respect to additional legislation, to the President for transmittal to the Congress not later than January 31, 1975.

The bill also requires that additional studies be made on extended unemployment compensation and disability programs and on Federal employment opportunities.

The fourth bill would establish a program entitled, the "Senior Citizens Transportation Services Act." It would provide that applications under the urban Mass Transportation Act must contain provisions for reduced rates during non-rush hours for persons 65 years of age or older.

Second, it permits reduced fares for persons 65 years of age or older under the Federal Aviation Act and provides for reduced rates for persons 65 years of age or older on common carriers in interstate commerce.

Finally, it makes it unlawful for any person engaged in the business of insuring motor vehicles or selling motor vehicle insurance to deny or refuse to sell insurance to any individual on account of his age if that individual possesses a valid driver's license.

The bill also provides that any person who violates this provision shall be subject to a civil penalty of not to exceed \$10,000. Provides that any such civil penalty may be compromised by the Secretary and in determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. Provides that the amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

Further, it authorizes the Secretary of Transportation, in consultation with the Secretary of Health, Education, and Welfare, to prescribe such standards for the design, construction, and alteration of buildings, structures, and facilities which are provided with financial assistance

under the Urban Mass Transportation Act of 1964 and are subject to this act as may be necessary to insure that elderly and physically and mentally handicapped persons will have ready access to, and use of, such buildings.

The bill also authorizes the Secretary, after consultation with the Secretaries of Transportation and Housing and Urban Development, to make grants to any public or nonprofit private agency, organization, or institution and to enter into contracts with any agency, organization, or institution, or with any individual: first, to study the economic and service aspects of transportation for elderly persons living in urban or rural areas; second, to conduct research and demonstration projects regarding the feasibility of special transportation subsystems for use by elderly persons or similar groups with similar mobility restrictions; third, to conduct research and demonstration projects on portal-to-portal service and demand actuated services; fourth, to conduct research and demonstration projects concerning the impact of pricing structures on the comfort, well-being, and morale of elderly persons; fifth, to study transportation and social service delivery interface; sixth, to conduct research and demonstration projects to coordinate and develop better transportation services rendered by social service agencies; seventh, to conduct research and demonstration projects concerning other relevant problems affecting the mobility of elderly persons; or eighth, to conduct research and demonstration projects concerning the use of transportation personnel to assist elderly persons who use public transportation.

Finally, it authorizes to be appropriated to carry out this program \$2,500,000 for the fiscal year ending June 30, 1974; and \$5 million for the fiscal year ending June 30, 1975.

PHILLIPSBURG HAS IDEA FOR RURAL HEALTH CARE

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. SEBELIUS. Mr. Speaker, during the month of October, my office will be conducting research into the rural health care problems we are experiencing, not only in my congressional district but throughout rural and small town America.

I know that many of my colleagues are vitally interested in this problem. To conduct this research, my office will have the services of Mrs. Martha Claypool, a nurse from Salina, Kans. Mrs. Claypool's late husband was a general practitioner in a small rural community in Kansas until his untimely passing in 1967. She is acquainted with the problem of inadequate health care on a first-hand basis and I am sure her research will be most helpful in determining which Federal programs and what legislation will provide practical results in our rural areas.

In connection with this effort and this

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issue, I should like to call to the attention of my colleagues an article published in the Topeka State Journal written by Associated Press writer, R. F. Harvison. The article details the untiring efforts of my good friend, McDill "Huck" Boyd, and those community leaders connected with the Dane Hansen Foundation to obtain health care services for Phillips County in Kansas. This article summarizes the kind of program that would benefit rural communities all over the Nation.

The article follows:

PHILLIPSBURG HAS IDEA FOR RURAL HEALTH CARE

(By R. F. Harvison)

KANSAS CITY, KANS.—The most effective program yet devised to interest young doctors in practicing in rural Kansas is that now under development in Phillips County, University of Kansas Medical School officials say.

Drs. William O. Rieke, vice chancellor for health affairs, and David Waxman, dean of students, displayed two file folders filled with letters from rural Kansas communities seeking doctors.

"These letters cover the full spectrum from loans to help students finish medical school, to guaranteed annual salary, to rent-free offices and clinics," Waxman said.

Rieke added the appeals also include preparation of brochures outlining what the communities feel are the advantages and inducements they have to offer.

Both doctors emphasized the university strongly supports the idea of their students going on to practice in rural Kansas and that they do all they can to keep graduating students advised of opportunities offered.

"But generally," Rieke said, "these attempts have not been successful. There are too many of these offers and they lack the element of personal interest. The young doctor's decision on where he will practice is based more on personal factors than on any public relations factor," he added.

"Interestingly, many of these letters from Kansas communities simply ask us how to go about finding a doctor who will come to a small, rural town. The most potentially effective program we know of is that developed by McDill "Huck" Boyd of Phillipsburg.

"What Boyd hopes and what we all hope is that if this model works, we can spread it to all of rural Kansas, using the same principle exactly," Rieke said.

With Boyd as the guiding force, the Dane Hansen Foundation announced last February the funding of the Hansen Rural Health Care Program in Phillips County with a grant of \$60,000 the first year and \$30,000 the second, if satisfactory progress is made.

The unique feature of the program is the use of nurse-clinicians scattered in communities around Phillipsburg who carry out the instructions of the doctors there by medical band radio.

The Hansen grant also will make possible the location in Phillipsburg of a resident physician in family practice—the new name for the general practitioner—plus equipment for satellite offices in outlying towns, as well as psychological services to round out a general health care program.

Boyd, contacted at Phillipsburg where he publishes a weekly newspaper, said plans now are being made for a satellite office of the High Plains Mental Health Clinic, located at Hays. The satellite office, at Phillipsburg, would include a doctor of psychology, a master's-level psychologist and a secretary. The office is scheduled to open in August.

Boyd added three nurse clinicians have completed their academic training at Wichita State University and are undergoing additional training in Phillips County. He said local doctors have been pleased with their progress.

Radio equipment has been installed at Phillips County Hospital, with portable equipment assigned to the doctors there.

Phillipsburg, with a population of 4,000, and Phillips County, with 8,388, had only one medical doctor, Dr. V. W. Seinkruger at Phillipsburg, and one osteopath, Dr. Lee Doctor, at Agra.

Resident doctors have been rotating at Phillipsburg in training periods of around two months each.

Actual use of the radio equipment has been deferred until the nurse-clinicians have had enough experience working directly with the area's physicians.

In addition, the county has an emergency ambulance van proposal under consideration.

The Dane Hansen Foundation was created by a Logan resident who prospered in oil and other business ventures and left nearly \$10 million to assist in various community projects and charitable activities. Hansen died about 10 years ago.

Rieke asserted one of the strongest features of the Phillips County program has been Boyd's efforts to make the program known to students and young doctors.

"What has been done first is development of an innovative program involving nurse-clinicians to help minimize the load. Secondly, Boyd is developing a series of slides showing the communities, the service area and something about the population and the advantages of the Dane Hansen Foundation financing.

"And he intends to go around this fall personally and present it to our medical students and staff, to go to Creighton in Omaha, the University of Nebraska, Oklahoma, maybe even Denver—I don't know where all he is going," Rieke said.

"But here's a guy who sort of made it a personal mission in life to do something about health care in northwest Kansas and he's going to succeed."

Rieke noted one of the most important considerations to a young doctor is whether a community can offer all-around health services—including such things as mental health and dental care.

"Physicians just won't practice in isolation. They are afraid of getting out of touch with advances in medicine and with methods," he said.

Waxman added that while availability of a hospital and good equipment is important to a younger doctor, it is equally important for him to have someone with whom to consult.

Rieke said some students at the medical school here have entered into private contracts with communities, but that these are matters strictly between the student and the community in which the university takes no part.

"However," he added, "such inducement as loan forgiveness generally has not been successful. Many states have programs where students are offered loans by the state, then offered forgiveness of that loan if they remain in the state to practice. But the student often will pack up and go where he wants and then pay off the full loan. Only in one or two states has the procedure been successful."

One of those here who has entered into a contract with a community is Merlin Hull of Lyons. Hull is receiving help from Caney in the prospect that he might go there to practice.

Hull, who is in his second year of medical school, said he was chosen from among 30 applicants, but his contract will be applicable only if he doesn't specialize. If he goes on to Caney, he will have five years to pay back \$2,000 advanced to him by the community. If he stays in Caney five years, he will be required to pay back only half the amount. If he decides to go into specialization or leaves Caney, he must repay the full amount.

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Hull noted that coming from Lyons, he is used to smaller towns. His wife is from Garden City and also likes a smaller community.

Waxman said many communities are becoming more sophisticated in their invitations to young doctors. More consideration is being given to wives and to what the wives could look forward to in a small town.

"If the wife cannot make the adjustment, no contract in the world will keep a doctor there," Dr. Rieke added.

One of the reasons for the shortage of doctors in rural communities has to do with the subject of what used to be called the general practitioner. In the first or second decade of this century, nearly every town had a doctor.

But after the war, Dr. Rieke said, the number of GPs was reduced dramatically by specialization. "Only in 1969 did the new designation of 'family practice' become a specialty in its own right. And this field is growing rapidly."

FERRUGGIANO TO QUIT POST AS BELMAR COMMISSIONER

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. HOWARD. Mr. Speaker, as Members of Congress we are all aware of the crucial role played by our local officials in making this a better America.

Local officials work long and hard, often with little or no salary, to make their communities a better place in which to live.

One such official is John Ferruggiardo of Belmar, N.J., who retired March 31 as a member of the Belmar Board of Commissioners.

Mr. Ferruggiardo, who dedicated 26 years to public service, will be honored for his dedication at a testimonial in Belmar, N.J. on October 4, 1973.

It has been my pleasure and privilege to know both Mr. Ferruggiardo and his able successor, Mr. Francis A. Pyanoe.

The Asbury Park Evening Press carried both a news story and an editorial outlining the role Mr. Ferruggiardo played in serving his community. I commend both to my colleagues.

[From the Asbury Park Evening Press, Mar. 31, 1973]

FERRUGGIANO TO QUIT POST AS BELMAR COMMISSIONER

BELMAR.—John Ferruggiardo, a member of the Board of Commissioners since 1947, will retire March 31.

Francis A. Pyanoe, 1009 13th Ave., was appointed to Mr. Ferruggiardo's unexpired term.

Mr. Ferruggiardo made his retirement announcement last night at the Board of Commissioners meeting. He said he's stepping down reluctantly.

"It's been part of my life . . . it's pretty hard to tear yourself away," he said.

Mr. Ferruggiardo praised his fellow commissioners, Peter Maclearie Sr. and Mayor John A. Taylor—as "two of the finest men I have ever had the pleasure of meeting or knowing," and he thanked them for "making a difficult job easy."

He also complimented Donald F. Matthews, whom he called "the best borough clerk in the world," and Harold Feinberg, borough attorney.

Mr. Ferruggiardo was commended in turn; by Mayor Taylor, who told him "if you think

it's difficult to resign, it is equally—or more—difficult for us to accept your resignation."

Commissioner Maclearie said, "I have known many men . . . you have been one of the finest to work with. Even though we had disagreements, I've always respected your judgment. I hate to see it."

Mr. Ferruggiardo was himself appointed to fill an unexpired term on June 4, 1947, following the death of Commissioner-elect George Heyniger. Mr. Maclearie was then mayor, and the third Commissioner was Howard Hayes.

In 1966, Mr. Ferruggiardo was appointed secretary of the Monmouth County Board of Taxation, from which he is also retiring.

Commissioner Maclearie said Mr. Ferruggiardo will retain his seat on the Planning Board as a public member.

Mayor Taylor said Mr. Ferruggiardo will retain his seat on the Planning Board as a public member.

He is also a member of the state Beach Erosion Commission, treasurer of the Monmouth County Democratic Executive Committee, past president of the Belmar Democratic Club, a member of the Belmar Kiwanis Club and Monmouth County Real Estate Board, and past president of the St. Rose Holy Name Society.

Mr. Pyanoe, a resident here most of his life, has been a member of the Planning Board since 1963, and participated in the planning of the borough urban renewal project. He owns and has operated the F. A. Pyanoe Tile and Marble business, here.

He is a member of the Belmar Democratic Club and the St. Rose Holy Name Society.

Commissioner Ferruggiardo said he will continue to live in Belmar. He intends to spend more time traveling and playing golf.

Mr. Pyanoe will be formally installed at 8 p.m. April 2.

FERRUGGIANO RETIRES

Commissioner John Ferruggiardo served with distinction during the 26 years he devoted to public service as a member of the Belmar Board of Commissioners. His retirement brought deserved praise from his colleagues, Mayor Taylor and Commissioner Maclearie, for the capabilities Mr. Ferruggiardo exhibited in the borough government and the sound judgment he applied to his responsibilities.

Though an active figure in the county councils of the Democratic party Mr. Ferruggiardo honored the non-partisan character of commission government, serving with Republican colleagues in a manner that made political stability one of the strengths of local government. Belmar has kept pace with the changing times because Mr. Ferruggiardo made important contributions to the borough's welfare.

NEW JERSEY FLOOD VICTIMS AND A PRESIDENTIAL VETO

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. PATTEN. Mr. Speaker, this past Saturday, the President again chose to use the power of the veto. This time, the victim was the Small Business Act amendments bill which earlier met with little opposition before this body. I regret the President's decision, particularly in light of an item contained in the legislation that provides for a \$2,500 forgiveness benefit and 3-percent interest disaster loans.

Mr. Speaker, on August 2, many com-

munities of Middlesex, Union, and Somerset Counties, N.J., suffered extensive flood damage in the wake of heavy rainstorms. Accordingly, the President declared New Jersey a disaster area. The \$2,500 forgiveness benefit provision would greatly help the flood victims of New Jersey, and it is important to those families and business owners that the Members of the House of Representatives and the Senate vote to override the veto.

Finally, I would like to submit the following telegram I received from Mayor Frank R. Nero of North Plainfield, N.J., to further illustrate the importance of an override to New Jersey flood victims:

(Telegram)

NORTH PLAINFIELD, N.J.,
September 24, 1973.

HON. EDWARD J. PATTEN,
House of Representatives,
Capitol Hill,
District of Columbia:

I urge you to move immediately to override President Nixon's veto of Senate Bill 1672. This bill which passed both Houses of Congress overwhelmingly is absolutely needed to provide assistance to residents who suffered losses in the most recent storms which hit central New Jersey on August 2, 1973.

Respectfully,

FRANK R. NERO,
Mayor, Borough of North Plainfield.

GEORGE MEANY ON CONTROLS

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ROUSSELOT. Mr. Speaker, George Meany has recently spoken sharp words of warning that wage and price controls should be "phased out as rapidly as possible." He has urged that the administration and Congress move the Nation to a free and fair economy stating that "inequitable policies" have created a "framework of recession-breeding—job-destroying tight money, [and] soaring interest rates."

At a press conference after the first session of the AFL-CIO executive council's regular quarterly meeting in Oak Brook, Ill. on Tuesday, August 1, Meany in sharp criticism said:

We are facing economic disaster in this country at the present time, unless there is some change in policy. We are willing to bite the bullet and face the end of all controls, knowing full well that it would cause a chaotic condition, maybe temporarily, but with a certain amount of confidence that when the free forces of the economy in the marketplace take over, we will be back to something resembling normal.

Then again in his Labor Day message, George Meany in a discussion of individual rights stated:

The tools of those who would invade an individual's right of privacy are the tools of repression, thought-control and tyranny. . . .

He continued with—

Of course, the inevitable result of this illogical policy would be government dictation of all wages, prices, rents, profits—what a person could buy, how he could live, where

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he would worship, what he could write, say, think.

Just last week, Mr. Speaker, the House passed legislation, H.R. 8547, that is intended to restrict the exportation of scarce materials and commodities.

But, we are only further compounding the inequities in our economy by placing one control on top of another while continuing to ignore the real and only solution—and that is, to free the economy from controls and return to the free-market system thereby allowing the consumer to make the ultimate decision.

I have long expressed the opinion that Federal controls on wages and prices cannot control inflation, and I have joined with my colleagues, Congressman BILL KEATING, Congressman BARRY GOLDWATER and Congressman BILL KETCHUM, in cosponsoring legislation to repeal the so-called Economic Stabilization Act.

When the most recent extension of ESA was considered by the Banking and Currency Committee on which I serve, I opposed the bill and joined with several other colleagues on the committee in supplemental views which were included in the House Report urging this body to let the controls expire and defeat the legislation. I would like to resubmit excerpts from that statement in order that the Members will have an opportunity to consider the significant reasons we gave to substantiate our opposition to mandatory wage and price controls. I urge all Members who voted for this legislation in April to reevaluate their positions in light of the current inequities and shortages of vital commodities that are emerging in all areas of our domestic economy, and join in the effort to repeal ESA.

Supplemental views to H.R. 6168 follow:

SUPPLEMENTAL VIEWS TO H.R. 6168 OF CONGRESSMEN JOHN ROUSSELOT, BEN BLACKBURN, CLAIR BURGENER, PHILIP CRANE, JOHN CONLAN

We opposed H.R. 6168 in Committee and urge its defeat by the House for a number of significant reasons:

1. During the last 20 months, it has been conclusively demonstrated that wage and price controls cannot control inflation.

2. The demand-pull inflationary pressures that we are now experiencing in such vital commodities as food, lumber, and fuel cannot be solved by controls; continued controls can only further aggravate the shortages.

3. The regulation of credit for commodity futures trading is based on a complete misunderstanding of the nature and function of commodity futures markets. The Committee was unable to establish any direct relationship between credit conditions in the commodity futures market and the prices of commodities. As a matter of fact, there is considerable evidence to the contrary. Section 10 of the bill requires the GAO to study and evaluate the relationship between consumer food prices and commodity exchanges. The Committee bill would authorize regulation for margin requirements for commodity futures trading (Sec. 206), while admitting in the same legislation that a study is needed to determine any relationship between food prices and commodity exchanges. This is grossly inconsistent.

4. Rent controls as proposed in this legislation can only interfere with the ability of the free market to bring about an increased supply of rental units, and the natural adjustments in rates for these units. Local

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governments that feel specific local conditions warrant rent controls or ceilings are free to act, and the legislation acknowledges that some local governmental bodies have chosen to follow this course. It has not been demonstrated that Federal intervention in this area is needed or appropriate.

Cost of implementation

5. A further consideration which was not debated in any meaningful sense by the Committee, was the cost which would be involved in establishing the necessary bureaucratic structure to administer this program. That this question should not have even been considered is shocking but not surprising considering the manner in which this bill has been considered.

About the only estimate that can be reasonably made in this regard, is the \$2 billion which our colleague from Georgia (Mr. Blackburn) proposed to add to the bill for its administration when it was under consideration in 1972. Two billion dollars may or may not be enough, we simply do not know. But what we do know is that two billion dollars can be better spent on many higher priority programs than this one which will have only perverse effects on the functioning of our economy, without in any significant way addressing the problem of inflation.

I. INABILITY OF CONTROLS TO REDUCE INFLATION

We have consistently opposed the imposition of wage-price controls both in theory and in practice. These controls attack only the results of inflation, and cannot effectively deal with the causes. Until the Congress is willing to directly face-up to these causes, we cannot hope for economic stability.

Inflation is generated by the Federal government and it, therefore, compounds the problem when the government intervenes in the private sector of the economy with imposed controls to remedy a situation for which it is primarily responsible. The Federal budget is completely out of control. The Congressional budgetary process includes no procedure to consider the total budget (i.e., the total amount appropriated as compared with the total revenue). Under the current system, Federal commitments to programs are expanding more rapidly than sources of revenue, and at a rate faster than the economy can accommodate. It is clear that the Congress should be more concerned with fiscal discipline of its spending of tax dollars rather than imposing controls on the private sector.

Most economists generally agree that the continued trend of the government to increase spending for goods and services financed through heavy deficits, coupled with the Federal Reserve Board's creation of new money, is a primary inflationary pressure. The supply of money in the economy has increased more rapidly than the supply of food, or any other commodity. Based on the simple principle of supply and demand, if the demand for a good increases, and there is no change in the supply of this good, the price of the good goes up. However, in recent years the supply of dollars has so multiplied that money has actually decreased in value relative to the goods we purchase, and prices have logically increased to compensate for this imbalance. In his book, "To Free or Freeze," Leonard Read of the Foundation for Economic Education, states:

"Inflation is a dilution of the medium of exchange, an artificial expansion of the money supply. Inflation differs from counterfeiting in that it is legal and, also, it is an act of government rather than of individuals. But whether the money results from inflation or from counterfeiting, a dollar is a purchase order, and no one inquires into its source. A transaction involving counterfeit or inflation dollars is not an exchange of goods and services for goods and services but an exchange of paper money for goods and services. As the volume of paper money

increases and as the quantity of goods and services decreases, everything else being equal, prices correspondingly rise. The equation is simple: Assume goods and services to be what they are now. Double the amount of money and prices will be twice as high.¹

Dr. Milton Friedman, University of Chicago economist and a leading monetarist, writing in the *Morgan Guaranty Survey*, published by New York's Morgan Guaranty Trust Co., has recently urged that the Federal Reserve sharply curtail the monetary growth. The money supply (comprising currency, bank checking accounts, and time deposits) has been growing at an annual rate of over 10% in the past year. Professor Friedman cautioned that even if this action is followed, it may already be too late to avoid a mini-recession. He stated: "There may simply be no way at this stage to prevent an acceleration of inflation without at least a mini-recession."

Phase III guidelines further confuse the issue of controlling inflation and confuse the industries that are to be controlled. It is reported that the 5.5% wage guideline is not to be strictly enforced in forthcoming negotiations. In his news conference of March 2, 1973, the President stated: "What we have here as most important is not the 5.5, but the bottom line, which is 2.5." President Nixon was, of course, referring to holding the inflation rate to 2.5%. However, the rate of inflation has been on the upswing as the economic controls are continued. According to U.S. Department of Labor statistics, the February increase in inflation, seasonally adjusted, as was 8%, which if continued at the same rate, annualizes to be almost 10% per year; using figures for the last three months, the annual rate of inflation works out to be 6.3%; over the last six-month period, the rate of inflation annualizes to be 5.2%; and over the last year, the rate of inflation averages out to be 3.9%. In a column which appeared in *Newsweek*, January 29, 1973, Dr. Friedman discusses the inability of controls to restrict the inflationary trends:

[From *Newsweek*, Jan. 29, 1973]

PERSPECTIVE ON CONTROLS

(By Milton Friedman)

What hath price and wage controls wrought?

A major reduction in the rate of inflation, to judge from much press commentary and economic punditry.

A trivial effect on the rate of inflation, to judge from the cold statistics. Here they are for the cost-of-living-index number:

Annual rate of rise:

At inflationary peak, early 1970	6.4
First eight months of 1971	3.8
August 1971 to November 1972	3.2

The initial sharp tapering off in the rate of inflation clearly owes nothing to controls, which were introduced in August 1971. The trivial further decline—which came to an end in early 1972—may well have occurred despite rather than because of controls. But it is also possible that it understates the effect of controls. Perhaps, in the absence of controls, inflation would have speeded up instead of tapering off a mite further. Our instruments are too crude to enable us to make such judgments accurately. But one thing is crystal clear: whether controls lowered or raised the rate of inflation, the effect was minor in magnitude—it would be a bold man who would assess the effect at more than one percentage point.

WHY THE IMPOTENCE?

How is it, that, despite all the fuss, the controls had so little effect?

¹ Leonard E. Read, "To Free or Freeze" (Irvington-on-Hudson, New York: The Foundation for Economic Education, Inc., 1972), p. 13.

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1. Controls were introduced when inflation had already tapered off. Permitted wage and price increases averaged close to those that would have occurred anyway.

2. After the initial freeze, controls were highly selective. They covered, in anything more than name, well under half the economy—as measured by value of output, wages paid or any other broad yardstick. As a result, controls probably had a larger effect on specific sectors of the economy than on the economy as a whole.

For example, the controls clearly contributed to the rapid rise in food prices. Insofar as they held down the prices of automobiles or refrigerators or similar items, they left purchasers of such items with more to spend on other things, and this excess purchasing power naturally flowed to items exempt from control. Defenders of controls have pointed to rising food prices as an excuse for the failure of controls to hold down the cost of living as a whole—as if the rising food prices were independent of the controls!

Another example is the highly adverse effect of controls on the lumber industry. Booming demand has been prevented from raising prices and so has produced shortages, inefficiency and distorted patterns of distribution.

President Nixon deserves high praise for reading the record correctly and eliminating most mandatory wage and price controls. But, you may ask, does the past impotence of the controls mean that their termination is of equally little moment for the future?

THE REAL ISSUE

The answer is that what happens to inflation from here on out depends on what happens to total demand and not on controls. And what happens to total demand in turn depends largely on monetary and fiscal policy.

Inflation tapered off in 1970 and 1971 because the rate of momentary growth was reduced sharply from 1968 to 1969. Inflation stopped tapering off in early 1972 because the sharp reduction in the rate of monetary growth ended in 1970 and was followed by a mildly higher rate. Inflation threatens to speed up in 1973 and 1974 because the rate of monetary growth has speeded up sharply in recent months. If recent monetary growth were to continue, no conceivable controls could prevent inflation from accelerating. On the other hand, if the Federal Reserve cuts monetary growth sharply and holds it there, inflation will continue to taper off with or without controls.

Lower government spending is important primarily because we are not getting our money's worth for what the government spends. But it is important also because large deficits tend to raise interest rates, which induces people to hold less cash relative to their income and also puts pressure on the Fed to finance the deficits. If the President succeeds in holding down Federal spending, he will do the most important single thing he can to hold down inflation. If inflation nonetheless speeds up the Fed, and the Fed alone, will be responsible. It will have no excuses, no scapegoat to blame. As I put it in an earlier column, it will be "on the spot."

A major cost of controls has been to divert attention from the basic issues to a minor side show.

III. HOW STABILITY CAN BE RESTORED

In our view, wage and price controls are actually harmful to the economy. The stimulation of competition in the free market is the only route to a healthy economy. In a competitive market, prices respond quickly to changes in supply and demand, and prices are the barometer of the economy. For the government to intervene in the private sector distorts the whole economic picture. In a U.S. News & World Report interview, January 29, 1973 issue, Treasury Secretary Shultz replies to a question about what is going to

prevent wages and prices from skyrocketing in Phase II by stating:

"The basic thing is competition—the free market. That is the fundamental force we rely on over a period of time to keep things under control. That same fundamental force helped reduce the rate of inflation from around 6 percent in 1969 to a little less than that in 1970, and to a still lower rate in 1971 and 1972."

In a U.S. News & World Report interview with Dr. C. Jackson Grayson, Jr., published in its March 5, 1973 issue, Dr. Grayson states in response to a question about what impressed him most about the American business system during his position as Chairman of the Price Commission during its 15-month existence:

"That the operation of our price system—the free-market system—is the best possible allocator of resources. It is far better than any control system ever could be. Controls can work—and they did work—over the short run. But in the long run, they never can substitute for the price mechanism as a way to get goods and services where they are needed."

This is the time to examine all areas of governmental intervention in the private sector which discourage competition, raise prices, or otherwise promote inflation in the economy. There can be no question but that the government has contributed to the upward pressures on costs and prices from tariffs, import quotas, price supports in agriculture, prevailing wage determinations, and other legislation relating to organized labor under which wages on a nationwide basis have been determined through collective bargaining. Government actions have sheltered certain segments of the economy from market forces through protectionist legislation.

Ota Sik, the former Minister of Economy in Czechoslovakia, who is now in exile in Switzerland, knows much about government controlled economies. In his book, "Czechoslovakia: The Bureaucratic Economy," he points out the paramount role of prices and competition in the allocation of resources, and that replacement of the market-price discipline with controls was disastrous to the Czech economy. He clearly makes his point that "price freezing has never yet solved any economic problem."¹ He further states that "It has been demonstrated that, despite its deficiencies, the market mechanism is the sole medium capable of dealing with the complex interrelationships in a modern industrial economy."²

Historically, controls have been tried in not only Communist countries, but many Western nations as well. Several Western European countries have tried controls since World War II. France has held the longest history of price controls, and also has a complex bureaucracy to implement these controls, yet the French franc has been devalued seven times since the War. In general, consumer prices have increased more quickly since 1963 in Western European countries with major controls than in the countries with few, if any, imposed controls.

IV. COMMITTEE TESTIMONY

The testimony before the Committee clearly revealed that many members of the labor and business community do not support the further imposition of mandatory controls, and some strongly oppose the extension of current controls beyond the April 30, 1973 expiration date.

1. Paul Jennings, President of the International Union of Electrical, Radio and Machine Workers, AFL-CIO, CLC, in his testimony before the Committee stated:

"I am here to urge that the Congress refuse to renew the Economic Stabilization Act."

¹ Ota Sik, *Czechoslovakia: The Bureaucratic Economy* (White Plains, New York: International Arts and Sciences Press, Inc., 1972), p. 119.

² *Ibid.*, p. 11.

"The ESA Program, as carried out by the national Administration since August 1971, has not been fair, is not fair and offers no prospect of fairness. What little has been achieved in the public interest during its life almost certainly would have been achieved without it, and could have been achieved more substantially through the vigorous pursuit of appropriate policies."

2. In the testimony of the Machinery and Allied Products Institute, this organization stated:

"Certain commentators on the subject of controls argue that a major cause of the persistent inflation we have experienced is structural defects in the economy which cannot be corrected through the imposition of controls. Further, the record for controls here and abroad indicates clearly that they cannot be successful beyond the short run because of the misallocations and inequities that inevitably accompany them. In sum, we did not think controls were necessary for the capital goods industries in August 1971 and do not think they are necessary now."

3. George G. Hagedorn, Vice President and Chief Economist of the National Association of Manufacturers, stated in his testimony:

"The economic background has, of course, changed dramatically since the initiation of the stabilization program. Instead of the sluggish conditions of two years ago we now have a rapidly expanding economy, fast approaching the limits of its potential. We no longer have the assurance of a substantial margin of unused resources to protect us against the emergence of economic shortages and bottlenecks.

"With these developments, the two reservations NAM had attached to its support of the stabilization program, as stated above, become of central importance. To put it bluntly the potential for wage and price controls to serve a useful purpose has diminished, and the danger that they will prove a disruptive force in the economy has increased.

"The way we see it, the control program is approaching the end of the interim period when it can play a constructive role in curbing inflationary forces. That is why we urge that its sole function, in the coming period, should be to smooth the transition to an uncontrolled economy."

4. Even though Leonard Woodcock, President of the United Auto Workers Union, did not appear before the House Committee, in his recent testimony before the Senate Committee on Banking, Housing and Urban Affairs, regarding extension of ESA beyond April 30, 1973, he stated:

"Our stand with relation to that Act has been and is perfectly consistent. We opposed its enactment when it was first under consideration by the Congress. We opposed its extension in 1971. We oppose its further extension now.

"I hasten to add that our opposition to the ESA does not spring from lack of concern about inflation. Everyone familiar with the UAW's history knows that we have gone to extraordinary length to combat inflation—in our collective bargaining, in our legislative activities, in our contacts with administrative agencies and even in the courts. We are deeply concerned about inflation—primarily for two reasons.

"The first is that inflation tends to redistribute income in the wrong direction. It tends further to enrich the wealthy who already have too much at the expense of others who start with far less than enough to meet their basic needs and their reasonable aspirations for a fair share in America's potential abundance.

"The second reason for our concern is that inflation or fear of inflation has been the main inhibiting factor—or excuse—for the failure of our government to carry out the national commitment to "maximum employment, production and purchasing power."

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expressed in the Employment Act. By comparison with other industrialized countries, our record on the employment front is an unmitigated disgrace. U.S. unemployment rates—starting with 1959, when the data begin—have averaged approximately 2½ times as high as the weighted average for all other countries (except Canada, whose unemployment is largely made in the U.S.) for which the Bureau of Labor Statistics computes comparable figures."

V. CONCLUSION

We agree that the only sensible approach to stability is to free the economy from controls. This can best be accomplished by allowing the Economic Stabilization Act to expire on April 30, 1973 rather than compounding the inequities by extending the law. This action, along with Congressional budgetary and fiscal reform, is the only effective course to bring inflation under control and restore economic equity. The elimination of wage and price controls would return the ultimate decision-making process to the consumer rather than leaving it in the power of an elite few in Washington, D.C.

JOHN H. ROUSSELOT.
BEN BLACKBURN.
CLAIR W. BURGENER.
PHILIP M. CRANE.
JOHN B. CONLAN.

THE HUMAN RIGHT TO INDIVIDUAL FREEDOM

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BIAGGI. Mr. Speaker, I wish to bring to the attention of my colleagues the third and final section of the brief of Attorney Luis Kutner filed before the European Commission on Human Rights on behalf of the persecuted citizens of Northern Ireland.

In addition to his brilliant legal career, Mr. Kutner has received world acclaim as an author of such works as: "I, the Lawyer," "The Human Right to Individual Freedom," and "World Habeas Corpus."

It is not surprising in light of Luis Kutner's services to the persecuted in Northern Ireland, as well as the Jews in the Soviet Union, that he was nominated for the Nobel Peace Prize by my distinguished colleague from Illinois, Mr. MORGAN MURPHY.

Mr. Speaker, at this point in the Record it is my distinct privilege to insert the final section of Mr. Kutner's brief:

XII

International law is at present obviously facing a crisis. With the exception of the diplomatic and consular fields, almost all the rules of public international law have been constantly violated. Particularly subject to violation have been the rules concerning the use of force in international relations. The weak or weakened norms on the prohibition of the threat or use of force are not compiled with; their binding force is not established. These phenomena reflect a lamentable truth of the age, that international relations are not governed by international law but by the balance of power.

The present day crisis of international law stems from the fact that states, especially the larger ones, do not regard its rules as binding upon them. They treat the law as recommendations or as non-binding rules of

international courtesy or morality. Such an attitude by states toward international law is dictated by many causes, the main one being the priority given to individual political interests. However, one of those causes is also the over-politicization of international law in terms of denying independent existence to international legal norms.

The frustration of the binding force of international legal rules is also enhanced by the body of doctrine which emphasizes the political nature of international law to an excess. In this way, international law becomes over-politicized. The illegal acts of states are sought to be justified in the intimate link between law and policy which, in the final analysis, means in the legally non-binding force of the rules of international law. The legal nature of international law gives way to its political function. An excessive insistence on the "political" has put in doubt the relative independence of legal norms, the separate existence of the law as a science, and mandatory rules of conduct.

Applicants contend that international law bases itself on realities and acknowledges only factual situations. A state exists as the subject of international law regardless of the way in which it was started and whether or not recognized by all the members of the international community. Hence, the rules of international law necessarily change in such a way as to reflect the realities of international relations in a given historical period. However, these rules have not changed every time it suited the pleasure of particular states. The adjustment of these rules or the substitution of new and better rules for the old ones takes place only when the majority of states favors it. And conversely, if the majority does not want existing rules to change, these rules continue to apply.

Of course, the minority has the right, while abiding loyally by those rules, to seek in the political arena to persuade the other states to back the ideas of the minority as expressed in the drafts of new rules. Therefore, until the majority is prepared to accept the new rules, the minority has to comply with the existing law. The minority must not act in violation of the law just because it does not like its norms. Needless to say, only such an approach to the law by states can make its evolution legal and regular. If each state recognizes as international law only what suits its immediate political interest, perpetual crises and anarchy will result. It goes without saying that this critique of the over politicization of international law does not imply a complete depoliticization of international law or its total separation from life.

The present crisis of international law in Northern Ireland has been the result of Respondents following their immediate political interests. The elimination of that crisis is neither an easy nor a short-term job. What the Commission, as international lawyers, must do in this respect is to fight for a greater autonomy of legal norms. It is necessary to point out that the legal norms are more lasting than political ones. Compliance with the former being an obligation of each member of the international community, even if such conduct may hamper its political interest or friendship with the delinquent state. If their political orientation precludes the members of the Commission from observing international law in a given situation, they should at least not make reference to it.

If international law is law, then it is political to the same extent as all other branches of law. Therefore, the political dimension of international law cannot be other than the political dimension of the law in general.

XIII

Counsel suggests to the Commission that international law is a "horizontal" legal system, not a primitive vertical system. Apparently geographical propinquity is not the

golden thread that identifies a successful regional organization or a legal arena that offers a forum for resolving humanitarian problems. It is obvious that the European Commission offers functional ineffectiveness since it has no concern or interest for maintaining human rights stability nor providing a flexible, uninhibited, or viable forum for lawmaking efforts.

The Convention creating the Council of the Statute of Europe and its functional judicial arenas of the Commission and the Court was intended to tumble the arbitrary State royalists from their perch of insensitivity to the wide spectrum of human rights.

The prevailing rule of law since 1922 (and historically since 1155!) was the enemy of the liberty of human beings. It was intended to throttle governmental, political, racial, religious and economic racisms. The historic excesses by the United Kingdom were never to be repeated again—or at least so pledged the signatories at Rome. The Commission and the European Court were to be the corrective judicial balance between the liberty strivings and claims of the individual—sometimes articulate—and the ineluctable darkness of an overly aggressive and oppressive government.

There is an absolute world consensus that the rule of law of the Statute of the Council of Europe has disappointed its expectations. There is no justification—legal or moral—for the persecution in Northern Ireland. The vaccination of Human Rights dignity did not "take" on the body politic of the United Kingdom. Under the Convention, the state's power waxes and the individual wanes. The "clear and present danger" alibi by Respondents is a symbolic refuge of a vicious and mindless oppressor. The history of the "Inmates of the Tower of London" demonstrates the historic conduct of cruelty and deliberate violations of minimal due process of law by Respondents.

The judicial and political histories of the Respondents are eloquent testimonials of willful and unfettered violations of moral and political obligations to its citizenry. Covenants, promises and oaths have no hold on the United Kingdom.

The Applicants in behalf of themselves and all others similarly situated—be they interned or released—decry the membership of the United Kingdom in a civilized world community. Applicants are aware that they are defenseless, not only in Northern Ireland, but in the forums of justice called the European Commission of Human Rights and the European Court of Human Rights.

As long as the Commission strangles Applicants with procedural dead-end streets, they have little confidence that the Commission will remedy their defenselessness.

There is apparently no legitimate mode for Applicants in dealing with their barbarous oppressors. Liberty, as a vaunted principle has no application in reality. Liberty is simply a base alloy of governmental hypocrisy. The perishable evil of Adolph Hitler and Joseph Stalin bestrides Northern Ireland. The Applicants not only shudder with horror at their ruling tyrants, but summon their collective contempt and mistrust toward "lawful" authority in their crusade for freedom in Northern Ireland.

The Commission has the unique opportunity to cross the geographical lines of political ideology and create a judicial dialogue into the tragedy, pathos and cruelty in Northern Ireland of which the Applicants complain. The true facts of the oppressed and the oppressors can be verified if the ritual of the Commission could be made heroically decisive. The brutality of Applicants milieu—the sadism, corruption and despair, are at the heart of the Applicants lives.

The various reports, cited herein, record the cruelty, the stench, the indomitable men and women of Ulster, the garbage—pall tops

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used as shields against blind hatred and of the brutality of the Scottish troopers, the children shot before their mothers' eyes, the slums, the heroics, the cowardice, the inevitability of death and torture.

It is all there for the Commission to consider with a realism that Nobel Laureates cannot match.

The crucial rulings of the Commission, as transmitted by its distinguished secretary, is a critical assessment of the rhetorical poverty of the Convention. The rulings are vehement declamations of execration precluding any remote hope of substantive relief for Applicants. Notably, the Commission has taken an adversary position advancing the national political interests of the Respondents. The optimistic Council of Europe Statute origins of a vibrant international law appears to constitute a fatal handicap in the contemporary international society of Applicants of Northern Ireland. The Applicants, in good faith, acting as natural persons, invoke, in their individual and collective capacity, and in behalf of all other persons similarly situated, or as a member of the class of the interned or the released, but juridical acts of violations by Respondents. They have suffered damage and are claiming damage in their own right. They are not claiming vicarious liability. The Commission should recognize the virile freedom of the fabric of the Statute and conduct its affairs publicly and be subject to public scrutiny. The Commission's administrative ultra vires provision of secrecy or "confidentiality", places the Applicants in a position of peril and repudiates their human right of the free interchange of opinion and the institutional international remedy of general enlightenment. Secrecy is an exclusionary improvisation by the Commission and has little validity in the substantive body of international law.

The presumption of openness and the requirement that the custodial Respondents make prompt determination on each individual Application can result in incremental case by case concretization in which proper issues are considered by proper persons at proper times. The principle of openness is established in fundamental law, together with the substantive basis and procedural requirements for exceptions. In order to establish the area of secrecy the signatories to the Convention at Rome should have initiated specific article legislation specifically authorizing it. This was not done and the Commission's ad hoc regulation to justify secrecy is arbitrary and self-serving ultra vires, "valle d'abisso dolorosa"—(Valley of the woeful abyss).

The plague of lawlessness sparked by the absolutism of Respondents will continue until there is balanced and just tension between the state and the people of Northern Ireland. The Commission and the European Court should intervene without delay to integrate a competent rule of law to eliminate evil, discord, destruction and humanicide in Northern Ireland.

The British Inquisition, the expulsion of the Northern Ireland Irish Catholics from the human race, the unenlightened attitude of the European Commission of Human Rights must be forthwith terminated. To do less is barbaric, malicious and diabolical.

POSTAL SERVICE MODERNIZATION

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BINGHAM. Mr. Speaker, a most serious matter concerning the Postal

Service's remarkable modernization program has come to my attention, and I feel compelled to share it with the readers of the CONGRESSIONAL RECORD.

The two letters reproduced below indicate what appeared to be a routine solution to a constituent's problem with the mail. But as shall be seen, the Postal Service has once again accomplished the unbelievable. The letters follow:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., August 29, 1973.
Hon. JONATHAN B. BINGHAM,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: This is in response to your letter of August 2, addressed to Bronx Postmaster Frank J. Viola, on behalf of Mr. Joseph Lahey, concerning four pieces of mail erroneously returned to the sender endorsed "Addressee Unknown."

We have been advised that the improper handling of Mr. Lahey's mail was caused by a mechanical failure in a newly implemented central mark-up system. This occurred during a change in routes and was corrected immediately.

Please convey our apologies to Mr. Lahey for any inconvenience he experienced. We appreciate your bringing this matter to our attention.

Sincerely,

J. A. MATUKONIS,
Congressional Liaison Officer, Government Relations Department.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 10, 1973.
Mr. JOSEPH LAHEY,
Bronx, N.Y.

DEAR MR. LAHEY: I am enclosing the reply I received from J. A. Matukonis, Congressional Liaison Officer, Government Relations Department, United States Postal Service, regarding your complaint about letters addressed to you which were returned to sender erroneously marked "Addressee Unknown."

You will note that the improper handling of your mail was caused by a mechanical failure in a newly implemented central mark-up system which occurred during a change in routes and was corrected immediately.

The Postal Service apologizes for any inconvenience you experienced.

With best wishes.
Sincerely,

JONATHAN B. BINGHAM.

Unfortunately, I was unable to convey the good news to Mr. Lahey because the two letters reproduced above were returned to my office marked "addressee unknown."

One wonders whether the Postal Service has embarked upon a far-fetched campaign to build support for the recently requested postal increases.

SKYLAB

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 25, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Times-Herald of Newport News, Va., on September 1, 1973, carried a brief article on Skylab 2. It seems well to recall this article since Astronauts Alan L. Bean, Owen K. Garriott, and Jack R. Lousma will be returning today from a record shattering Earth orbital mission.

EXTENSIONS OF REMARKS

That new knowledge has been granted and new abilities acquired, there can be no doubt. This short article points out that everything from controlling locusts in Africa to understanding how the sun produces energy is being intensively examined from our first true space station. These outstanding astronauts continue to make clear that the participation of man in space is an important part of our acquisition of new scientific knowledge and application of that knowledge to the benefit of all the people of this Nation and of the world. As we welcome our astronauts home, it is important to remember that their contributions to those who support them on the ground have already far exceeded the fondest hopes of the architects of Skylab.

The article follows:

SKYLAB

HOUSTON.—The Skylab 2 astronauts took photographs today of a swarm of locusts in northeastern Africa to find out if space pictures might be helpful in controlling such pests.

The space station fliers used hand held cameras to take pictures through a window of the horde of locusts, and to try to again study Tropical Storm Christine, nearing hurricane strength in the Atlantic Ocean.

Alan L. Bean, Owen K. Garriott and Jack R. Lousma, sailing past the 14 million mile mark of their orbital voyage during the night, were also making a picture-taking sweep of earth's resources across South America, the Atlantic and West Africa.

Monitoring the sun during what had been forecast as a quiet period, Garriott, the mission scientist, said there appeared to be a great deal of activity, despite the predictions. The crew spotted two small solar flares, or explosions of energy, off the solar surface Friday.

"We've got a very interesting sun today," Garriott said as he peered through Skylab's battery of cameras and telescopes. "I guess the sun's two-faced. One's quiet and one's active."

Surprised solar scientists on the ground said the sun was in its most active period since April."

COMMUNIST CHINA'S INVOLVEMENT IN THE ILLEGAL DRUG TRAFFIC

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ASHBROOK. Mr. Speaker, the Bureau of Public Affairs of the Department of State issued on July 16, 1973, a statement entitled, "The People's Republic of China and International Drug Traffic." This statement promotes the idea that there is a "persistent propaganda campaign" to convince the American people that Red China is producing and exporting thousands of tons of opium annually. According to the U.S. State Department statement there is no evidence for any linking of Communist China to illegal drugs.

In the past, I have presented to the American people various materials showing that Red China is involved in both the manufacture and trade of illegal drugs. Refugees from Red China have

attested to Chinese Communist involvement in the drug trade.

The State Department does not deny that Red China is growing opium. It maintains that this opium is grown only for legitimate medical products which are consumed internally in China."

Recently, Dennis Bloodworth writing in the South China Morning Post of September 3, 1973, discussed Red Chinese involvement in the drug trade:

At this point one could avoid all risk of contradiction by quoting Anglo-Saxon officials and other "reliable sources" whose misinformation is at least respectable. It is the unsavory who know about the unsavory, however, and the words of a good, disreputable, left-wing Cantonese contact should therefore be heard with an open mind.

"You see," he says, pointing at two big bamboo chicken cages on the low roof of a house in the New Territories of Hong Kong, "when the left-hand one is sideways on it's all right to go in."

The place is an opium den, one of dozens in the little townships of this peninsula on the flank of China. The cages are used as a signalling system...

Where does the opium come from?

It is common knowledge in the underground, he says, that the poppies are grown in the eastern part of Kwangtung province in South China by the Hakka and Chin Chow people. The raw drug, which is of inferior quality, is processed in two factories on the south bank of the Pearl River at Canton, and the output of heroin and refined opium is either shipped across the border into Portuguese Macau or smuggled into the New Territories by fishing vessels that rendezvous with boats from China along the frayed hem of coast.

The above information is not conclusive proof in itself that Communist China is involved in the drug traffic. However, this information together with that which is obtainable from many other sources, including other sources in Hong Kong, would seem to cast doubt on the State Department's almost wholesale disregard of any evidence that points to Red China as a source for illegal narcotics and partner in illegal narcotics traffic.

WATERGATE MESSAGE: NEED FOR INTEGRITY

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, one of Wyoming's excellent institutions of higher education, Casper Community College, sponsors a student newspaper, the Chinook.

In the August 31 issue, the editor, Gene Kennedy, reviewed the implications of Watergate in terms of its potential impact on idealistic college students.

As he notes the impact of Watergate is too serious to be swept under the rug or debated in partisan terms.

For its positive response and call for personal integrity, I suggest my colleagues take time to read the editorial, which follows:

September 25, 1973

PERSONAL INTEGRITY

Whether we feel that President Nixon's plea to cease the many-pronged investigations into the Watergate affair and leave the judgment to the courts is justified or not, the whole matter bears such grave implications in governmental circles and even in American society that we cannot afford to sweep it under the "forgive and forget" rug of complacency.

We have long been concerned for the lack of credibility in our governmental leadership. Now, with Watergate, we feel a let-down in confidence in the presidential office. How deep is the dishonesty in government? Are the American people being governed by men who are merely in office for personal power and gain? I believe that this is a non-partisan issue.

The defense for engaging in clandestine acts of crime has been that the end purpose was of such great consequence that the means to achieve it was not important. Those who took part in Watergate felt that the need to get the President re-elected was so great that this excused the dishonest bugging and burglary. Likewise the burglary of Daniel Ellsberg's psychiatrist's office was justified in the name of plugging security leaks.

This is to suggest that whenever we have an all-important issue, nothing is so sacred that we shouldn't take every means to get the job done. I hope that we refuse to accept this kind of justification. The end does not justify the means. God help us when this becomes an accepted policy. Who indeed is to decide what is the important issue in these cases?

Many idealistic young people a few years ago engaged in civil disobedience because they felt they had a righteous cause. The result was a hardening of opinions and many acts of violence. I hope that we have learned from these experiences that this is not the best way to improve our country.

I propose that a long-range change of attitude among college students today will pay off in a government tomorrow that will command the respect of its citizens. Students who will tomorrow occupy positions of authority in government, industry unions and other important posts, will ultimately make this country great or break it.

The attitude we mention is honesty. We probably do not feel that it is important now to be completely candid. But we believe that our present attitude and self-respect will be carried on into our personal life and business life tomorrow. We need to take charge of it now.

In recent years there has been a disclosure of cheating among students at the U.S. Academy at West Point and at the Air Force Academy at Colorado Springs. This kind of practice is far more wide spread than is generally known.

It is not hard to arrange to take tests in which the answers are copied or made available. We have personally heard of men who have used another person's papers in writing a doctoral thesis. This practice not only cheapens the degree earned, but also makes that person's education a farce. Like the practice of disobeying traffic regulations, the only thing we must be careful about, some would say, is getting caught.

Is honesty ultimately the best policy? We believe so. Several observations we believe that are valid are stated in the new Living Bible paraphrase, Proverbs 12: 13, 19 and 15. "Lies will get any man into trouble, but honesty is its own defense. Truth stands the test of time; lies are soon exposed. Telling the truth gives a man great satisfaction."

If we are to gain poise and self-assurance and possess self-confidence in our maturing years, let us hope that we who attend Casper College will begin the process of self-discipline in ourselves now.

**CUTTING FAT IN THE PENTAGON:
CONGRESSMAN WILLIAM STEIGER
SUGGESTS ROUTE TO REDUCING
MANPOWER COSTS**

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. MATSUNAGA. Mr. Speaker, an economic crisis faces our Nation. Not only must we restore stability to the American economy, in part by controlling spending by the Federal Government, but we must also undertake a re-ordering of priorities within the limited amounts available.

In a thought-provoking article written for the Sunday Star-Daily News, our distinguished colleague from Wisconsin (Mr. STEIGER) suggests that reducing the Pentagon's manpower costs would be a giant stride toward reduction of the burden borne by the American taxpayer. According to Mr. STEIGER, research, procurement, and many other important areas have been neglected because of the huge amount of funds which go to manpower costs. Many have mistakenly saddled this increased manpower spending onto the return to an All-Volunteer Armed Force, but the problem does exist.

A number of ways are open in our attempt to harness and reduce these ever-growing Pentagon manpower costs. My friend, the distinguished gentleman from Wisconsin (Mr. STEIGER) discusses these alternatives very lucidly in the Washington Sunday Star-Daily News article. In the hope that it may stir up some tax-saving activity, I insert in the RECORD Representative STEIGER's statement.

The statement follows:

**TAMING THE GROWTH IN PENTAGON'S
MANPOWER COSTS**

(By Representative WILLIAM A. STEIGER)

Thirty-eight percent of the defense budget is now devoted to military pay and related costs. The \$30.4 billion we are spending to keep men in uniform can be reduced, consistent with our national security requirements, through wise management.

On the other hand, if steps are not taken to control the skyrocketing cost of manpower, our ability to invest sufficient funds in defense needs—such as research, development and procurement—and other national priorities will be badly curtailed. The effects of rising manpower expenditures already are taking their toll in some of these areas.

To produce significant reductions in manpower costs, we should take three immediate steps:

Change the retirement system;
Hold down "grade creep";
And revise the pay schedule.

Certain projects will require an initial investment now to produce significant cost reductions in the future. These steps include conversion to a visible salary system, creation of special incentives, and replacement of men with machinery. Such a plan can save the taxpayers billions of dollars—and each one of these cost-effective programs complements the greater efficiency in manpower utilization that will accompany the volunteer force.

RETIRING PAY

The military retirement system will cost this nation \$4.7 billion in fiscal year 1974, up by \$2.3 billion since 1969. Manpower experts are proposing a major revision to

EXTENSIONS OF REMARKS

this costly program. By arranging meaningful severance pay for individuals who separate before they reach retirement eligibility, we can eliminate billions of dollars in retirement costs while giving ample recognition for service performed.

Going even further, a restructuring of the retirement system itself is proposed to provide reduced retired pay for members who leave the service short of a full career.

Active force costs are higher than need be at present because the system offers no incentive for short-service officers and NCOs to remain on active duty for the desirable period of 8 to 14 years.

More specifically, the current system distorts the force structure into a costly "barbell" shape. By withholding all benefits until 20 years of service, there is little incentive to remain on active duty at the critical first-term re-enlistment point. Training costs are thereby increased because of high turnover, while efficiency is reduced since too few officers and NCOs remain long enough to provide middle management experience.

At the other end of the force structure (or bar-bell), the present retirement program offers too great an incentive to remain in the military after 14 years of service. If we establish severance pay or revise retired pay, the services can recognize—as well they should—the valuable contributions made by these individuals, without perpetuating excessive costs.

GRADE CREEP

Beyond the retirement problem, which keeps some individuals in service for too long, the phenomenon of "grade creep"—too many individuals in the higher grades—counts for an added \$1 billion this fiscal year. In a landmark report, Rep. Otis Pike's Armed Services subcommittee illustrated the top-heavy structure of our armed forces: there are more officers in the grade of lieutenant colonel or commander than in the rank of second lieutenant or ensign; and there are more E-5's among our enlisted ranks than E-1's and E-2's combined.

Although some of the grade creep can be attributed to the introduction of more sophisticated equipment, a former deputy director of the Office of Management and Budget has noted "much of the increase has occurred as a side effect of the sharp manpower reductions in recent years and should be eliminated."

PAY SCHEDULE

Inflation is the primary factor in recently skyrocketing manpower costs. If we exclude the 1971 volunteer force pay raise, we find that increases directly mandated by inflation have increased per capita costs from \$5,910 to \$8,250 in the past five years. In other words, even if we set aside the cost of ending the draft, an armed force of 2.3 million men today costs \$5.5 billion more than the same force would have cost in 1969, simply due to cost-of-living increases.

Expensive pay increases are a result of legislation enacted in 1967 under the leadership of the late Rep. L. Mendel Rivers. The "Rivers Amendment" for inflation-triggered raises has produced equity for our men and women in uniform, because it grants military personnel the same rate of increase as their civilian counterparts.

Prior to the Rivers Amendment, military pay raises were few and far between and did not keep pace with compensation in the civilian sector. To adjust for this lag, additional longevity increases—not related to productivity or performance—were built into the military pay schedule. For example, let's take a sergeant who stays in the same pay grade for six years. He may well continue to increase his productivity over time by virtue of increased experience and he may well deserve a biennial longevity increment in pay. After that point, however, spending addi-

tional time in the pay grade may bring no additional productivity to that particular job. Nevertheless, under the present system, while this individual collects a cost-of-living increase, he also continues to get longevity increases for doing the same job in the same way.

Since the Rivers Amendment, the justification for longevity increases which are not based on productivity has disappeared, since there now is that protection against inflation. If we drastically overhaul the military pay schedule to reflect this reality, significant savings can be generated.

A similar opportunity exists because the compression of the current pay scale. For example, a sergeant E-5 with over four years' service receives a monthly basic pay which is only \$12 greater than a corporal E-4, over four years' service working under him. This compression provides little incentive for the individual to improve himself and advance to a higher rank.

But, if we restructure the pay schedule to eliminate two of the nine pay grades, the individual who is promoted will obtain a greater reward than he now receives for his effort; at the same time, individuals will remain in a given pay grade longer, reducing over-all military pay costs.

INCENTIVES

Reforms in retirement, grade creep, and the pay schedule are by no means exhaustive of the potential for reduction in personnel costs. Some problem areas are inherently more difficult for a budgetary process which concentrates on annual income and receipts, because they require a down payment now, without concomitant savings until a future budget. This accounts, no doubt, for such investments not having been made to date; nevertheless, our escalating personnel costs provides compelling evidence of the consequences of this shortsighted approach.

One reform which will be considered soon is the so-called Special Pay Act. Sponsored by many members, it was approved by the House last year, but left unconsidered by the Senate.

The selective reenlistment provisions of this bill would eliminate a bonus which is currently paid to every individual who signs up for a second tour, whether or not his skill is in short supply. Nearly \$125 million will be saved by 1978 through this action, and the institution of a system which is directed only at skills in demand.

In addition to the reduction in outlays which will result from a more efficient program, even greater savings can accrue through increased retention of skilled personnel. Experience with the nuclear incentive (the one special pay authority which was signed into law last year) demonstrates the potential of the Special Pay Act.

Before the nuclear bonus was instituted, the reenlistment rate among nuclear-qualified petty officers in the critical 6-9 year retention period was just 14 percent. Use of the bonus more than doubled the rate to over 30 percent—and reductions in training costs for the few men involved in this limited skill produced an annual savings of nearly \$10 million.

Replacement costs could also be avoided through use of provisions of the proposed Special Pay Act to attract skilled recruits to the military. It now costs \$13,927 to train a missile systems analyst. Under the current four-year enlistment, his cost per productive man-year is \$4,285. But with the six-year enlistment associated with the Special Pay Act, his cost per man-year would be reduced to \$2,843—leading to a savings of \$7,570 per enlistment. If we apply this legislation to all occupations with high initial costs, the training portion of the military budget can be reduced at the same time the

experience level of our armed forces is enhanced.

The authority would be used selectively, providing incentives only for skills in short supply. This represents a cost-effective improvement over the traditionally expensive method of providing an across-the-board increase for each individual in a given rank.

Ultimately, with greater retention and increased productivity, additional savings can be realized. The increased level of experience would permit a reduction in manpower consistent with maintaining the same effective strength. The British Air Force, for example, found that in ending the draft, one volunteer could perform the duties that formerly required two conscripts.

SALARY SYSTEMS

Another long over-due reform is designed to enhance the visibility and therefore the effectiveness of the present compensation levels. The First Quadrennial Review of Military Compensation (1967) concluded that military pay was so complex that the serviceman could not make a rational comparison of his wages to civilian compensation.

Aside from basic pay, military wages also include quarters and subsistence (or allowances for these items) and a "tax advantage" since the latter allowances are non-taxable. Surveys show that men at the end of their first tour underestimate the true value of their total pay by about 25 percent.

The resultant inability to make an accurate comparison to civilian wages has had an extremely negative impact upon retention. And in our current compensation system, it means that \$3 to \$4 billion of the taxpayers' money may be regarded as ineffectively spent, since the serviceman does not perceive the impact of that expenditure on his military pay.

To correct this huge wastage, the 1967 study recommended incorporating the various elements of compensation into a single lump-sum salary, so that the full value of a man's wages would be visible in his pay check. The cost of the initial investment was far less than the potential savings. Nevertheless, that recommendation has yet to be implemented.

EQUIPMENT

Another opportunity for budgetary reductions will come in revised capital-labor expenditures. Most procurement policy has not been updated to reflect the competitive pay scales enacted in 1971.

Two years ago, it may have been economical to purchase cheap materials and paint a ship several times a year. Today, it may be less expensive to use a higher quality paint, and perform the task only once a year.

Another simple example can be found in the engineering room of an aircraft carrier: a closed-circuit TV set, observed by a man already on duty, has fully replaced another individual whose sole responsibility was to sit on the deck and observe the discharge from smokestacks.

Current studies indicate that similar opportunities are plentiful. Significant cost reductions should appear in several years as weapons and material acquisition policies begin to reflect reasonable capital-labor tradeoffs, thus allowing substantial reductions in force levels.

Since World War II, our nation's approach to military manpower problems has been on an ad hoc and piecemeal basis. The result is the burdensome position we find ourselves in today. The volunteer force presents defense planners and budget specialists with a unique opportunity to reform military personnel policies. That opportunity will be lost if those responsible for change insist on focusing their attention on the temporary problems of the moment, rather than on a comprehensive overhaul of the military compensation system.

EXTENSIONS OF REMARKS

FOREST HILLS HOUSING BOON-DOGGLE CONTINUES

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BIAGGI. Mr. Speaker, the high cost and poor planning of federally supported public housing comes through crystal clear when the Forest Hills project in New York City is examined. This low-income project has been the subject of much controversy among the citizens of my area. Not only is the project excessively costly and totally unsuited for the land it is to be built on, but it is absolutely unharmonious with the surrounding neighborhood and will undoubtedly result in destruction of the environment and character of the local community.

Each unit in the project will cost approximately \$60,000, according to the New York City Housing Authority. Unfortunately this does not include many additional costs that will be added later. Air conditioning for example, which is required by Federal law since the project is directly under one of the main flight paths for LaGuardia Airport, is not included. Also inflationary increases, resulting from the constant delays on the project, will push the cost up again. Yet the city, bent on building low-income housing projects in middle-income neighborhoods for the alleged social benefit to be derived, continues to pursue this massive boondoggle.

What bothers me is the critical voices of governmental cost overruns are strangely silent when it comes to a housing project. This apartment complex is so totally unsuited to its area—primarily because it will end up sinking into the marshlike ground in Queens—that it should never have been conceived in the first place. The ultimate costs could run up as much as \$80,000 per unit. Yet while the critics condemn the cost overruns on the C-5A and other essential defense contracts, they sit idly by and watch millions of dollars go down the drain for a project nobody in the community wants.

Mr. Speaker, I want to bring this to my colleagues' attention at a time when new Federal housing programs are under discussion. The Department of Housing and Urban Development is allocating \$1.7 million for the pilings alone on the Forest Hills project. Without this support, the project would have been considered too costly by the local government. But, if Uncle Sam is in there picking up the bulk of the excessive costs, why not build a project? This is the type of Federal interference we must put an end to. It does not provide better housing for the poor or improve the declining areas of our cities. It only destroys what semblance of order we have left in urban America.

September 25, 1973

AN ALBATROSS NAMED TRIDENT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BINGHAM. Mr. Speaker, the Department of Defense has been eagerly "leaking" selected bits of information in support of its efforts to fund the Trident submarine project at the requested level. One recalls the national debate over the B-70 manned bomber a decade ago which was, in light of history, properly discarded as an idea whose time had already passed.

We are now faced with another crucial decision—whether to fund now a monumenally expensive and questionable weapons system in the face of the initiatives of the President to achieve détente with Russia. Before we go ahead in a hasty manner, we should face up to two questions: First, what will the projected defense environment of the 1980's and 1990's be when these vessels will be operational, and second; what will be the status of the Polaris-Poseidon era vessels?

An article that appeared in the Washington Post on September 22, addresses itself to these issues, and in my opinion refutes at least the urgency of the alarmist salvos emanating from the Pentagon. The article follows:

TRIDENT: A MAJOR WEAPONS DECISION
(By George W. Rathjens and Jack P. Ruina)

(Dr. Rathjens is a professor of political science at the Massachusetts Institute of Technology. Dr. Ruina is a professor of electrical engineers at MIT. Both are former officials of the Defense Department and the Institute for Defense Analysis.)

A dozen years ago, Congress and the White House were at loggerheads on the question of whether the nation should build a fleet of B-70 bombers, with Congress supporting the Air Force position. The impasse was resolved by the administration's decision not to continue the program beyond the construction of two prototypes. In retrospect it was a wise decision.

The B-70 had been designed to fly high and fast—a natural extension of the trend in heavy bombers. However, it turned out later that these qualities were unimportant in the defense environment in which it would have had to operate. Penetration of Soviet air defenses can be best accomplished by flying at very low altitudes, something for which the B-52 is superior to the B-70. Had Congress had its way, we would have had a fleet of white elephants: aircraft that were technically advanced but militarily inadequate.

Instead, we have continued to rely on the B-52s as the backbone of our manned bomber force. Despite alarms raised in the '60s about their age, they are still flying and will be for some years to come. And despite improvements in Soviet capabilities both for attacking our bomber bases and for managing their own air defenses, the B-52s are still highly effective as strategic bombers. This is a result of improved countermeasures to Soviet defensive systems, better tactics for penetrating Soviet airspace, changed basing, and different ordnance, including air-to-surface missiles.

Within the next few days, the nation will be confronted with another major decision on strategic weapons that raises somewhat

similar questions. This time, however, the roles are reversed. The administration wants to go ahead with the building of a fleet of new missile-launching submarines, the Tridents. But there is substantial sentiment in Congress to defer a commitment to full scale development and production, estimated to cost \$13.5 billion.

Like the B-70, the Trident is a logical extension of the machines now in service. It will be twice as large as the Polaris-Poseidon subs, it will go faster, will be quieter and will have more sophisticated sonar equipment. It will also, like the B-70, be much more expensive than its predecessor. The similarity does not stop there. Like the B-70, the Trident could prove to be poorly matched to the environment in which it will have to operate. The Trident submarine also will cost so much that research for other weapons programs will be slighted. Indeed, this has already happened. Last year, the program to develop a new missile, the C-4, that would be compatible with both existing submarines and the Trident was postponed for a year. This was ostensibly because of funding limitations. One cannot help but suspect that a factor in the decision might have been concern that the early availability of the new missile would have undercut the case for the new submarine.

There are two major issues involved in the Trident submarine question: that of the aging of the Polaris-Poseidon ships; and the nature of the defense environment in the '80s and '90s.

As to the first, there is even less reason to believe that the present submarines will wear out than there was to believe that the B-52s would die of old age.

On the question of environment, the Navy seems to fear a situation in which the Soviets will improve their capability to detect our present submarines by the noise they radiate and, in the event of a long war at sea, be able to destroy our submarines one by one. However, there are reasons to discount this concern. First, with the thermonuclear weapons available, a long naval war seems totally unreal. After the first one or two of our ships were sunk, hostilities would be terminated by negotiations or they would escalate into a nuclear exchange with the remainder of the fleet being used to attack the Soviet Union.

Second, U.S. submarines will be able to launch the new C-4 missiles toward the U.S.S.R. from a much greater distance. The problems facing the Soviet Union in conducting anti-submarine warfare will be increased enormously and our existing Polaris-Poseidons force will then very likely be even less vulnerable in the '80s than it is now.

From the perspective of 1973, a more worrisome threat would be the development of a Soviet capability to trail all of the U.S. missile-launching subs in peace-time, with the possibility that the whole force might suddenly be destroyed. This could be accomplished, if at all, only with a large Soviet fleet of high-speed attack submarines. If that were the threat, the Trident's speed would be of little value. Its large size would be a disadvantage. With the kind of sonar the Soviets would most likely use, it could be somewhat more easily tracked than present submarines. More importantly, large size would mean that we would likely have fewer Tridents than we would smaller ships, considering the cost and also the nature of likely strategic arms limitation agreements with the U.S.S.R. The preferred response to such a threat is likely to be, as it was in the case of improved Soviet capabilities against the B-52s, changes in tactics and basing the use of decoys and other countermeasures, and improved ordnance. If a new kind of submarine is required, the trend should probably be in just the opposite direction from Trident. We would want large number of small submarines even if economic con-

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straints dictated inferior performance in noise level and sonar performance.

The present submarine force has many years of useful life in it. Its capabilities can be markedly improved by a variety of means, particularly with the new C-4 missile. Thus, this hardly seems like the right time to freeze the design of a successor submarine, particularly since the threat cannot now be defined.

If we jump the gun and commit ourselves to a new vehicle with no clear idea of what the threat may be, we could have a fleet of underwater B-70s on our hands—at over a billion dollars a copy.

WOMEN'S EDUCATIONAL EQUITY ACT

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. DRINAN. Mr. Speaker, often times we refer to the "brain drain" as a phenomenon happening outside our own country. I wonder if it has ever seriously occurred to us that we are facing a similar crisis within our borders—that of the underutilization of the talents of half our population? In our society, the education of women is carried out as an afterthought. Women are educated as though they are only appendages to men and capable of functioning only on the periphery of the world of work. Our primary level textbooks teach this. Their portrayal of women is usually only as mother, even though in reality 40 percent of all adult women now work. When women are shown to work at all, textbook publishers picture them as school cafeteria helpers, secretaries, nurses, or teachers.

We do not deny that women are still largely relegated to these jobs—but we object to the negative, invidious effect this exclusive portrayal has on young children who see that men have important roles and women inferior ones. This stereotyping severely restricts their appreciation of the true role of women. What is needed is a massive infusion of new ideas in our classroom and textbooks so our children will no longer be shortchanged by having their thinking narrowed by what is tantamount to sexism. To this end, our distinguished colleague, the Honorable PATSY T. MINK, has introduced the Women's Educational Equity Act, H.R. 208, which would create greater access of opportunity to women. The act would provide funds for special education programs and activities including the development of nonsexist curriculum materials, training programs for counselors and other educational personnel, community education programs and other programs designed to achieve educational equity for all.

Four days of hearings held by the Subcommittee on Equal Opportunities of the House Education and Labor Committee on July 25 and 26 and September 12 and 13, have brought to the surface many of the subtle ways in which women as girls and as students are kept in their "place". And women have for too long

acquiesced in the perpetuation of this role playing. The necessity to correct these deficiencies in a girl's education was stressed in July. In September the subcommittee heard testimony on the specific ways girls are discriminated against in the sex role stereotyping of men and women in primary level textbooks from the Honorable WILLIAM LEHMAN; Ms. Phyllis AlRoy from Women on Words and Images of Princeton, N.J.; Ms. Anne Ladky of Scott, Foresman, Co. Women; and Ms. Allene Dietrich of the Committee to Study Sex Discrimination in the Kalamazoo, Mich., public schools; as well as from Dr. Estelle Ramey of Georgetown University's Medical School.

I would like my colleagues to note an article on Mrs. MINK's bill written by Ms. Geri Joseph, as it appeared in the Washington Post on September 18, 1973, excerpted from the Minneapolis Tribune, which highlights the wide support that her bill has generated among women and scholars throughout the country:

UNLEARNING "DICK AND JANE"

(By Geri Joseph)

Sugar and spice and everything nice—is that what little girls are made of? Not lately. Maybe not ever, although a lot of little girls grew up trying. It was a phony image anyhow, full of "you can't" and "you shouldn't" and limiting a girl's horizon from babyhood.

Just how girls came to be seen in this unreal and restrictive light is one of those "it's-always-been-this-way" stories. But important chapters undoubtedly were supplied by the free, public education system that most American boys and girls enter at age 5 and leave at 18, taking with them some basic ideas about themselves and each other. As a matter of fact, some experts claim that by age 8 there is 99 per cent agreement among children of both sexes as to which sex does which job, what kind of person a girl or boy should be and what the limitations and expectations are.

Eight years old—that seems ridiculously young for either a boy or girl to be settling neatly into a rut, even if it is hallowed by tradition. In the last few years, a rebellion sparked by the women's-rights movement has been trying to break the old, imprisoning mold, trying to bring the real world into the educational process.

The rebellion finally reached the halls of Congress last year Rep. Patsy Mink (D-Hawaii), a tough-minded lawyer, introduced a bill to provide \$80 million over a three-year period for special programs and materials to improve education for women. Called the Women's Education Act (H.R. 208), it nevertheless treats men as equals. "Nothing in this Act," it reads right there at the beginning, "shall be construed as prohibiting men from participating in any of the activities funded."

At hearings in July, the House subcommittee on equal opportunities got a generous sample of ways in which public education short-changes girl children.

There were documented charges that vocational education for girls provides far fewer job-training opportunities than for boys, although women now number 40 per cent of the U.S. labor force. All too often, girls are channeled into "acceptable" if limiting courses in typing, cooking, sewing.

Sports and physical-education programs also were raked over the coals at the July hearings. One study denounced school athletics as "pervasively discriminatory." Swimming pools, tennis and basketball courts are generally far less available to girls, measured

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on a dollar, per-capita basis of interested participants.

But among the many charges of sex discrimination in schools, none was more thoroughly aired than complaints against elementary-school textbooks. What? Even Dick and Jane? Yes, and a plethora of studies unanimously says so. The National Organization of Women (NOW) has had task forces around the country pouring over children's readers, and numerous reports have come from university professors. They show that more than two-thirds of all stories studied are about boys or men or male animals, and most deal exclusively with male adventures. Boys are shown as active and creative, using their wits, solving problems for girls and even mothers. Girls, on the other hand, walk, read or dream and universally admire the prowess of boys. Seldom are girls seen doing anything athletic, not even riding a bicycle.

In still another report, the author remarked that she could not find a single description or picture of a woman driving a car, and she found only one picture book about working mothers, Eve Merriam's "Mommies at Work." But even that book has a cop-out ending. It says sweetly, "All mommies love the best of all to be your very own Mommy and coming home to you." Why, asks the author of the report, do we not feel the need to say about Daddy that he loves his children more than his work? "Couldn't Mommy matter-of-factly like working and baby, too?"

It is possible that Rep. Mink's bill, if passed, might provide the financial incentive to push text-book publishers a little faster into the modern world. They have complained in the past that it takes half a million dollars to launch a new series and a few millions more before the publisher makes a profit.

In testimony before the subcommittee, Arvone Fraser, national president of the Women's Equity Action League (and mother of six, four of them girls), summed up what this rebellion is all about:

"Our educational system has given boys and men first place long enough," she said. "Traditionally, we have looked at education of girls as a kind of life insurance—something they need 'just in case'—just in case their husband can't support them, in case they can't find a husband or in case they need to support themselves while looking for a husband. We want children to be educated as individuals, not as assigned members of a group."

Rep. Mink's bill will not achieve a perfect world of educational equality. But it can provide some small beginnings. Here's hoping it makes it through the Congress. And the White House.

F. D. R. ISLAND—PAST AND FUTURE:
F. D. R.—PAST AND PRESENT

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Ms. ABZUG. Mr. Speaker, today in New York City a great event took place. New York City renamed and rededicated a small piece of land, an island surrounded by islands. Today New York renamed Welfare Island as Roosevelt Island. New York City is thus paying homage to a native New Yorker, a Governor of the Empire State and a great American President. It has rededicated this to a man of whom it has been said, "He made the Presidency what it is today." Arthur Schlesinger, Jr., a noted student of the

Presidency delivered the dedication speech and in his speech draws for us some comparisons about the nature of the Presidency, Roosevelt as a President and Mr. Nixon. I commend this very fine speech to the attention of my colleagues:

REMARKS BY ARTHUR SCHLESINGER, JR.

There is a special and singular felicity in the decision to rename Welfare Island in honor of Franklin Delano Roosevelt. After all, the words welfare and Roosevelt have become virtually synonymous in the history of the republic and are therefore profoundly interchangeable. Moreover, Franklin Roosevelt lived much of his life in this city, cared deeply about it and its citizens and has long deserved a better memorial than, say, the Franklin D. Roosevelt Drive. It is felicitous too that across this island's bow there should lie the gleaming tower of the United Nations, the embodiment of Roosevelt's vision of the way a war-torn world might find its laborious way to peace and cooperation. But most of all, I think, it is supremely right that Franklin Roosevelt be remembered on an autumn morning in a place of land and water, where the river begins to flow into the sea. For no President ever had such knowledge of land or such love of water or such acute understanding of the way water and land combine to provide sustenance for life on this planet.

We call it ecology now. FDR called it conservation. But the idea is the same—the idea that man owes a debt to nature, and that when man, in carelessness and greed, turns against nature, then nature will turn against man. As Roosevelt put it 37 years ago when he spoke not far from here at the dedication of the Triborough Bridge, "Government . . . cannot close its eyes to the pollution of water, to the erosion of soil, to the slashing of forests, any more than it can close its eyes to the need for slum clearance and schools and bridges." Heaven alone knows what FDR might think if he looked too closely at the East River today. But one hopes that the baptism of Roosevelt Island will lead to a commitment on the part of New York and the nation to return the East River to what it was when FDR's friends Al Smith and old Bob Wagner used to swim in it as boys growing up on the East Side of New York.

The preservation of land and water was only one of FDR's concerns as he worked for the health and prosperity of the nation. We remember him for so many things—for the gallantry of his struggle against disabling sickness; for the confidence he imparted to the nation in the ordeal of economic depression; for the skill with which he mobilized the intelligence, the idealism and the youth of America in a great effort for recovery and reform; for his early recognition of the dangers gathering from abroad; for his undaunted leadership in the grim days of war; for the steadfast purpose with which he began the quest for peace; for his incomparable voice, resourceful intelligence and fighting heart. He led our nation through two of the great crises of our history—the crisis of economic collapse and the crisis of fascist aggression. And he did so while preserving at all times the essential liberties of our people and the essential balance of the Constitution.

He made the Presidency what it was—and some today hold him responsible for what it has become. For, as we meet today, the American Presidency itself is in a condition of unprecedented crisis. The headlines are dominated by the word Watergate. But Watergate is not the cause of this crisis. Watergate is only a symptom and a symbol. The cause lies deeper: it is the expansion and abuse of presidential power. What Watergate has done is to raise this question to the surface, dramatize it and make it at last politically accessible. Watergate is the by-product of a wider state of mind and a larger purpose. As

one examines the range of contemporary presidential initiatives, from the new theory of the war-making power to the new theory of absolute executive privilege, from the calculated disparagement of the cabinet and the civil service to the calculated concentration of federal management in the White House, one sees, I believe, what can only be understood as an attempt to alter the nature of the Presidency—an attempt to replace the Presidency of the Constitution by what can best be described as a plebiscitary Presidency.

According to this new revelation, election confers on a President a mandate to do on his own whatever he feels is good for the country. The mandate empowers him to make war or to make peace, to spend or to impound, to give out information or to hold it back, to bypass the legislative process by executive order and decree—and with no serious accountability to Congress and the people, between elections, except through impeachment. And fortifying the doctrine of the mandate is the President's supposed power to violate the laws and the Constitution in the name of national security!

It is hard for the historian to see that the nation is in greater danger today than it was, for example, at the bottom of the depression or during the perils of the Second World War. Yet national security did not lead Franklin Roosevelt to set aside the Congress of the United States and rule by inherent presidential power. The more venerable among us here today will still remember the words of Franklin Roosevelt's first inaugural, spoken forty years ago—words uttered in a more considerable national emergency than any faced by Richard Nixon. "In the event that the national emergency is still critical," Roosevelt said, ". . . I shall ask the Congress for the one remaining instrument to meet the crisis—broad executive power to wage a war against the emergency." For Roosevelt such broad power resided in the Congress and had to be delegated to the Presidency; he rejected the contemporary heresy that such power resided in the Presidency. FDR understood that the Constitution contemplated three coordinate and interdependent branches of government. He did not suppose that the Presidency superseded the Congress and the courts.

We read today that the President of the United States may decide to defy an order of the Supreme Court. A former Democrat, recently sent on waivers to the Republicans, told us the other day, "I think there are times when the President of the United States would be right in not obeying a decision of the Supreme Court." A remarkable proposition—and one shudders to think what might happen to the republic if John Connally ever became President himself and acted on this principle. No President up to this time has ever refused to obey a decision of the Supreme Court. If in a time of far greater national emergency the Supreme Court could divest Franklin Roosevelt of much of the early New Deal, it can surely divest Richard Nixon of a few electronic tapes bearing possible evidence of criminal activity on the part of government officials.

Franklin Roosevelt was a strong President, and he believed in a strong Presidency. He held press conferences, for example, twice a week, even through most of the war. Indeed, he held as many press conferences in his first three months in office as President Nixon held in his first four years. And Press Conferences are not just scenes where Presidents tell things. They are very often scenes where Presidents learn things—things that their own executive establishment, consciously or not, may have been keeping from them. Re-reading FDR's press conferences today makes it evident how much meeting the press twice a week contributed to the vitality and responsiveness of his Presidency.

Nor did Franklin Roosevelt have some spurious notion of 'respect for the Presidency' with which to discourage argument and dis-

sent in the presidential presence. His whole idea was to surround himself with obstinate and opinionated men—who else could have put up with Harold Ickes for twelve years?—and make debate a method of government. Instead of shutting himself off from the government and the people and allowing one or two men to control access to the royal presence, FDR read widely, talked widely, saw a immense diversity of people and constantly pitted his own private sources of information against the information delivered to him through official channels.

What FDR reminds us is that, under conditions of much greater national extremity than exist today, a strong Presidency can be an open Presidency, a strong Presidency can give due respect to the other branches of government, a strong Presidency can function within the Constitution. For history has shown that our Constitution is a spacious document within which very strong men indeed have been able to direct the affairs of state and guard the safety of the republic. It is the weak man as President who flinches from face-to-face contention and debate, who mistrusts Congress and the press, who intrigues and connives behind closed doors, who claims inherent power to take liberties with the law and the Constitution. The truly strong President is not the one who asserts a power to command but the one who recognizes a responsibility, and opportunity to enlighten and persuade; not the one who places himself above the Constitution but the one who sees the disciplines of consent as indispensable to his own success as a democratic leader and to the survival of democratic government.

This was the kind of President Franklin D. Roosevelt was—which is why we rejoice in celebrating his memory today. “I am very confident of the future of this country,” he once said, “as long as we maintain the democracy of our manners and the democracy of our hearts.”

KENNEDY CENTER

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, there are a good number of Members of the House who can recall being asked to vote for authorizations and appropriations which made possible the John F. Kennedy Center for the Performing Arts. On several occasions misgivings and fears were expressed that the finished product would fall short of the goal that had been envisioned by four Presidents, beginning with President Eisenhower, that this institution should at least serve its purpose to give America a place of outstanding leadership in the performing arts.

A review of the Kennedy Center's non-performing functions has appeared in the RECORD in several incidences, and there is no question but what it is serving as one of Washington's many excellent memorials to past Presidents, all of which are magnetic attractions to hundreds of thousands of citizens from throughout the Nation whose taxes have, of course, helped make the memorial possible.

Its role as a center for the performing arts, however, has not been reviewed by Congress, and, indeed, until a recent ar-

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ticile by Mr. Wolf Von Eckardt in the Washington Post for Saturday, September 8, there were still a few skeptics that doubted that the tremendous institution, with its capacity for four performing functions simultaneously, was fulfilling the purpose for which it had been intended.

I am very pleased to include with these remarks the full article by Mr. Von Eckardt. I am sure all Members will find it of interest and will sustain their faith in having helped to create the Kennedy Center. The article, will, of course, continue the national dialog on the architecture of the building, but that is not the purpose of my comments, since we in the capital have our own architectural donnybrook regarding the East Front. I hope all Members will enjoy this article, Mr. Speaker.

The article follows:

IF ONLY IT LOOKED AS GOOD AS IT WORKS
(By Wolf Von Eckardt)

An architectural boondoggle has become a cultural boon. So don't be surprised if you see some of us architecture critics who warned you about the place shamelessly enjoying it.

As the John F. Kennedy Center for the Performing Arts begins its third season, it may be unkind to recall its esthetic and urbanistic shortcomings. A good many critics have frequently and warrantably pointed them out during the long years, beginning in the 1950s, when our national cultural center was conceived and designed.

But what needs to be said on the Center's second anniversary, is that the critics, including this one, obviously carried their non-enthusiasm for Edward Durrell Stone's design too far. Some of our dire predictions have been proven wrong. In other instances, the Center has managed to correct initial mistakes with amazing efficiency.

In short, if the Kennedy Center were to look as fine as it works, it would be exciting. Except for architecture and the environmental arts, it has become an inspired and inspiring catalyst for the capital's cultural life.

Saddened by the Center's unfortunate, anticyclic location (it preempts a park that should be devoted to aquatic enjoyment and deprives the city's center of the evening attractions it so badly needs) as well as its imperialistic, architectural mediocrity (“gemütlich Speer,” Ada Louise Huxtable called it), architecture critics also were concerned about the function of the building. For instance:

The Center would be woefully inaccessible except to the carriage trade, they said.

It is. But it is inaccessible only in the old-fashioned city sense (which I hope will see a revival in this country). Under that concept, the city is the people and people can spontaneously and perhaps even ceremoniously walk up to and through the buildings they love. They love their buildings because they can spontaneously and perhaps even ceremoniously walk up to and through them.

But old-fashioned city sense is lost. Whether the Center should have been located on Pennsylvania Avenue, say, is a moot question as well as a chicken-or-egg one, that most of its planners, from President Kennedy on down chickened out on.

The fact remains that you can get to the Center conveniently now unless you want to walk, which hardly anyone does (unless they live in Watergate). Bus and taxi service are adequate and still being improved. There will be a Metro stop only a block or so away. Two million people visited the Center at latest count, spontaneously or not, and 1.6 million are estimated to have attended performances.

Critics said the Center with its three halls was much too large to be filled because no one would come in from the suburbs.

Well, it is extremely well attended. The footlights in all three houses burn far more often than in other comparable American theaters, operas and concert halls. In its first year, the Kennedy Center Opera House was dark only one week.

The audience comes from all over the region, in relatively equal proportion to the population distribution. The percentage of people who drove more than 15 miles to hear opera on the Potomac has increased from 26 in 1972 to 47 in 1973. There has been a 20 per cent increase in tourist attendance.

Again, in view of the relative inaccessibility between the river (which still has no ferry boats or water taxis) and a spaghetti of freeways, many people felt that the 1,500 car underground garage would be woefully insufficient.

At the time the Center opened, parking was indeed a problem and there was talk of building a parking lot on the lawn in front of the place, as in a shopping center. That plan has luckily been dropped and there is now little inconvenience or delay. When there is an overflow, the labyrinthine Watergate garage comes to the rescue.

Several critiques deplored Stone's idea to package the opera, concert hall and theater under one roof. I thought, and still think, that the resulting size of the building puts it badly out of scale with the Washington cityscape, particularly in relation to the Lincoln Memorial. I also thought, and still think, that building one megastucture deprived Washington of a pleasing ensemble—smaller buildings around a pleasant plaza—with all the makings of urban delight. And I warned that one supersized foyer—the size of two football fields—would create confusion by scrambling the opera, theater and concert audiences.

That double, red-carpeted football field still gives me a kind of horizontal acrophobia. But I enjoy the opportunity to take a healthy intermission walk and chance to get to the bar without being pushed. Weather permitting, I escape Stone's space for God's—out on the marvelous terrace, at least until the jet noise drives me back again into the sound-proof indoors.

But there is no scramble and confusion. Functionally, the foyer works extremely well.

In the first few months of the Center's operation, there were more complaints about the Center's box office service than there are today about the price of meat.

Whoever is responsible—executive director Martin Feinstein, I suppose—has, however, transformed an agony of inefficiency into a perfect joy. It is now a pleasure to reserve and purchase tickets for a Kennedy Center performance. The Center has initiated what Feinstein calls “instant charge.” When you call for a reservation, you need only give your credit card number and the tickets are not only waiting for you at the box office, but already charged to your account. There is no fuss, filling out forms or waiting. I wish the airlines, with their complicated ticketing procedures, would take a look at this marvel.

Ticketing, Center officials say, now also works well for students, servicemen, the handicapped and elderly who get tickets at half price. The Center also has a laudable program for schoolchildren and is beginning to recognize the special artistic talents and interest of Washington's blacks.

The worst fear the Center's critics voiced before it opened was that it would monopolize Washington's cultural life, draining off the modest but growing enthusiasm and support that had sustained our local artists and producers.

The very opposite has happened. Culture outside the Center is thriving as never before. Arena Stage, the Kreeger Theater, Ford's, the National, the Hartke, the Theater Club and

smaller theaters, old and new, have no cause for complaint about increasing interest and attendance. A new theater, The American in L'Enfant Plaza, has just opened. Wolf Trap is usually packed and always a delight. Washington's musical life, long "vivace," is "multo vivace" now.

There is no question that the Kennedy Center has turned Washington into a cultural as well as a political capital, though culturally Washington is not yet what Paris is for France or London for England. But the world's most renowned artists, I am told, are eager to play here, not only for the prestige but more importantly also because the Center has superb stages, auditoriums and acoustics.

What is more, many great artists say that Washington offers them the satisfaction of an exceptionally sophisticated and enthusiastic audience.

Too bad its architecture, as I wrote some years ago, "gives you a lift only as you ascend the elevator coming up from the basement garage."

ON THE NEED FOR MANDATORY FUEL ALLOCATION

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BINGHAM. Mr. Speaker, the fuel oil dealers that supply New York City's homes with oil for heating report they have only one-fourth the amount of fuel oil they can store as opposed to the 70 percent of capacity they should have for this time of the year.

The Nation's largest city may well be the coldest unless we take decisive action to insure ourselves of adequate supplies of fuel oil, not only for the coming winter, but also for the years ahead.

I believe that the editorial appearing in the Washington Post on September 22, illustrates the immediate need for mandatory fuel allocation, as well as the need to plan for the future. The editorial follows:

RATIONING FUEL OIL

President Nixon's fuel oil policy, at the moment, amounts to little more than a fervent hope for a warm winter. But in Congress and throughout Mr. Nixon's administration, there is now a widening consensus that drastic measures are going to be necessary to cut down the rate at which the country burns oil during the coming months. The President himself has been talking entirely in terms of large plans to expand fuel supplies in the latter 1970s. But those large plans will not help the country this winter. For this winter, it is increasingly clear that we are going to have to have a federal program of enforced fuel allocation. That means, in one sense or another, rationing.

Two studies published this week set out the dimensions of the coming shortages. One was drafted by the Interior Department for the White House, the other by the Joint Economic Committee's staff for Sen. Hubert H. Humphrey (D-Minn.). Both emphasize the unpleasant truth that the scale of these shortages now depends entirely upon circumstances that the government cannot control. The weather is one imponderable. Another is the willingness of other countries to export fuel oil to us. The Interior Department says that, with normal weather, the country will need to import 650,000 barrels a day of refined fuel oil throughout the winter. But the department finds only about 550,000 barrels is likely to be available. There will be even less if the winter in Europe is cold or if the Arab countries curtail shipments.

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The immediate trouble is not a lack of crude oil, but of the refined product that we use for heating and diesel fuel. Demand for oil products in this country has now far outgrown the capacity of the American refineries. That is why we are currently dependent on other countries' refineries, particularly the Europeans'. But Europe is now bitterly accusing the United States of aggravating their very serious inflation by bidding up the price of their oil. Last year we imported fuel from western Europe at the rate of 13,000 barrels a day. In the first three months of this year we were importing it at a rate of 168,000 barrels a day. The more we buy, the higher the price goes and the more likely that the Common Market will impose export restrictions to protect its own consumers. Both Canada and Belgium are already restricting exports of refined products to the United States, and there have been warnings that other exporting countries are prepared to do the same.

Europe is, in turn, heavily dependent on crude oil from the American-owned wells that the Libyan government has now confiscated. There is a prospect of a long legal struggle in which the American companies attempt to prevent Libya from selling the oil. Two companies, Texaco and Standard of California, have now gone into the Italian courts to recover shipments that, they claim, were shipped from their properties to refineries in Sardinia. If there is a serious disruption in the flow of this crude oil from Africa to Europe, aggravating the shortages in Europe, European restrictions on fuel oil exports will become probable to the point of certainty.

That is why this country urgently needs a mandatory system to allocate fuel oil. It would obviously be wiser to impose allocations immediately, rather than waiting for cold weather and the arrival of actual hardship. Whether President Nixon is prepared to move fast enough and strongly enough is, unfortunately, open to doubt. All of his comments over the past month have indicated a fundamental failure to grasp the dimensions of the emergency that looms before us. But many of the men around him, within his administration, perceive it fully. The only real question is whether the administration proceeds with mandatory allocation before Congress enacts the bill drafted by Sen. Henry M. Jackson (D-Wash.) to force it.

The Jackson bill, passed by the Senate and now in the House, would do a great deal more than merely ensure supplies to independent dealers. It would enforce rationing at the wholesale level. It would also establish an order of priorities, with home heating and farming at the top. But, to work effectively, any allocation system is going to have to be accompanied by conservation. We are going to have to cut back the amount of oil that we are accustomed to burn to heat our buildings. Americans saved themselves from a major gasoline shortage last summer by voluntary conservation. If they turn down their thermostats this fall, perhaps they can spare themselves the endless headaches of formal rationing to consumers. It is an open question whether voluntary cooperation will be enough, and the answer probably depends on the severity of the weather.

But it would be highly dangerous to assume that we are dealing merely with a short-term crisis that is going to be resolved, one way or another, over the next few months. The necessity to restrict fuel consumption in this country is going to be with us for some years to come. John A. Love, the President's adviser on energy, recently noted that no new American refineries would come into production this year or next. He put the case accurately when he recently said, "... pushing as hard as we can for increased domestic production, increased imports, and a crash program of research and development, the very real possibility—almost a certainty—is that the only near term solution is to dampen the increase in demand." The Joint Economic Committee's staff study adds a well-

-founded warning: "... the public must recognize that fuel shortages will tend to get progressively worse for a number of years, and that conservation of oil, gas and electricity in all uses is the order of the future."

THE COOPERATIVE FINANCING FACILITY (CFF)

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. HANNA. Mr. Speaker, slowly at first, because it was an entirely new idea lifting off, but now swiftly, and soon with orbital velocity, if the thrust behind it is maintained, that is the progression of Eximbank's Cooperative Financing Facility (CFF) into the swirl of basic world trade financing procedures.

Still only 2 years of age, in virtually every market on Earth the CFF is gaining attention, being tried and found to be useful, thence fitted into the customer services provided by indigenous financial institutions and international banks, including principal banks headquartered in the United States.

"A significant new dimension," commented Alfred Brittain III, president of Bankers Trust Co., New York, whose overseas branches participate in the program.

"An imaginative . . . bold new departure," the Security Pacific National Bank of Los Angeles called it.

"A new complementary banking service which can help (our customers) in their U.S. equipment imports, with reasonable costs," said Vincente de Araujo, president of Banco Mercantil de Investimentos, S.A., of Belo Horizonte, Brazil.

"An attractive new channel," commented Switzerland's Banque de Financement S.A. Geneve.

"An effective tool," said the management of the Austrian Commercial Bank A.G.

"A response to market needs," is how the CFF was rated by Financiera Aceptaciones, S.A., of Monterrey, Mexico.

These are just random appraisals. Actually, it is possible to walk into any of the many thousands of branches in 109 countries of some 300 financial institutions of 50 countries covering virtually every market on Earth and find the management there ready to finance purchases from the United States with CFF credit.

The CFF arrangement is deliberately simple. Eximbank agrees to share the financing of purchases of U.S. goods or services equally with a cooperating institution (CI) overseas. The CI determines the borrower's creditworthiness, subject to policy review by Eximbank. This significantly speeds the credit process. Actually, it delivers Eximbank financing right into the marketplace, translating it into indigenous language and procedures, so that even an inexperienced foreign borrower finds it easy to buy from America on credit. As it is structured and administered, the main purpose of the program is to encourage small businesses overseas to look to the United States and to broaden the market for U.S. suppliers, large or small.

The result is that the CFF produces mostly "plus" business—transactions which would not have taken place in the absence of such a convenient facility.

The CI finds the partnership financing arrangement with Eximbank profitable, useful in serving its customers and in attracting new business. The program thus has a built-in growth factor, and new CI's are signing up at the rate of three or four a week. At the same time, however, it is a program that must be continually pointed out because it is new; it is different; and in the constant turnover of bank personnel around the world, those familiar with it shift away from positions where they are able to use it and newcomers take their place.

While qualifying as a basic tool, the CFF is still apt to be laid on a special shelf because it is exclusively American. No other country offers such a service. It is purely an invention of Eximbank. Moreover, it has not been necessary to change or revise the facility in the process of worldwide application, thus it tends to refute an old saying that no idea passes from one language to another without change.

The three cardinal virtues of the CFF are:

First. It provides point-of-sale financing.

Second. It encourages banks all over the world to help sell U.S. products.

Third. It assists more U.S. suppliers to offer their products abroad; in ordinary circumstances a U.S. salesman can accompany a customer in any of the 109 countries to a cooperating bank and have the financing arranged and their deal closed on the spot. No long distance credit negotiations, no waiting, no red tape; more time to see more customers and sell more products.

U.S. export sales financed under the CFF program already have amounted to nearly \$500 million. The lines of credit which Eximbank has extended to CI's can support a potential of \$3 billion more of our exports, when allowances are made for 50 percent participation by the CI's and for the customary 10 percent cash payment by borrowers. More than 1,000 CFF loans have been authorized, most of them for less than \$100,000 each.

A recent poll of CI's for suggestions and comments met with a 75 percent response, such as those mentioned earlier and these:

We think that this financing will prove to be most beneficial to importers in Spain, and we are promoting the financing in the entire country through our branch network which now includes 270 branches—Banco de Santander, Madrid.

I believe that when our customers get to know this type of financing better, we can certainly expect to do more business together—Bangkok Bank Limited, Bangkok, Thailand.

The first U.S. \$1,000,000 credit line has been used up . . . More clients have been approaching us . . . We would request you to consider assigning us another line of credit for \$1,500,000—China Investment and Trust Company, Ltd., Taipei.

We now plan a more direct role in the program and have just received a \$25,000,000 facility for use by our overseas branches, representative offices and subsidiaries—Chemical Bank, International Division, New York.

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The (CFF) program forms part of our marketing effort as one of the tools in our new business program—Iranians' Bank, Tehran.

I can assure you that this program is truly of benefit to us as well as the Japanese importers and contributes a great deal to the promotion of U.S. exports to our country on the whole—The Sumitomo Bank, Limited, Tokyo.

Very useful to foreign buyers by providing them with financing at an interesting rate of interest—Banque de L'Union Parisienne, Paris, France.

The service is comprehensive and effective—Bank of British Columbia, Vancouver.

We envisage an increasing need for this type of financing in the future—Den norske Creditbank, Oslo, Norway.

Your CFF program is very much needed by the Philippine private sector—Rizal Commercial Banking Corporation, Makati, Rizal, the Philippines.

Eximbank's prompt response to our sub-loan applications . . . in general has taken about two days. This is a record time—Financiera de Desarrollo e Inversion, S.A., San Salvador, El Salvador.

We could see its (the CFF's) competitive use in respect of larger transactions—the Bank of Montreal.

Our banking and trust department handles your CFF Program quite smoothly and satisfactorily—Central Trust of China, Taipei, Taiwan.

We are happy to participate . . . and we are confident that our cooperation will be of mutual benefit—Privredna Banka Sarajevo, Yugoslavia.

We are confident that when (Australian) interest rates harden we can expect greater opportunities to utilise the (CFF) credit arrangement—Transcontinental Corporation Limited, Melbourne, Australia.

Our institution is happy indeed to participate . . . (in the CFF program) which will undoubtedly strengthen and develop the relationship between the U.S. and Brasil—Banco de Investimento do Comercio e Industria, Sao Paulo.

We are rapidly committing the funds of our first CFF loan (line of credit) and we will be applying shortly for a second loan—Banco Financiera Hondurena, S.A., San Sula, Honduras.

In our opinion the procedures are quite feasible. We hope, therefore, to use them whenever Dutch importers of U.S. A. goods wish to reduce their cost of financing—Algemene Bank Nederland N. V., Amsterdam, the Netherlands.

The CFF adds significantly to tools available to U.S. exporters; it provides immediate and medium term benefit to the U.S. balance of payments, although some CI's share the credit with banks in the United States. Thus, a supplementary benefit is closer relationships between banks in the United States and banks abroad, expanding credit to buyers and sellers.

For example, a U.S. bank which may not have taken an interest in export financing, may find itself invited by a foreign bank to participate in a CFF loan. The invitation may stem from the foreign bank's desire to get on closer terms with its correspondent banks in the United States, with whom it has been dealing on such routine matters as fund transfers and letters of credit. This increases the U.S. bank's interest in export financing and improves potential sources of credit financing.

Among its CFF literature, Eximbank has a directory listing the thousands of branches, country by country, of finan-

cial institutions participating in the program. These directories, available on request, are mailed regularly to U.S. manufacturers to encourage their overseas marketing.

Small businesses in our own country as well as abroad are the CFF's intended beneficiaries. The guiding principle is that small firms tend to buy in small lots, which can be provided by small as well as large suppliers.

The CFF might be called a matchmaker for buyers who have never imported and suppliers who have never exported—a hand of experience to help boost the world trade population.

CONGRESSMAN EILBERG WANTS YOUR OPINION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. EILBERG. Mr. Speaker, each year since I have been a Member of Congress, I have sent questionnaires to every household in my congressional district.

This year I received more than 10,000 responses which have now been tabulated.

Those who responded were asked what they think are the three most pressing problems facing America today, in order of urgency. Inflation is the number one concern of 38.8 percent of the people of my district; 21.5 percent listed crime and drug abuse as the most disturbing problem; and 14.4 percent thought Watergate is our most vital concern.

This is a clear indication that the Nixon administration is not meeting the needs of the people. Prices are too high, and despite the President's statements to the contrary, the fear of crime continues to be a major factor in urban life. Additionally, Watergate and its related issues have caused the people to distrust the administration's statements in every area which makes it much harder for the Federal Government to implement programs and policies which might solve these and other problems.

At this time I enter into the RECORD the responses of my 1973 congressional questionnaire so that my colleagues can have the benefit of knowing how 10,000 Americans feel about the issues facing this country today.

My questionnaire follows:

CONGRESSMAN JOSHUA EILBERG WANTS YOUR OPINION

(Answers in percentages—"no response" not tabulated.)

1. a. Do you believe the President's Phase III "voluntary control" economic policy is working?

Yes, 2.3; No, 91.0; Undecided, 5.4.

b. Would you favor a return to comprehensive wage and price controls?

Yes, 78.8; No, 9.9; Undecided, 8.3.

c. If price controls are put into effect again, should they include food prices?

Yes, 94.1; No, 3.0; Undecided, 1.6.

d. Have the increases in food prices caused a change in the kind or amounts of food you buy?

Yes, 86.8; No, 10.7; Undecided, .9.

e. Are you buying more or less:

Meat—More, .5; Less, 83.7; Same Amount, 14.2.

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Poultry—More, 37.4; Less, 27.4; Same Amount, 31.6.

Fresh fruits and vegetables—More, 13.1; Less, 51.7; Same Amount, 31.8.

Canned and frozen foods—More, 26.1; Less, 22.7; Same Amount, 47.2.

2. Should grain sales to Russia and other countries be continued if these sales continue to cause sharp increases in meat prices?

Yes, 6.1; No, 85.3; Undecided, 6.6.

3. Do you favor a cutback in the Defense budget with the savings applied to solving the problems of the cities?

Yes, 69.9; No, 21.7; Undecided, 6.8.

4. Should a portion of the gasoline tax money collected and pledged for the Highway Trust Fund be directed to improve public transportation?

Yes, 75.4; No, 17.6; Undecided, 6.1.

5. I have introduced legislation to provide Federal funds for up to 35 percent of a public school district's annual budget. Do you support this idea?

Yes, 79.4; No, 11.4; Undecided, 7.7.

6. I am also sponsoring a proposal to provide tax benefits for the parents of students in private schools. Do you support this plan?

Yes, 52.3; No, 39.7; Undecided, 7.2.

7. Legislation has been proposed which would prevent the cancellation of Federal grants and other payments to hospitals which refuse to allow abortions to be performed. Do you approve of this proposal?

Yes, 43.5; No, 42.1; Undecided, 12.3.

8. Do you believe that possession of marijuana for personal use should be a criminal offense?

Yes, 49.2; No, 36.1; Undecided, 13.7.

9. Should pushers of hard drugs who are convicted a second time receive mandatory life sentences?

Yes, 88.9; No, 4.9; Undecided, 5.1.

10. a. Are you satisfied with the progress being made to clean up the environment?

Yes, 19.3; No, 68.1; Undecided, 11.4.

b. Are you prepared to bear some of the cost, in the form of higher prices and increased taxes, of cleaning up the environment?

Yes, 51.5; No, 34.3; Undecided, 11.0.

11. Should U.S. funds be used to rebuild North Vietnam?

Yes, 9.1; No, 82.1; Undecided, 7.7.

12. a. Do you agree with the Administration's policy of continued bombing in Southeast Asia?

Yes, 13.9; No, 74.7; Undecided, 10.5.

b. If this bombing results in the capture of Americans, should ground troops be sent back into Southeast Asia as a means of forcing their release?

Yes, 14.2; No, 69.1; Undecided, 12.9.

13. Should the United States reduce the number of troops stationed in Europe?

Yes, 67.7; No, 18.0; Undecided, 12.9.

14. Now that we have formal diplomatic relations with the Chinese Peoples Republic, do you believe we should normalize relations with Cuba?

Yes, 58.9; No, 22.8; Undecided, 16.5.

15. What do you think are the three most pressing problems facing America today? Please list in order of urgency.

(Using a weighted point system, the following results were tabulated.)

1. Inflation—38.8 percent.

2. Crime and drug abuse—21.5 percent.

3. Watergate—14.4 percent.

4. Environment—8.2 percent.

The remaining 16.1 percent included tax reform, education, Southeast Asia, energy crisis, judicial reform, unemployment, and problems of the elderly.

16. What is the one local problem which troubles you the most?

1. Crime and drug abuse—33.4 percent.

2. Funds for schools—16.2 percent.

3. Transportation—7.4 percent.

4. Judicial reform—5.9 percent.

The remaining 37.1 percent went to a wide range of problems.

SENATOR McGEE ON THE UNITED NATIONS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. FRASER. Mr. Speaker, Senator GALE McGEE, of Wyoming, our distinguished colleague in the other body, has set forth some very noteworthy views on the United Nations in a report just released by the Senate Foreign Relations Committee entitled "The U.S. and the U.N.: An Urgent Need for an Increased U.S. Commitment." Senator McGEE's report is based on his experiences as a member of the U.S. delegation to the U.N. General Assembly last year.

In calling for increased U.S. commitment to the U.N., the Senator concludes that both Congress and the administration are guilty of placing the United Nations far down the list of their respective foreign policy priorities. I concur in his conclusion. With public opinion polls showing that the American people overwhelmingly support a more effective United Nations, we in Congress and the executive branch have a special responsibility to exert positive leadership toward strengthening the United Nations.

While expecting more than the U.N. can deliver in the area of peacekeeping, we sometimes overlook the important successes it has had in the field of economic and social development. Senator McGEE's positive look at the United Nations points out that the U.N. development program surveys have turned up heretofore unknown mineral deposits worth more than \$13 billion. Also that the World Bank and the International Development Association provided loan capital credits of more than \$2 billion to the developing nations last year. He notes the encouraging start that the U.N. environment program has made in a global effort to arrest environmental decay.

He calls attention to the important role the United Nations has played in the nuclear test ban treaty, the outer space treaty, and the nuclear nonproliferation treaty and the seabeds arms treaty and another important political accomplishment of the United Nations—the role it has played in easing the transition of almost a billion people from colonial to independent status.

Senator McGEE makes a number of recommendations concerning U.S. policy at the United Nations. In summary, they are as follows: First, that the U.S. delegation should establish better rapport with the developing countries and weigh their views carefully before important votes are taken at the U.N.; second, that the United States oppose any restructuring of the United Nations which does not place developing nations on an equal status with other nations; third, that the President should address the General Assembly as a demonstration of firm U.S. support for the U.N.; fourth, that Congress increase considerably our voluntary contributions to the U.N.; fifth, that Members of Congress avail themselves of every opportunity to participate actively in U.N. activities; sixth, that

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adequate living allowances be provided for members of the U.S. Mission to the U.N.

For more detailed recommendations for improved U.S. performance in the United Nations, Senator McGEE refers to the Lodge Commission report of 2 years ago. Noting that insufficient attention was paid to this important report by the executive and legislative branches, the Senator urges taking a fresh look at the possibility of implementing more of its points.

I recommend Senator McGEE's report to all of my colleagues for the new light that it sheds on U.S. participation in the United Nations. He understands full well that nature of the problem when he says:

We have all the tools to make the United Nations a more effective organization. But we lack the most important ingredient—the commitment from the Congress and the President.

SOUTHEAST FREEWAY UNDER-STRUCTURE PROJECT

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. GUDE. Mr. Speaker, I would like to bring to my colleagues' attention a most important project currently under study in the District of Columbia. This effort would take an unused and abandoned acre and a half under the Southeast Freeway and turn it into a recreational-educational or commercial center for the community. By doing so the project would restore some of the sense of unity lost when the freeway was built, as well as add greatly to the restoration efforts already underway on Capitol Hill. The project, currently under study by the Afro-American Bicentennial Corporation, would be an appropriate commemorative for the Bicentennial celebrations over the next several years, and it would ultimately be a permanent asset for the community.

This article from the Washington Star-News explains the project:

GOAL: COMMUNITY UNITY IN 1976

(By Betty James)

By July 4, 1976, there may be a bowling alley under the Southeast Freeway at 7th Street. There also may be a supermarket, a drug store, a movie house, a roller skating rink, a day-care center, an employment agency, a community meeting room—or a combination of all of these.

Transforming 1½ acres between 7th and 8th Streets SE that are covered now by mud, weeds and parked cars is the dream of the Afro-American Bicentennial Corp. and Service Area Five of the D.C. Bicentennial Assembly.

More than a dream, the concept is being backed by an \$80,000, six-month federal-District planning grant to the Afro-American Bicentennial Corp. that is involving the Capitol Hill community on both sides of the freeway in deciding what the transformation should contain. Approximately 1,000 citizens have been interviewed so far.

Yesterday, Vincent A. DeForest, chairman of the board of the Afro-American Bicentennial Corp., and others were on hand to explain the project to curious shoppers near

the Eastern Market at 7th Street and North Carolina Avenue SE.

Attracted by a display announcing the project's goal, "Community unity through recreation, education and social programs," most shoppers said they hadn't heard of the project, but they were interested.

Dave Wilson of 9th St. NE, said, "It looks like a good idea. It's a wasted resource."

DeForest pointed out that the Afro-American Bicentennial Corp. didn't originate the dream, which has been kept alive for six years by various groups and individuals.

But the project, officially called the Southeast Freeway under Structure Project, ties in perfectly with the concept the Afro-American Bicentennial Corp. has of going beyond the fireworks of 1976 with living, lasting efforts, he said.

Using the space constructively will help solve problems the freeway created, he said.

Dubbed the Berlin Wall when it was built several years ago after sustained controversy, the Southeast Freeway has been criticized as physically and psychologically dividing the more affluent white residents of restored townhouses north of the freeway from the less affluent black residents of public housing south of it.

Response has been positive from such diverse segments of the community as the Capitol Hill Restoration Society and residents of the Arthur Capper public housing project.

Taking the pulse of the community are seven teen-agers recruited by Service Area Five of the D.C. Bicentennial Assembly.

So far the survey has shown that most would prefer recreation facilities or businesses like a supermarket or a drug store.

Thornell Page, project coordinator, is a consultant to the Afro-American Bicentennial Corp. from Federal City College, where the project was nurtured in the past.

The hardest part will be finding funds to implement the plan that emerges, Page conceded.

Federal agencies are the most likely source for money, including construction money, he feels. For example, the Department of Housing and Urban Development might fund a multiservice center, or the Department of Transportation might provide a recreation facility.

Congress might be willing to appropriate money for a meaningful and lasting bicentennial effort, backers of the concept feel.

Hopefully, private business will open some shops there.

In any case, Page wants the facility to have something for everyone, from the youngest citizen to the oldest, and to be a far cry from a black-top surface with basketball hoops.

PITTSBURGH MUSEUM DIRECTOR SUPPORTS MUSEUM SERVICES ACT

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Mr. Graham Netting, director of the Carnegie Museum of Natural History in Pittsburgh, recently testified before a subcommittee in the other body on S. 796—H.R. 332—the Museum Services Act.

I found Mr. Netting's testimony quite interesting as did the subcommittee. I would like to share his testimony with my colleagues and note that the House version of this particular legislation is sponsored by our esteemed colleague

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from Indiana (Mr. BRADEMAN) under whose able leadership the bill is wending its way through the Education and Labor Committee.

The testimony follows:

STATEMENT IN SUPPORT OF S. 796, MUSEUM SERVICES ACT

My name is M. Graham Netting. I am Director of Carnegie Museum of Natural History, one of two museums—the other being the Museum of Art—incorporated under the corporate umbrella of the Carnegie Institute, of Pittsburgh, Pennsylvania. Carnegie Museum was founded in 1895 by Andrew Carnegie, who took a direct personal interest in the affairs of the Museum during its early years and was responsible for the assembly in the institution that bears his name of a world famous collection of dinosaurs, including *Diplodocus carnegii*, the first giant dinosaur to be excavated and mounted. Carnegie was so proud of his namesake that he presented ten plaster replicas to leading museums in world capitals, spreading the fame of this dinosaur to such an extent that one paleontologist has characterized it as "Dippy, the dinosaur that made paleontology popular." Since its founding, the collections and the public exhibit halls of Carnegie Museum have expanded greatly. Today, the exhibition halls contain over 600 separate displays, which include over 10,000 individual items ranging in size from the largest dinosaur to the tiniest insects, but including also a great variety of archeological and ethnological materials as well as many collections of particular interest to specialized collectors—stamps, coins, watches, dolls, ancient glass.

The research collections of the Museum number uncounted millions of specimens which are constantly being utilized by our own scientists, by colleagues from other institutions and countries, and by students in many colleges and universities, to add to human knowledge and for the betterment of mankind. The new discoveries and insights resulting from study of the research collections are disseminated to the public, to students, and to scholars through exhibits, publications, guided tours, lectures, and direct contacts with the staff. Data from the research collections are being utilized with increasing frequency by the U.S. Corps of Engineers in connection with environmental impact studies.

Over 800,000 visitors view the exhibits in the Museum annually without cost since Carnegie Institute has thus far not established an admission charge to either of its component museums. This policy may have to be changed in the near future because of the urgent need for more operating funds. Many thousands of additional citizens are served by the Museum through response to telephone inquiries and letters, through traveling exhibits circulated through public and parochial schools, and through visits to outpost operations. The Museum operates a Taxidermy Laboratory and an Anthropological Center at Meridian, Pennsylvania, thirty miles north of Pittsburgh, and an 1800-acre field station, Powdermill Nature Reserve, in the Ligonier Valley, fifty-five miles east of Pittsburgh. At the latter station, over 110,000 birds have been banded over an eleven-year period in co-operation with the Federal Bird-banding Laboratory, Bureau of Sport Fisheries & Wildlife. School classes and hundreds of adults visit each of the centers each year and receive demonstrations of taxidermy and archeological techniques, bird-banding, and environmental projects.

Museums of all types have been an important component of human culture for over 2500 years for there was a museum of antiquities (!) in Ur of the Chaldees, the home of Abraham, around 600 B.C. Museums have a unique role—that of preserving actual objects—real examples of the creations of

nature and the works of man, and these have an especial impact because they are the basis for text and pictures that appear in mass media, in textbooks, etc. In Carnegie Museum of Natural History, for example, we have on display a huge block of coal so that our visitors can touch a piece of the mineral that has been the foundation of so much industrial development. We also have a large block of bauxite, labelled "77 Skillets in the Rock" (its actual aluminum content), as well as a dinosaur thigh bone and other "touch" exhibits. These and countless other exhibits that may be viewed at close hand are critically important in satisfying the curiosity of children about the world and in helping people of all ages to understand their past and to comprehend the present.

The Ptolemies, who founded the Alexandrian Museum and Library, the two greatest institutions of the Alexandrian Renaissance, were, according to historian George Sarton, "Greek enough to realize that prosperity without art and science is worthless and contemptible." In the United States, the richest country in the world, our museums, which outdraw race tracks and ball parks combined, are inadequately supported. In the face of rising costs and expanded demands for services, it is imperative that endowment income, local tax support, and private giving must be supplemented by Federal aid. This is especially critical for the natural history museums, whose collections constitute a true national resource that is available to, and utilized by, the nationwide community of scholars and students. Many of the largest natural history museums, of which Carnegie Museum of Natural History is one, receive only a small part of their income from taxing bodies. Consequently, they have been subsidizing college and university graduate education in systematic botany, systematic zoology, and anthropology by assembling and maintaining at their own expense the reference collections that are essential for many advanced degrees in such fields.

In recent years, the National Science Foundation (primarily project oriented), the National Endowment for the Arts and Humanities (largely program oriented), and the National Museum Act (largely to aid the museum profession) have been of inestimable value to museums. Many natural history museums have also enjoyed facility grants from the National Science Foundation that have improved the accessibility of collections to students and research workers and have provided para-professional assistants, but far more funding along these lines and for general operations is needed.

In the case of Carnegie Museum of Natural History, we need \$400,000 for a new 20,000-square foot storage and laboratory building for earth sciences, both staff and collections, at our rural location at Meridian, where construction can be achieved at \$20 per square foot. We need an additional \$400,000 to air condition laboratories, offices, and public galleries in the main museum in Pittsburgh. In addition, requests from the curatorial staff for needed steel storage cases for collections total over \$200,000. Also, our scientists could accomplish far more in productive research if each of ten curators were provided with a research assistant at a cost of about \$10,000 each per year. Through the agencies mentioned above, or from private foundations and individuals, funding is more readily obtained for new exhibits, project research, and expeditions than for the capital and operating needs of most institutions. Local sources, however, can scarcely be expected to support phases of museum operation, such as maintenance of the research collections that benefit the country as a whole.

I hope that the Subcommittee will give earnest and favorable consideration to the urgent need for greatly increased Federal funding for the irreplaceable research collections of natural history museums, and for

other operational needs of these and other categories of museums.

CALLS FOR INVESTIGATION OF MISSING AMERICAN SERVICEMEN IN VIETNAM

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. YOUNG of Florida. Mr. Speaker, Americans must be incensed at North Vietnam's latest shocking action in violation of the January peace agreement and the followup joint communique of last June, that continued searches for our more than 1,200 missing-in-action American servicemen still unaccounted for, can only continue after the release of political prisoners held by the South Vietnamese.

Attempts at revealing the whereabouts of these Americans have been continuously thwarted by the belligerent reluctance of North Vietnam to abide by the provisions of the peace agreement. Hanoi has apparently set a new condition for any continued search for these men. A new condition is in direct violation of the peace agreement which set all conditions.

Mr. Speaker, to date, there has been no thorough investigation by the Congress into the whereabouts of these more than 1,200 servicemen still unaccounted for. Also, there has been no thorough investigation of the possibility that Americans captured or missing in the Vietnam war are being held prisoner in Communist China or other nearby countries.

The responsible governmental agencies so far have not adequately responded to this dilemma. Accordingly, I have reiterated an earlier request to the chairman of the House Armed Services Committee that such an investigation be initiated immediately in an effort to end, once and for all, the uncertainty for those families of men still missing, as well as to obtain the release of any prisoners who may still be held in Southeast Asia. This action is all the more important, now that Hanoi has apparently added new conditions to the continued searching for these men. Obviously, any condition other than those contained in the January peace agreement and the June joint communique, is in direct violation of the agreements.

In addition, I am cosponsoring a resolution being offered by my colleague, Mr. GILMAN of New York, which calls for an independent congressional investigation into the status of any prisoners of war who may still be held in Southeast Asia, as well as complete information concerning those listed as missing in action and dead.

Mr. Speaker, I am taking this action in a twofold effort to leave no stone unturned in resolving this matter.

The letter referred to follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 25, 1973.
Hon. F. EDWARD HÉBERT,
Chairman, House Armed Services Committee,

EXTENSIONS OF REMARKS

Rayburn House Office Building, Washington, D.C.

DEAR CHAIRMAN HÉBERT: There has yet to be a full scale, thorough investigation by Congress into the whereabouts of more than 1,200 American servicemen still unaccounted for following last January's peace agreement in Vietnam.

Also, there has been no thorough investigation of the possibility that Americans captured or missing in the Vietnam war are being held prisoner in Communist China or other nearby countries.

The responsible governmental agencies so far have not adequately responded to this dilemma. Accordingly, I want to reiterate to you my earlier request that the House Armed Services Committee promptly initiate such an investigation in an effort to end, once and for all, the uncertainty for those families of men still missing, as well as to obtain the release of any prisoners who may be still held in Southeast Asia.

This action is all the more important, now that Hanoi has apparently added new conditions for continued searching for these men. Obviously, any condition other than those contained in the January peace agreement and the June joint communique, is in direct violation of the agreements.

Your cooperation in this matter will be greatly appreciated. With best wishes and personal regards, I am

Very truly yours,

C. W. BILL YOUNG,
Member of Congress.

OVERSPENDING, NOT UNDERTAXING IS PROBLEM

HON. JOHN M. ASH BROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ASH BROOK. Mr. Speaker, Melvin Laird, Counselor on Domestic Affairs to President Nixon, has announced that the Nixon administration is considering a "temporary" tax raise of 10 percent. In the 1972 campaign, President Nixon promised that he would not raise taxes.

In 1968, President Johnson also sought and obtained a 10-percent surcharge on income taxes to supposedly fight inflation. There were also promises at that time by the Johnson administration to cut expenses. We all know what has happened since that time. Government budgets have soared along with the number of Government programs.

In fiscal year 1954, the Eisenhower administration and a Republican Congress cut the Federal budget from \$74 billion to \$67 billion. Now 20 years later the proposed 1974 budget has grown to \$269 billion. Ten years ago the budget was \$97.6 billion. The respected economist, Henry Hazlitt, has stated that the 1974 budget could be cut by at least \$13 billion.

I repeat what I said in 1968 on the floor of the U.S. House of Representatives:

Our problem is, as it has been for the past ten years, government overspending not undertaxing. The liberal spenders have overpromised, overburdened, overspent, overtaxed, overcommitted, and overprogrammed. They now want more of the same.

I applaud President Nixon's recent call for fiscal responsibility. He stated:

Every dollar we cut from the federal deficit is another blow against higher prices.

September 25, 1973

This is quite true. However, the best way to cut the Federal deficit is not to raise taxes and thereby increase Government revenues, but to cut Government spending.

As Government spending has grown, interest rates have grown, the national debt has grown, our deficits have grown, and our problems have grown so now the taxpayer may be asked to pay for these mistakes. This is bad economics and bad policy. Good economics and good policy would be to trim unnecessary spending out of the budget.

Increased taxes, or as Melvin Laird described them "compulsory savings," are not anti-inflationary. To give the Federal Government more money to spend only adds paper to the inflationary fire. Liberal economic theories while proven to be disastrous still are being practiced in Washington, D.C. Planned deficits have led to inflation and consideration of new taxes.

The U.S. Government is paying the highest interest rate in the past 20 years to borrow money to finance its spending. And we must all remember that, when the Government has to borrow, it is we the citizens who have to pay the bill.

I have pointed out numerous times in reports to my constituents and on the floor of the House of Representatives the dangerous road this country is following in not reducing spending. We still have an opportunity to defeat inflation and restore fiscal responsibility to the country. To do so, we must repudiate the economic programs that were proven wrong in the 1960's and are still wrong today.

NANCY HANKS AND THE ENDOWMENT FOR THE ARTS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BRADEMAS. Mr. Speaker, I want to bring to the attention of my colleagues an editorial published in the September 19, 1973 issue of the Washington Post which describes the extraordinary contributions made to the arts in our land by Ms. Nancy Hanks and the National Endowment for the Arts, and I ask unanimous consent to insert the editorial in the RECORD.

Mr. Speaker, as the House prepares soon to vote on the conference report extending for 3 years the National Arts and Humanities Foundation Act, I think particularly timely this tribute to Ms. Hanks for her outstanding leadership in strengthening the arts in American life.

The editorial follows:

NANCY HANKS: A SUCCESS STORY

Last week, the President called Nancy Hanks, the chairman of the National Endowment for the Arts, and some of her council members—among them actress Rosalind Russell, painter Jamie Wyeth, pianist Bill Taylor and opera singer Robert Merrill—to his White House office. He told her that he had nominated her for a second four-year term. "You are here," Mr. Nixon said, "because you have been able to get a 900 per cent in-

crease [in federal funds for the arts] out of Congress."

We prefer to think that it is the other way around. We think Congress has authorized a spectacular and most gratifying increase in funds for the arts program because Miss Hanks was there.

With still relatively meager funds (last year the U.S. federal government spent 20 cents per citizen for the arts, in contrast to Canada's \$1.40 and West Germany's \$2.80), the Endowment, under Miss Hanks' chairmanship, has not only assisted individual artists and touring companies. More importantly, its efforts have considerably increased private donations and local matching funds. It has established a firm and creative partnership between the federal program and ever-increasing state and local efforts to help the arts improve the quality of life in America. The Endowment puts great stress, for instance, on supporting and enhancing the country's rich cultural diversity by aiding the indigenous artistic expression of the people of Appalachia, blacks, Chicanos, Indians, Puerto Ricans, Chinese, Japanese and other minority groups.

Under another program, the Endowment, together with state arts councils, has brought hundreds of dancers, musicians, poets, painters, sculptors, film-makers, craftsmen and actors into America's classrooms and community meeting halls. Nancy Hanks and her council now have an ambitious and important program underway to improve the esthetics of the many things government does that shape the appearance of America: The government's own buildings, graphics, landscaping, renewal projects and other public works that might as easily be well than poorly designed.

And contrary to earlier misgivings by conservatives and liberals alike that federal support of the arts might lead to federal control of the arts, the council has maintained a healthy and at times even scrappy independence. At its last meeting, on the basis of its congressional mandate "to foster a climate of artistic freedom of expression," the council urged artists and art organizations to help make sure that local zealots do not misuse the recent Supreme Court obscenity ruling to restrict or curtail valid artistic and creative freedom. (A sheriff who would ban Playboy, might, after all, be persuaded to cover up a Rubens painting.) The council doesn't seek to provoke controversy when it strives to act as the nation's artistic conscience. But neither does it shrink from telling the U.S. Postal Service that some of its postage stamps are poorly designed or to tell museums to make sure that their buildings—with their imposing Greek temple stairs—are made easily accessible to the physically handicapped.

At that same meeting, the council expressed its delight at the re-nomination of its chairman, Nancy Hanks. So do we. We hope the Senate will act promptly to confirm her. And we are particularly delighted that the President has now charged the Arts Council to focus on the arts in the commemoration of the Bicentennial. We can think of no better way to give the planning for that event some much needed focus.

VETO OF THE MINIMUM WAGE: A SOCIAL TRAVESTY

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ROYBAL. Mr. Speaker, the President's veto of the minimum wage bill passed by Congress after almost 3 years

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of serious deliberation and debate displays a disregard for the economic well-being of thousands of low-wage earners in our country. His claim that the bill would be inflationary and would create unemployment is a rash judgment founded on weak if not nonexistent facts.

First, the issues involved should be properly identified and separated before national policy is developed to deal with them.

Unemployment is one of the more serious problems of our Nation. It should be attacked with sound and effective programs such as manpower development, job-creation and a steady growth in the total economy. Unemployment, above all, should not be a war cry against the earning potential of workers now receiving less than the officially set 1972 poverty level of \$4,275—a level even the \$2 rate of the vetoed bill would not achieve in 1973. In addition, past experience also belies the claim that, of itself, an increase in the minimum rate causes a rise in unemployment.

Certainly inflation has been a persistent dilemma in America and, indeed, in most developed nations of the world. Yet the working poor of America should not be made undeserving victims of national policy to fight inflation.

Economic policy dealing with rising prices is potentially broad and should concentrate on those elements of our industrial society which contribute most to its existence. Runaway prices, excessive profits under a loosely administered economic stabilization program, and high wages and salaries in certain concentrated industries should be targets of national policy rather than the subsistence wages of the working poor.

The decisions of the Cost of Living Council on price increases have added billions of dollars to the economic flow in this and the past year. Yet, by this administration's own computation, the vetoed minimum wage bill would add only 0.4 percent to the wage bill for affected workers. In terms of national income, the increase mandated by the bill would have even a lesser impact on the economy. In 1973, the bill would add only \$1.6 billion to the approximate \$1 trillion received as income by Americans. As such, the additional increase in the national income generated in 1973 by the minimum wage amendments—including overtime and the so-called ripple effects—would be so infinitesimally small that it could hardly be noticed much less considered as inflationary force in today's otherwise violent economy.

The claim that the minimum wage increase is excessive is also spurious. Under the bill, the largest increase for most workers occurs in the first phase. It raises the \$1.60 rate to \$2 an hour—a 1-year increase of 26.0 percent. Over the total time period stipulated in the bill, the increase amounts to 37.5 percent. Yet, these increases, although large, would go to only a small part of the labor force. That is, the increase would be enjoyed by less than 5 percent of the 85 million employed workers in our Nation now earning a wage below the proposed rates. And, while the increase seems high, it must be noted that the Consumer Price Index has increased by more than 35 per-

cent since the last fair labor standards amendments were enacted in 1966. Consequently, the irony of the situation is obvious. Increases mandated by the bill have already been canceled out by the upward movement in prices occurring during the last 6 or 7 years. In addition, average hourly earnings in the private nonfarm sector have increased by more than 52 percent since 1966.

To deny those workers at the bottom of the income scale a minimum wage which isn't even high enough to meet cost-of-living increases, or the Government's level of poverty, or increases granted to other workers in America is a social travesty which should be corrected by overriding the President's veto of the Fair Labor Standards Act Amendments of 1973.

ON THE VICE PRESIDENT'S LETTER TO THE HOUSE OF REPRESENTATIVES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. VANIK. Mr. Speaker, late this afternoon, without prior notice, the Vice President delivered a letter to the House of Representatives requesting that this body fully investigate the charges against him.

The Vice President's request to the House of Representatives appears to be a shrewd and calculated maneuver to abort judicial proceedings and disrupt extensive investigations and grand jury deliberations currently underway in the Federal courts.

I hope that the House of Representatives will not fall for this dilatory and diversionary tactic which seeks to destroy orderly court proceedings which will soon lead to either the vindication he seeks or conviction.

When the facts are established through court proceedings the House can take appropriate action.

Under these circumstances and the doctrine of separation of powers, it is my hope that the House of Representatives will allow the judicial branch to complete the work in which it is already deeply involved.

Knowing of the great interest which will center on the case of Vice President Calhoun which is referred to in Vice President AGNEW's letter to the House of Representatives, I am entering in the Record at this point the full description of the Calhoun precedent as it appears in "Hind's Precedents of the House of Representatives," volume 3, 1907:

1736. Vice-President Calhoun asked the House, as the grand inquest of the nation, to investigate certain charges made against his conduct as Secretary of War, and the House granted the request.

The Vice-President was represented by a Member of the House before a committee of the House which was investigating charges against him.

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The proceedings of an investigating committee having brought out statements reflecting on the character of a person not directly involved in the inquiry and not a Member of either House, the House refused to incorporate his explanation in the report.

In investigating charges of an impeachable offense, the committee permitted the accused to be represented by counsel and have process to compel testimony.

Investigating committees do not always confine themselves within the strict rules of evidence.

On December 29, 1826¹ the Speaker laid before the House the following communication from the Vice-President of the United States:

"To the Speaker of the House of Representatives of the United States.

"Sir: You will please to lay before the House, over which you preside, the inclosed communication, addressed to that body.

"Very respectfully, yours, etc."

J. C. CALHOUN.

The enclosed communication was addressed "to the honorable Members of the House of Representatives," and began:

"An imperious sense of duty and a sacred regard to the honor of the station which I occupy compel me to approach your body, in its high character of grand inquest of the nation. * * * In claiming the investigation of the House I am sensible that under our free and happy institutions the conduct of public servants is a fair subject of the closest scrutiny; * * * but when such attacks assume the character of impeachable offenses and become in some degree official by being placed among the public records, an officer thus assailed, however base the instrument used, if conscious of innocence, can look for refuge only to the Hall of the immediate representatives of the people."

The letter goes on to state that charges had been filed in an Executive Department that he had, while Secretary of War, corruptly participated in the profits of a public contract. Therefore he challenged the freest investigation by the House. The letter was signed "J. C. Calhoun, Vice-President of the United States."

The House, without division, referred the communication to a select committee with power to send for persons and papers. Mr. John Floyd, of Virginia, was chairman of this committee, and Mr. John C. Wright, of Ohio, was second member.

On February 13, 1827,² Mr. Wright submitted a report, which was read and laid on the table.

Mr. Floyd "submitted to the House a paper, also purporting to be a report upon the same subject, and which contains the views of the minority thereof, in relation to the subject-matter of inquiry, which paper was read and also laid on the table."

The report states that immediately after the committee assembled they informed the Vice-President of their readiness to receive any communication that he might see fit to make. The Vice-President, in his response, expressed his wish that, to avoid the inconvenience of communication by letter, he might be represented by Mr. George McDuffie, a Member of the House. Mr. McDuffie had accordingly been admitted. The report then reviews the charges and testimony, gives the conclusions of the committee, and transmits the testimony and a written protest by Mr. McDuffie against the methods by which the committee had proceeded. This protest of Mr. McDuffie³ was against what he termed the committee's departure—"from the fundamental principles of judicial investigation

and the established rules of judicial evidence."

In particular he objected that large quantities of testimony had been admitted relative to the general administration of the War Department, and disassociated from the specific charge committed to the committee; also that on that charge private letters of Major Vandeventer to Elijah Mix had been admitted as evidence against Mr. Calhoun, although they were, as lawyers well known, "incompetent and improper testimony." Mr. McDuffie also protested against hearsay evidence.

"Admitting that it is proper for the committee to assume inquisitorial powers in this investigation [he says], and in that character to ask of the witnesses not only what they know, but what they have heard from others, it must be exceedingly apparent that the only excusable purpose, even of an inquisitorial kind, for which such question could be propounded, is the discovery of other witnesses, by whose evidence the charges might be established."

The report also shows that at the instance of Mr. McDuffie subpoenas were issued for witnesses to testify in behalf of the Vice-President.

The report proposed no action by the House, therefore the House disposed of it by ordering it to lie on the table and be printed, with the accompanying documents and the views of the minority.

After this had been done Mr. John Forsyth, of Georgia, by leave of the House, presented a letter signed C. Vandeventer, expressive of his regret that the committee had not accompanied their report by a communication of his explanatory of transactions as far as he was concerned with the subject of investigation, and praying that it might be received, and with accompanying documents be placed among the papers presented by the committee.

Mr. Vandeventer, who was chief clerk of the War Department, considered that the testimony presented by the committee contained reflections on his conduct, and therefore he wished his explanation to accompany those reflections.

Mr. Wright stated that the committee had received several such communications; but as they did not consider them pertinent to the inquiry committed to them, they had returned them to the senders. The committee did not see why they should enter upon an investigation to exculpate these individuals any more than all the other witnesses. They could not be diverted from the main object of inquiry by unnecessary investigations. To append documents and arguments to the report of the committee for the purpose of exculpating a witness would be a novel procedure, leading to many perplexities.

It was pointed out, on the other hand, that this man was a public officer, who was about to be injured by the publication in a report of matter reflecting on his character. But the reply was made that the proper course in such a case was to do as the Vice-President had done—ask for an investigation.

The House, without division, decided not to print the communication with the report, but laid it on the table.⁴

I regret the efforts of the Vice President and his lawyers to conveniently overlook a major part of the Calhoun precedent—a statement by the Vice President's representative in the House, Congressman George McDuffie, who complained that the investigating committee had departed "from the fundamental principles of judicial investigation and the established rules of judicial evidence."

September 25, 1973

HAWAII'S DR. FUJIO MATSUDA WORTHY OF NATIONAL RECOGNITION AND EMULATION

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. MATSUNAGA. Mr. Speaker, very seldom in this day and age does a public servant find himself respected by the people, press, and his fellow public servants. Such is the case, however, with my friend, Dr. Fujio Matsuda, who has just completed 10 years as Director of the Department of Transportation in Hawaii. That someone in charge of an area as controversial as transportation could end a decade of service with such unanimity about the high quality of that service is remarkable.

The Hawaii Department of Transportation, under Dr. Matsuda, was instrumental in effecting great progress with the State's highways, airport facilities, and beach areas.

Fujio Matsuda is uncommon, not only in his faith in the worth of what he and the State were doing in the realms of transportation and public facilities, but also in his willingness to hear the "other guy's" point of view.

The former transportation director now serves as vice president at the University of Hawaii, which is most fortunate to receive his services.

As he begins the most recent chapter in a distinguished public service career, the people of Hawaii proudly point to Dr. Fujio Matsuda as an exemplary public servant worthy of national recognition and emulation.

I include at this point an editorial from the May 15, 1973, Honolulu Star-Bulletin:

AN UNCOMMON MAN

An uncommon public servant shifts jobs this week. Fujio Matsuda rounds out 10 years on the hot seat as State transportation director and becomes a vice-president of the University of Hawaii.

Though it could prove otherwise, the University assignment is likely to prove less of a hot seat than the one he is leaving.

Our admiration for Matsuda has been expressed in these columns at various times and for various reasons.

One is simple amazement that a man with a non-political background could come into government and deal with the public, the civil service and the pressure groups impinging on his office so effectively.

In 10 years his department has overseen or planned the spending of more than a billion dollars for public works and most results have been superior.

The Department of Transportation has got the State's Defense Highway program hammered into shape, except for H-3 which we will return to in a moment. It has reordered the financing of the State airport system so that there are improved facilities Statewide, a new airport at Kona, jumbo jet facilities at Honolulu and Hilo, a seaward runway underway for Honolulu—all financed by the users (airlines, airport concessionaries) instead of with tax funds.

The attractive new ocean front at Kuhio Beach was largely worked out under Transportation Department direction and small craft harbors throughout the State have had an uplift, too.

¹ Second session Nineteenth Congress, Journal, pp. 109, 110; Debates, pp. 574, 57^o

² Journal, pp. 294, 295; Debates, pp. 1128-1150.

³ House Report No. 79, page 221.

⁴ Journal, p. 295; Debates, pp. 1144-1150.

H-3 highway is a capsule look at both Matsuda's problems and talents. It has become a focus of attack for environmentalists who was to keep Moanalua Valley as a park, mass transit advocates who want to stop all highway building, and Windward residents who want to discourage further development on their side of the Island.

The attack was mounted, Matsuda wryly notes, not when the highway was first planned as it should have been, but when it was just about ready to go under construction after years of planning and route selection studies.

Matsuda personally has taken part in hours of hearings and debate over the highway, patiently arguing the case for it, remaining convinced himself of its worth, but always—and this is where he is uncommon—respecting the right of the opposition to oppose. He advocates future procedures which will lead to a resolution of the problems now raised much earlier in the chain of planning, but he has fully respected the rights of the H-3 foes—and his department has considerably modified H-3 plans to meet various late objections.

H-3 now has a go-ahead from the U.S. Transportation Department. After one more round in the courts, construction may resume.

But the battle over it has been constructive. Designs have been modified to make it more acceptable visually. Two lanes have been assigned to mass transit.

An implied bargain has been struck between the State and City-County which will make the H-3 the last major freeway on Oahu for many years to come and shift the emphasis to mass transit thereafter.

The resumption of H-3 work will be a sharp disappointment to many of its critics, but we doubt that many will contend they have been dealt with unfeelingly or unfairly.

In a tough job, Matsuda's uncommonness has lain partly in his talent as an engineer and administrator but even more in his respect for the public as his ultimate boss . . . a difficult, contrary, emotional boss, hypercritical at times, ill-informed at others, but still boss and always deserving of respect.

**THE REAGAN TAX INITIATIVE—
CALIFORNIA REJECTS EFFORTS
TO USE HER CITIZENS AS TEST-
ING GROUND FOR CAMPAIGN
GIMMICK**

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BROWN of California. Mr. Speaker, Gov. Ronald Reagan of my home State is attempting to build support for an amendment to the California State constitution which has become the object of quite a bit of controversy within the State. This proposed amendment, which was prepared at the expense of the taxpayers of California, is being billed as a "tax limitation" proposal, but many leading public figures and organizations have said that they feel it could be more accurately described as a gimmick to boost the Presidential campaign prospects of Governor Reagan at the expense of the people of California. If I may, Mr. Speaker, I would like to enter in the Record at this point several pieces of information regarding this proposal.

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The first item is an article by San Bernardino Sun-Telegram writer Ione Oliver which appeared in the Sun-Telegram on the first of this month, describing the effort to oppose the Reagan tax initiative being led by the League of Women Voters of California. It reads as follows:

ACTION IS THE GOAL OF THE LEAGUE OF WOMEN VOTERS

(By Ione Oliver)

SAN BERNARDINO.—Concerted action. That's the aim of the League of Women Voters of California as new officers begin their two-year term.

"We did not adopt a new study program this year," explained Mrs. Juanita Scott of San Bernardino, state membership chairman. "We will be extremely action-minded and our first action will be a campaign against Proposition 1 on the November ballot."

Mrs. Scott, past president of the San Bernardino League of Women Voters (LWV) is the only local member on the state board. She is the first and only black woman to hold such a position.

As she begins her work at the state level, "I want to increase our membership. So many of our women are now employed," she said. "I also want to increase our minority membership."

"In past years," Mrs. Scott said as she sat in her office at Norton Air Force Base where she has been employed 11 years as a housing referral officer, "the LWV members have devoted much of their time to studying legislative problems and proposals. But at the recent general meeting, we did not adopt any new study. Instead, we agreed on a very action-oriented plan in support of the programs we have been studying."

At the top of this list is a statewide grassroots campaign in opposition to Proposition 1, the tax limitation constitutional amendment, a measure LWVC believes "would severely limit the ability of state and local government to meet the changing economic conditions and service needs for California."

On the local level, Mrs. Donald W. (Meredith) Jordon, who succeeds Mrs. Scott as president of the San Bernardino league, says her group has plans for a general meeting in October to present the pros and cons of Proposition 1 to the membership and the public.

Proposition 1 will be called the Tax and Expenditure Limitations Initiative Constitutional Amendment on the ballot for the Nov. 6 election.

The measure:

Limits state expenditures, restricts use of defined surplus revenue to tax reductions, refunds or emergencies. It eliminates personal income tax for lower income persons, reduces others . . . requires two-thirds legislative vote for new or changed state taxes. Limits local property tax rates except school districts. Allows local tax rate and expenditure limit increases upon voter approval . . .

"It sounds good when you first hear it," Mrs. Scott remarked. Proposition 1 limits expenditures of what the State of California can spend, based on income tax, and makes it a part of the California Constitution.

"But this is a regressive tax," she charged. "If state expenses increase, then there is no other way but to throw it to the local level again."

"Then sales tax as well as property tax could be increased. This would affect pensioners and others on a stable income," Mrs. Scott said.

"We think the state constitution needs to be flexible, orderly and simplified. If this thing (Proposition 1) is locked into the constitution, it cannot be flexible."

"The league wants to assure fair share

of taxation and legislative control," she said.

The argument against the proposition, written by LWVC and already submitted to the secretary of State for the November ballot pamphlet, states:

"The offer of reduced taxes by imposing expenditure limitations is a false promise. Tax rates and expenditure ceilings tried elsewhere in the country have led to deteriorating public services and to more costly, inequitable, back-door methods of financing state government. Californians should reject this proposed tax and expenditure limitation initiative."

"Through their taxes, Californians buy services: education, law enforcement, highways, parks and social services. While the proponents claim that under the proposed expenditure limitation, funds would be adequate to maintain these services, their projections are based on questionable assumptions about future growth in state expenditures and taxes. If the future brings an inflation rate over three per cent, or if personal income fails to grow at current rates, existing services will be cut and pressure will build up to increase local taxes, service charges and license fees and promised tax relief for homeowners and renters will be threatened."

The LWVC also sees provisions in the measure as a shift which "would fall more heavily on lower and middle income people," and it "increased executive power and decreases legislative power."

The league's 1973-75 concerted action program is under the supervision of Mrs. Kenneth Kaplan of San Mateo, who succeeds Mrs. Walter C. Schulling of San Bernardino as president of the state organization.

Mr. Speaker, I applaud the efforts by Mrs. Scott, one of San Bernardino's leading citizens, and the other members of the League of Women Voters of California for their selfless dedication to the public interest of the people of our State. It is through the efforts of the league and the many other concerned groups and individuals that are opposing this cynical campaign gimmicks that the people of California are becoming aware of the hypocrisy behind this proposal.

The next item which I would like to enter in the RECORD is an Associated Press dispatch which appeared throughout California on the 1st of May, nearly 5 months ago. This story describes an analysis of the Reagan tax initiative which was prepared by the official—and nonpartisan—California Legislative Analyst, A. Alan Post, one of the most highly respected legislative analysts in the entire country. I ask that it be entered in the RECORD at this point.

POST FINDS REAGAN TAX PLAN FLAWED

SACRAMENTO, CALIF.—Gov. Ronald Reagan's tax limitation plan is based on "misleading and highly inflated" data and would almost inevitably force property tax increases, Legislative Analyst A. Alan Post said yesterday.

Reagan replied with an angry statement that Post "has chosen to abandon the interests of the taxpayers" and claimed the nonpartisan analyst's predictions have been inaccurate in the past.

Post said Reagan ballooned his estimate of the tax burden on Californians by counting among tax receipts more than \$3.7 billion worth of non-tax revenues such as employee payments to retirement plans, medical bills patients paid to county hospitals, gifts to the University of California and tickets to UC football games.

Post also said Reagan's current state budget would have to be cut by \$2.4 billion this year—more than 25 per cent—if his admin-

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istration had been forced to operate the past six years under the kind of limits he is proposing for future governors.

"Such a reduction would, in effect eliminate all of the existing direct property tax relief programs and in addition require a 30 per cent curtailment in state support for local schools," Post wrote in his 118-page analysis of the Reagan plan.

Post said renters and the elderly homeowner would probably be hardest hit by cuts which he said the Reagan plan would require.

"Under this initiative it is almost inevitable that reductions in state expenditures will be shifted to local governments and cause increases in local property and sales taxes," Post said.

In his campaign for the tax limitation plan, the Republican governor has stated repeatedly that federal, state and local taxes now take 44 per cent of the earnings of Californians and will climb to 55 per cent in another decade.

Post said the true figure is 32.7 per cent and he added:

"We find no valid basis for the argument that Californians pay 44 per cent of the income in federal, state and local taxes. The 44 per cent tax burden estimate is misleading and highly inflated because many types of receipts have been erroneously classified as taxes, because the income base used to make this calculation is too small," Post said.

"The dollar magnitude of the tax burden has been inflated by classifying as taxes many kinds of receipts which are not taxes and by double counting several categories of receipts.

"The governor's state tax burden estimate is 41 per cent higher than those contained in his own budget. The governor's tax burden estimate has been grossly inflated by including corporate taxes in tax collections while excluding undistributed corporate profits from the income base," he said.

Post said Reagan's claims that state spending will grow from the current \$9 billion to \$47 billion in the coming 15 years is "illogical."

Post said that assumes that future years will produce the kind of rapid growth in school populations and welfare rolls which has occurred in the past decade. He said Reagan is ignoring declines in school enrollments and birth rates and the effects of his own welfare reforms.

Next I have an article which appeared on the 19th of this month, again in the San Bernardino Sun-Telegram, detailing the opposition of California State Assembly Speaker Bob Moretti to the Governor's proposal. Harvey Feit, the political editor of the Sun-Telegram, sums up Moretti's arguments in a brief and highly readable article, the text of which I offer at this time.

MORETTI RAPS TAX INITIATIVE AS THREAT TO DEMOCRACY

(By Harvey Feit)

SAN BERNARDINO.—Assembly Speaker Bob Moretti, stopping here yesterday on a statewide tour to stir up opposition to the governor's tax initiative, said the election will be the most important event in state history.

Moretti, D-Van Nuys, a candidate for governor, said passage of the measure would restructure the shape of government.

"Democracy would no longer exist in California," he said. "The governor and legislature never again would have the ability or authority to raise revenue to meet future needs."

The measure is undemocratic, he said, because some of its safety-valve provisions require a two-thirds vote of the legislature which Moretti said puts too much power in the hands of a few people.

The initiative, which places a gradually descending ceiling on the percentage of state income the state could take in taxes, will be on a special Nov. 6 ballot.

Moretti said he intends to focus his opposition on provisions of the plan which would raise property taxes.

"If you put an arbitrary lid on the cost of state government," Moretti said, "costs will be forced onto local government and property taxes will shoot up."

He said the measure will cut the state budget \$620 million the first year although Gov. Ronald Reagan says the measure will provide all the money the state needs.

"Not only would it freeze spending, but it would reduce things from the way they are now," Moretti said.

Moretti said opponents of the measure hope to raise \$250,000 to fight it. Of this, about \$50,000 apiece will probably come from the California Teachers Association and the California State Employees Association. The amount of financial support from organized labor is uncertain at this point, Moretti said.

He estimated supporters of the measure would spend \$1 million. Among its backers, Moretti said, are the California Taxpayers Association, the California Real Estate Association and the California Chamber of Commerce.

Because of Reagan's dominant position as head of the Republican party, the campaign could turn into a partisan fight, Moretti said.

He said opponents enjoy the support of such nonpartisan groups as the League of California Cities, County Supervisors Association of California, League of Women Voters and the PTA.

Moretti said he opposes an arbitrary lid on state spending because welfare-related costs increase during economic slumps when state income is down.

Noting that California and 34 other states had reduced taxes last year largely because population growth is leveling off, he said:

"Government is responsible enough to lower taxes when it's possible without imposing arbitrary limits. This (Reagan's proposal) handcuffs you; you can't react."

He said Reagan called a special election to insure a small overall turnout while counting on a high turnout of conservative voters. Passage of the measure would boost Reagan's presidential aspirations, Moretti said.

"I don't mind the governor running for President," Moretti said, "but he shouldn't do it at the expense of Californians. He plans to get out before the walls start coming down."

I might add, Mr. Speaker, for those who question the Governor's political intentions, that earlier this year, after first proposing his tax plan, Governor Reagan had booklets describing his proposal sent to 300 newspapers across the Nation. Newspapers in California commented at the time that the mailing of these booklets, which were printed by the State of California, to newspapers in New York, Florida, and other States thousands of miles from California certainly seemed to conflict with the Governor's claims that he is not running for nationwide office.

Finally, Mr. Speaker, let me read an editorial which was broadcast by radio station KNX-FM of Los Angeles on September 7. The editorial is entitled "Special Election Cost," and it goes like this:

KNX-FM STEREO EDITORIAL
Subject: Special Election Cost, 73-17.
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Governor Reagan is about to take a dollar from the pocket of every Californian, stack those dollars in a pile and then light a match to them.

September 25, 1973

The Governor has called a special election in November so that we voters can consider his so called tax limitation initiative. We won't comment on the merits of the initiative now, we're saving that for later. But we're outraged that Governor Reagan decided to make it a special election. The experts say this special election will cost us between \$20 and \$35 million, and we might as well be burning money.

That's how wasteful this special election will be. While the argument rages over who will pay for it, the state or the counties, the fact remains that we will pay for it no matter which pocket we take it out of. It might not have been as politically expedient, but at least it would have been responsible of the Governor to include his initiative in next June's regularly scheduled election, when it would have cost us very little.

The Legislature has tried to stop this special election, but, the Governor got around it and the courts have avoided the issue by turning down several taxpayer suits against it. Now it's time for the people to act. KNX-FM urges you to write, wire or call Governor Reagan's office and tell him you can't afford to have your money so blatantly wasted.

SUDDEN INFANT DEATH SYNDROME

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. SARASIN. Mr. Speaker, a recent article by Mr. Colman McCarthy appeared in the Washington Post which provides an insight into a much unpublicized tragedy which faces a percentage of our population each year. I refer to the 10,000 parents who are witnesses to sudden infant death syndrome or "crib death."

Even more tragic than the infants' deaths is the fact that so little progress has been made to uncover the origins or to assist parents through the great emotional ordeal. A few theories have been hypothesized as to possible causes but with so little interest being expressed in the form of funds for research, there can be little hope for enlightenment in the near future. As a parent, I am concerned that the public and my colleagues be made aware and so I include this September 21, 1973 article in the RECORD.

THE TRAGEDY OF CRIB DEATH

(By Colman McCarthy)

Earlier this year in a small California town near San Diego, John and Patricia Smiley went into the bedroom of their four week old infant. The child, healthy the day before, lay dead. The couple, frantic with sudden shock, immediately called the local sheriff's office to ask for an ambulance. As Smiley remembers it, the voice at the other end replied that if the child was dead, why was an ambulance needed.

So began the post-death ordeal of the Smileys. The young and poor couple was charged on suspicion of involuntary manslaughter and jailed for three days. The charges were eventually dropped but not before the couple had been harassed to the point that they left town. The Smileys were in Washington yesterday, testifying before a joint session of the Senate subcommittee on children and youth and the subcommittee on health. "There are just so many bad memories to the whole situation and I would like to forget," Smiley told the senators, "but I know that I will never be able to forget. . . .

I hope that it never happens to anyone else like it happened to us. The death of a child is bad enough. It's the harassment and lack of knowledge, lack of understanding and lack of compassion that hurts more than anything else."

The tragedy of the Smileys would pass unnoticed—another hard luck case in a world full of them—except that it is part of a national pattern. Their child died from sudden infant death syndrome, a disease that kills an estimated 10,000 infants a year, at a ratio of one in 350. SIDS (crib death) is neither predictable nor preventable. Perhaps because of this interest in its research has been limited, from medical schools to the federal government; current federal primary money for SIDS research grants is \$262,000, less than the cost of remodeling the President's jet; primary research contracts are \$340,000. What is especially strange about the disease is not its mystery but that little is done for the surviving parents, even though much is known about their anguish. Couples are not usually jailed as the Smileys were, but nearly all are imprisoned within some kind of emotional torment from which release is painful and perhaps impossible.

Many who are concerned about SIDS learned long ago not to look to the federal government for leadership, much less to local health officials. Instead, several private groups are at work. Among them are the Guild for Infant Survival (Baltimore) and the National Foundation for Sudden Infant death (New York). In testimony yesterday, Dr. Abraham Bergman, a Seattle pediatrician and the foundation's president, said that the parents' post-death anguish "is all so unnecessary. By the expenditure of a small amount of funds (such as proposed in legislation now before the Senate), and just the semblance of some action on the part of HEW, the human aspects of SIDS which causes an enormous toll of mental illness could be solved within two years."

In other years, Bergman has come to Washington with mostly general statements on the degree of neglect. The response was small. This time, he is presenting specific details from 158 American communities on what action coroners, medical examiners, health officials and parents take when infants die suddenly and unexpectedly. The report, with a few bright parts, is generally bleak. A coroner in Alabama called a SIDS death suffocation because "blacks do not know how to care for their children properly." An Idaho coroner called it "partial neglect and pneumonia." Only half of some 400 parents were told their children died of SIDS. Only 27 per cent of the communities had pathologists to certify the cause of death; in 43 per cent of the communities it was not even a physician who performed this service, but often an undertaker, ambulance driver or sheriff. More than a third of the families had to wait between a week and many months before the autopsy results were provided; 9 per cent were never told by anyone why their infants died.

Not surprisingly, Bergman's study found racial and class discrimination in the management of SIDS. "Half as many blacks as whites were given SIDS as an explanation for death; four times as many blacks were told that their baby suffocated; and three times more blacks than whites were never told why their baby died. Some 75 per cent of upper class families had heard of SIDS before their baby died, and 92 per cent received information afterwards. Only 48 per cent of lower class families had heard of SIDS before their baby died and only 40 per cent received information about SIDS after their baby died. The people who needed the help most were least apt to receive it."

The loss of an infant causes an anguish that only the surviving parents can feel. Even when a parent is familiar with the disease, the trauma can be intense. A Seattle

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pediatrician working in the hospital with the world's largest SIDS research project said that her knowledge that SIDS is neither predictable nor preventable "did not protect me from painful guilt feelings and depression. I was a human being and a mother who needed help at a critical time." She was visiting in Los Angeles when her infant son died and the help was not provided. More than two months passed before she even knew that an autopsy had been performed. "I keep thinking," the woman has written, "if a physician's family which has some understanding of SIDS, is treated in this way in Los Angeles, what happens to other families who don't have similar resources? Why can't parents who lose treasured infants be treated with dignity and compassion?"

It is a fair question. One possible answer is the lack of leadership among public health officials. Why should a local sheriff's office be expected to show sensitivity if no example is given by the supposedly alert doctors in many state and federal agencies? At the last Senate hearings on SIDS, an HEW doctor in charge of SIDS research issued the inevitable promise to take action, but he's gone from the agency now. His successor has renewed the promise. "I don't know what happens to people when they come back here to the banks of the Potomac," Bergman said. "Maybe it's the heat or maybe it's the smog. Government officials here in Washington are always busy, busy, busy with big problems. HEW always seems to have some reorganization cooking. Global health strategy is being devised, or else 'we're new in our job, just give us time.' Senator Magnuson says that, what with all the job changes, the busiest people in this town are the sign painters down at HEW."

If we were told this morning that in the next year a dreadful plague would kill 10,000 of America's children, it is likely the nation's medical community would command the front pages of newspapers to announce plans to meet the threat. The sign painters at HEW would be idle because no official would dare leave his post in this emergency. Every local community, including Alabama coroners, would be on the alert. Such a plague is not coming, of course, at least not the Black Death kind of threat. But a year from now, another 10,000 infants will have been found dead in their cribs. Afterward, their parents will die repeated emotional deaths in private anguish. The research to prevent SIDS may be far off, but ways to prevent the abuse of surviving parents is well known. Perhaps the largest mystery involving SIDS is that we are not acting on facts already available.

MRS. BILLIE JEAN KING

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mrs. MINK. Mr. Speaker, now that the hustling is over and the exaggerated pre-match publicity has dissipated, I would like to congratulate Mrs. Billie Jean King on a magnificent performance and a genuinely important victory.

Mrs. King gained a great deal more than Bobby Riggs lost. The tenor and intensity of her play indicated how very much was at stake. No one, least of all Mrs. King, is suggesting that men and women play the same type of tennis. What Mrs. King sought to establish, however, was that women do not play second-rate tennis. Mrs. King succeeded in proving just that.

Bobby Riggs' antics and excesses drew

an audience but perhaps obscured the most important issue. Athletics is a form of human expression. Women athletes have endured scorn, their finest efforts have played to empty arenas and muted recognition. The women have endured and they continue to excel and perhaps now there will be deserved notice given to the quality of their achievements.

Perhaps now young American girls, who buck the societal pressure that tells them that athletic ability and accomplishment is somehow unfeminine, will find outlets for their interests and means to develop their potential.

Our school systems have discriminated notoriously against women's sports; colleges are even worse. Women's intercollegiate sports are virtually nonexistent.

I applaud Mrs. King's efforts to bring recognition to women's tennis and to all women's sports in general. I commend her on a brilliant match and a well-deserved victory.

ETHICS AND THE WASHINGTON LAWYER

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues in the House of Representatives an article that appeared in the Monday, September 24, edition of the Washington Post entitled "Ethics and the Washington Lawyer." The article is based on a speech made by the author, Joseph A. Califano, Jr., to the Nader Conference on the Legal Profession.

Joe Califano, as most of us in the Congress recall, did such an outstanding job as Special Assistant for Domestic Affairs for the late President Lyndon B. Johnson. His article is refreshing and forthright, and provides an excellent analysis of conditions as they really exist in the city of Washington. Like Joe Califano, I feel that lawyers should take heed.

The article follows:

ETHICS AND THE WASHINGTON LAWYER

(By Joseph A. Califano Jr.)

A patron of the legal profession, St. Ives was a 13th century poverty lawyer and a saint, a dual role which prompted a contemporary to comment: "He was a lawyer, yet not a rascal, and the people were astonished."

The average American would probably be even more astonished to find a saint among present day attorneys. The portrait of lawyers as unprincipled rascals has been painted in the stark colors of their involvement in the Watergate scandal; with hues likely to deepen as the Senate committee and special prosecutor continue their investigations of dirty tricks and campaign financing. Whether the conduct of the Watergate lawyers is ethically aberrational or whether they simply got caught with their fingers in the cookie jar of power, their plight should at least serve to focus attention on the ethical standards of Washington lawyers. As we focus the ethical camera, it is not particularly reassuring to compare the passive acceptance by the Washington bar of the actions of the Watergate lawyers with the uproar of the legal profession in California.

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Two different conceptions of the lawyer's role face off against each other in ethical duel. The traditional view perceives the lawyer as an instrument of his clients, the purchased pistol with hand raised in intentionally uncritical pursuit of his client's interests. Considerations of broad social responsibility and obligations to impose moral judgments on a client's activities fade against the background of the lawyer-advocate's role in the adversary system.

The less orthodox view sees the lawyer in a larger social context, imposing upon him the moral responsibility to temper representation of his client's interest with an overriding concern for societal morality and objective justice. At its blandest, this view calls upon the lawyer to render moral judgments in many situations where the traditional view would require him to limbo such judgments. At its sharpest, this view calls into question the entire advocacy system of Anglo-American jurisprudence.

Different as these views are, they do not present an ethical Hobson's choice between morally uninhibited representation of a client's interest and the sublimation of that interest to some personal standard of social morality. Most who espouse the rhetoric of the traditional view recognize certain fundamental limitations on the role of the lawyer as representative of a particular client. At the same time, the most avid public interest environmental lawyers would not deny an oil company the right to legal representation even though they believe the position of that company to be morally bankrupt. Moreover, general ethical principles are easily formulated in the abstract by articulate attorneys, but they are tough to apply in specific situations, especially for the Washington lawyer, whether he be private (largely corporate) practitioner, government attorney or public interest lawyer.

The Washington lawyer has special ethical problems. He often represents not merely an individual client, but an entire industry or combination of clients: the sugar growers, the environmentalists, the oil industry, the Federal Housing Administration. The Washington lawyer rarely litigates cases, he tries to appoint judges. He does not write to his congressman, he seeks to deliver a majority on the committee. The Washington lawyer does not draft wills, straighten out a bad conduct discharge, or try to get the U.S. Attorney to drop a marijuana charge against a teen-ager; rather, he is involved in drafting estate tax laws, molding military procurement policies and trying to change the drug laws for some pharmaceutical company.

Whether the Washington lawyer sits on the side of private, public or governmental interests, he is in a very real sense the interface between public and private interest and a potent participant in the exercise of government power. He is qualitatively different from his "brother at the bar" in other cities across the nation: his private practice steps on the brass rail of public policy every time he has an expense account luncheon. His ethical terrain is a moral minefield of gray.

The Washington lawyer can often draw a distinction between defending his client for past acts and advising the client on his future course of conduct. In the former situation, the client who at the outset discloses all material facts to his attorney is entitled to the fullest possible representation and the option to say no should be exercised at the start.

Where the lawyer is an adviser on future conduct, however, there are more options open to his client and his responsibility to exercise moral judgments may be greater. If a substantial public interest will be affected by his client's conduct, the lawyer's advice should not be limited to the technical validity of the proposed action, without regard to its social or economic consequences. Just as many corporations increasingly rec-

ognize their broader social responsibilities, so must their attorneys. Here the lawyer's opportunity to enlarge the perspective of his client, to persuade as well as advise, becomes an obligation.

The defense of past conduct and advice concerning future conduct tend to merge where the Washington attorney represents a corporate client on a continuing basis. It is unrealistic for lawyers to argue that they bear no responsibilities for the actions of corporate clients they have been representing 10 or 20 years. Here they must assume moral responsibility by association just as they share in material affluence by association.

Other distinctions can be drawn by the Washington attorney. There is a sharp difference between legislative lobbying and informal relationships with executive departments and the administrative agencies on the one hand, and representation in the courtroom on the other. In the courtroom, it all hangs out on the public record; *ex parte* communications between judge and lawyer-advocate are generally not permitted; the public and its representatives in the press have a full view of the proceedings; and a host of procedural rules protects the interests of both sides and governs the entrance of additional interested parties into the case.

Lobbying on Capitol Hill is quite different. Most contacts are not on any public record and the public does not have access to most discussions; *ex parte* communications are the accepted rule, not the frowned upon exception. Except for the most publicized situations, effective representation of a client's interest resides in private face to face conversations with a senator or representative or their aides, not in public testimony. It seems fair to impose standards of factual full disclosure and objectivity on all attorneys in their *ex parte* lobbying activities, whether private practitioner, public interest lawyer or government attorney. In addition to their client's hat, they wear one as "officer of the Congress," much like the "officer of the court" hat that obliges litigators to cite and discuss judicial precedents adverse to their clients' interests. Informal contacts with administrative agencies and executive department officials should be subject to the same high standards.

There are other situations in which it might be appropriate to impose an especially high ethical standard upon the corporate Washington lawyer. Where his law firm represents a client that has monopoly control in a particular industry the actions of the client are in a sense imputed with "state action" because society has given his client control over a significant segment of the economy.

There it might be reasonable to impose a duty of public interest comparable to the duty imposed on the government prosecutor who, theoretically at least, is an officer of the court seeking justice, as much as he is an advocate seeking a conviction in a particular case, essentially for one reason: state action is imputed to him. This kind of standard might also be imposed where an attorney represents an entire industry, for example, the automobile, steel or food industry. Similarly, where the client corporation is essentially an extension of the government (the most notable examples being large defense contractors), the private attorney's obligations might take on the broader ethical restraints imposed on a government attorney.

The standards of government attorneys and the public interest lawyers should always be invested with a broad sense of social responsibility. This is particularly true of the public interest lawyer, because unlike the government attorney, he is not given his position by the state. He is often self-appointed.

Articulate Washington lawyers will argue interminably ethical questions such as these because the problems are complex and because the terrain is uncharted. But history

does offer a clear signal to Washington lawyers etching a profile in courage can be a very expensive proposition, calling for the best in any of us confronted with these problems. The two most outstanding examples of lawyers who said no as a matter of personal conscience and professional standards are Thomas a Becket and Thomas More. When Thomas a Becket said no to King Henry II's request to lawyer a state takeover of the church, the King had him murdered in the cathedral. When Thomas More refused to give legal sanction to the sovereign's divorce, King Henry VIII had him beheaded. It is interesting that Thomas More and Thomas a Becket are remembered as saints, not as lawyers.

CHILEAN REFUGEES

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. DRINAN. Mr. Speaker, I have today introduced legislation which will open the United States to those suffering political persecution in Chile. I urge that the United States give the same treatment to those suffering persecution in Chile as we have given to the Hungarian freedom fighters and the refugees from Fidel Castro's Cuba.

In the last few months, I, along with other Members of Congress and citizens throughout the world, have called upon the Soviet Union to permit her citizens freedom to emigrate. The United States is very proud of its tradition of admitting those who have been the victims of social, religious, and political persecution.

Reports from Chile indicate that Chilean citizens will no longer be given safe conduct passes for political asylum abroad. Many political refugees have gathered in the embassies in Chile. In addition, approximately 7,000 people are imprisoned in the national stadium.

I am greatly concerned for the 40,000 or more foreigners now in Chile as political exiles under the government of the late President Salvador Allende. I am hopeful that the United Nations Commission for Refugees will be successful in aiding these unfortunate people. According to press reports, more than 500 people, mostly Latin Americans, have found political asylum in embassies in Chile. Unfortunately, the Chilean junta has put up guards around most embassies to block those seeking political asylum.

I am distressed beyond measure by the reports of the American citizens who have recently arrived in Miami from Chile to the effect that 400 to 500 people have been systematically murdered by Chile's new military leaders.

The United States has always been a haven for those forced to emigrate because of social, religious, and political upheaval. From the earliest days of our history, pilgrims, Huguenots, Jews, and Catholics have been welcomed when persecution in their homelands forced them to emigrate. I am hopeful that we can live up to these traditions.

A copy of the bill follows:

H.R. 10525

A bill for the relief of certain distressed aliens

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of any other law, there are authorized to be issued fifty thousand special immigrant visas to aliens specified in section 2 of this Act seeking to enter the United States as immigrants, and the spouses and children of such aliens, if accompanying or following to join them.

SEC. 2. Visas authorized to be issued under the first section of this Act shall be issued only to citizens of Chile who are seeking to enter the United States to avoid persecution, whether such persecution is evidenced by overt acts or by laws or governmental regulations that discriminate against such aliens, or any group to which they belong, because of their political beliefs or associations.

SEC. 3. Visas authorized to be issued under this Act may be issued by consular officers in accordance with the provisions of section 221 of the Immigration and Nationality Act: Provided, That each such alien is found to be eligible to be issued an immigrant visa and to be admitted to the United States under the provisions of the Immigration and Nationality Act: Provided further, That a visa is not immediately available to such alien under the Immigration and Nationality Act at the time of his application for a visa.

SEC. 4. Aliens receiving visas under the first section of this Act shall be exempt from paying the fees prescribed in paragraphs (1) and (2) of section 281 of the Immigration and Nationality Act.

SEC. 5. The definitions contained in section 101(a) and (b) of the Immigration and Nationality Act shall apply in the administration of this Act.

AMENDMENTS TO H.R. 6452, URBAN MASS TRANSPORTATION ASSISTANCE ACT OF 1973

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. BADILLO. Mr. Speaker, when the House next week takes up H.R. 6452, the Urban Mass Transportation Assistance Act of 1973, I will offer amendments designed to assure that the operating assistance funds granted under this legislation are used to promote safety in mass transportation, as well as service improvements generally.

In addition to adding safety as one of the criteria for approval of the comprehensive mass transportation improvement plans to be submitted to the Secretary of Transportation, my amendments also would give to the National Transportation Safety Board a review authority with respect to those plans.

For the information of my colleagues, I present herewith the text of my amendments and a sampling of articles on mass transit safety problems.

AMENDMENTS TO H.R. 6452, AS REPORTED OFFERED BY MR. BADILLO

Page 3, line 6, insert "and safety" after "service".

Page 3, line 10, insert "safe," after "economical".

Page 3, line 13, after the period insert the following new sentence:

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Before approving any comprehensive mass transportation service and safety plan submitted to him under this subsection, the Secretary shall (1) refer such plan to the National Transportation Safety Board for its review and its comments and recommendations, and (2) publish the Board's comments and recommendations in the Federal Register or otherwise make such comments and recommendations effectively available to the public in the areas involved.

[From the New York Times,
Aug. 30, 1973]

SUBWAY ACCIDENT LAID TO COLLAPSE OF ARCHAIC DUCT

(By Edward C. Burks)

The collapse of an archaic suspended duct structure, the only one of its kind in the subway system, caused Tuesday's fatal accident in the East River Flushing line tunnel, the Metropolitan Transportation Authority said yesterday.

One man died of massive injuries received from the crash of a 20-ton section of concrete against the front car of a jammed Flushing-bound IRT train during the rush hour. Eighteen persons were carried out on stretchers by rescue teams. For agonizing minutes hundreds were trapped in sweltering heat and dense smoke resulting from a short circuit 110 feet below the United Nations.

Shortly after a three-man M.T.A. board of inquiry began its work yesterday, Dr. William J. Ronan, the authority chairman announced that "immediate steps" had been taken to shore up and secure the area of the concrete collapse.

A spokesman explained that the unusual duct structure extended for 205 feet along the top of the tunnel in that section between Grand Central Station and the river, and that a chunk of concrete 25 by 15 feet in size had fallen.

AUTOPSY REPORT RELEASED

Dr. Ronan said that, according to "preliminary indications," corrosion of metal supports enclosed in concrete and holding the heavy duct to the tunnel roof had caused the collapse.

Full service had been restored on both tracks of the 66-year-old tunnel yesterday.

An autopsy report by Dr. Milton Helpern, the city's chief medical examiner, stated that Robert Beyer of West Islip, L.I., had died of crushing chest injuries when the concrete slab fell. The 35-year-old passenger, first thought to have died of a heart attack, was standing by the door of the front car. The autopsy showed that he had suffered torn lungs, fractured ribs and a broken pelvis.

Meanwhile, the Transit Authority reported that a total of 10 passengers had been taken to hospitals and that at least nine had been treated and released.

While some Transit Authority employees were saying privately that inspectors had warned about the old concrete duct system for some time, there was no confirmation of this from the M.T.A. A spokesman said that the tunnel had been inspected closely every month, the last time being Aug. 1.

There were some delays on the Flushing line yesterday, and trains were operating at eight-minute rather than six-minute headways to allow workmen time to put heavy supporting timbers into place.

Dr. Ronan said that the old suspended steel and concrete chamber bearing ventilation and cable ducts would be replaced with "a column-supported steel structure."

The tunnel was originally built for trolleys. When it opened in 1907, it was the first underwater passenger tube in the city, connecting Park Avenue with Jackson and Vernon Avenues in Long Island City, Queens. The suspended duct system was an adaptation to accommodate subway service initiated in 1915.

Dr. Ronan's statement said that Transit

Authority personnel had "met this situation with dispatch and followed appropriate emergency procedures. He added that the Transit Authority two years ago had introduced special emergency procedures at all river crossings where passenger evacuation or handling of disabled trains might be difficult. Rescue equipment is located at each end of such crossings, he said.

1,000 TRAPPED IN AN IRT TUNNEL ACCIDENT, MAN DIES OF HEART ATTACK IN 115° HEAT—18 NEED STRETCHERS AS CEILING FALLS

(By Paul L. Montgomery)

One man died and 1,000 passengers were trapped in 115-degree heat and heavy smoke yesterday after an archway in the ancient Flushing line tunnel under the East River collapsed on the first car of a Queens-bound IRT train.

At least 18 passengers were carried from the tunnel on stretchers by sweating policemen and firemen, and scores of others had to be assisted to the street for treatment before they were sent home. The dead man apparently suffered a heart attack in the heat, smoke and confusion.

Normal service on the Flushing line was restored at 8:46 P.M. after the track at the site of the collapse, near First Avenue and 42d Street, had been cleared.

The 1 hour 20 minutes that the passengers were trapped in the intense heat and smoke was a time of terror and quiet heroism, of chaos and people finding a moment to be kind to one another. Many remarked about the minimum of hysteria.

"There was no panic, compliments to the people," said a fireman, Edward Boljonis, of Ladder Company No. 2.

The accident, the first in the subways since 1971 involving a passenger fatality, occurred at the Manhattan end of the old Steinway tunnel between Long Island City, Queens, and Grand Central Terminal, two blocks east of the Grand Central stop. The tunnel, the oldest in the system, was built at the turn of the century for trolley cars.

A chunk of concrete 20 feet long apparently worked loose from iron retaining rings at an archway of the two-track tunnel and crashed into the side of the first car of an 11-car train that had left Grand Central at 4:50 P.M.

"There was a rumbling sound, like a wheel had fallen off," said Robert Kaiser of Sayville, L.I., who was in the second car crammed with homeward-bound commuters. The concrete crushed the first door on the left side of the train and broke windows, injuring several people at impact.

Instantly, the motorman, listed as G. Lee, pressed an emergency-stop button in the car and the train lurched to a halt 25 feet from the point of impact. Standing passengers were thrown forward by the sudden stop.

Paul Cassata Jr. of Corona, Queens, was in the first car.

"I had been dozing off, and at first I thought I was having a nightmare," he said. "Then I was on the floor and I just saw a guy lying across my feet."

Almost immediately, choking smoke billowed from the tracks near the middle of the train. The smoke apparently was caused by a short-circuit. The sparks from which touched off a small fire in accumulated rubbish near the first car. When the power was cut at 4:55, the smoke abated in the tunnel but drifted in dense clouds toward Grand Central.

[From the New York Times, July 20, 1973]
RAIL HAZARD DATA DISCLOSED BY REID—HE CITES UNION REPORTS OF PERILS ON PENN CENTRAL COMMUTER SYSTEM

(By Martin Tolchin)

WASHINGTON, July 19.—Representative Ogden R. Reid of New York said today that unions representing employees of the Penn

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Central's commuter railroads had furnished him with reports of widespread safety hazards that had resulted in delays, derailments, injuries and fatalities.

The unions, which fear a reduction in the railroad labor force, have worked closely with Mr. Reid, a Westchester County Democrat who is expected to be a candidate for the Democratic nomination for Governor next year.

Mr. Reid said in an interview today that union allegations included the following reports:

The radio was not in operation in one of the trains involved in a collision at the Mt. Vernon station on June 9, in which one person was killed and 119 were injured.

The ties on the 138th Street bridge are worn so thin that the metal on the track touches the metal structure on the bridge, thus short-circuiting signals.

Dozens of radios in the engineers' cabs can receive but not send messages, making it impossible for trainmen to warn of impending problems.

"Is no one capable of protecting the public?" Mr. Reid asked.

Robert Van Waggoner, news manager of the Penn Central's metropolitan region, which operates the New York commuter railroads, said that "we feel we run a very safe railroad." He added, however, that "we don't know what the allegations are."

"AS GOOD AS ANY"

David Baxley, press spokesman for Dr. William J. Ronan, chairman of the Metropolitan Transportation Authority, which oversees the Penn Central's commuter railroads, said that "we think the safety standards are as good as any in the country, and we're constantly trying to improve them."

Mr. Reid, however, asserted that "we're faced with a genuine transportation crisis." He added that "what's happening on the New Haven Division is a transportation disaster."

The congressman, who switched to the Democratic party last year and whose up-state trips in recent weeks have convinced many politicians that he is a candidate for Governor, thumbed through a thicket of reports received from unions representing railroad employees.

One report said that "concerning the section of track on the old New Haven tracks from Pelham to the Hell Gate Bridge, many signals are inoperative, the roadbed is in poor condition, and on June 28, there were between seven and 10 broken rails on tracks one and two, which are utilized as passenger tracks."

On June 25, another report alleges, a freight train derailed at the north end of Oak Point Yard, near the Willis Avenue Bridge. The train damaged the tower, where signals and switches are automatically controlled. As a result, all switches and signal levers, including those used for passenger tracks, must be thrown by hand.

"Yard tracks in Oak Point are in such bad shape that hardly a day goes by without one or two derailments," the report said.

A union report also alleged that many fires in the Park Avenue tunnel are caused by "locomotives that have defective third-rail contact shoes which cause them to throw sparks, sometimes resulting in fires."

[From the Washington-Star News, July 20, 1973]

TRAIN CRASH "NIGHTMARE OF BUNGLING"

(By Ann McFeatters)

The government's investigation of the Oct. 30, 1972, commuter train crash in Chicago that killed 45 people and injured 332 reveals a nightmare of bungling, unenforced rules and unsafe railroad cars.

In its formal report released today, the National Transportation Safety Board spared nothing in its denunciation of the worst

such crash in more than 20 years and recommended action that could have nationwide impact on high-speed commuter service.

The Board asked the Federal Railroad Administration and the Urban Mass Transportation Administration either to justify or disprove the safety board's recommendation that high-speed commuter service be controlled by an automatic system to prevent collisions and that lightweight commuter cars should be crash-tested before being put into service.

Shortly after 7:30 that October morning Illinois Central Gulf Railroad commuter train 416, with four new two-story highliner cars and a malfunctioning speedometer, overshot the 27th St. station on its way north into downtown Chicago.

The engineer was new to the run that day and failed to brake in time to make the station platform, the board found.

The train was backing toward the platform without a flagman to its rear when a second train, exceeding the 30-mile-an-hour speed limit by an estimated 20 to 25 m.p.h.—it had no speedometer—was routed onto the same track. It smacked into the rear of train 416.

The first 10 feet of the first car of the second train, built between 1924 and 1926, were destroyed. But the real damage came when the rear half of the 85-foot-long highliner car—the last car of train 416—was telescoped by the older train.

The rear of train 416 was painted black and carried low-intensity lights only about 1½ inches in diameter, so it was hard to distinguish from the station platform.

About that time, a third train, arriving late, sideswiped the accident on an adjacent track.

In the resulting confusion and terror, the board said one of the only saving factors was that Michael Reese Hospital is adjacent to the track and that quick emergency response "precluded an even higher number of fatalities."

From post accident tests inspection and hearings, the safety board found that when the new highliner cars were delivered to the railroad there was a collision during acceptance testing at 16 m.p.h. The test cars were so badly damaged that it was more economical to build new ones than to repair the damage.

The board also said that the railroad management's failure to enforce five rules contributed to the accident. The board learned that 18 of 29 interpretations of rules by the crew members involved were wrong.

The board also noted that while overrunning stations is common, train employees usually do not carry flagging equipment to warn other trains when they have to back up. Flagging is considered essential because the automatic signals in use there indicate clear track ahead once a train passes them. The board said better signal systems now manufactured might have prevented the accident.

[From the New York Times, June 18, 1973]
OFF THE TRACK

Two recent incidents have underscored the dangerous deterioration of the Penn Central's commuter operation. The still unexplained delay of more than an hour before the alarm was sounded on May 29, after a fire had broken out in a Penn Central engine beneath Park Avenue, was followed by the crash of two trains at Mount Vernon which killed one passenger and injured others.

Although investigations of both accidents have not yet been concluded, it is evident that the condition and maintenance of the railroad's equipment, the effectiveness of its management and the morale of its personnel are simply not at a level necessary to assure safe, let alone efficient, operations.

No official report is needed to show that

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the railroad—particularly its New Haven division—which serves as a vital link between the city and some of its major suburban commuter areas can be described only as a transportation disaster. Commuters familiar with the nightly confusion at Grand Central are surprised only when they occasionally complete a trip without problems, inconvenience or delays. Lack of information about the arrival, departure and locations of trains is often shared in equal measure by passengers and railroad personnel.

The ongoing investigations must, of course, determine what or who was at fault in the recent specific accidents. But a report can only be considered responsive to the needs of the city and its commuters if it details the steps to be taken to make this lifeline safe and efficient.

[From the New York Times, June 2, 1973]

IN CASE OF FIRE

The complaint of Fire Commissioner Robert O. Lowery that Penn Central personnel failed to sound an alarm when fire broke out in the engine of a crowded commuter train on Wednesday constitutes a grave charge of dangerous negligence. The train was stalled in the tunnel underneath Park Avenue at 76th Street. Smoke was so dense and acrid that it felled 27 firemen. Yet fire officials maintain that the first alarm was sounded more than one hour after the first sign of the fire, and then apparently only by way of a street alarm box.

A taped telephone conversation between a Fire Department dispatcher and a Penn Central supervisor indicates that persons in authority at the railroad felt—incomprehensibly—that they did not need the Fire Department to cope with the emergency.

If Commissioner Lowery's claims are confirmed, they would point to extraordinary irresponsibility on the part of the railroad. It was in the wake of repeated failures to notify the Fire Department in similar incidents three years ago that emergency plans were agreed upon between the department and the Penn Central. These arrangements included installation of a "hot line" telephone, in addition to a pledge by the railroad that amateur fire-fighting efforts would no longer be allowed to postpone calls for professional help.

Apparently, however, the contingency plan was not followed in the latest emergency. Passengers safety must not be jeopardized by negligence arising from jurisdictional disputes between the railroad and the Fire Department.

[From the New York Times, June 10, 1973]
RAIL CRASH LAID TO HUMAN ERROR—PENN CENTRAL GIVES ITS VIEW ON MOUNT VERNON WRECK

(By Paul Montgomery)

The Penn Central said yesterday that "man failure" appeared to be at the root of the crash of two trains in Mount Vernon, N.Y., Friday evening that killed one person and injured 140.

William Baird, a spokesman for the line, said he could not elaborate on the preliminary finding that human error rather than equipment failure had caused the crash in which the 7:05 New Haven express from Grand Central Terminal rammed into the rear of the 7:10 Stamford local as the local was unloading passengers at the Mount Vernon station.

"We are making a thorough investigation," Mr. Baird said. "A report should be made sometime this week."

After the crash, there were conflicting reports about its cause. Some mentioned a possible confusion in the signal tower that

might have sent the express along the same track as the local. Others said the brakes on the express appeared to have failed, and one passenger said the local had backed up before discharging passengers. The Penn Central would not comment on any of the statements.

The man killed in the crash was Dominic Gomes, 26 years old, of Port Chester. Of the injured, five were still hospitalized yesterday, including Colin Hughes, the Australian vice consul in New York, who suffered skull, arm and leg fractures.

The wreckage was cleared by dawn and the two trains were towed away for examination. The line resumed normal Saturday schedules through the Mount Vernon station at 7:30 A.M.

The Penn Central's investigation of itself was one of a number of investigations into the cause of the crash. The Metropolitan Transportation Authority, which owns the New Haven right-of-way, announced that three board members now investigating the Park Avenue tunnel fire late last month had been ordered to investigate Friday's collision.

Dr. William J. Ronan, chairman of the M.T.A. said in a statement that he was "deeply concerned" about the crash and had ordered staff members to the scene to collect information. He said he had asked the panel to "report their findings as soon as possible."

Staff members of the Federal Railroad Administration were also in Mount Vernon to investigate the crash. The administration, under the Federal Railroad Safety Act, has the authority to set safety standards, investigate compliance and, in an emergency, intervene in operations.

Representative Ogden R. Reid, Westchester County Democrat, said he had been pressing the Administration since March to look into rail operations in the county. He regards Penn Central and M.T.A. management as inadequate, and believes that Federal officials should oversee the line's operations.

Representatives of the Westchester County District Attorney's office and the Mount Vernon police also interviewed survivors and crew members about the crash.

Mayor Alfred DelBello of Yonkers, a persistent M.T.A. critic who went to the crash scene Friday night, disputed the Penn Central statement that "man failure" was involved. He said he had talked to a crew member who said that brake failure on the express train had led to the crash.

[From the Washington Post, April 27, 1973]

INATTENTION, DEFECTIVE RAIL BLAMED IN ARLINGTON WRECK

The National Transportation Safety Board said yesterday that a defective rail and crew members' failure to follow signalling rules probably caused an April 27, 1972, railroad collision that derailed 18 cars and locomotives in Arlington County.

The safety board, in a 20-page report on the accident in the Richmond, Fredericksburg & Potomac Railroad's Potomac Yard, repeated its year-old recommendation that federal agencies study the hazards of joint use of tracks by passenger and freight trains.

There were no serious injuries in the 10:17 p.m. collision, the report noted. The report said the engineer of a north-bound passenger train with 28 passengers and six crewmen had good visibility and was able to apply his brakes before colliding with one car of a Penn Central freight train that had derailed on an adjoining track.

The safety board concluded the freight train derailment was probably caused by a defective rail that broke when the train passed over it at 8 miles an hour. The probable cause of the collision, the safety board

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said, was that the freight train crew members "did not flag the passenger train as they were required to do by operating rules" of both Penn Central and the Potomac Yard.

The report said the freight train's engineer, brakeman and conductor all missed opportunities to prevent the collision by putting up signals on the passenger train track or notifying railroad officials by radio or telephone.

The safety board recommended that Penn Central and the Potomac Yard revise their employee training procedures to ensure all operating rules in such situations are followed. A spokesman for Penn Central said he had not yet seen the report and could not comment on it. A spokesman for Potomac Yard said the yard would be glad to cooperate with the railroads in improving training procedures.

The safety board first urged a federal study of joint freight-passenger train track use in a March 27, 1972, report on a Connecticut passenger-freight train collision. "The operation of freight and passenger trains on adjacent tracks without adequate safeguards to prevent collisions between the two types of trains creates hazards which should be analyzed and controlled," yesterday's safety board report said.

MTA IS SCORED ON IND FATALITY—FAULTY MAINTENANCE CHARGED IN MAN'S DEATH LAST YEAR

Mrs. Carol Greitzer, a member of the City Council, charged yesterday that a fatal subway accident last Dec. 22 could have been caused by faulty maintenance that permitted a train to move with an open door.

Mrs. Greitzer, a Manhattan Democrat, said the Metropolitan Transportation Authority had conducted "a secret inquiry into this fatal accident and refuses to make known the results."

She said some M.T.A. employees "more interested in safety than secrecy indicate to me that the tragedy could have resulted from poor maintenance."

In the last few weeks, she added, "I have received dozens of complaints about doors opening while trains were moving—it is probably a miracle that no deaths have resulted."

MAINTENANCE FORCE CUT

Mrs. Greitzer said in the last several years the preventative subway maintenance force had been cut by 25 per cent and that the maintenance programs were deteriorating so rapidly as to "constitute a very real danger to the lives of straphangers."

Last Dec. 22, Frank Twomy, a 28-year-old visitor from Ireland, got his foot caught in closing doors on a southbound Eighth Avenue local as he tried to get off the train at the 125th Street station. The train moved out with doors ajar because of Mr. Twomy's clamped foot. The victim managed to extricate his foot, but fell under the train, which stopped 50 feet into the tunnel. Mr. Twomy was killed.

"Standard safety devices are designed to prevent such accidents," Mrs. Greitzer said, "but faulty maintenance will destroy the effectiveness of the most perfectly designed safety device."

Mrs. Greitzer, a member of the City Council's Special Committee on Public Transportation, called for Federal and city investigation of the safety aspects of the subway system.

The Transit Authority, responsible under the Metropolitan Transportation Authority, for the operation of the subways, declined to comment on Mrs. Greitzer's charges. A spokesman said the investigation into the death of Mr. Twomy had not yet been completed.

THE FOREST SERVICE: A GOVERNMENT AGENCY WORKS BENEFITS ALL THE PEOPLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. RARICK. Mr. Speaker, the Subcommittee on Forests of the House Agriculture Committee completed hearings today on House Joint Resolution 729 and an identical Senate-passed bill, Senate Joint Resolution 134, legislation which would require the U.S. Forest Service to maintain the level of permanent, full-time employees during the present fiscal year at not less than 450 above the June 30, 1973, permanent full-time personnel ceiling.

When the hearing opened, I made the following statement:

The Subcommittee recognizes that the President, in his recent housing message, remains committed to the objective of the Housing Act of 1949: "a decent home and a suitable living environment for every American family." The Subcommittee is also cognizant of the President's remarks yesterday when he received the findings and recommendations of his Advisory Panel on Timber and the Environment:

"To meet our current and future needs for lumber, the Panel recommends that timber sales from national forests be raised to and maintained at allowance harvest levels wherever market demand is sufficient and so long as adequate funding is made available. This is an objective with which the Forest Service concurs, and I endorse it."

The Subcommittee is aware that the President's Advisory Panel on Timber and the Environment has recommended that this increased harvest of timber on national forest lands be accompanied by more extensive and intensive management so as to protect the environment and insure an adequate supply of timber for all Americans. We are also aware that the President's Advisory Panel has recommended that the President require Federal land management agencies, especially the Forest Service, to undertake management practices to direct and control all non-timber uses made of the lands; to recognize that the day of unlimited public use of Federal recreation areas is over, and that recreation and other non-timber uses will have to be controlled and managed just as management has been applied over many years to timber growing and harvest and to grazing use.

We are aware of the tremendous importance of the Forest Service and its diversified operations. The Forest Service currently has some 187 million acres of forestland under its control. It is charged with operating under a multiple use concept requiring consideration of timber harvesting, recreational activities, conservation of fish and wildlife, water management, watershed development, and grazing. We are aware of all of these operations, and we recognize that the Forest Service has been charged with increasing timber harvest on national forest lands by 10% or 1 billion board feet, yet the Administration has proposed to reduce the level of permanent full-time employees of the Forest Service almost 1600 persons. We are concerned over this and would like to inquire if the Forest Service has sufficient personnel with which to carry out its assigned duties, much less attempt to implement the recommendations of the President's Advisory Panel on Timber and the Environment.

We know that Chief McGuire of the Forest

EXTENSIONS OF REMARKS

Service, in testimony before the Senate Committee on Agriculture and Forestry, admitted that the reduction in personnel would lead to a less intensively managed program. We wonder, therefore, if the Administration in insisting that every agency within the Federal Government face a reduction in personnel is not being penny-wise and pound-foolish.

We recognize that an investment in timber production is an investment in America and its future. Again, quoting Chief McGuire in testimony before Senate Agriculture, for every dollar expended in our timber programs the Treasury gets back about \$4 and the Counties get back about 25 percent of that in payments in lieu of taxes. This is an investment that must be protected and the Forest Service is charged with this responsibility.

The workload on the National Forests has been expanding at a substantial rate in virtually every use. The National Forests have truly come of age as more and more Americans look to their 187,000,000 acres for clear water, stable soil conditions, a clean atmosphere, carefully managed plants and animals in order to provide a full measure of both commodity and non-commodity uses. These 187,000,000 acres of valuable national environment are not being as intensively managed as they should be to provide fully for these resources now and in the future.

There is little doubt that the cost of living and the cost of doing business has risen appreciably in this past decade and significantly these past few years. On a constant dollar basis the budgets for the Forest Service have not kept pace with this rise and the budget now before the Congress requests less money than was provided last year. Thus, in the face of inflation, less money will be available both in terms of current dollars and in terms of constant dollars the decline is even greater.

We must see to it that the Forest Service has adequate, trained, full-time personnel to do the job assigned it, and to do it well. Otherwise, future Americans must pay for our mistakes.

Mr. Speaker, a news release issued earlier this year by the Department of Agriculture gives further proof that an investment in timber production is an investment in America. According to this release:

Thirty-nine states plus Puerto Rico received more than \$114 million out of \$455,216,805 the FS collected during the year.

So that our colleagues might see how important the work done by the Forest Service is to all of our people, I ask that this news release detailing the distribution of funds under this program be included in the RECORD. As our colleagues know, this money must, by law, be spent for public schools and roads:

WEST COAST STATES RECEIVED MAJOR PART OF FOREST SERVICE FUND DISTRIBUTION

DAVIS, CALIF., Aug. 31.—The three west coast states received the major part of funds distributed by the Forest Service (FS) out of proceeds from users of United States National Forest products and services the year ended June 30, 1973, the U.S. Department of Agriculture (USDA) announced. The total was a record.

Thirty nine states plus Puerto Rico received more than \$114 million out of \$455,216,805 the FS collected during the year. The three west coast states were given checks totaling \$87,388,328—\$42,471,875 for Oregon, \$27,520,688 for California, and \$17,395,765 for Washington. By law the money must be spent for public schools and roads.

Payments to the 40 jurisdictions contain-

ing National Forests represent 25 percent of total receipts from fees from grazing, recreation—including admission and user fees—power, minerals and other land use, plus sale of timber. The "25 percent fund" goes to states and Puerto Rico for redistribution to, or expenditures to benefit counties in which National Forests are located.

The latest distribution pushes to more than \$1 billion the amount given to non-federal jurisdictions since the Service was formed in 1905. Total FS user receipts since 1905 exceed \$4 billion.

Of that portion not sent to non-federal jurisdictions, 10 percent is for FS use in building roads and trails in areas having National Forests, and the remainder, with certain exceptions provided by law, goes into the general fund of the U.S. Treasury.

Increased receipts from timber sales in the latest year were primarily responsible for the payment to states being \$29 million higher than in fiscal year 1972, when it totaled \$84.6 million.

The amounts being received by each State from the 25 percent fund are as follows:

Alabama	-----	\$297,364
Alaska	-----	973,915
Arizona	-----	2,094,018
Arkansas	-----	968,199
California	-----	27,520,688
Colorado	-----	866,240
Florida	-----	725,161
Georgia	-----	355,627
Idaho	-----	6,143,165
Illinois	-----	43,443
Indiana	-----	20,212
Kentucky	-----	120,844
Louisiana	-----	1,435,712
Maine	-----	9,150
Michigan	-----	308,971
Minnesota	-----	439,637
Mississippi	-----	1,662,454
Missouri	-----	712,067
Montana	-----	4,561,074
Nebraska	-----	28,219
Nevada	-----	133,249
New Hampshire	-----	136,092
New Mexico	-----	904,129
North Carolina	-----	252,694
Ohio	-----	19,854
Oklahoma	-----	143,317
Oregon	-----	42,471,875
Pennsylvania	-----	225,894
South Carolina	-----	792,612
South Dakota	-----	82,628
Tennessee	-----	82,786
Texas	-----	702,754
Utah	-----	284,243
Vermont	-----	148,313
Virginia	-----	101,835
Washington	-----	17,395,765
West Virginia	-----	151,902
Wisconsin	-----	146,202
Wyoming	-----	587,059
Puerto Rico	-----	2,650

MURDER BY HANDGUN: THE CASE FOR GUN CONTROL—NO. 24

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. HARRINGTON. Mr. Speaker, another day goes by; another handgun is used; another life is ended. Will it ever stop?

Will we ever begin a real drive to remove the handgun from our society?

I would like at this time to include the text of a September 11, 1973, Washington Post article concerning the recent slaying of a fellow man:

September 25, 1973

MAN SHOT DEAD IN PRINCE GEORGES

A 39-year-old Prince George's County man was shot and killed and another seriously injured about 8 p.m. Sunday during an argument with a third man, county police reported yesterday.

County police said Thomas Brown Jr., of 911 62d Pl., Cedar Heights, was shot while standing on the corner of 62d Place and Jost Street in Seat Pleasant following the argument. John R. Allen, 67, who lived at the same house as Brown also was shot during the argument. Allen was listed in serious condition yesterday at Prince George's Hospital.

Willie Black, 48, of 7605 Normandy Pl., Palmer Park, was charged with murder and assault with intent to murder.

MISSING IN ACTION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. EILBERG. Mr. Speaker, after 12 long years of fighting, the Vietnam war has finally come to an end. Many of our servicemen, including those in prisoner-of-war camps, have been returned home to reestablish their lives.

But what about the more than 1,200 forgotten men who have yet to be accounted for and are still listed as missing in action?

The provisions of the January peace treaty and the June joint communiqué which deal with MIA's have been ignored by North Vietnam. And, thus far, there has been no thorough investigation of indication that American prisoners are being held in China and other Southeast Asian countries. So far, there have been only inadequate responses by our Government to questions about this situation.

For these reasons, I am sponsoring legislation calling for a congressional investigation into the status of those men still missing in action as a result of the Vietnam war.

This legislation also withholds any aid to the Government of North Vietnam or any government supported by the Communist Forces in Southeast Asia until a complete account of these men has been made.

Additionally, I am proud to announce that the City Council of Philadelphia is also deeply concerned about the whereabouts of our servicemen who never returned from the Vietnam conflict.

I enter into the RECORD a copy of Resolution No. 204 which was adopted by the Council of the City of Philadelphia on September 6, 1973.

The resolution follows:

RESOLUTION NO. 204

Memorializing the President of the United States of America to immediately undertake a vigorous campaign to resolve once and for all the issue of members of the Armed Forces of the United States who are still either prisoners of war or missing in action.

Whereas, The "Peace Agreement" was signed in Paris, France, many months ago between the United States and North Vietnam; and

Whereas, This agreement provided for the safe return of all known prisoners of war and those missing in action, whose whereabouts

are known only to the North Vietnamese and Viet Cong; and

Whereas, The mothers, fathers, wives, children and other relatives and friends of these forgotten men undergo torturous mental anguish not knowing whether their loved ones are alive or dead; and

Whereas, The solution to this problem can be achieved by allowing inspection teams into those parts of Southeast Asia that are now denied to us; therefore

Resolved, By the Council of the City of Philadelphia, That we do hereby memorialize the President of the United States of America, and the Secretary of State to initiate without further delay, prompt official action to determine the fate of all America's P.O.W. and M.I.A.

Resolved, That certified copies of this Resolution be forwarded to the President of the United States, the Secretary of State of the United States, to the respective Clerks of the Senate and House of Representatives of the United States, to the United States Senators from Pennsylvania, and to the Representatives from Philadelphia.

CONGRESS MUST ASSUME LEADERSHIP ROLE FOR FEDERAL EMPLOYEES BENEFITS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. WALDIE. Mr. Speaker, the President has once again deployed his heavy artillery for another assault in his continuing "war on Federal employees." And as chairman of the House Subcommittee on Retirement and Employee Benefits, I feel that I must also, once again, set the record straight, even though the present administration apparently does not want to be "confused with the facts."

The most recent example of the President's disregard for Federal workers is his plan to defer for 2 months a pay raise they need—and deserve under the Pay Comparability Act of 1970. Federal employees desperately need a pay raise as soon as possible to help meet the inflationary pressures that Mr. Nixon's policies have failed to come to grips with. But while corporate profits skyrocket, and the cost-of-living index increased 1.8 percent during the month of August, the President gave Federal employees a "Labor Day gift" by announcing on August 31 that he wanted to defer their pay raise from October 1 until December 1.

I suppose we should not have been surprised by his action since it was the third time in 3 years that Mr. Nixon has tried to cheat Federal employees out of their pay raises. In any case, I have decided to do two things. First, I have today introduced in the House of Representatives a resolution disapproving of the President's alternate plan, and calling for a pay raise effective October 1. Second, I have concluded that because of the President's abuse of his discretion in implementing the Pay Comparability Act, my subcommittee needs to hold oversight hearings into this matter with an eye toward developing a system whereby the

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Federal employee will be treated equitably, and not at the whim of any individual. These hearings will begin in early October.

But, this most recent example of the President's insensitivity to the justifiable needs of Federal employees is simply the most recent in a long series of such Presidential actions, and one which must be placed in the context of the present administration's philosophy.

For politically expedient reasons the President often refers to the "bloated" Federal bureaucracy, without admitting that the percentage of the civilian national work force now employed by the Federal Government is significantly reduced from former years. The President continually implies that there are a lot of make-work jobs in the Government, ignoring the fact that by his own Secretary of Labor's study, the productivity of Federal workers increased at five times the rate of employees in the private sector from 1967-71.

So, it is clear today that both through this administration's words and actions, the Federal employee cannot expect justice from the executive branch. For those of us who believe that the Civil Service Commission should be an agency thoroughly removed from politics and dedicated to the principles of the merit system, I was shocked to hear the Commission's top people refer to themselves as the "President's employment agency." Such an attitude would have been considered unthinkable only a few years ago.

Thus, Mr. Speaker, because, unlike most American workers, Federal employees do not have the right to bargain for their rights and benefits—and I fully support their efforts to obtain such collective bargaining rights—Federal Government workers must turn to and depend upon the Congress to assure them of a fair deal, and adequate employee benefits.

Because the Congress must assume a vigorous leadership role if the Federal Government is to be a progressive employer, I would like to bring to the attention of the Members what our subcommittee's legislative program is for the 93d Congress. We have already accomplished much, and we hope to do more.

Probably our most significant accomplishment has been in substantially reducing the cost of health insurance premiums for most Federal employees. After 2 years of extensive investigative hearings into the Federal employee health benefits program which disclosed an egregious lack of concern by the Civil Service Commission and an understandable willingness by the insurance carriers to take advantage of the Commission's lack of vigilance, 1973 health insurance premiums for Blue Cross/Blue Shield and Aetna were significantly reduced. There can be no doubt that the subcommittee's activity led directly to a savings in excess of \$100 million for Federal employees in the past year.

However, I must also warn everyone that in all likelihood substantial premium increases are in the offing for 1974. When they are announced, after negotiations between the Commission and the

insurance companies, I will ask the Cost of Living Council to certify that the increases are allowable under the economic stabilization. You will remember that when I appealed 1972 premium increases to the then Price Commission, we were successful in reducing by some 12 percent the rate increase the Commission had granted to Blue Cross/Blue Shield.

But, to be realistic, I am sure that some price increase will be granted for 1974, and it is for this reason that it is particularly necessary that H.R. 9256, my bill to increase the Government's contribution to health premiums, be enacted into law. The primary purpose of this bill is to increase the Government's contribution for Federal employees' health insurance plans from 40 to 55 percent, beginning in 1973, with an additional 5-percent increase each year thereafter until 1977, when the Government contribution would reach 75 percent. Additionally, the bill would permit any annuitant who retired prior to July 1, 1960, to elect coverage under the health benefits program applicable to current Federal employees.

As the Members know, my efforts in this regard were successful when the House passed this legislation last week. We now await Senate consideration and hope that the President will sign the bill. To not sign the bill would be the height of hypocrisy, because 2 years ago Mr. Nixon called upon the private employers of this country to pay a minimum of 75 percent of their employees health premiums. The Federal Government as the largest employer in this country should do no less, particularly in view of the fact that most major corporations in this country now pay 100 percent—not just 75 percent—of their employees' health premiums. The fight in this area is, therefore, not to attain parity, but simply to not fall even further behind the private sector.

The House has also recently done its duty in regard to passing other pieces of significant legislation that I have reported out of my subcommittee.

In the field of retirement the House has passed three bills. On September 17, 1973, the House passed H.R. 3799. This bill would allow a Federal employee who retires after the effective date of a cost-of-living annuity increase to receive the increased annuity which would have been payable had he retired immediately prior to the effective date. The provisions of this bill would be retroactive to July 1, 1973.

Then, on September 20, 1973, the House passed H.R. 9281. The primary provision of this bill would provide for computing the annuities of Federal law enforcement officers and firefighters at the rate of 2½ percent for each of 20 years of service instead of the present rate of 2 percent.

Earlier this year, the Congress passed and the President signed H.R. 6077. This bill made it possible for employees whose agencies were undergoing major reductions-in-force to retire when they completed 25 years of service, regardless of age, or when they completed 20 years of service and reached the age of 50. This bill gave many employees whose agencies

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were undergoing RIF the opportunity of an early retirement with an immediate annuity, thus saving jobs for many younger workers.

House action on H.R. 9257 is now scheduled for October 1. The immediate effect of this bill would be to require the Civil Service Commission to reduce the present retirement fund contribution rate to 13 percent—from the current 14 percent—6.5 percent each for Federal employees and Federal agencies. This legislation was drafted after the subcommittee discovered that employees had been paying \$150 million more annually than was being paid out in benefits, and that the surplus which had accumulated to \$450 million over 3 years was being used by the Civil Service Commission to pay for other debts. Passage of this legislation will mean \$50 more a year in the pockets of Federal employees where it belongs—and not in governmental coffers subsidizing the retirement system beyond anything the Congress intended.

There are plans now for the House to consider H.R. 9107 in the near future. This bill would increase the annuities of retirees and surviving spouses who retired prior to October 20, 1969, by \$300 a year. Additionally, the bill would establish a minimum benefit payable to all retirees equal to whatever minimum benefit may be payable from time to time under the social security program—currently \$84.50 a month. Surely, with the recent social security increases, the fairness of this bill is obvious.

The subcommittee will also hold hearings on a bill (H.R. 9630) to have the Government pay the full cost of basic life insurance coverage for employees; a bill (H.R. 30) to eliminate the survivorship reduction and restore the full annuity to annuitants during periods of nonmarriage; and a bill (H.R. 3024) to reduce age and service requirements necessary for immediate retirement with full annuity.

In closing, I want to assure all Federal employees that the subcommittee will continue to work hard to implement those progressive bills and to investigate the programs that appear to be working against his best interest.

I am hopeful that those who read these remarks will respond by telling me of their specific problems and of the type of legislation they need to better perform their jobs and serve their country.

SUDDEN INFANT DEATH SYNDROME

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 1973

Mr. HARRINGTON. Mr. Speaker, 10,000 infants die in the United States every year as a result of the sudden infant death syndrome, a strange disease for which there exists no known cause or remedy. Today, I am submitting legislation to launch the search for a cure to the syndrome.

The bill would provide \$2 million for the establishment of centers devoted to

research on the syndrome; for the collection, analysis, and distribution of information on the disease; for counseling services to the families of stricken infants; and for short-term training and other professional services which might help to prevent these mysterious "crib deaths."

I would like to submit for the RECORD articles by Ms. Jean Dietz, of the Boston Globe, and by Colman McCarthy, of the Washington Post, which describe sudden infant death syndrome in its tragic detail:

THE TRAGEDY OF CRIB DEATH

(By Colman McCarthy)

Earlier this year in a small California town near San Diego, John and Patricia Smiley went into the bedroom of their four week old infant. The child, healthy the day before, lay dead. The couple, frantic with sudden shock, immediately called the local sheriff's office to ask for an ambulance. As Smiley remembers it, the voice at the other end replied that if the child was dead, why was an ambulance needed.

So began the post-death ordeal of the Smileys. The young and poor couple was charged on suspicion of involuntary manslaughter and jailed for three days. The charges were eventually dropped but not before the couple had been harassed to the point that they left town. The Smileys were in Washington yesterday, testifying before a joint session of the Senate subcommittee on children and youth and the subcommittee on health. "There are just so many bad memories to the whole situation and I would like to forget," Smiley told the senators, "but I know that I will never be able to forget. . . . I hope that it never happens to anyone else like it happened to us. The death of a child is bad enough. It's the harassment and lack of knowledge, lack of understanding and lack of compassion that hurts more than anything else."

The tragedy of the Smileys would pass unnoticed—another hard luck case in a world full of them—except that it is part of a national pattern. Their child died from sudden infant death syndrome, a disease that kills an estimated 10,000 infants a year, at a ratio of one in 350. SIDS (crib death) is neither predictable nor preventable. Perhaps because of this, interest in its research has been limited, from medical schools to the federal government; current federal primary money for SIDS research grants is \$262,000, less than the cost of remodeling the President's jet; primary research contracts are \$340,000. What is especially strange about the disease is not its mystery but that little is done for the surviving parents, even though much is known about their anguish. Couples are not usually jailed as the Smileys were, but nearly all are imprisoned within some kind of emotional torment from which release is painful and perhaps impossible.

Many who are concerned about SIDS learned long ago not to look to the federal government for leadership, much less to local health officials. Instead, several private groups are at work. Among them are the Guild for Infant Survival (Baltimore) and the National Foundation for Sudden Infant death (New York). In testimony yesterday, Dr. Abraham Bergman, a Seattle pediatrician and the foundation's president, said that the parents' post-death anguish "is all so unnecessary. By the expenditure of a small amount of funds (such as proposed in legislation now before the Senate), and just the semblance of some action on the part of HEW, the human aspects of SIDS which causes an enormous toll of mental illness could be solved within two years."

In other years, Bergman has come to Washington with mostly general statements on the degree of neglect. The response was

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small. This time, he is presenting specific details from 158 American communities on what action coroners, medical examiners, health officials and parents take when infants die suddenly and unexpectedly. The report, with a few bright parts, is generally bleak. A coroner in Alabama called a SIDS death suffocation because "blacks do not know how to care for their children properly." An Idaho coroner called it "partial neglect and pneumonia." Only half of some 400 parents were told their children died of SIDS. Only 27 per cent of the communities had pathologists to certify the cause of death; in 43 per cent of the communities it was not even a physician who performed this service, but often an undertaker, ambulance driver or sheriff. More than a third of the families had to wait between a week and many months before the autopsy results were provided; 9 per cent were never told by anyone why their infants died.

Not surprisingly, Bergman's study found racial and class discrimination in the management of SIDS. "Half as many blacks as whites were given SIDS as an explanation for death; four times as many blacks were told that their baby suffocated; and three times more blacks than whites were never told why their baby died. Some 75 per cent of upper class families had heard of SIDS before their baby died, and 92 per cent received information afterwards. Only 48 per cent of lower class families had heard of SIDS before their baby died and only 40 per cent received information about SIDS after their baby died. The people who needed the help most were least apt to receive it."

The loss of an infant causes an anguish that only the surviving parents can feel. Even when a parent is familiar with the disease, the trauma can be intense. A Seattle pediatrician working in the hospital with the world's largest SIDS research project said that her knowledge that SIDS is neither predictable nor preventable "did not protect me from painful guilt feelings and depression. I was a human being and a mother who needed help at a critical time." She was visiting in Los Angeles when her infant son died and the help was not provided. More than two months passed before she even knew that an autopsy had been performed. "I keep thinking," the woman has written, "if a physician's family, which has some understanding of SIDS, is treated in this way in Los Angeles, what happens to other families who don't have similar resources? Why can't parents who lose treasured infants be treated with dignity and compassion?"

It is a fair question. One possible answer is the lack of leadership among public health officials. Why should a local sheriff's office be expected to show sensitivity if no example is given by the supposedly alert doctors in many state and federal agencies? At the last Senate hearings on SIDS, an HEW doctor in charge of SIDS research issued the inevitable promise to take action, but he's gone from the agency now. His successor has renewed the promise, "I don't know what happens to people when they come back here to the banks of the Potomac," Bergman said. "Maybe it's the heat or maybe it's the smog. Government officials here in Washington are always busy, busy, busy with big problems. HEW always seems to have some reorganization cooking. Global health strategy is being devised, or else 'we're new in our job, give us time.' Senator Magnuson says that, what with all the job changes, the busiest people in this town are the sign painters down at HEW."

If we were told this morning that in the next year a dreadful plague would kill 10,000 of America's children, it is likely the nation's medical community would command the front pages of newspapers to announce plans to meet the threat. The sign painters at HEW would be idle because no official would dare leave his post in this emergency. Every local community, including Alabama

coroners, would be on the alert. Such a plague is not coming, of course, at least not the Black Death kind of threat. But a year from now, another 10,000 infants will have been found dead in their cribs. Afterward, their parents will die repeated emotional deaths in private anguish. The research to prevent SIDS may be far off, but ways to prevent the abuse of surviving parents is well known. Perhaps the largest mystery involving SIDS is that we are not acting on facts already available.

THE MYSTERY OF CRIB DEATHS (By Jean Dietz)

At eight o'clock on a Sunday morning in November, 1969, Diana Shatz of Brockton woke up wondering why her son, Daniel, was sleeping so late and went to his room to check. She found a blanket over his head.

"Immediately, I knew something was wrong. I pulled back the blanket and yelled 'Oh my God, the baby is dead,'" she recalled last week. Daniel was nine weeks old.

On a pleasant afternoon in April, 1972, Molliane Cunniff brought her four-week-old son, Brian, to her mother's home in Waltham while she kept an appointment with the dentist.

"About 15 minutes after I left my mother went in to feed him. She was anxious to give him his first bottle because I was breastfeeding the baby. Instead she phoned the fire department," says Mrs. Cunniff. She found the baby dead.

Anne Barr of Stowe took along her daughter, Kate, just over three months old, while the family went skiing with friends at Sugarbush, Vt. It was January, 1963.

"We fed the babies and put them in their car beds, picked up our older children at the nursery, and started home late in the afternoon," she remembers. "In our care, Kate rode in back with her brother, Benjamin, three. When we reached home and went to lift the bed out of the car, she was dead."

Each of these apparently healthy, vigorous babies was a victim of "Sudden Infant Death Syndrome" (SIDS), sometimes called "crib death"—a mysterious disease that is now the nation's top killer of infants less than a year old who survive the first week of life.

Each year, approximately 10,000 babies are victims of SIDS—one in every 350 live births. More often than not, their parents also become victims—victims of psychological pressures resulting from unjustified guilt feelings which can shred their lives and shatter their marriages.

In contrast, Diana and Mark Shatz, Molliane and Joseph Cunniff and Anne and Charles Barr have discovered the healing quality of helping others. It is not an easy battle.

Each credits the National Foundation for Sudden Infant Death—a relatively unknown charitable corporation started by New York parents like themselves—with helping them to face the future.

All are now involved with helping to prevent other parents and children from becoming victims through working with the new Eastern Massachusetts chapter of the foundation, headquartered at 237 Hovendon Ave., Brockton.

Anne Barr explains why it is important for people to know about the awful possibility of SIDS:

"When my husband discovered Kate and screamed, 'she's dead,' we both thought she had suffocated. Charles started mouth to mouth resuscitation. It took me about four minutes to get in control and to the telephone. It might have taken me four months. Suddenly, I remembered reading an article in The Globe on SIDS and learning more watching a Marcus Welby television episode.

"But if it hadn't been for the foundation, we would have had no personal help from anyone. Our friends had no experience with

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death," the 30-year-old mother continued. "When I asked a doctor if there was a group to help, he said 'try the Yellow Pages.'

"Eventually, my father, who lives in New York City, found the foundation which has headquarters at 1501 Broadway. They provide accurate information on the subject. For example, I'm pregnant again. I was worried if there was a possible congenital defect in SIDS. There is not."

One reason it is important that doctors and nurses learn the facts about SIDS is so they can counsel older children in the family. A child often feels guilty about the death of a baby, says Dr. Frederick Mandell, a pediatrician at Children's Hospital Medical Center, who has testified on behalf of proposed legislation for more humane handling of SIDS cases in Massachusetts.

"In the course of normal sibling rivalry, a brother or sister might have wished the child to die. The older child might have taken a bottle or a toy away from the baby just before sudden death occurred. A surviving child must be reassured that nothing he did caused the death of the baby. He should also be assured that he is healthy and that the same thing won't happen to him."

Although their previous knowledge about SIDS was minimal, the Barrs realized they should request an autopsy when the police brought the family to the hospital.

"We had to push for an autopsy, but we got it," says Mrs. Barr. "Nevertheless, the medical examiner said he had to put 'acute pneumonitis' on the death certificate, for legal reasons although our pediatrician told us the cause of death was SIDS."

The autopsy result brought relief for another reason.

"We were terribly worried about the reaction of Benjamin, who had been right next to the baby when she died. We also had a dog who was hit by a car a week after the sister's death.

"On the drive home from Sugarbush, Ben said he would like to feed the baby a raisin. I said, don't. But if it hadn't been for the autopsy, we might have thought there was a raisin in the baby's throat."

Three weeks after her daughter's death, after requesting assistance from the foundation in New York, Anne Barr was called by Marianne Cunniff and invited to visit her home in Natick.

"It was very helpful to see Marianne and her family leading a normal life," she said. "Meeting another survivor gives you the belief that you can do it, too."

The most considerate person in the Cunniff case was "a Waltham fireman who came immediately when my mother dialed for help," recalls Marianne Cunniff:

"My mother had major arterial surgery four months before Brian died. The fireman noticed the scar which goes from the base of her ear to her throat and when one policeman got heavy on questioning her, the fireman turned him off."

From all over the country, parents of SIDS victims report that police and doctors alike often ask them such questions as:

"How many times did you hit the baby?"

"Did your other child choke or in any way abuse the infant?"

"Did you let your dog bite the baby?"

When the family assembled at Waltham Hospital with the baby, Mrs. Cunniff says, "no one seemed to know what to do."

On July 18 Mrs. Cunniff gave birth to a daughter Kerrianne, a happy event for all the family. At Framingham Union Hospital, she says the staff seemed more interested in SIDS than the new baby, although she welcomed the opportunity to get the facts across.

"They would look at my chart and notice three births. I would have to explain the second child would have been 14 months old, if he were alive," she explained.

There was also a nightmarish experience of psychological denial of the tragedy for Diana

and Mark Shatz at Brockton Hospital on that dreadful Sunday morning nearly four years ago.

"I went to the hospital in an ambulance with the baby while my husband came in another car," reports Mrs. Shatz, who is now 28. "They put me in a room with a policeman. I kept asking if the baby was alive, but no one answered. Then I heard someone say the baby was dead. We asked to see the baby. The doctor said 'what difference does it make? The baby's dead.'"

"Finally a nurse said, 'let them look if they want to look.'"

In the case of the Shatz tragedy, the medical examiner was helpful. He said "these things happen. I see four or five a year."

"Most unusual of all, the medical examiner wrote Sudden Infant Death Syndrome on the death certificate so we know the baby didn't suffocate. The policeman who interviewed us kept the questions down because he had lost a child to SIDS himself," says Mrs. Shatz, who is president of the Massachusetts chapter of the foundation, as well as the mother of Stephanie, 5, and Stephen, who was born in September, 1970.

Both her children have helped her face reality.

"My daughter, Stephanie, was only 21 months old at that time. But she could carry on a full conversation. My neighbor took her home overnight. When she came back she asked, 'where's my brother?'"

"I couldn't answer her. But Stephanie went and got a cardboard carton and began packing the baby's clothes away. She knew he was gone."

While there are reports from many parents that doctors glibly tell them to "have another baby," Mrs. Shatz was told not to become pregnant again too quickly.

"Disobeying my doctor's advice turned out to be psychologically good for us," she says today. "Several times during that pregnancy, I was hemorrhaging at the hospital or hemorrhaging at home because we had no hospital insurance. My physical troubles took our minds off the tragedy. The doctor said it was only mind over matter that prevented a miscarriage."

Mothers who are involved as parent contacts to help other families go through the grief reaction that is normal and inevitable after losing a child to sudden, inexplicable death, are careful to empathize, rather than give medical advice. Diana Shatz gives examples:

One woman had been talking about her fear of having another child for several months while I only listened. One day she called wanting to know how to get rid of her birth control pills. I told her you simply open the package and flush them down the toilet one by one.

Fear of losing a surviving child is also very common, often leading the mother to be overprotective. SIDS apparently always strikes in sleep. The mother may fear to let a child sleep alone.

One woman called to say her three-year-old had gone to his room to take a nap and she was certain he had died.

"Go in and look while I hang on the phone. Then come back and tell me that he's all right," Diana Shatz advised.

Within the year since the eastern Massachusetts group was chartered by the national foundation, the local mailing list has grown from 50 parent couples to 350 including doctors, nurses, and other interested individuals. But medical interest is not tremendous.

"Probably all physicians have heard of 'crib death,' but relatively few have encountered it in their own practices. This may not be so surprising as it appears, because relatively few cases ever get to the hospital—except to the pathology laboratory," says Dr. Abraham B. Bergman of Seattle, president of the National Foundation.

Boston ranks high as a medical center, but among the worst areas in the nation for sensitive handling of crib deaths, according to this pediatrician, who has written many articles on the subject for professional journals.

No autopsy is performed in 70 percent of the crib deaths which occur here. Bereaved parents are left with guilt feelings, often convinced they have done something to contribute to the death of their child.

"Immediate and sustained grief reactions, well known to psychiatrists, are almost inevitable," says Dr. Bergman. "Family members may exhibit denial (inwardly refusing to believe that the event has occurred), anger, mild or severe depression, fear of 'going insane' or 'losing my mind' and vague somatic sensations such as 'heartache' or 'stomach pain.'

Diana Shatz says it took her months to get over "hearing the baby cry at night." It was a long while before Anne Barr could drive an automobile in the evening. Yet, both young women say they had no reason to believe a psychiatrist could help.

"One woman in the group said she went to a psychiatrist and that he was so upset he spent the whole hour talking about a death in his family," Mrs. Shatz pointed out. She was disgusted.

But psychiatrists are not the only offenders.

"Uninformed family doctors and pediatricians have their own feelings to deal with," says Dr. Mandell. "They may feel guilty because this was a healthy child. They may wonder if they missed something when they checked the baby. The more understanding

the doctor has, the better he can cope with this disease himself, and provide the family with information and understanding."

Writing in the current issues of the "American Family Physician" magazine, Dr. Bergman makes three major points after years of research on Sudden Infant Death Syndrome:

Death appears to occur from complete upper airway obstruction during sleep. Diagnosis can be rapidly made on the basis of a simple autopsy. Essential to the diagnosis is absence of obviously lethal lesions. In about 15 percent of cases of sudden unexpected infant death, a definite cause other than SIDS is found: for example, meningitis, subdural hemorrhage or myocarditis.

The physician should shield the family from police accusations or foul play or carelessness.

The family must be reassured that the death was in no way their fault or that of anyone else.

"It is ridiculous that families should have to explain to doctors, nurses, policemen, firemen, and medical examiners who investigate these cases what it is that the child died from," says Anne Barr, as she explained the goals of the Eastern Massachusetts Chapter.

The first purpose is to assist parents who have lost a child, and see that they are treated with respect and dignity, and are given the proper information.

Second, is sponsorship of proposed legislation heard before the Special Legislative Commission on Child Welfare which would make autopsy mandatory unless parents have religious or other objections, allocate funds to cover autopsy expenses, and make Sudden

Infant Death Syndrome the sole cause of death on the death certificate.

Sudden Infant Death Syndrome has been "a big problem for medical examiners," says Dr. Michael Luongo, medical examiner of North Suffolk County. Before World War II, Luongo says almost all cases were attributed to "mechanical asphyxia."

"If a baby slept on its tummy, it was assumed it couldn't breathe. If it slept on its back, the baby was assumed to have aspirated milk."

Although no adequate anatomical explanation for death has yet been found, research has eliminated this theory which led mothers to unnecessary concern.

While Dr. Luongo admits that the term "acute pneumonitis" is only a euphemism for a "little bit of inflammation in the lungs" found in such cases, he believes that "Sudden Infant Death Syndrome" is another euphemism which, to him, "means only that the child has died."

However, he says "there is no legal reason why a medical examiner can't put it on the death certificate if it is going to make the parents feel better."

When there is no suspicion of violence in the case of a baby found dead, and the infant was "obviously in good, healthy and clean condition," he said the question of an autopsy depends "on the attitude of the medical examiner."

However, Dr. Luongo said he would not oppose mandatory autopsies, provided parents wanted them, so long as the state paid the bill "because the counties have limited budgets."

HOUSE OF REPRESENTATIVES—Wednesday, September 26, 1973

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Finally, brethren, whatsoever things are true, and honest, and just, and pure, and lovely, think on these things and the God of peace shall be with you.—Philippians 4: 8, 9.

Eternal Spirit, amid the tumult of these trying times may we keep within our hearts a quiet place where Thou dost dwell, where Thy power can strengthen us, Thy grace forgive us, and Thy love permeate us. May our spirits, finding new life in Thee, be made ready for the responsibilities of this day and equal to the experiences which come our way.

We pray for our country that she may be steadfast in her devotion to truth, firm in her desire for peace, wise in her dealings with other nations, and faithful in her allegiance to justice and righteousness as the foundation of our national life.

Strengthen our leaders that they may walk with Thee in these critical days and encourage our people that they may learn to do justly, love mercy, and walk humbly with Thee.

In Thy holy name we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate proceeded to reconsider the bill (S. 1672) entitled "An act to amend the Small Business Act," returned by the President of the United States with his objections, to the Senate, in which it originated.

The message further announced that the said bill did not pass, two-thirds of the Senators present not having voted in the affirmative.

The message also announced that the Senate agrees to the amendments of the House to the bills of the Senate of the following titles:

S. 464. An act for the relief of Guido Bellanca; and

S. 2075. An act to authorize the Secretary of the Interior to undertake a feasibility investigation of McGee Creek Reservoir, Okla.

SKYLAB II

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

Mr. FUQUA. Mr. Speaker, today we can take great pride in yet another brilliant achievement in our national space program—the return of the Skylab II astronauts. The achievements of Astronauts Alan L. Bean, Owen K. Garriott, and Jack Lousma are already being acclaimed. New firsts in space have again been achieved. To me the most significant aspect of this record voyage to the world's first space station has been the human accomplishment. Skylab II as-

tronauts accomplished 150 percent of the planned mission. In doing their job in Earth resource surveys and other important experiments, the astronauts went beyond the high standards established for them prior to the flight. Today when achieving the norm is often the best that we can expect, it is good to see these outstanding Americans excel in Skylab II. I am confident that we can all join in saluting and congratulating the sterling accomplishments of Astronauts Bean, Garriott, and Lousma, and those who contributed to the flight of Skylab II, and look forward with confidence and anticipation to the flight of Skylab III.

DIOGENES NEVER VISITED BALTIMORE

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, Diogenes never visited Baltimore, but if he had, I believe he would have found what he was looking for.

Our system of government and our system of justice—imperfect as it may be—rests on the theory that honest men are rational and just. And, if presented with facts in a court proceeding, can make a true determination of the guilt or innocence of accused persons.

Before we reject this principle and undertake an investigation of our own, we should certainly consider the depth of our faith in the American judicial process.

None of us are beneath the law, nor are we above it. It serves us all, hope-